

**1.0 INTRODUCTION**

- 1.1 The council recognises that employees may wish to seek redress for complaints relating to their employment (grievances). Free communication between employees and their managers is encouraged at all times to ensure that problems and questions arising during the course of employment are raised and resolved as quickly as possible and to the satisfaction of all concerned.
- 1.2 Unless the Head of HR and OD agrees that there are exceptional circumstances, such as long-term absence, the grievance must be raised within three months of the incident or action giving rise to it.
- 1.3 Some matters relating to employment do not fall within the scope of this procedure and are dealt with under separate arrangements. These are:
- Allegations of bullying, harassment or discrimination (Dignity at Work policy)
  - Disciplinary outcomes (Disciplinary Appeals procedure)
  - Allegations of fraud, corruption or financial malpractice (Whistleblowers policy)
  - Applications for grading, regrading and appeals (Grading policy)
  - Matters connected with the level of allowances (Joint consultative machinery)
  - Other payroll matters affecting Income Tax, National Insurance, superannuation, etc. (Via direct contact with the section/department concerned)
- 1.4 This procedure relates only to individual employees. Where grievances are of a collective nature or where an individual complaint becomes a collective issue affecting other employees, the matter will be dealt with under the Collective Disputes procedure.
- 1.5 This procedure applies to all employees of the council and former employees (subject to prescribed time limits) other than those employed by schools with delegated powers.
- 1.6 Any action taken against an employee because they have raised a grievance may amount to unlawful victimisation.

**2.0 ACCESSING SUPPORT**

- 2.1 Support is available from the HR service and the council's Confidential Staff Welfare and Counselling Service, who are available for employees to contact in confidence, to discuss their situation.
- 2.2 At all stages of the procedure, employees have the right to be represented by a trade union representative, or accompanied by a fellow worker of the council. The council encourages employees to seek support as appropriate.
- 2.3 If the employee considers that they have a disability, every effort will be made to accommodate any reasonable adjustments that may be necessary or requested.

**3.0 PROCEDURE**

- 3.1 Every effort should be made to resolve grievances through an informal process, including the use of mediation where appropriate.

**Informal stage**

- 3.2 Where an employee has a grievance arising from employment, they should initially raise the matter with their immediate supervisor. The immediate supervisor and employee should discuss the issue and both parties should keep a record of the details of the grievance, including date, circumstances, advice given and the decision taken.
- 3.3 Should the employee be dissatisfied with the decision or if the grievance relates to their immediate supervisor, the employee, represented if they wish by a trade union representative or accompanied by a fellow worker of the council, may request a meeting to discuss the matter with the next level of management.
- 3.4 The manager will obtain the supervisor's record of the grievance, record any additional information and then reconsider the matter. If not resolved at the meeting the manager will carry out further investigation as is necessary.
- 3.5 A decision will be confirmed in writing to the employee and copied to the union representative or fellow worker of the council, normally within 10 working days of the date of the meeting.

**Mediation**

- 3.6 Where initial discussions have failed to resolve the grievance satisfactorily the manager who last considered the grievance should raise the matter with HR. If appropriate and provided both parties agree HR will organise mediation.
- 3.7 Mediation should be used wherever possible to address the issues before the formal stage is instigated. However mediation can be used at any stage of the procedure.
- 3.8 A trained mediator (an employee, a member of HR staff or an external facilitator) with no prior knowledge of the circumstances both parties wish to address will facilitate structured discussions between the parties to try and bring about a resolution.

**Formal stage**

- 3.9 Should the employee still remain dissatisfied, or in the case of a former employee, they must put the grievance in writing to the relevant Director.
- 3.10 The complainant should state in writing why they are unhappy with initial informal attempts to resolve the grievance and their preferred outcome. A grievance form is available for this purpose if required.

*Note 1: In the case of former employees, they will receive a response in writing to their grievance, unless they specifically request a meeting to discuss the matter.*

- 3.11 The Director will write to the complainant to request their attendance at a meeting to discuss the matter. The complainant will be given at least five working days prior notice in writing of the time and place of the meeting and reminded of the right to be represented/accompanied in accordance with paragraph 2.2. A HR representative will assist in the process and/or support the Director at the meeting if required.
- 3.12 The Director will give further consideration to the problem and a decision will be given in writing to the employee, with copies issued to the other parties to the meeting, normally within 10 working days of the meeting.
- 3.13 If the matter is not resolved at this stage, the employee will be allowed a right of appeal. Appeals must initially be notified to the Assistant Director – Organisational Development within 10 working days of the written notification of the decision. Again, the complainant should state in writing why they are

unhappy with initial attempts to resolve the complaint and their preferred outcome.

#### 4.0 ADDITIONAL

- 4.1 If additional time is needed at any stage to enable a full and detailed investigation of the issues raised the employee should be informed in writing and be given an estimated date by which a decision will be reached.
- 4.2 Should the structure of a service area prevent a grievance from being investigated by a manager at any stage, an officer from another service area of at least equivalent grade will consider the matter.
- 4.3 Where appropriate the Assistant Director – Organisational Development may delegate the consideration of a grievance to an HR representative or external investigator to ensure objectivity, providing they have had no previous involvement in the matter.

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