



SAFFRON WALDEN TOWN COUNCIL

Grievance Procedure Policy

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1	April 2019	F&E 538-19	2022
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Grievance Procedure

General Principles

- 1.1 It is our policy to ensure that all employees have access to a procedure to help resolve any grievances relating to their employment quickly and fairly.
- 1.2 This grievance procedure is for guidance only and does not form part of your contract of employment.
- 1.3 This procedure applies to all employees regardless of length of service.
- 1.4 Any steps under this procedure should be taken promptly unless there is a good reason for delay. The time limits in this procedure may be extended if it is reasonable to do so.
- 1.5 We may vary this procedure as appropriate, to a particular case. The procedure may also be discontinued if it becomes impracticable for either party to continue with it. In any case we will inform you in writing of the final outcome of your grievance.
- 1.6 Written grievances will be placed on your personnel file along with a record of any decisions taken; any appeal notice; the outcome of any appeal; and any notes or other documents compiled during the grievance process.

Raising Grievances Informally

- 2.1 Most grievances can be resolved quickly and informally through discussion with your Manager. If this does not resolve the problem, you should follow the standard procedure below.

Written grievances: Standard Procedure

- 3.1 You should put your grievance in writing and submit it to your Manager unless the grievance is about your manager, in which case your grievance should be submitted to their Direct Line Manager.
- 3.2 The written grievance should indicate that you are invoking this grievance procedure and contain a brief description of the reasons for your complaint, including any relevant facts, dates, and names of individuals involved. In some situations, we may need to ask you to clarify the subject matter of your grievance, in advance of the meeting or to provide further information.

Meetings and Investigations: Standard Procedure

- 4.1 You will be invited to a grievance meeting, which will normally take place no more than two weeks after we have received your written grievance.

We may carry out such investigations as we consider appropriate prior to the meeting. This may involve interviewing you and any witnesses if appropriate.

- 4.2 You may bring a companion to any of the meetings under this procedure (see clause 6).
- 4.3 You must take all reasonable steps to attend any meetings. If you or your companion cannot attend at the time specified for a meeting, you should inform us immediately and we will make reasonable efforts to agree an alternative time.
- 4.4 The purpose of the initial grievance meeting is to enable you to explain your grievance and to discuss it with us. If you have a companion, they may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the meeting.
- 4.5 After the initial grievance meeting we may carry out such further investigations and / or hold such further grievance meetings as we consider appropriate.
- 4.6 We will inform you of our decision and of your right of appeal within one week of the final grievance meeting. We may hold a meeting to give you this information, but in all cases, it will be confirmed in writing.

Appeals: Standard Procedure

- 5.1 Should you wish to appeal you should do so in writing stating your full grounds of appeal within two weeks of the date on which the decision was sent or given to you.
- 5.2 We will hold an appeal meeting, normally no more than two weeks after we receive your appeal. Where practicable, this will be held by someone senior to the person who conducted the grievance meeting(s). You may bring a companion to the appeal hearing.

Our final decision will be notified to you within two weeks of the appeal hearing. We may hold a meeting to give you this information but in all cases it will be confirmed in writing.

Right to be Accompanied

- 6.1 You may bring a companion to any capability or appeal hearings under this procedure. The companion may be either a Trade Union Official or a work colleague. You must tell the Manager conducting the hearing who your chosen companion is, in good time before the meeting. Employees are allowed reasonable time off from duties without loss of pay as a companion.
- 6.2 In some circumstances your choice of companion may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice the meeting.
- 6.3 We may also ask you to choose someone else if the meeting would have to be delayed for over five working days because your companion is unavailable.

Grievances after Employment has ended: Modified Procedure

- 7.1 If you wish to raise a grievance after your employment has ended, you should submit it in writing as normal under the standard procedure above.
- 7.2 If you raise a grievance after employment has ended, or if you raise a grievance before employment ends and the standard procedure has not been completed at the termination of employment, we will either:
- (a) follow the standard procedure set out above; or
 - (b) write to ask you whether you would prefer to follow the modified procedure set out below (if you have not already stated your preference in writing). If you do not respond within one week we will follow the standard grievance procedure.
- 7.3 The following modified procedure will apply if agreed in writing:
- (a) we will carry out any investigations that we consider appropriate;
 - (b) we will not hold any meetings with you;
 - (c) we will notify you of our decision in writing, normally within two weeks of agreeing to use the modified procedure; and
 - (d) there will be no right of appeal.

Bullying and Harassment

- 8.1 If you have been the victim of bullying or harassment, or wish to report an incident of bullying or harassment, see the separate Anti-Harassment and Bullying Policy.

Reporting Illegal or Improper Conduct ("Whistle blowing")

- 9.1 We operate a separate whistle-blowing policy to enable employees to report illegal activities, wrongdoing or malpractice within the organisation. However, where you are directly affected, and you would like us to deal with it as a grievance, you should use this grievance procedure, or the Anti-harassment and bullying procedure as appropriate.

Grievances about Disciplinary Action

This grievance procedure should not usually be used to complain about disciplinary action that we have taken against you. If you are dissatisfied with any disciplinary action, you should submit an appeal under the disciplinary procedure or capability procedure, as appropriate.