



Adopted by Ottery St Mary Town Council at its meeting on 2nd December 2013

Reviewed amended and approved at the Full Town Council Meeting 5th March 2018
Review date: March 2020

OTTERY ST MARY TOWN COUNCIL GRIEVANCE PROCEDURE

1. INTRODUCTION

This procedure applies to all employees of the Council.

The objectives of the procedure are: -

- To foster good relationships between the Council and its employees by discouraging the harbouring of grievances;
- To settle grievances as near as possible to their point of origin;
- To ensure the Council treats grievances seriously and resolves them as quickly as possible; and
- To ensure that employees are treated fairly and consistently throughout the Council.

Matters excluded from this procedure are as follows: -

- Appeals against salary or gradings;
- Appeals against disciplinary actions;
- Income tax, national insurance matters, rates of pay collectively agreed at the national or local level;
- Rules of pension schemes; and

- A grievance about a matter over which the Council has no control.

2. INFORMAL GRIEVANCE PROCEDURE

- 2.1 In the interests of maintaining good working relations the employee is encouraged to first discuss any grievance with the Town Clerk (or in the case of the Town Clerk having a grievance), with the Chair of the Human Resource Management Committee (the Committee) or in the absence of the Chair of the Committee, the Vice Chair of the Committee with a view to resolving the matter informally if appropriate. If the employee feels that this is not appropriate or he or she wishes to pursue a formal grievance they should follow the procedure detailed below.
- 2.2 If an informal or formal grievance matter raised by an employee relates to the Chairman or Vice-Chairman of the Committee this shall be communicated to another member of the Committee which shall be reported back and progressed by resolution of the Committee.

3. FORMAL GRIEVANCE PROCEDURE

- 3.1. The employee must set out his/her grievance in writing ("Statement of Grievance") and provide a copy to the Town Clerk or, in the case of the Town Clerk, the Statement of Grievance to be submitted to the Chair of the Committee
- 3.2. Once the Council has had a reasonable opportunity to consider its response to the information provided in the Statement of Grievance the employee will be invited to attend a grievance meeting to discuss the matter.
 - (i) The employee must take all reasonable steps to attend the meeting.
 - (ii) Grievance meetings will normally be convened within 10 working days of the Council receiving the Statement of Grievance.
 - (iii) The employee has the right to be accompanied to a grievance meeting by a fellow employee or by a Trade Union representative.
 - (iv) If the meeting is inconvenient for either the employee or his or her companion, the employee has the right to postpone the meeting by up to 5 working days.
- 3.3. A grievance meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the Town Clerk/Chair of the Committee to consider the decision.
- 3.4. After the meeting the employee will be informed of the decision of the Committee within 5 working days. The decision will be confirmed to the employee in writing.

- 3.5. If the employee wishes to appeal against the decision he or she must inform the Council within 5 working days of receiving the decision.
- 3.6. If the employee notifies the Council that they wish to appeal, the employee will be invited to attend a grievance appeal meeting before the Committee. The employee must take all reasonable steps to attend that meeting. The employee has the right to be accompanied to a grievance appeal meeting by a fellow employee or by a Trade Union representative.
- 3.7. A grievance appeal meeting will normally be convened within 7 working days of the Committee receiving notice that the employee wishes to appeal pursuant to 3.5. above. If the meeting time is inconvenient for the employee or his or her companion, the employee may ask to postpone the meeting by up to 5 working days.
- 3.8. After the grievance appeal meeting the employee will be informed of the Committee's final decision within 5 working days. The Council's decision will be confirmed to the employee in writing.

4. MODIFIED COUNCIL GRIEVANCE PROCEDURE (FOR FORMER EMPLOYEES)

- 4.1. If an ex-employee wishes to raise a grievance, he or she must set out their grievance and the basis for that grievance in writing and provide a copy to the Chairman of the Committee.
- 4.2. Following receipt of a statement of grievance pursuant to 4.1. above, the Council will either write to the ex-employee inviting him or her to attend a meeting to discuss the grievance, or to ask for the ex-employee's agreement to the Council responding to the grievance in writing.
 - 4.2.1. If the ex-employee does not agree to the matter being dealt with by correspondence within 7 working days of the Council writing to them pursuant to 4.2. above steps 3.1. to 3.4. of the standard Council grievance procedure will be followed. The meeting will be conducted by the Council's Committee.
 - 4.2.2. If the ex-employee does agree to the matter being dealt with by correspondence, the Committee will consider his or her grievance and will respond to the ex-employee in writing within 14 days of the receipt of such confirmation setting out the basis for the Council's decision.

5. GENERAL PROCEDURAL INFORMATION

- 5.1. If a grievance is raised by an employee about the Town Clerk they should raise the matter with the Chairman of the Committee. All investigations and any grievance meeting will be conducted by the said Committee and any grievance appeal meeting will be conducted by 3 members of the Council who do not sit on the Committee.

- 5.2 If a grievance is raised by the Town Clerk he/she should raise the matter with the Committee. All investigations and any grievance meeting will be conducted by the said Committee and any grievance appeal meeting will be conducted by 3 members of the Council who do not sit on the Committee.
- 5.3. A copy of the Statement of Grievance, a note of the decision taken at the first stage of the procedure, any notice of appeal and appeal decision will be placed on the employee's/ex-employee's personnel file, together with any notes or evidence taken or compiled during the course of the procedure.