SHAUGH PRIOR PARISH COUNCIL

GRIEVANCE PROCEDURES

1. PURPOSE AND SCOPE

It is the policy of Shaugh Prior Parish Council to give employees the opportunity to air and seek redress for any individual employment grievance which they may have. Grievances may be any concerns, problems or complaints employees wish to raise with the Council. This document describes the procedure which aims to facilitate a speedy, fair and consistent solution to an individual employee's employment grievance. This procedure is produced in line with the ACAS Code of Practice 2009 as set out in the Employment Act 2008.

2. PRINCIPLES

a) At every stage in the procedure the employee will be given the opportunity to state his or her case before any decision is made.
b) Grievances will be dealt with promptly and consistently
c) At all formal stages the employee will have the right to be accompanied by a work colleague or trade union representative (if appropriate) during the Grievance Hearing.
d) An employee will have the right to appeal against any outcome of a Grievance Hearing.
e) At no time will an employee be penalised or victimised for having raised a Grievance against the council

3. PROCEDURE

3.1 In the case of the Clerk to the Parish Council raising a grievance this should be directed to the Chair of the Council unless the complaint is about the Chair in which case the Clerk's concerns should be reported to the Chair of the HR Committee. The recipient of the grievance from a Clerk should share the grievance with all members of the HR Committee (established to handle employment matters) and the issues should be always treated with discretion and confidentiality.

3.2 **Written Statement**: If the employee does not consider it appropriate to raise the grievance informally, or if requested by the person the employee spoke to informally, then the employee should submit a formal grievance in writing to the Chair or Chair of the HR Committee.

3.3 **Meeting or Hearing**: Generally, within a reasonable period e.g. five working days of receipt of a written complaint, the Chair of the HR Committee will arrange a meeting with the employee. The Chair of the Committee will endeavour to make the meeting arrangements mutually convenient and will arrange a confidential location, free from interruptions. The Chair of the HR Committee will investigate the substance of the complaint and hear submissions from the employee concerned together with such other submissions or evidence as he/she shall consider appropriate and take such steps as he/she shall consider necessary to resolve the issue raised. It may be necessary to adjourn the meeting in order for an investigation to take place. Careful consideration of the evidence and the necessary steps required to resolve the problems will be given to the grievance. The employee may call witnesses by prior arrangement with the panel. There is no right for a Member or employee implicated in an employee's grievance to cross examine the aggrieved during a grievance hearing but the panel may wish to make its own investigations through interviewing these individuals and/or other witnesses separately. The HR Committee may ask the employee what he or she would like to happen because of raising the grievance and bear this in mind when preparing the response.

3.4 Response: The Chair of the HR Committee will advise the decision to the employee in writing and, where appropriate, include an action plan to assist in the resolution of the problem.

3.5 Appeal: If the employee is dissatisfied with the decision of the Chair of the HR Committee on his/her complaint, he/she may appeal against the decision to the Chair or other elected Member by written notice within five working days of the decision. An Appeal may be raised if:

- The employee thinks the finding, or action plan, is unfair
- New evidence has come to light
- The employee thinks that the procedure was not applied properly

On receipt of the appeal the Council will establish an Appeals Panel of Members and they shall arrange to meet and consult with the employee or Members concerned and any other persons, as he/she shall consider appropriate without unreasonable delay. The Appeal Panel Chair shall consider the issues and shall then take all such steps, as he/she may consider necessary to resolve those issues. The decision of the Appeal Hearing will be final. The Council will need to ensure that the Members involved in the hearings are able to act impartially and reasonably at all times. The outcome of the appeal should be conveyed to the employee in writing in a timely manner.

3.6 **Bullying or Harassment**: If a grievance concerns alleged bullying or harassment the matter should be reported promptly to the Chair of the HR Committee, with an indication of the required action. The complaint will then be investigated and any action taken and any resolution achieved will be reported back. If the solution is not satisfactory to the complainant, the matter will be discussed further and, if appropriate, an alternative solution agreed. The decision at this stage will generally conclude the enquiry. If a further appeal or review is available the employee will be notified. As a result of an investigation into a claim of harassment disciplinary action may be instigated against any alleged perpetrators of the action or in the case of alleged perpetrators being elected Members a Code of Conduct complaint lodged by the Council through the Standards process.

3.7 **Right to be Accompanied:** At any formal stage of the procedure an employee may be accompanied by a fellow employee of their choice or their trade union representative or official of a trade union (appropriately accredited) but as this is an internal procedure they will not be entitled to be accompanied by any external supporter e.g. partner, parent, solicitor etc. This right to be accompanied is enshrined in the Employment Relations Act 1999. To exercise this right the employee should make a reasonable request. The companion will be allowed to address the hearing, put and sum up the employee's case, respond to views expressed at the hearing and to confer with the employee during the hearing (sometimes in an adjournment) but is not allowed to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

3.8 **Hearing Panels**
Hearing Panels will be set-up as necessary and will be arranged by the Chair of the HR Committee. In situations where individual members are implicated in the dispute or have undertaken an investigatory role then they will need to be substituted as panel members.

3.9 **Confidentiality:** So far as is reasonably practicable, the Council will keep any grievance or complaint of harassment confidential between the Member investigating the grievance or complaint (which shall be the Chair of the HR Committee), the employee and the person about whom the

grievance or complaint is made. If it is necessary to investigate the matter with any other employee or person, the employee will be so advised.

3.9 **Record Keeping**: In all cases, written records of the nature of the grievance raised, the employer's response, action taken (with reasons), details of any appeal and subsequent developments will be retained and kept in accordance with the Data Protection Act 1998.

3.10 Grievances raised during Disciplinaries

In some circumstances when a disciplinary process has commenced an employee chooses to exercise his/her right to raise an internal grievance about the employment relationship with the Council or individual Members. In line with ACAS advice, disciplinary matters should be placed placed on hold until grievances have been aired and actions towards a resolution have been progressed.

Adopted by Shaugh Prior Parish Council 4 November 2026