

Grievance Resolution Procedure

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1. Our policy

- 1.1 The council as an employer seeks to provide a working environment that is open, supportive and fair.
- 1.2 The council readily accepts that employees may have concerns about their employment, and feels that raising them and dealing with them is vital to good employee relations.
- 1.3 Problems should be raised promptly, discussed fully, and steps taken in good faith by all concerned to resolve them.

2. The purpose of this procedure

- 2.1 This procedure is to help to resolve problems, concerns and complaints which employees may have about their employment promptly and fairly, and as near as possible to their point of origin.
- 2.2 This procedure may be used for a variety of issues an employee may have excluding:
 - grading appeals
 - pensions appeals
 - performance management
 - discipline and disciplinary appeals
 - public interest disclosure ('whistleblowing')
 - collective processes with the council's trade unions
 - unfair discrimination, harassment and bullying

If, in responding to a problem during this process, the manager considers that another procedure is more appropriate, the employee will be directed there, and the grievance resolution process discontinued.

- 2.3 This procedure applies to all employees other than school-based staff operating under Governors' delegated powers, for whom separate arrangements exist.
- 2.4 This procedure also applies to a group of employees with the same complaint.
- 2.5 Day-to-day issues should normally be resolved through dialogue between employees and their manager, without having recourse to a formal procedure. Most issues can be resolved in this way, sometimes by acknowledging that although a matter may have created annoyance, it can best be handled by simply talking it through. Managers and employees should consider mediation in appropriate cases.
- 2.6 This grievance resolution procedure only comes into play when the employee is not satisfied with the outcome of that dialogue with their manager and when all other informal routes to resolve the matter have been exhausted.
- 2.7 At any stage managers may ask for advice and guidance from the HR function. However, the responsibility for the decision will remain with the manager.

3. The stages

First Stage

- 3.1 If the problem has not been resolved informally or the problem is too serious to be dealt with informally then the employee must register the problem formally with the person to whom they

report directly. This must be done in writing and describe what the problem is and possible ways of resolving it.

- 3.2 Where the problem concerns that manager, it must be raised in writing with the manager's immediate line manager who will then become the relevant manager (see 3.4 below).
- 3.3 If the complaint is of a serious or complex nature the manager should make the Service Manager for that area aware of the complaint so that they can consider whether someone other than the direct line manager should investigate the issue.
- 3.4 The relevant manager will:
- register the problem formally under this procedure providing that the employee has tried to resolve the problem informally with him/her beforehand
 - send a copy to HR for statutory equalities monitoring
 - investigate the issue as appropriate
 - convene a meeting with the employee to explore possible resolutions to the problem, notifying the employee of the date and of the right to be accompanied by a trade union representative or work colleague. This will be done within two weeks of the employee formally registering the problem
 - reply to the employee within a week of the meeting describing the action which they propose to take and the time-scale. This reply can be oral, in which case it will be confirmed in writing as soon as possible. If it is not possible to respond within these periods, the employee will be given an explanation for the delay, and be told when a reply can be expected
 - send a copy of the response to HR for the personal file.

Second Stage / Appeal

- 3.5 If the action proposed or taken as a result of the first stage will not or does not resolve the problem from the employee's point of view, or if no action is taken or reply received, the employee may appeal by submitting a written statement to the Service Director who will nominate a manager who works within the department but is independent of the team/service within which the employee works to handle this stage. The Manager or Service Director must send a copy of the statement to the HR Business Manager for their employing department.
- 3.6 The employee's statement must set out:
- the full details of the problem
 - why the employee is dissatisfied with the response at stage 1 of the procedure
 - what the employee thinks would be a satisfactory remedy
- 3.7 The statement must be submitted within two weeks of receipt of any reply from the manager who handled the first stage.
- 3.8 On receipt of the written statement the manager handling the second stage will:
- convene a meeting with the employee within two weeks
 - review the first stage of this process
 - reply to the employee following that meeting within one week
 - send a copy of the response to HR for the personal file
- 3.9 The reply from the manager at the end of the second stage will be the final response by the Council.

4. Special considerations

- 4.1 Records must be kept detailing the nature of the problem, the response, any actions taken and the reasons for them. These records will be kept confidential and retained in accordance with the Data Protection Act.
- 4.2 If an employee raises a problem about their line manager during the course of a disciplinary case or other council procedure the Service Director or their nominee will decide whether in the circumstances it may be appropriate to suspend the disciplinary or other procedure for a short period until the grievance can be dealt with. It is expected that this will be necessary only in exceptional circumstances. Consideration will also be given to bringing in another manager to deal with the disciplinary or other procedure.
- 4.3 Employees who abuse the grievance resolution procedure by making complaints that are false and made in bad faith will be liable to disciplinary action.
- 4.4 Confidentiality will be given the utmost importance by both parties at all stages of the procedure. However if the grievance raises issues which require investigation under the disciplinary procedure it is likely that they will need to be disclosed during the course of that procedure
- 4.5 Where the procedure refers to a manager being responsible (at whatever level), if that manager is subject of the complaint, all references should be read as 'or that designation of manager's line manager.'
- 4.6 Group grievances will be presented by a nominated representative of the group.
- 4.7 This procedure is subject to any reasonable adjustments which may be required by employees who are considered to be a disabled person within the meaning of the Equality Act 2010.