

MUCH HADHAM PARISH COUNCIL GRIEVANCE PROCEDURE

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Next review **April 2020**

1 Introduction

- a) This procedure applies to the clerk of the council.
- b) The objectives of the procedure are:
 - i. To foster good relationships between the council and its clerk by discouraging the harbouring of grievances;
 - ii. To settle grievances as near as possible to their point of origin;
 - iii. To ensure the council treats grievances seriously and resolves them as quickly as possible; and
 - iv. To ensure that the clerk is treated fairly and consistently throughout the council.
- c) Matters excluded from this procedure are as follows:
 - i. Appeals against salary or gradings;
 - ii. Appeals against disciplinary actions;
 - iii. Income tax, national insurance matters, rates of pay collectively agreed at the national or local level;
 - iv. Rules of pension schemes; and
 - v. A grievance about a matter over which the council has no control.

2 Informal Grievance Procedure

- a) In the interests of maintaining good working relations the clerk is encouraged to first discuss any grievance with the Chairman, with a view to resolving the matter informally if appropriate. If the clerk feels that this is not appropriate or he or she wishes to pursue a formal grievance they should follow the procedure detailed below.

3 Formal Grievance Procedure

- a) The clerk must set out his/her grievance in writing ("Statement of Grievance") and provide a copy to the chairman.
- b) Once the council has had a reasonable opportunity to consider its response to the information provided in the Statement of Grievance the clerk will be invited to attend a grievance meeting with three councillors including the Chairman to discuss the matter.
 - i. The clerk must take all reasonable steps to attend the meeting.
 - ii. Grievance meetings will normally be convened with 14 days of the council receiving the Statement of Grievance.
 - iii. The clerk has the right to be accompanied to a grievance meeting by a Trade Union representative.
 - iv. If the meeting is inconvenient for either the clerk or his or her companion, the clerk has the right to postpone the meeting by up to 10 working days.
- c) A grievance meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the councillors time to consider the decision.
- d) After the meeting the clerk will be informed of the council's decision within 10 working days. [The meeting may be reconvened for this purpose]. The council's decision will be confirmed to the clerk in writing.
- e) If the clerk wishes to appeal against the council's decision, he or she must inform the council within 10 working days of receiving the decision.

- f) If the clerk notifies the council that they wish to appeal, the clerk will be invited to attend a grievance appeal meeting. The clerk must take all reasonable steps to attend that meeting. The clerk has the right to be accompanied to a grievance appeal meeting by a Trade Union representative.
- g) A grievance appeal meeting will normally be convened within 10 working days of the council receiving notice that the clerk wishes to appeal pursuant to 3e above. If possible, this will be with three councillors not involved in the initial meeting. If the meeting time is inconvenient for the clerk or his or her companion, the clerk may ask to postpone the meeting by up to 10 working days.
- h) After the grievance appeal meeting the clerk will be informed of the council's final decision within 10 working days. [The meeting may be reconvened for this purpose]. The council's decision will be confirmed to the clerk in writing.

4 Modified Council Grievance Procedure for Former Employees

- a) 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.
- b) Following receipt of a statement of grievance pursuant to 4a 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.
 - i. 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 4b above steps 3a to 3d of the standard council grievance procedure will be followed. The meeting will be conducted by the three councillors including the chairman.
 - ii. If the ex-employee does agree to the matter being dealt with by correspondence, three councillors including the chairman 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

- a) Grievances raised under the standard council grievance procedure will normally be investigated, and any meetings to discuss the grievance will be conducted by the Chairman.
- b) Any meetings with the clerk to discuss the grievance will be conducted by three councillors including the chairman. If possible, any grievance appeal meeting will be conducted by three councillors who were not involved in the original meeting.
- c) 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 clerk's/ex-employees personnel file, together with any notes or evidence taken or compiled during the course of the procedure.