

# Harrow Council

## Grievance Procedure

This policy and procedure is contractual and forms part of the employment contract for employees at Harrow Council. The associated guidance and forms are non-contractual. The policy may be amended at any time in consultation with the trade unions.

### 1 Raising an Informal Grievance

- 1.1 In the first instance, managers and employees should always aim to resolve problems in an informal manner and should take a constructive approach to solving concerns or complaints. Consideration should also be given as to whether mediation is appropriate.
- 1.2 Employees are encouraged initially, where they feel able, to seek resolution to their complaint themselves, where possible.
- 1.2 Managers should seek to address and resolve problems and concerns quickly and fairly.

### 2 Raising a formal grievance

- 2.1 If the grievance cannot be resolved informally an employee should complete the grievance complaint form.
- 2.2 The manager, graded MG3 or above (or manager with delegated authority) must write to the employee within 5 working days, acknowledging receipt of the grievance and explaining the process which will be followed, including confirming the right to be accompanied by a trade union representative or a work colleague and sending a copy of the Grievance Procedure.
- 2.3 The manager will arrange a Formal Grievance meeting to be held within 15 days of receipt of the formal grievance. The manager will liaise with the employee and /or their representative and arrange a suitable date and time for the meeting, giving the employee a minimum of 5 working days' notice, in writing. Any extensions to timescales must be discussed and reasonably agreed by both parties.
- 2.4 Employees are expected to make every effort to be available for any meetings arranged.

### 3.0 Right to be accompanied

- 3.1 Employees may be accompanied, at all formal meetings, by their trade union representative or a work colleague, who can present their case but cannot answer questions on their behalf. It is the employee's responsibility to inform their trade union representative/work colleague of the details of the Grievance Meeting/Appeal Hearing.

## **4 Formal Grievance Meeting**

- 4.1 The purpose of the meeting is to enable an employee to explain their grievance and how they would like it to be resolved as well as assisting the manager to reach a decision based on the available evidence and the representations made.
- 4.2 The manager hearing the complaint (graded MG3 or above, unless further delegation made), may need to adjourn the meeting if an investigation is deemed necessary. The extent of the investigation required will depend upon the nature of the complaint.
- 4.3 The manager should reconvene within 15 days of the initial meeting, giving the employee 5 days' notice in writing.

## **5 Outcomes following formal Grievance Meeting**

- 5.1 Following the meeting and/or investigation, employees will be informed of what action, if any, will be taken to resolve the grievance. The employee should also be made aware that they can appeal if they are dissatisfied with the action taken.
- 5.2 This may be done face to face but must also be confirmed in writing, within 5 working days of the meeting or once the manager has reached a decision following further investigation or taking advice.
- 5.3 In determining the outcome of any grievance, managers should be aware that their decisions should be transparent and that, if challenged, they are accountable and should be able to provide a sound rationale/explanation for their decision.

## **6 Appeals**

- 6.1 Where the employee feels their grievance has not been satisfactorily resolved they may appeal, within 10 working days of receiving notification of the outcome of the grievance meeting, using Appeal Record Form, to be submitted to the manager notified in the outcome letter.

## **7 Appeal Meeting**

- 7.1 An appeal meeting will be arranged to take place within 20 days of receipt of employees appeal. The employee will be notified, in writing, and given a minimum of 5 days' notice, and provided with a copy of the manager's reason for decision
- 7.2 Managers will keep employees and their trade union or other representatives informed if timescales need to be extended. Any extensions to timescales must be discussed and reasonably agreed by both parties. The employee must be kept informed of any delays and the reasons for it.
- 7.3 The appeal will be heard by a Corporate Director recommended by HR.
- 7.4 The purpose of the appeal meeting is to enable the employee to re-state their grounds for appeal and explain why they are dissatisfied with the outcome of

the first meeting, providing any supporting evidence. The manager who conducted the grievance meeting will be invited to respond to these grounds.

7.5 The manager hearing the appeal will confirm any appeal decision, in writing, within 5 working days of the appeal meeting.

7.6 There is no further internal right of appeal.

## **8 Collective Grievances**

8.1 Collective grievances are where more than two employees have similar complaints and wish them to be addressed in the same grievance process.

8.2 Advice concerning treating a grievance as a collective one should be sought from HR.