



SUNNINGDALE PARISH COUNCIL

Document reference:

Document title: Grievance Policy

Version: 1.1

Adopted by: HR Committee

Date adopted: January 2026

Minute reference: 88/26

Next review due: January 2030

Owner: Clerk / RFO

Status: Adopted

Grievance Policy and Procedure

Introduction

1. This policy is based on the NALC Legal Topic Note 22 and complies with the ACAS Code of Practice on disciplinary and grievance procedures (2015), which sets the statutory framework for handling such matters. While the Code is not legally binding, employment tribunals take compliance into account and may adjust awards for unreasonable failure to follow it.

In addition, this policy takes account of the ACAS Guide “Discipline and Grievances at Work” (published July 2020, last reviewed July 2024), which provides practical advice and best practice recommendations to complement the Code. Following the Guide is not mandatory but strongly recommended to ensure fairness, consistency, and risk reduction. The latest version is available at: <https://www.acas.org.uk/acas-guide-to-discipline-and-grievances-at-work>

It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems, or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.

2. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.

3. This policy confirms:

- employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, by a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider, or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for his /her grievance/appeal and to confer with the employee. The companion cannot

answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining their case.

- the Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five calendar days of the original meeting date unless it is unreasonable not to propose a later date.
- any changes to specified time limits must be agreed by the employee and the Council
- an employee has the right to appeal against the decision about their grievance. The appeal decision is final.
- information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the General Data Protection Regulation (GDPR).
- audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure
- if a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith
- the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of the affected parties
- employees can use all stages of the grievance procedure if the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage of the council's grievance procedure to deal with grievance issues, including a complaint about a councillor. Employees cannot use the formal stages of the council's grievance procedure for a code of conduct complaint against a councillor. If the complaint about the councillor is not resolved at the informal stage, the employee can contact the monitoring officer of RBWM who will inform the employee whether the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the council's grievance procedure.
- If the grievance is a code of conduct complaint against a councillor, the employee cannot proceed with it beyond the informal stage of the council's grievance procedure. However, whatever the complaint, the council has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and councillors are properly trained and by protecting staff from bullying, harassment, and all forms of discrimination
- If an employee considers that the grievance concerns his or her safety within, the working environment, whether it also concerns a complaint against a councillor, the employee should raise these safety concerns with his or her line manager at the informal stage of the grievance procedure. The council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime.

Informal Grievance Procedure

4. The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with their manager to see if an informal solution is

possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with their manager (for example, because it concerns the manager), the employee should contact the chairman of the HR Committee. If the employee's complaint is about a councillor, it may be appropriate to involve that councillor at the informal stage. This will require both the employee's and the councillor's consent.

Formal Grievance Procedure

5. If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the HR committee.

6. the HR committee will appoint a Review Panel of three members to investigate the grievance. The Review Panel will appoint a chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the Review Panel.

Investigation

7. If the Review Panel decides that it is appropriate, (e.g., if the grievance is complex), it may appoint a third-party investigator [C1.1] to carry out an investigation before the grievance meeting to establish the facts of the case. The investigation may include interviews (e.g., the employee submitting the grievance, other employees, councillors, or members of the public).

8. the investigator will summarise their findings (usually within an investigation report) and present their findings to the Review Panel.

Notification

9. within 10 calendar days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will be asked, in writing, to attend a grievance meeting. The written notification will include the following:

- the names of its Chairman and other members
- the date, time, and place for the meeting. The employee will be given reasonable notice of the meeting which will be within 25 calendar days of when the council received the grievance
- the employee's right to be accompanied by a workplace colleague, trade union representative or trade union official
- a copy of the Council's grievance policy
- confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of their witnesses as soon as possible before the meeting
- findings of the investigation if there has been an investigation[C3.1]
- an invitation for the employee to request any adjustments to be made before the hearing (for example where person has a health condition).

The grievance meeting

10. at the grievance meeting:

- the Chairman will introduce the members of the Review[C4.1] Panel to the employee
- the employee (or companion) will set out the grievance and present the evidence. The employee must provide evidence in advance (at least 2 days before)

- the Chairman will ask the employee questions about the information presented and will want to understand what action he/she wants the council to take.
- any member of the Review Panel and the employee (or companion) may question any witness.
- the employee (or companion) will have the opportunity to sum up the case
- a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee

11. the Chairman will provide the employee with the Review Panel's decision, in writing, usually within five calendar days of the meeting. The letter will notify the employee of the action, if any, that the council will take and of the employee's right to appeal.

The appeal

12. if an employee decides that their grievance has not been satisfactorily resolved by the Review Panel, he/she may submit a written appeal to the HR committee. An appeal must be received by the Council within seven calendar days [C7.1] of the employee receiving the Review Panel's decision and must specify the grounds of appeal.

13. appeals may be raised on a number of grounds, e.g.:

- a failure by the Council to follow its grievance policy
- the decision was not supported by the evidence
- the action proposed by the Review Panel was inadequate / inappropriate.
- new evidence has come to light since the grievance meeting.

14. the Appeal will be heard by a panel of three members of the Council who have not previously been involved in the case. The Appeal Panel will appoint a chairman from one of its members. External parties can be engaged if necessary.

15. the employee will be notified, in writing, within 14 calendar days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will take place within 35 calendar days of the council's receipt of the appeal. The employee will be advised that he/she may be accompanied by a workplace colleague, a trade union representative, or a trade union official.

16. at the appeal meeting, the Chairman will:

- introduce the panel members to the employee
- explain the purpose of the meeting, which is to hear the employees' reasons for appealing against the decision of the Review Panel.
- explain the action that the Appeal Panel may take.

17. the employee (or their companion) will be asked to explain the grounds of their appeal.

18. the Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within seven calendar days of the appeal meeting.

19. the appeal panel may decide to uphold the decision of the Review Panel or substitute its own decision.

20. the decision of the Appeal Panel is final.

21. **confidentiality:** So far as is reasonably practicable, the Council will keep any grievance confidential between the panel investigating the grievance, the aggrieved and the person about whom the grievance or

complaint is made. If it is necessary to investigate the matter with any other employee or person, parties will be so advised.

22. **record keeping:** In all cases, written records of the nature of the grievance raised, the Council's response, action taken (with reasons), details of any appeal and subsequent developments will be retained and kept in accordance with the Data Protection Act 1998.

Note: This policy is based on the NALC Model Grievance Policy, within LTN 22, dated November 2019.