

# Grievance Policy (Local Government Employees & Craft Workers)

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| <b>Governance Committee</b> |  | <b>Date approved</b> |  |
| <b>Review date</b>          |  |                      |  |

**Strategic Alignment**  
*Improving the Council's Resource Base – A Workforce Strategy that is built around the needs of the Council (as a single resource base) to deliver the priority outcomes, ensuring future workforce requirements, new skills and innovative approaches, and succession planning are recognised.*

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| <b>Consultation process</b> |                                      |  |
| <b>Stakeholders</b>         | Contacts identified for each service |  |
|                             | <i>Joint Trade Unions</i>            |  |
| <b>Distribution</b>         |                                      |  |

### Change record

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|--------------------|-------------------|---------------|--|
| <b>Date</b>        | <i>28/02/2019</i> | <b>Author</b> | <i>Employee Relations Team,<br/><a href="mailto:EmployeeRelationsTeam@northlan.gov.uk">EmployeeRelationsTeam@northlan.gov.uk</a></i> |
| <b>Change made</b> | <i>New format</i> |               |  |

## **GRIEVANCE PROCEDURE**

An employee shall have a right of appeal against any decision of the Council or against its failure to come to a decision, except in the case of a policy or procedure which provides no right of appeal. This policy applies to all local government and craft employees.

To ensure that individual grievances, relating to employment within the Council's service, are settled fairly, speedily and as near to the source of the grievance as possible, the following procedure shall be followed:

At all stages of the grievance procedure the employee will have the right to be represented or accompanied.

### **Stage I**

Where an employee is aggrieved on any matter, the employee or representative should normally discuss the matter initially with their immediate superior. Exceptionally, where this is deemed to be inappropriate, the matter should be discussed with a nominated senior officer.

The immediate superior should reply orally as soon as possible and in any case within two working days and advise the aggrieved employee of the next stage.

### **Stage II**

If the immediate superior is unable to give a satisfactory reply to the grievance, the employee shall notify, in writing, the relevant Executive Director of the intention to appeal against the decision on the grievance. This notification must be given within fourteen days.

The Executive Director or other nominated senior officer shall acknowledge receipt of the notification of appeal within five days and shall also inform the Head of Human Resources of the notification of grievance and have regard for any advice offered therefrom.

The Executive Director shall arrange a meeting between a nominated senior officer and the employee aggrieved to discuss the grievance. The meeting shall be arranged, although not necessarily take place, within five working days and the written reply shall be made as soon as possible but in any event within five working days of such a meeting.

### **Stage III**

Where the employee remains dissatisfied, a written appeal may be submitted to Head of Human Resources, within 14 days of receipt of the decision at Stage II above, requesting that the matter be referred to the Policy and Resources (Human Resources Appeals) Sub Committee and outlining in detail the grounds of the grievance.

The matter shall end at this point with the decision of the Sub Committee.

### **Trade Union Representation**

While the matter of representation is entirely one for the employee, it would be anticipated that in normal circumstances, trade union representation will be selected from within the employee's Service to ensure the matter is dealt with quickly and effectively.

### **Leavers Grievance Procedure Started Before the Employee Leaves**

If the grievance has been raised, and the grievance meeting has taken place before leaving employment, the employee will be notified of the outcome of the meeting and given the right to appeal.

Equally, if the grievance has been raised but the meeting has not taken place before the employee leaves employment, then the manager must arrange a meeting and confirm the outcome of this in writing, giving the employee the right of appeal.

### **Grievance Procedure Started After the Employee Leaves**

If the employee raises a grievance after leaving employment then they can opt to follow either the statutory standard procedure or the statutory modified procedure. The standard modified procedure is a three step procedure.

- The employee must set out in writing, within 28 days of leaving council's employment, the grievance and the basis for it, and send this to the Service Executive Director.
- On receipt of the written grievance, the Executive Director or nominated officer must arrange to meet with the individual.
- The Executive Director or nominated officer must confirm the outcome in writing and inform the individual of the right of appeal.

Alternatively if both parties agree in writing, the statutory modified two step procedure may be used.

- The employee must still put their grievance in writing, within 28 days of leaving the council's employment, to the Executive Director.
- The Executive Director or nominated officer must give the response in writing but there is no right of appeal.

If the individual fails to comply with either of these procedures and does not put the grievance, and the basis for it, in writing, then the Executive Director or nominated officer is not required to take any action.