

GREAT DUNMOW TOWN COUNCIL

GRIEVANCE PROCEDURE**1. INTRODUCTION**

This policy is based on and complies with the 2015 ACAS Code of Practice.

Grievances are concerns, problems or complaints that employees raise with their employers.

This grievance procedure is a formal way for an employee to raise a problem or complaint to their employer.

Issues that may cause grievances include:

- i. Terms and conditions of employment.
- ii. Health and safety.
- iii. Work relations.
- iv. Bullying and harassment.
- v. New working practices.
- vi. Working environment.
- vii. Organisational change.
- viii. Discrimination.

2. PRINCIPLES

This grievance procedure aims to ensure consistent and fair treatment for all in the organisation. It is designed to establish the facts quickly and to deal consistently with grievances.

It is designed 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 and to ensure the Council treats grievances seriously and resolves them as quickly as possible.

Informal action will be considered initially, where appropriate, to resolve problems. Employees should aim to settle most grievances informally with the Town Clerk.

If an employee feels that their grievance has not been satisfactorily resolved, he or she has the right to appeal.

3. SCOPE

The procedure applies to all employees of Great Dunmow Town Council and E.T.Foakes Memorial Hall Trust.

4. INFORMAL GRIEVANCE PROCEDURE

In the interests of maintaining good working relations the employee is encouraged to first discuss any grievance with the Town Clerk as soon as a problem arises with a view to resolving the matter informally if appropriate. The Town Clerk will reply verbally to the grievance (having made any necessary investigation). This should be within five working days of the first discussion. 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. In the case of the Town Clerk having a grievance this should be raised with the Chair of the Council.

5. FORMAL GRIEVANCE PROCEDURE

- 5.1.1 If it is not possible to resolve the grievance informally, the employee may submit a formal grievance. It should be submitted in writing to the Town Clerk. The letter should state:
- i. the nature of the grievance
 - ii. The date it was discussed with the Town Clerk
 - iii. The response given by the Town Clerk
 - iv. Why the response given was not acceptable
 - v. Whether or not the employee wishes to be assisted at any future meeting about the grievance by a chosen colleague or Trade Union representative

The letter should be submitted within five working days following the receipt of the Town Clerk's decision.

- 5.2 The Personnel Committee has appointed a Personnel Sub-Committee of three members (Mayor, immediate past Mayor and Chairman of the Personnel Committee) and this Sub-Committee will investigate the grievance. The Sub-Committee will appoint a Chairman from one of its members. If a councillor on the Sub-Committee has direct involvement in the matter another councillor will be appointed to the Sub-Committee. The Chair of the Personnel Committee should arrange for the Sub-Committee to hold a hearing within five working days of the receipt of the written grievance.

Investigation

- 5.3 The Sub-Committee will investigate the matter before the grievance meeting which may include interviewing others (e.g. employees, councillors or members of the public).

Notification

- 5.4 The employee will be asked in writing to attend the hearing. The Sub-Committee's letter will include the following:
- The names of its Chair and other members
 - A summary of the employee's grievance based on his/her written submission

- The date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will be within 5 working days of when the Council received the grievance
- The employee's right to be accompanied by a trade union representative or work colleague
- A copy of the Council's Grievance Policy
- Confirmation that, if necessary, witnesses may attend on the employee's behalf and that the employee must provide names of his/her witnesses at least 2 working days before the meeting
- Confirmation that the employee will provide the Council with any supporting evidence at least 2 days before the meeting.

The Grievance Meeting

5.5 At the grievance meeting:

- The Chair will introduce the members of the Sub-Committee to the employee
- The employee (or companion) will set out the grievance and present the evidence
- The Chair will ask the employee what action does he/she want the Council to take
- Any member of the Sub-Committee and the employee (or companion) may question any witness
- The employee (or companion) will have an opportunity to sum up the case
- The Chair will provide the employee with the Sub-Committee's decision within three working days of the hearing and confirm in writing, within 5 working days of the meeting.
- The written confirmation should state:
 - i. The decision
 - ii. The reason for that decision
 - iii. That the employee has a right to appeal against that decision, and the means by which an appeal is to be made
- A grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the Sub-Committee.

6. APPEALS

- 6.1 If the employee decides that his/her grievance has not been satisfactorily resolved by the Sub-Committee, he/she may submit a written appeal against the decision of the Sub-Committee.
- 6.2 The employee should write to the Town Clerk within five working days of receipt of the written confirmation of the Sub-Committee's decision. If within seven working days no letter of appeal has been received, the grievance shall be deemed to be settled to the satisfaction of the employee.
- 6.3 A request for an appeal must be given in writing to the Town Clerk within five days of a disciplinary, capability or grievance meeting decision, giving the

reason for the appeal, listing any documentation that the employee wishes to use and the name of any witnesses that the employee will be calling.

6.4 Appeals may be raised on a number of grounds, e.g.:

- A failure by the Council to follow its Grievance Policy
- The decision was not supported by the evidence
- The action proposed by the Sub-Committee was inadequate/inappropriate
- New evidence has come to light since the grievance meeting.

6.5 The appeal request will be brought to the attention of the Chair of the Personnel Committee or their nominee who will arrange an Appeal Panel of three Members. To ensure impartiality the Chair of the Sub-Committee cannot be the Chair of the Appeals Panel.

6.6 The Panel Chair will advise the appellant normally within five working days in writing and by hand, giving five working days notice of the date, time and place of the appeal hearing, making available copies of any documents to be used at the appeal and submit the names of any witnesses. The employee will have the right to be accompanied by a Trade Union Representative or a Great Dunmow Town Council employee.

6.7 Where the employee is unable to attend the Appeal Hearing, due to illness a new date should be arranged. Should the employee fail to attend the re-arranged hearing then the appeal can be heard in their absence.

6.8 The Appeal Hearing shall be conducted in private and minutes be taken.

6.9 The employee will be invited to explain their reason for appeal and make their case by way of submitting document-based evidence and calling witnesses to speak on their behalf. Witnesses should remain outside the room until called but should then remain in the room in case the panel have further questions.

6.10 The Chair can adjourn the hearing to seek further information at any time but should reconvene as soon as possible.

6.11 When the Chair is satisfied that the employee has been given all reasonable opportunities to put their case they will be asked to withdraw from the meeting along with any of their witnesses while a majority decision is made.

6.12 The Chair should deliver the Panel's decision on the same day, within three working days confirm the decision in writing, by hand and state the reason for the decision.

6.13 The Appeal Panel can make one of the following decisions:

- i. To uphold the appeal and make the appropriate changes/arrangements
- ii. Dismiss the appeal

6.14 The decision of the Appeal Panel is final.

7 MEDIATION

Mediation may be considered during any stage of the grievance procedure, as long as ongoing formal procedures are suspended.

ADOPTED BY FULL COUNCIL

12TH NOVEMBER 2015

REVISED FINANCE AND POLICY COMMITTEE 13th MARCH 2025

APPROVED BY FULL COUNCIL 3rd APRIL 2025