

BRECON TOWN COUNCIL
CYNGOR TREF ABERHONDDU
GRIEVANCE POLICY

Adopted on the 2 March 2020

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Town Clerk

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Mayor

1 The Right to be Accompanied

Employees attending any meetings arranged under the Statutory Dismissal and Disciplinary Procedures (DPP) have the right to be accompanied by either a colleague or a trade union representative in accordance with the provisions of the Employment Act 1999.

Grievance procedures are subject to the following general requirements:

- Each step and action under the procedure must be taken without unreasonable delay;
- Timing and location of meetings must be reasonable;
- Meetings must be conducted in a manner that enables both employer and employee to explain their cases;
- In the case of appeal meetings that are not first meetings, the employer should, so far as is reasonably practical, be represented by a more senior person than attended the first meeting (unless the most senior person attended that meeting).

2.1 Standard Grievance Procedure

Step 1: statement of grievance

The employee must set out the grievance in writing and send that statement, or a copy of it, to the employer.

Step 2: the meeting

The employer must invite the employee to attend a meeting to discuss the grievance. The meeting must not take place unless:

- a) the employee has informed the employer what the basis for the grievance was when they made the statement as required by Step 1; and
- b) the employer has had a reasonable opportunity to consider their response to that information.

The employee must take all reasonable steps to attend the meeting. After the meeting the employer must inform the employee of their decision in response to the grievance and notify the employee of the right to appeal against the decision if they are not satisfied.

Step 3: the appeal

If the employee does want to appeal, they must inform the employer.

If the employee informs the employer of their wish to appeal, the employer must invite the employee to attend a further meeting.

After the appeal meeting the employer must inform the employee of their final decision.

A modified version of the standard Grievance Procedure is available.

2.2 Modified Grievance Procedure

Step 1: statement of grievance

The employee must:

- a) set out in writing – (i) the grievance and (ii) the basis for it; and
- b) send the statement, or a copy of it to the employer.

Step 2: the response

The employer must set out their response in writing and send the statement or a copy of it to the employee.

The modified procedure is intended for use in circumstances where the employee has already left employment. A typical example would be in cases of constructive dismissal, where it would be inappropriate for an employee to return to work to discuss the issues in person with the employer.

Employees who do not comply with this procedure will be unable to present a claim to an employment tribunal in relation to the subject of their grievance. Therefore before bringing a tribunal claim, the employee must have written to the employer setting out the grievance and the basis for it.

Adopted 2 March 2020

Signed

Review Date February 2022