

West Buckland Parish Council Grievance Policy & Procedure

Adopted at the Meeting of the Parish Council on 29/11/16

1. Policy Statement

1.1 The Council recognises the Clerk may feel aggrieved about an aspect of his/her employment and accepts that he/she has the right to raise this grievance and to expect that management will consider it and respond.

1.2 The purpose of the accompanying procedure is to provide a framework for dealing promptly and fairly with such grievances. The aim is to resolve grievances as near as possible to their point of origin.

1.3 Matters appropriately dealt with under the Council's grievance procedure include all questions relating to the individual rights of employees in respect of their employment other than:

- grievances lodged outside of the time limits set out in the accompanying procedure unless with the agreement of the Chairman;
- grievances which have already been considered in accordance with the procedure;
- grievances arising from a disciplinary or capability process in which the Clerk is already involved and where there is an appeals procedure in place;
- grievances in respect of issues over which the Council has no control e.g. external legislation;
- grievances which are already the subject of a collective grievance or dispute.
- The timescales shown in the accompanying procedure may be altered by mutual agreement.

1.4 This policy and the accompanying procedure will be the subject of periodic review by the Council.

2. Procedural Guidelines

2.1 Where the clerk is aggrieved about any matter relating to his/her employment he/she should raise the matter informally with the Chairman as soon as possible and other than in exceptional circumstances within **20 working days** of the incident or event. However the clerk will be permitted to raise as part of a grievance a series of directly related incidents having a cumulative effect.

2.2 The Chairman should consider and seek to resolve the grievance within 10 working days. Whether or not this proves possible the chairman should in every case inform the clerk of their decision and, if appropriate, any action taken.

2.3 The clerk may wish to seek the advice of a trade union representative or colleague prior to raising a grievance at this informal level.

2.4 If the clerk is not satisfied with the result of the informal process he/she can take the matter up with the Chairman, in writing, stating the nature of the grievance. This should be done within **10 working days**.

2.5 The Chairman will arrange a meeting with the employee to discuss the grievance as soon as possible and normally within **10 working days**. If, having listened to the clerk's submission the Chairman hearing the grievance determines that further investigation is required the meeting will be adjourned for a period not to exceed **10 working days** during which time the Chairman will conduct any necessary research, including, if appropriate, liaising with other parties.

2.6 It is not expected that other parties would attend the reconvened hearing. However, if it is determined by the Chairman that their contributions would facilitate consideration of the grievance they will be asked to make themselves available, in order that they may respond to any matters raised by the aggrieved individual during the course of the hearing.

2.7 A formal written response to the grievance should be issued within 5 working days of either the initial or subsequent grievance hearing as appropriate.

2.8 If the clerk is still aggrieved there is a right of appeal to three members of the Parish Council. The notice of appeal should be submitted in writing within **10 working days** of receipt of the formal written response issued by the Parish Clerk/Chairman. The Appeal Panel shall consider the appeal within **20 working days** of receipt of the written appeal.

2.9 There is no further right of appeal.

2.10 The clerk may be accompanied throughout the process by a trade union representative or colleague of his/her choice and reasonable preparation for the hearing will be allowed.

2.11 If the grievance relates directly to the action or omission of an individual councillor covered under the Code of Conduct the clerk can make a complaint to the TDBC Monitoring Officer.