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Lewes District Council



Working in partnership with **Eastbourne Homes**

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Responsible (Executive Lead):	Helen Knight, Head of HR
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Grievance Procedure

1. Introduction

- 1.1 The grievance procedure is to resolve outstanding concerns for employees and, consequently, for their managers. These grievances will either not have been resolved satisfactorily through informal channels or be of sufficient severity to warrant immediate elevation to the grievance procedure. This procedure is designed to deal with any grievances employees have at work, with dignity. It is intended to ensure that:
- Issues at work are raised and dealt with promptly
 - Issues at work are dealt with consistently by all parties
 - Any necessary investigations are carried out to establish the facts
 - Employees have an opportunity to put their case before any decisions are made
 - Employees can be accompanied at any formal grievance meeting
 - An appeal process exists

2. What is a Grievance?

- 2.1 Grievances are concerns, problems or complaints that employees raise with their employers. Examples of grievance issues are;
- Working hours
 - Health and safety
 - Working relationships with colleagues
 - Allocation of work
 - Working environment
 - Agile working arrangements
 - Discrimination
- 2.2 When using this procedure staff should endeavour to settle the grievances as near as possible to the point of origin.
- 2.3 The parties to a grievance may, by mutual agreement, modify the time limits referred to below.
- 2.4 The following should not be raised under the grievance procedure;
- Disciplinary matters
 - Job evaluation appeals
 - Appeals against selection decisions

There are separate procedures for managing these matters and for advice on these please contact your HR Business Partner.

3. Equality and Diversity

- 3.1 Where an employee requires reasonable adjustments to attend and participate in a grievance meeting such as a disability or language barrier the member of staff may be accompanied by an appropriate person to provide support, in addition to their right to be accompanied by a colleague or trade union official.
- 3.2 The manager responsible for the grievance meetings at each stage will ensure all reasonable adjustments and special arrangements are made. This includes ensuring all information is in an accessible format, that meeting venues are accessible to all parties and that any reasonable adjustments are made to enable fair and complete participation by all parties.
- 3.3 Employees are invited to advise their line manager and subsequent managers of their needs and requirements to ensure they are fulfilled throughout the process wherever possible. This right is also extended to the appeal meeting.

3 Informal Resolution of Grievance

- 4.1 The first stage of resolving concerns is for the employee to raise their grievance informally at a meeting with their line manager as soon as possible after the concern or problem arises.
- 4.2 If it is not possible to resolve the grievance in this way the employee should raise the matter formally and within 10 working days of the meeting with their line manager. Employees must complete the form Notification of Grievance – Stage One (form GRP1) and pass it to their line manager to action with HR.

5. Resolving the Grievance – Stage One

- 5.1 Once a grievance has been raised formally, the manager will arrange for a meeting to be held within 10 working days.
- 5.2 At the meeting the employee will be invited to explain the grievance and how they think it should be resolved. So that the facts can be established, the meeting may include the manager who made the decision at informal stage or the meeting may be adjourned for any investigation that is required. Such investigation will normally be carried out by an independent manager i.e. someone unconnected to the individuals and / or service concerned. If an adjournment is required, the meeting will be reconvened at an appropriate time and without undue delay, to enable the grievance to be heard.

- 5.3 Employees may be accompanied by a colleague or Unison representative at a grievance meeting. An opportunity will be provided for the member of staff to submit witness statements or, if appropriate, to invite witnesses to attend the meeting.
- 5.4 After the meeting (or reconvened meeting) the manager will decide what action should be taken, if any. Wherever possible the manager will advise the employee verbally, of any such action at the end of the meeting. The manager will then formally notify the employee of the outcome of the grievance meeting in writing within 5 working days and will include details of how to appeal the decision.

6. Right to Appeal – Stage Two

- 6.1 Employees have the right to appeal against any decision taken at stage 1. Appeals should be made in writing on form GRP2 and sent to the Head of HR within 10 working days of the written confirmation of the outcome of the stage 1 meeting.
- 6.2 The Assistant Director or Head of HR shall invite two elected members of the councils joint staff committee to be part of the panel, the third member will be a manager more senior than the person who considered the grievance at Stage 2 and who has not been involved previously in the Grievance procedure.
- 6.3 Appeal decisions will be confirmed in writing within 5 working days of the stage 2 meeting.

7. Right to be Accompanied

- 7.1 Employees have the right to be accompanied at both the formal meeting and the appeal meeting. For additional support to meet special requirements and reasonable adjustments see paragraph 3 above entitled Equality and Diversity.
- 7.2 The companion may be a colleague employed by Eastbourne Borough or Lewes District Council, a trade union representative or an official employed by a trade union. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany an employee.
- 7.3 Companions may address the hearing to put forward and sum up the employees views, respond to any views expressed and confer with the employee. Companions do not have the right to answer questions on the employees' behalf, address the hearing if the employee does not wish it or prevent the managers from explaining their case.

8. Relationship with Other Processes

- 8.1 Where an employee raises a grievance during another process e.g. disciplinary, the grievance may be temporarily suspended in order to complete the disciplinary. It may be possible in some cases where grievances and disciplinary or performance cases are related that they can be dealt with together. If a grievance is raised which is not related to an existing process, they would normally be dealt with concurrently.
- 8.2 In the event that the chair of a grievance meeting finds that a grievance has been raised maliciously, the chair may recommend disciplinary action against the employee who raised the grievance.
- 8.3 In the event that a grievance is made about the same matter by more than one person the principles of this policy may still apply and the same procedure followed.