

Burwash Parish Council

Grievance Procedure Adopted 11-08-20

Introduction

Grievances are concerns, problems or complaints raised by a staff member. Anybody may at some time have problems or concerns with their working conditions or relationships with colleagues that they wish to raise.

Key points

- a. Employees should contact a member of the HR Committee regarding the nature of their grievance promptly.
- b. Burwash Parish Council (BPC) should try to resolve any grievance informally in the first instance.
- c. Where this is not possible, the HR Committee should arrange a formal meeting as quickly as possible, and should carry out any necessary investigations to establish the facts of the case.
- d. Employees can be accompanied at any formal meeting and have the right to appeal against any formal decision made.
- e. BPC will ensure that all staff are aware of any policy or procedure.

Issues that may cause grievances include:

- a. terms and conditions of employment
- b. health and safety
- c. work relations
- d. bullying and harassment
- e. new working practices/organisational changes
- f. discrimination.

Handling grievance interviews

1. HR Committee members, Parish Council Chairmen/Vice-Chairmen should be trained so that they are able to carry out grievance meetings with employees.
2. If it is not possible to resolve a grievance informally with a member of the HR Committee, and a more formal approach is necessary, the employee is entitled to be accompanied by a colleague at formal grievance interview. It is also good practice for BPC to offer this at any purely investigatory meeting. Employers do not usually have to allow other companions (for example family members or lawyers) but may do so if they wish.
3. Key recommendations:
 - a. Ensure all the facts are investigated in advance, including consulting the individual's personal file for relevant information, and plan how to approach the meeting.
 - b. Make sure the letter inviting the employee to the meeting says why they have been asked to attend and states that they are entitled to have a companion present.

- c. Give the individual reasonable notice, ideally 3-5 days.
- d. Before the meeting, provide appropriate statements from people involved, together with any key information BPC intends to rely on.
- e. Make sure a member of the HR Committee can take detailed notes
- f. Never pre-judge the outcome of the interview before hearing the employee's perspective.
- g. Start the interview by stating the grievance to the employee and refer to appropriate statements from other people involved, if relevant.
- h. Give the employee plenty of opportunity to put forward their side of the story and call any supporting witnesses.
- i. BPC can also call witnesses, but they can only be in the room for the relevant part of the interview – not the duration.
- j. BPC will make use of adjournments to take a break to consider and obtain any necessary extra information before reaching a decision. Adjournments can also be used if things become heated or people are upset during the interview.
- k. BPC will deliver the decision verbally (giving reasons, and taking into account any mitigating circumstances), and will confirm review periods including details of how to appeal.
- l. BPC will confirm the decision and how to appeal in writing.
- m. BPC will ensure everyone involved in conducting the grievance meeting understands the importance of following the correct procedure.

Potential outcomes

4. No action

After the meeting, BPC may decide that no action is necessary. For example, if an employee misunderstood something and they agree to try to resolve the issue via additional support or counselling or other agreed means.

5. Warnings

Alternatively, BPC may decide to give the employee a warning. Burwash Parish Council's Grievance policy includes the following:

- a. verbal/oral warning (ACAS no longer recommends this stage as part of a formal procedure but, for cases of minor misconduct, this will often be a reasonable method to prevent a problem from escalating)
- b. first written warning/improvement notice – timescale 6 months on file
- c. final written warning – timescale 1 year on file

- 6. It may be appropriate for a warning to continue to be regarded for a longer period. The time period BPC selects for warnings to remain current, and the penalties imposed, will be reasonable in all the circumstances. For example, they will take into account the nature of the grievance, the employee's personnel record and be consistent with penalties imposed in similar cases.