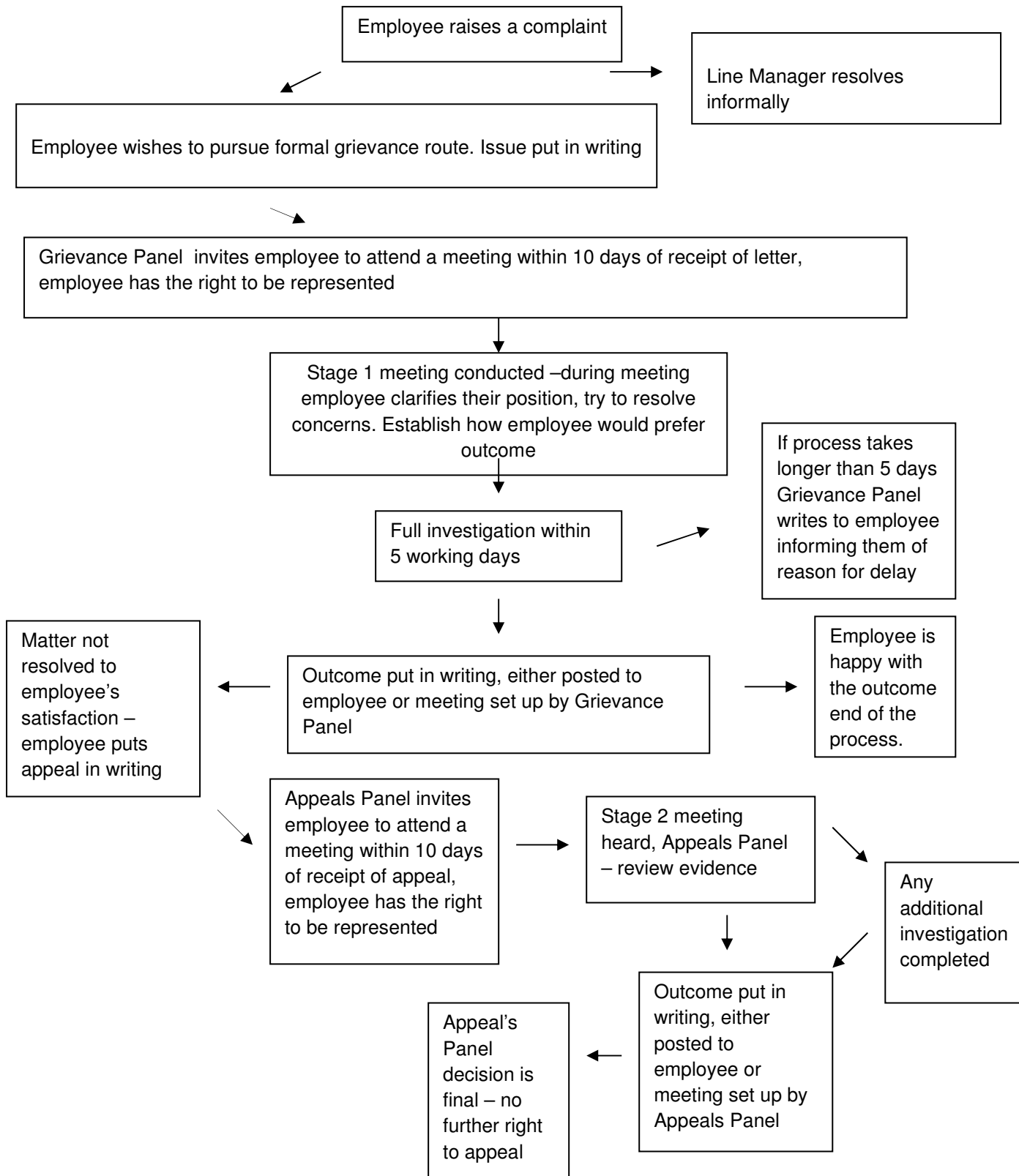


DETHICK, LEA & HOLLOWAY PARISH COUNCIL

**Grievance Policy  
Summary by Flowchart**



## DETHICK, LEA AND HOLLOWAY PARISH COUNCIL

### Grievance Policy

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**Purpose:** This policy sets out the steps that an employee should follow if they want to make a formal complaint. The aim of the grievance policy is to resolve conflict at work.

**Scope:** Policy applies to all Dethick, Lea and Holloway Parish Council employees regardless of whether on a permanent or temporary contract.

**Definition:** Grievances are concerns, problems or complaints that employees raise with their employers.

**Employers' legal responsibilities:** The Council is committed to ensuring that the grievance policy is fair and is in line with legislation, including

Employment Rights Act 1996

Employment Relations Act 1999

Disability Discrimination Act 1995

Employment Act 2002

Employment Act 2002 (Dispute Resolution) Regulations 2004 SI 2004/752

The Employment Act 2002 sets out a statutory grievance procedure, which must be followed, if the process is not followed and a grievance comes before an employment Tribunal any award made may be increased by up to 50%

**Introduction:** Most problems relating to employment can be resolved informally and we encourage any concerns raised to be resolved on this basis. But where an informal approach does not resolve an issue, the employees can use the grievance procedure.

**General Guidelines:** The following guidelines should be followed at all stages of the grievance process:

- All grievances must be set out in writing; letter should include nature of the grievance and the reasons for it.
- Each stage must be taken without delay.
- Meetings must be conducted in a way that enables all parties to explain their case.
- Employees are entitled to be accompanied by a representative (a work colleague or union representative) at each stage. The role of the representative is to support the employee and they are allowed to ask questions and make statements. They have a statutory right to address the hearing but should not answer questions on the employee's behalf. The representative may confer with the employee for a reasonable time. If the chosen representative is not available on the day, the employee has the right for the meeting to be rescheduled within a maximum of 5 working days.

- A Grievance Panel will be selected by the Council. At that time, an Appeals Panel will be selected should an appeal to the outcome occur.
- A record should be kept at each stage of the procedure and copies should be given to the employee, however in certain circumstances (for example to protect a witness) the employer might withhold some information.
- Details of the grievance, response, reasons and any meetings should be kept on the individuals personnel file.
- The grievance proceedings and record must be kept confidential
- All relevant witnesses must be interviewed.

**Stage 1:** Upon receipt of a written grievance the Council should consider the matters raised and select a Grievance Panel, who will write to the employee inviting them to attend a meeting as soon as possible (normally within 10 working days). During the meeting you will need to seek clarification from the employee in relation to their letter and try to address their concerns. If they do not wish to have a representative present, you need to ensure they sign the accompaniment waiver form. At the meeting you will need to ask the employee how they would like to receive the outcome of your investigation. The outcome will be in the form of a letter, which can either be posted to them, or a meeting can be set up.

If appropriate, additional investigations, which may involve interviewing witnesses, will be conducted, before the outcome is reached. The outcome should normally be reached within 5 working days of the meeting; if this is not possible the employee should be written to, in order to explain the reason for the delay.

If the grievance concerns allegations against another employee, appropriate feedback should be given to them, at this stage and any other subsequent stage.

**Stage 2:** If stage 2 has been completed and the matter has not been resolved to the employee's satisfaction they may appeal. The appeal should be made in writing, within 5 working days of receipt of the outcome, and should outline the reasons for the appeal.

The Appeals Panel should hear the appeal.

The Chair of the Appeals Panel will write to the employee inviting them to attend a meeting normally within 10 days of receipt of the grievance appeal. The aim of the meeting is to review the grievance and the stages taken to resolve it. If they do not wish to have a representative present, you need to ensure they sign the accompaniment waiver form. At the meeting you will need to ask the employee how they would like to receive the outcome of your investigation. The outcome will be in the form of a letter, which can either be posted to them, or a meeting can be set up.

The grievance procedure will then be exhausted. The panel's decision is final and there is no further right to appeal.

**Group Grievances:** The above stages should also be used to resolve a group grievance. In this case 2 employees should represent the group. The right to be represented applies.

**Malicious Grievances:** The Council reserves the right to take disciplinary action against an employee found to be making malicious allegations.

**Employers who are working their notice:** When an employee raises an issue either in the letter of resignation, or whilst working their notice they must be given the opportunity to raise their concerns through the formal grievance procedure. All stages of the process must be followed.

If the employee does not wish to follow the formal process this must be documented.

**Employees who have left our employment:** If an employee has left the company the modified statutory grievance procedure must be followed.

The employee must put their grievance in writing and the council must set out their response in writing within 28 days of receipt of the letter.

## **Dethick, Lea and Holloway Parish Council**

### **Invitation to Grievance meeting letter**

#### **Private and Confidential**

Name  
Address

Date

Dear ,

I write with reference to your letter dated ( ) in which you raise a grievance/appeal regarding ( )

In order for this matter to be discussed further I have arranged a stage 1/2 meeting on (date) at (time) at (location). This meeting is an opportunity to gain clarification of the points in your letter.

You are entitled to have a union representative or work colleague at this meeting. If you intend to be accompanied please inform me before the meeting. I will be accompanied by (name) (role).

Yours Sincerely

Chair  
Grievance Panel

## **Dethick, Lea and Holloway Parish Council**

### **Delay in process letter**

#### **Private and Confidential**

Name  
Address

Date

Dear

I write regarding your grievance meeting held on (date).

At the meeting we informed you that after completing our investigation I would be in a position to send you an outcome by (date). Unfortunately due to ( ) we will be not be in a position to deliver the outcome until (date).

If you have any questions before the outcome please contact me.

Yours sincerely

Chair  
Grievance Panel

## **Dethick, Lea and Holloway Parish Council**

### **Outcome letter**

#### **Private and Confidential**

Name  
Address

Date

Dear

#### **Stage (No) Grievance**

Further to the stage (no) grievance hearing held on (date) with myself and (name / title), I write to confirm our decision.

In relation to your grievance we have undertaken a full and thorough investigation into the matters you have raised. In relation to this we have considered the following matters ( detail the matters / stages taken which you have considered in reaching your decision)

Having considered the above it is our decision to / not to uphold your grievance.

If stage 1 If you do not agree with this decision, you have the right to appeal within 5 working days of the date of this letter and in this event you should write to myself setting out the grounds of your appeal.

Or if stage 2  
I must advise you that this decision is final.

Yours sincerely

Chair  
Grievance Panel







**Dethick, Lea and Holloway Parish Council**

**Grievance Accompaniment Waiver**

I.....have been offered the right to be accompanied at my grievance meeting on .....by another member of staff or trade union representative, as per the grievance policy.

I have chosen to waive this right.

Signed.....

Print name.....

Date.....

## **Dethick, Lea and Holloway Parish Council**

### **Dos and don'ts of conducting a grievance meeting**

**Do** make sure that there will be no interruptions

**Do** put the employee at their ease

**Do** allow the employee to explain his or her complaint fully

**Do** listen actively to what the employee has to say and take it on board

**Do** distinguish between facts and opinions

**Do** avoid emotional reactions such as anger or impatience

**Don't** interrupt the employee unless it is necessary to keep the employee on track

**Don't** react negatively, for example by expressing criticism or disapproval

**Don't** adopt a judgemental attitude

**Don't** allow any personal like or dislike of the employee to influence your responses

**Don't** forget to summarise towards the end of the hearing to check your understanding

**Don't** make any decision about what to do about the grievance until all the facts have been aired and, if necessary, investigate or checked