



BRAUNTON PARISH COUNCIL

Grievance Procedure

This procedure is designed to enable employees who have a problem, concern or grievance about their work, working environment or working relationship to have that problem dealt with formally in as short a time as practical.

This procedure will be reviewed every 3 years and may be amended from time to time as necessary.

An up to date copy of this procedure is available from the Council Offices. For the avoidance of doubt, this procedure does not form part of your contract of employment or otherwise have contractual effect.

Chairman.....
(On behalf of Braunton Parish Council)

Date

1. Procedural Steps

If you have a problem, concern or grievance, you should first discuss the matter with the Clerk to see if it can be resolved informally.

If the matter concerns the Clerk or remains unresolved after the discussion referred to above, you should put full details of your grievance in writing to the Chairman who will investigate the matter.

You will be invited to a hearing, normally within 14 days, which is a formal meeting, to discuss the grievance. You must take all reasonable steps to attend the meeting.

2. Hearings

The hearing will be held during your working hours at the Council's offices, unless otherwise agreed by you and Council.

If you have any documents, which you want Council to consider at the hearing, you should provide a copy to Council in advance. You should let Council know if you are aware of any witnesses who may be able to provide evidence on the issues involved. You should also inform the Clerk of any special arrangements needed at the hearing (ie to cater for any language difficulty or disability).

You are entitled, on your "reasonable request" and at Council's discretion, to be accompanied at the hearing by a companion that is either:

- (a) A fellow worker of your choice (provided they are willing to accept the role of "companion");
or a full time trade union official or a lay trade union official who has been certified by the relevant trade union as having experience or having received training in acting as a companion in disciplinary matters.

A request to be accompanied by a companion who is otherwise involved in the proceedings (ie as a witness) would not be a "reasonable request". If you wish to be accompanied by a companion, that companion will be entitled to take a reasonable amount of time away from his or her normal duties to discuss the matter with you and Council at the hearing without loss of pay or benefits. You must notify Council of the name and status of the person whom you wish to accompany you before the hearing.

- (b) If your companion cannot attend the hearing at the time proposed, you may offer an alternative time, which must be within 7 working days after the time originally proposed, provided the alternative time is reasonable to all concerned.

The companion who accompanies you may address the hearing to put your case, sum up that case and to respond on your behalf to any view expressed at the hearing. The companion may also confer with you during the hearing.

If appropriate, the hearing may be adjourned either during or after the hearing and prior to reaching a decision. The decision reached will be confirmed in writing and you will be reminded of your right to appeal against any such decision.

3. Appeals

You have a right of appeal against any decision reached as a result of the grievance procedure. You should inform Council in writing of your wish to appeal and the grounds of your appeal within 7 working days of the date on which you are informed in writing of the decision which forms the subject of your appeal.

You will be invited to an appeal hearing. You should take all reasonable steps to attend the hearing. A committee who has not had any prior involvement in the procedure will conduct the appeal hearing as soon as possible thereafter and normally within 7 working days of receipt of your written appeal. At the hearing you will be given an opportunity to state your case and will be entitled to bring along a companion. The hearing will normally be a review of the decision rather than another hearing of the evidence; however, any new evidence you may wish to present will be considered. The provisions relating to being accompanied at a hearing set out above apply equally at the appeal stage.

The outcome of the appeal will be confirmed to you in writing and will be final and binding on you.

4. Modified Grievance Procedure

Wherever possible a grievance should be dealt with before an employee leaves employment with Council. However, where an employee has left Council either before the grievance procedure has been commenced, or completed, Council and you may agree in writing to use a modified procedure.

In such circumstances you should address your grievance to Council in writing, detailing the nature of the complaint and the manner in which you believe you have been adversely affected.

Council should respond in writing and the decision of the Council will be final and binding.

5. Records

Records will be kept detailing the nature of the grievance and the action taken as a result, if any. These records are confidential and shall be treated as such by all persons involved in the grievance procedure.

6. Collective Grievances

Council reserves the right to apply a different procedure in circumstances where the same grievance is raised collectively.