



# **COLNE TOWN COUNCIL**

## **Grievance Procedure**

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## Appendix 1 Grievance Procedure

### **1. Introduction**

Employees that have concerns, problems or complaints about their workplace or treatment by line managers and colleagues have the right to lodge a grievance.

Through the daily management process it is expected that both employers and employees should always try to resolve problems in the workplace at the earliest possible opportunity.

If not able to resolve differences, then this procedure lays out how Colne Town Council will deal with this process and provides the opportunity for any individual employee, or group of employees, who have a grievance relating to any matter concerning their work with the Council, to have the grievance considered by appropriate levels of management.

All employees have the right at stage two of this process to have representation with them.

### **2. Scope**

This procedure applies to all employees of Colne Town Council.

This procedure does not cover:

- Grading of job or pay band
- Disciplinary matters
- Dismissal
- Selection for redundancy
- Sickness absence management matters

If a grievance is taken out against or brought by the Town Clerk, this will initially be considered under this policy by the Chairman of the Town Council and if not resolved, then considered by the Finance, Employment & Services Committee with advice from the Council's appointed HR adviser.

### **3. The Grievance Procedure**

#### **Stage 1 - Informal stage**

Any employee who has a workplace-related grievance or complaint should first talk the matter over on an informal basis with their immediate line manager. He/she should discuss the employee's concerns in confidence, make discreet investigations, and attempt to resolve the matter speedily and fairly and provide a response within 2 working days.

#### **Stage 2 - Formal stage**

Where a grievance is serious, or the employee has attempted to resolve a problem informally without success, they should raise the matter formally and put their grievance in writing to the Town Clerk – If the grievance is against the Town Clerk then Stage 3 should be enacted.

- After consultation with the Council's HR advisers, the Town Clerk shall call a meeting of the interested parties to discuss the issue with the employee within 5 working days.
- At the employee's request, the meeting may be postponed for up to five working days, if their chosen companion is not available to attend on the date set for the meeting.
- At the meeting, employees should explain their grievance and how they think it should be resolved. Consideration should be given to adjourning the meeting for any investigation that may be necessary.
- The Town Clerk will also meet with the line manager, if necessary, to obtain information and the outcomes from the previous discussions held under this procedure.
- The Town Clerk will normally provide the outcome to the grievance within 5 working days of the meeting and will give the employee his/her reasons in writing. This timescale may be extended depending on the issues raised and the length of time it takes to resolve them. The outcome should be provided within a reasonable timescale and the reasons for any delay should be communicated to the employee.

#### **Stage 3 – Appeal**

Should the grievance be against the Town Clerk or the employee remain dissatisfied with the outcome from Stage 2, they will have the right to appeal by submitting their grounds of appeal to the Chairman of The Finance, Employment & Services Committee within 5 working days of the date of the letter confirming the Town Clerk's decision (if applicable from Stage 2).

After consultation with the Town Clerk (who shall provide copies of all previous documentation), the Chairman of the Finance, Employment & Services Committee will call a grievance meeting within 10 working days of receipt of the employee's appeal letter.

The Chairman of The Finance, Employment & Services Committee will normally provide the outcome to the grievance within 10 working days of the meeting and will give the employee his/her reasons in writing. This

timescale may be extended depending on the issues raised and the length of time it takes to resolve them. The outcome should be provided within a reasonable timescale and the reasons for any delay should be communicated to the employee.

If the employee remains dissatisfied with the outcome determined by the Chairman of The Finance, Employment & Services Committee, the employee has the right to present their appeal to the Full Council, in a specially called meeting, following which the Full Council's decision will be given in writing. There is no further right of appeal.

#### **4. Collective Grievances**

Collective grievances (i.e. where more than one employee has concerns) may be dealt with under this procedure. A collective grievance should be brought by the group's elected spokesperson to be discussed and resolved in accordance with this procedure.

#### **5. Right to be accompanied**

All employees have the right to be accompanied at the formal stages of this procedure by a "companion" (either a Trade Union Official or a work colleague) who is allowed to address the hearing to put forward and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting, and confer with the employee during the hearing, but does not have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish it, or prevent the employee from explaining their case.

Employees must make all reasonable efforts to attend a meeting arranged under this procedure and non-attendance may result in the matter not being considered any further.

It is the responsibility of each employee to arrange their own representation.

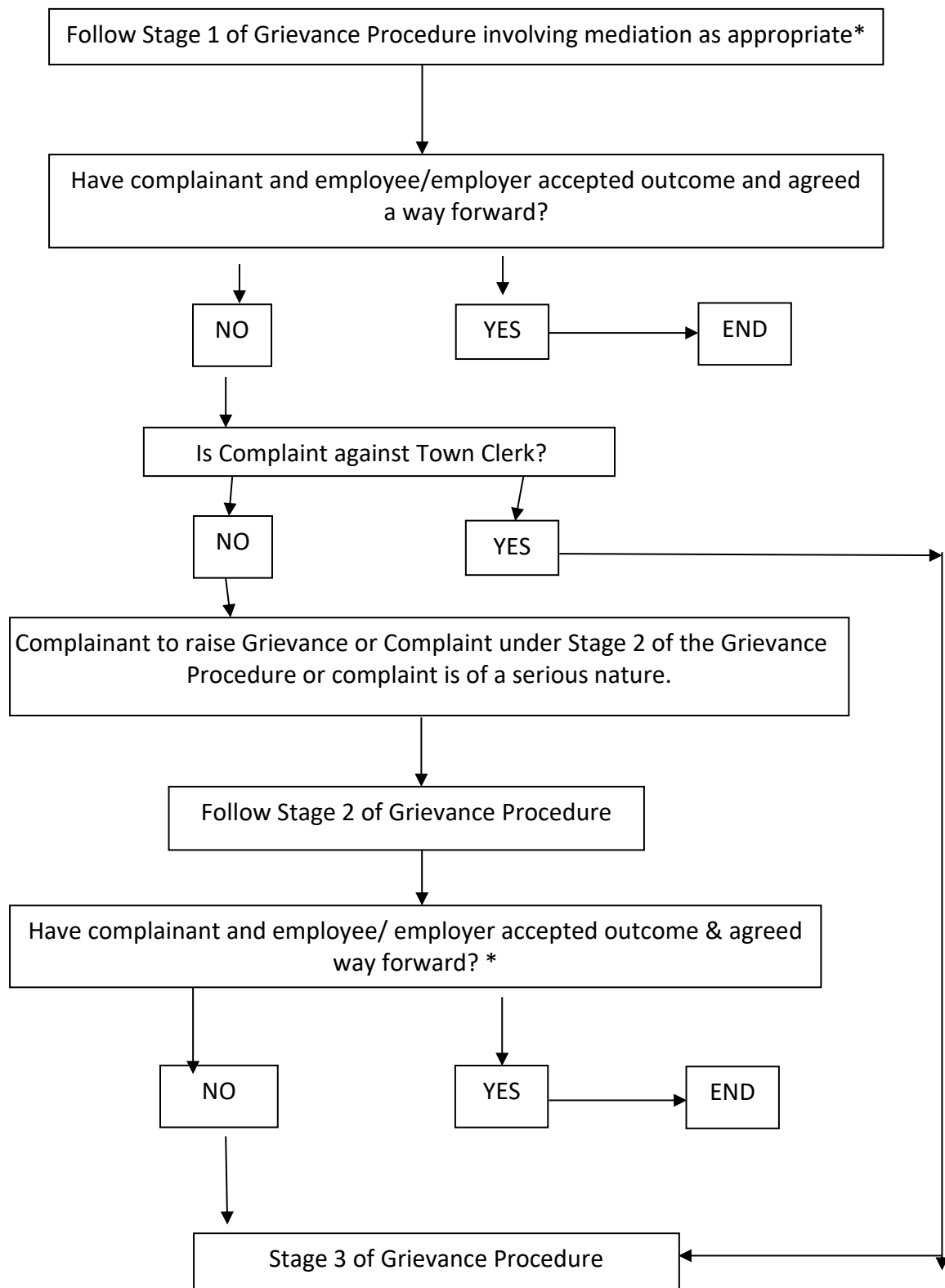
#### **6. Mediation**

There may be occasions where an independent and impartial third party or mediator can help to resolve a grievance. Mediation is only useful where both parties are willing to undertake the mediation

Where it is jointly agreed that mediation is appropriate to resolve a dispute, the grievance procedure should be suspended.

## Appendix 1

## Procedure to follow for Grievances



If it is established that there is a case to answer, managers will need to determine whether it is appropriate to follow the remainder of the grievance procedure or to commence disciplinary proceedings. Managers may wish to consider the potential for a finding of misconduct, serious or gross misconduct when making this decision.