



BRACKLEY TOWN COUNCIL

Grievance Procedure

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1. Introduction

The Council expects relations between itself and Employees to be based on co-operation and hopes that differences will be settled without the need for formal procedures to be used. However, the Council recognises that there may be occasions when this is not possible, and it is for this reason that we have a Grievance Procedure.

2. Principles of the Procedure

- 2.1 It is a policy of the Council to treat Employees' grievances fairly, consistently and promptly.
- 2.2 It is hoped that in the majority of cases, any grievance will be resolved informally.
- 2.3 At all stages of the procedure, the grievance will be thoroughly investigated before decision is made.
- 2.4 All Employees have a right of appeal against a decision taken except at the final stage.
- 2.5 At any stage of the procedure, the Employee may be represented or accompanied by an available person of their choice.
- 2.6 The procedure is available to an individual Employee or to a group of Employees sharing a grievance.

3. Procedure

The procedure described in this section applies to staff who report to the Town Clerk. The procedure when the Town Clerk has a grievance is set out in Appendix A. The procedures in Appendix B apply in all cases.

First Stage

- 3.1 Employees and the Town Clerk should endeavour to resolve differences informally between themselves. If this does not occur to the employee's satisfaction the employee should inform the Town Clerk that he/she wishes to have the matter dealt with under the grievance procedure.
- 3.2 The Town Clerk may wish to reconsider his/her original decision at this stage. Irrespective of whether this happens, the employee has the right to proceed to the second stage of the procedure.

Second Stage

- 3.3 If the employee is not satisfied with the outcome of the first stage, he/she should write to the Chairman of the Finance and Policy Committee to request a meeting with Chairman. This meeting should normally take place within five working days of the request. This meeting will be attended by the Chairman, the Town Clerk who dealt with the first stage, the Employee and if he/she wishes, his/her representative. The Chairman should inform the Town Mayor that a Grievance hearing has been requested. At this meeting or as soon as possible afterwards, the Chairman should make his/her decision known and confirm it in writing.

- 3.4 The Chairman may delegate his/her role to another Councillor, provided that Councillor has not been directly involved in the matter thus far.

Final Stage

- 3.5 If the Employee is not satisfied with the outcome of the second stage, and wishes to appeal, he/she should write to the Town Mayor stating the grounds for appeal, enclosing a copy of the decision letter received at the previous appeal. This should be received by the Town Mayor not later than five working days after the Employee has received written notification of the decision arising from the previous meeting.
- 3.6 The Town Mayor, in consultation with the Chairman of the appropriate Committee, will convene an Appeal Panel comprising five Members who have not previously been involved in the matter.
- 3.7 The meeting to hear this appeal should be held within ten working days of the request, and is attended by the Town Mayor who will chair the meeting, together with those present at the previous stage. At this meeting or as soon as possible afterwards, the Town Mayor should make his/her decision known.
- 3.8 The Town Mayor may delegate his/her role to another Councillor provided that the Councillor has not been directly involved in the matter so far.
- 3.9 The Grievance Procedure is now exhausted.

APPENDIX A TO GRIEVANCE PROCEDURE

Procedure for the Town Clerk, reporting directly to the Council

First Stage

1. The Town Clerk and the Town Mayor, the Chairman of the Finance and Policy committee and Members concerned should endeavour to resolve differences informally between themselves. If this does not occur to the Town Clerk's satisfaction, the Town Clerk should inform the Town Mayor that he/she wishes to have the matter dealt with as a grievance.
2. The Town Mayor, the Chairman of the Finance and Policy Committee and Members may wish to reconsider their original decision at this stage. Irrespective of whether this happens, the Town Clerk has the right to proceed to the second stage of the procedure.

Second Stage

3. If the Town Clerk is not satisfied with the outcome of the first stage, he/she should write to the Town Mayor stating the grounds of the appeal.
4. The Town Mayor, in consultation with the Chairman of the appropriate Committee, will convene an Appeal Panel comprising five members who have not previously been involved in the matter, which will sit within twenty days of the Town Clerk's request. At this meeting, or as soon afterwards as possible, the Panel should make its decision known and confirm it in writing. If relevant, the Town Mayor can act as a mediator.

Final Stage

5. If the Town Clerk is not satisfied with the outcome of the second stage, he/she may appeal in writing to the Northampton Association of Local Councils and the Society of Local Council Clerks, who shall jointly consider the matter. Their decision shall be communicated to the Town Clerk and the Council, and shall be binding upon both parties.

The Grievance Procedure is now exhausted.

APPENDIX B TO GRIEVANCE PROCEDURE

Procedure at Grievance Hearings

1. When a Panel of Members is to conduct a grievance hearing, they should elect a Chairman before the hearing commences.
2. The Employee's case will be presented first, followed by Management. Each side will have the opportunity to ask relevant questions of the other side and to sum up at the end of the hearing. The Management representative will sum up first, followed by the Employee. Both summing up statements will be uninterrupted and must not introduce new evidence.
3. If witnesses are called, they will attend the hearing solely to make their statement and to answer questions. They will then withdraw.
4. At any time during the hearing, members of the Panel can ask questions of either side.
5. At the end of the hearing, the Employee, his/her representative, and the Town Clerk will withdraw whilst the elected members and their adviser(s) make a decision.
6. They will be recalled to be given the decision. The decision may be to uphold the grievance and propose a remedy, or to say that no action is required. In exceptional circumstances where it is considered necessary to delay making a decision, the Employee will be notified of the decision in writing after the hearing. This will be done as soon as possible and normally within five working days after the date of the hearing.
7. Letters written to confirm the decision after hearings should, where applicable, remind Employees of their right to have their grievance heard at a higher level if they are not satisfied with the outcome of the hearing.
8. The person conducting the hearing is responsible for recording the outcome of the meeting and advising those present on how to conduct the proceedings.
9. Monitoring of the scheme will be undertaken by the Town Clerk or a Member who will report as required to the Finance and Policy Committee. This will be in general terms and shall not re-open discussion on individual hearings.
10. This procedure shall not apply in matters directly concerned with procedures that have their own appeal provisions, namely Appraisal, and Discipline and Capability.