



ST AUSTELL TOWN COUNCIL

GRIEVANCE PROCEDURE

1 Introduction

- 1.1 St Austell Town Council recognises that employees may, from time to time, feel aggrieved about an aspect of their employment and accepts that each employee has the right to raise this grievance and to expect that management will consider it and respond.

Every effort shall be taken where practicably possible to avoid using the formality of this policy by effective communication and early discussion between employees and their line managers.

The purpose of this procedure is to provide a framework for dealing promptly and fairly with such grievances and the aim is to resolve grievances as soon as practicably possible.

1.2 Exceptions

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 Town Clerk.
- Grievances that have already been considered in accordance with the procedure.
- Grievances arising from a disciplinary or capability process in which the employee is already involved.
- Grievances in relation to 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.

2 Informal Resolution

- 2.1 Where an employee is aggrieved about any matter relating to their employment they should raise the matter informally with their line manager as soon as possible and other than in exceptional circumstances within twenty working days of the incident or event. However employees will be permitted to raise as part of a grievance a series of directly related incidents having a cumulative effect.
- 2.2 The line manager should consider and seek to resolve the grievance within ten working days. The line manager should, in every case, inform the employee of their decision and, where appropriate, any action taken.
- 2.3 Employees may wish to seek the advice of a trade union representative or colleague prior to raising a grievance at this informal level.

3 Stage One

- 3.1 If the employee is not satisfied with the result of the informal process they can take the matter up with the Town Clerk in writing, stating the nature of the grievance. This should be done within ten working days.

3.2 If the grievance relates directly to the action or omission of the Town Clerk and cannot be resolved informally the grievance should be submitted in writing directly to the Chairman or Vice-Chairman of the Staffing Committee as appropriate. He/she will investigate and respond to the grievance, as outlined in paragraph 2.2.

3.3 If the grievance relates directly to the action or omission of the Chairman of the Staffing Committee, the grievance should be submitted in writing to the Town Clerk or the Vice-Chairman of the Staffing Committee. In any case the Council will ensure that there is a right of a fair hearing and appeal.

4. Stage Two

4.1 A meeting will be arranged with the employee to discuss the grievance as soon as possible and normally within ten working days. If not involved in the subject of the grievance, the Town Clerk may hear the grievance at this stage. If however, he or she feels it would be more appropriate he/she may convene a panel comprising of three councillors from the staffing committee. If, having listened to the employee's submission, the grievance requires further investigation the meeting will be adjourned for a period not to exceed ten working days during which time the necessary investigations, including interviewing other parties, will be done.

4.2 It is not expected that other parties would attend the reconvened hearing. However, if it is determined by the Town Clerk or the Chairman of the Panel 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.

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

5 Stage Three - Appeal

5.1 If the employee is still aggrieved there is a right of appeal. The notice of appeal should be submitted in writing to the Town Clerk within ten working days of receipt of the formal written response issued by the Town Clerk. The Town Clerk will convene an Appeal Panel comprising of three Councillors (who have not previously been involved in the subject of the grievance) to consider the appeal.

5.2 The Appeal Panel shall consider the appeal within twenty working days of receipt of the written appeal. A formal written response to the appeal should be issued within five working days of the Appeal Hearing.

5.3 There is no further right of appeal.

6 Town Clerk

6.1 Should the Town Clerk have a grievance, his or her grievance should be submitted in writing to the Mayor or Deputy Mayor. The Mayor or Deputy Mayor will seek to resolve the grievance within ten working days.

6.2 If the Town Clerk is not satisfied with the result of the informal process he/she can take the matter up with the Mayor or Deputy Mayor in writing, stating the nature of the grievance. This should be done within ten working days. The Mayor or Deputy Mayor will report the Town Clerk's grievance to the Grievance Panel comprising of three Councillors and Chaired by the Mayor or Deputy Mayor to consider the appeal. The panel should consist, if possible, of Councillors independent

of the grievance. A formal response to the grievance will be issued within five working days of the hearing.

6.3 If the Town Clerk is still aggrieved there is a right of Appeal. The notice of Appeal should be submitted in writing to the Mayor or Deputy Mayor within ten working days of receipt of the formal written response issued by the Mayor or Deputy Mayor. The Mayor or Deputy Mayor will convene an Appeal Panel comprising of three Councillors (who have not previously been involved in the subject of the grievance) and Chaired by the Mayor or Deputy Mayor provided they were not involved in the original hearing to consider the appeal.

6.4 The Appeal Panel shall consider the appeal within twenty working days of receipt of the written appeal. A formal response to the appeal should be issued within five working days of the Appeal Hearing.

7 Review

7.1 This policy will be reviewed regularly (not less than annually) and amended as necessary based on good practice or evidence taken forward.

8 Alternative Formats

8.1 Disability Discrimination Act 1995 – copies of this document in large print (A3 Format) or larger font size, or recorded onto tape as a 'talking book' can be made available for those with sight impairment on request from the Council Office or by telephoning 01726 829854 or e-mailing david.pooley@staustell-tc.gov.uk

8.2 The Council can also arrange to provide versions in other languages for staff whose first language is not English.

9 Freedom of Information

9.1 In accordance with the Freedom of Information Act 2000, this Document will be posted on the Council's Website and copies of this document will be available for inspection on deposit in the Council Office.