

Harrow Council

Grievance Policy

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.

1.0 Purpose

- 1.1 The Council expects employees to maintain good relationships with colleagues and members of the public and is committed to the belief that every employee has the right to be treated fairly and with dignity and respect at work, and to work without fear of discrimination, bullying or harassment.
- 1.2 The Council encourages any employee who considers that they have been the subject of any unfair or unjustified treatment to bring this to the notice of management.
- 1.3 The Council will investigate all complaints thoroughly and take appropriate action where necessary.
- 1.4 This policy and procedure provides a framework to enable managers to address employees' complaints in a fair and consistent manner, to ensure complaints are dealt with seriously, and to resolve them as soon as possible.
- 1.5 It has been developed to comply with legal requirements and in accordance with ACAS code of practice and guidance.

2.0 Scope

- 2.1 This policy and procedure applies to directly employed staff excluding schools employees and 'as and when' workers. It does not apply to agency workers, interims or consultants.
- 2.2 This policy and procedure is not applicable in schools, however, it is recommended for adoption by the Schools Governing bodies.
- 2.3 The policy and procedure does not cover:
 - A matter over which the Council has no control
 - An employee who is no longer employed
 - Concerns relating to pay and/or terms and conditions of service, except

where the complaint potentially involves discrimination

- Complaints in relation to the application of another procedure, which has its own appeal stage e.g. job evaluation
- Complaints in relation to a matter which has already been raised under the Whistleblowing Procedure
- Complaints not registered within 3 months of the incident complained of unless a complaint of ongoing discrimination
- Complaints raised by anyone not covered by a contract of employment issued by Harrow Council

3.0 Principles

3.1 This Policy and Procedure is governed by principles of natural justice. Any employee raising a grievance will be given the opportunity to explain their grievance in detail.

3.2 All complaints raised under the Grievance Procedure will be addressed in accordance with the following principles.

- Employees will be treated fairly and consistently
- Grievances will be investigated appropriately in accordance with procedural timescales and without undue delay. Extensions to timescales must be reasonably agreed by both parties. The employee should be kept informed of any delay and the reasons for it
- Every effort will be made to resolve grievances informally wherever possible
- Managers must ensure that timescales are adhered to and that they can account for decision outcomes with a sound rationale
- Employees will be advised of sufficient details of any complaint made against them and given the opportunity of responding to the complaint before any formal outcome is determined
- Employees have the right to be accompanied by a trade union representative or work colleague at all formal stages of the procedure
- At all stages of the procedure, all parties will observe confidentiality and act with sensitivity
- Employees raising a grievance have the right of appeal against the formal outcome

4.0 Delegations

4.1 Delegations are part of the council's financial regulations and constitution and any changes will be made through due process and in consultation with the trade unions. In some services across the council delegated authority may be extended to managers at lower levels.

4.2 Managers graded MG3 or above have authority to hear grievances.

4.3 Managers graded D1 and above have authority to hear appeals.

5.0 Mediation

- 5.1 Mediation can play an important role in resolving problems between managers and employees and between employees themselves. It can also be particularly helpful in cases where interpersonal conflict or competing interests form an important element in the situation contributing to the grievance.

6.0 Confidentiality and Record Keeping

- 6.1 Information disclosed during the process must be treated with sensitivity and confidentially and kept securely in accordance with the Data Protection Act 1998.

7.0 Equality and Diversity

- 7.1 When dealing with grievances and complaints, managers must ensure that equality and diversity considerations are taken account of at every stage of the process
- 7.2 Reasonable adjustments will be fully considered for employees who have a disability.