



Okehampton Town Council

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DRAFT Grievance Policy

1. Policy Statement

Okehampton Town Council recognises that individual employees or groups of employees may, from time to time, feel they have been treated unfairly and wish to raise a concern about an aspect of their employment. The Council accepts that each employee has the right to raise a grievance and to expect that management will consider it and respond.

The purpose of the accompanying procedure is to provide a framework for dealing promptly and fairly with such grievances. The aim is to encourage communication between employees and managers to ensure that problems arising during the course of employment can be expressed and resolved at the earliest opportunity and minimise the need for escalation to formal stages of this process.

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:

- Matters that have already been considered in accordance with this procedure;
- Matters arising from a disciplinary or capability process in which the employee is already involved and where there is an appeals procedure in place;
- Matters in respect of issues over which the Council has no control. e.g. external legislation;
- Matters that are already the subject of a collective grievance or dispute; and
- Matters relating to Councillors who have allegedly breached the Council's Code of Conduct. (See section 2 for further information regarding how these matters should be addressed).

The timescales shown in the following procedure may be altered by mutual agreement.

This policy and the following procedure will be the subject of periodic review. Responsibility for conducting this review will rest with the Town Clerk.

2. Grievances Relating to Breaches of the Council's Code of Conduct by Councillors

A grievance or complaint which relates to a breach of the Council's Code of Conduct by one or more Councillors of Okehampton Town Council can initially be addressed informally as described in 3.2. below. However, if this is not possible/successful then a complaint should be made to the Monitoring Officer at West Devon Borough Council rather than being addressed via the formal stages of this Grievance Procedure. As a matter of courtesy, the Town Clerk should be informed if the matter has been raised with the Monitoring Officer.

Where only part of a grievance or complaint relates to a Code of Conduct complaint, consideration should be given to which part(s) can be addressed under the Council's Grievance Procedure and which must be referred to the Monitoring Officer.

A copy of the Councillor Code of Conduct may be accessed from the Town Council's website or obtained from the Town Clerk.

3. Procedural Guidelines

3.1. General Principles

The grievance procedure should not be used as a substitute for constructive dialogue between employees or difficult conversations between employees and managers.

Grievances will be handled as quickly and fairly as possible.

Throughout any investigation that takes place, the Town Clerk or other nominated point of contact will ensure that any employees affected by this process are informed of likely timescales.

All employees involved in a grievance process should respect confidentiality and the privacy of others at all times. Confidentiality breaches may result in disciplinary action being taken.

The Council will take all grievances seriously. However, where there is evidence to suggest that a grievance has been raised in bad faith and/or is malicious or vexatious this may be addressed as a disciplinary matter.

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

Employees may wish to seek the advice of a trade union representative or work colleague when considering raising a grievance or when doing so.

3.2. Informal Resolution

In many cases the most effective way to resolve a grievance is to do so quickly and informally. Employees are encouraged to try to do this wherever possible.

Grievances should be raised informally as soon as possible and, other than in exceptional circumstances, within twenty working days of the incident or event. However, it is recognised that in some cases a recent grievance can include a series of directly related incidents which have had a cumulative effect and have happened over a longer time period.

Options include:

- The employee can discuss their grievance with the person/people who are the subject of those concerns in order to resolve the situation.
- The employee can have an informal discussion with their line manager to explain their grievance and ask them to assist in resolving it.
- The employee can have an informal discussion with the Town Clerk to explain their grievance and ask them to assist in resolving it.
- Mediation (see below).

Where the employee approaches their line manager or the Town Clerk for assistance, the line manager/Town Clerk should consider and seek to resolve the grievance within ten

working days. Whether or not informal resolution proves possible, the employee should in every case be given relevant feedback.

3.3. Mediation

Workplace mediation is a voluntary and confidential process that can be used to attempt to resolve workplace conflict.

This option is available to the Town Council as a means to resolve the grievance informally, although mediation may also be used at any stage of the grievance process.

During mediation a trained, impartial mediator works with the parties to try to:

- clarify each person's concerns, perspectives and desired outcomes;
- support them to express this to the other party/parties in a safe and controlled environment;
- facilitate further discussion to explore the issues and reach a shared understanding;
- reach agreement about how things will work in future to resolve their differences and avoid future conflict.

3.4. Formal Resolution

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 of receiving feedback on the informal process.

The Town Clerk will arrange a meeting with the employee to discuss the grievance as soon as possible and normally within ten working days.

Having heard the employee's grievance submission, it may be decided that further investigation is required. In this case the meeting will be adjourned while an appropriate investigator (who may be external to the Town Council) conducts any necessary investigation. This may include interviewing other parties. The investigation will be concluded as soon as reasonably practicable.

It is not expected that other parties to the grievance would attend the meeting. However, if it is determined by the Town Clerk 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 employee during the course of the meeting.

A formal written response to the grievance should be issued within 5 working days of either the initial or the reconvened grievance meeting as appropriate.

4. Appeal

If the employee is still aggrieved, there is a right of appeal to a panel of members of the Personnel Sub-Committee. The notice of appeal should be submitted in writing within ten working days of receipt of the formal written response issued by the Town Clerk. The Appeal Panel shall consider the appeal within twenty working days of receipt of the written appeal.

There is no further right of appeal.

5. Grievances Relating to the Town/Parish Clerk

If the grievance relates directly to the action or omission of the Town Clerk, the grievance should be submitted in writing directly to the Mayor or the Chairman of the Policy & Resources Committee who will oversee the investigation process and respond to the grievance as outlined above.

If the grievance is being raised by the Town Clerk the grievance should be submitted in writing to the Mayor or the Chairman of the Policy & Resources Committee as above.

6. Representation

An individual raising a formal grievance may be accompanied throughout the formal stages of the process by a trade union representative or work colleague of their choice.

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