



Lostwithiel Town Council

Grievance Policy & Procedure

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1. Policy Statement

Lostwithiel Town Council recognises that employees may occasionally experience concerns, difficulties or disputes arising from their employment.

The Council is committed to maintaining positive working relationships based on fairness, respect, equality and open communication. Employees have the right to raise concerns and to have those concerns considered objectively and without unreasonable delay.

The purpose of this policy is to provide a clear process through which employees can raise workplace concerns and receive a fair response.

The Council recognises that early discussion and informal resolution are often the most effective ways of resolving workplace issues. However, where informal approaches are unsuccessful or inappropriate, employees have access to a formal grievance process.

The Council will ensure that grievances are:

- considered seriously;
- investigated proportionately;
- handled confidentially;
- determined by appropriately authorised persons;
- supported by clear reasons and outcomes;
- subject to an appropriate appeal process.

The Council is committed to ensuring that no employee suffers disadvantage, retaliation or victimisation because they raise a genuine grievance or participate in the grievance process.

2. Purpose and Principles

2.1 Purpose of the Procedure

The purpose of this procedure is to:

- provide employees with a recognised route for raising concerns;
- encourage early and constructive resolution;
- ensure grievances are dealt with consistently;
- provide a fair and transparent decision-making process;

- maintain effective working relationships
- support a culture where concerns can be raised without fear of disadvantage

2.2 Principles

Grievances will be managed in accordance with the following principles:

- Fairness – employees will be treated fairly and without discrimination
- Timeliness – grievances will be dealt with without unreasonable delay.
- Confidentiality – information will be shared only where necessary
- Representation – employees may be accompanied at formal meetings in accordance with this policy
- Right of Appeal – employees will have a right of appeal against formal grievance outcomes
- Proportionality – the level of formality and investigation will be proportionate to the nature and seriousness of the issues raised.

3. Scope of the Policy

3.1 Issues Covered

This policy applies to individuals and, where appropriate, collective grievances raised by employees about matters arising from their employment, including (but not limited to):

- working relationships;
- working conditions;
- allocation of duties;
- application of policies and procedures;
- treatment by colleagues, managers or councillors;
- health, safety and welfare concerns;
- changes to working arrangements.

3.2 Issues Not Normally Covered

This procedure is not normally intended to cover:

- matters relating to disciplinary action (which should be dealt with under the Disciplinary Policy);
- matters relating to capability or performance (which should be dealt with under the relevant procedure);
- pay and grading structures determined by national or local agreements, except where incorrectly applied;
- matters that have already been concluded under another Council procedure, unless there is new and relevant evidence.

Where an employee raises a grievance during a disciplinary or capability process, the Council will consider whether the matters should be:

- dealt with separately;
- dealt with concurrently;
- temporarily paused while related issues are examined.

A grievance will not automatically prevent another employment procedure continuing.

Matters outside Council control

Matters outside the Council's legal powers or ability to influence may not be suitable for consideration under this procedure.

However, concerns about the Council's own actions, decisions, policies or compliance with legal obligations may be considered.

3.3 Relationship with Other Council Policies

Employees should consider whether another Council policy is more appropriate before raising a grievance.

A grievance process and disciplinary process may operate separately or alongside each other where appropriate.

The Council will explain which procedure will apply where there is any overlap or uncertainty.

4. Roles and Responsibilities

4.1 Full Council

Full Council is responsible for:

- approving this policy;
- ensuring appropriate governance arrangements are in place;

- receiving assurance that employment matters are managed properly.

Full Council should not become involved in individual employee grievances unless acting as the properly constituted decision-making body where no other appropriate arrangement exists.

Individual Councillors do not have authority to independently manage employee grievances. Councillors must comply with the Council's Code of Conduct and any relevant standards regime when dealing with grievance matters.

4.2 Staffing Committee

The Staffing Committee is responsible for:

- overseeing employment-related matters delegated to it by Full Council;
- ensuring grievances are handled fairly;
- arranging appropriate panels to hear grievance hearings and appeals, ensuring that those hearing an appeal have had no prior involvement in the original decision where reasonably practicable.
- seeking professional advice where appropriate.

4.3 Town Clerk / Proper Officer

The Town Clerk is responsible for:

- managing day-to-day employment matters;
- encouraging informal resolution where appropriate;
- progressing formal grievances in accordance with this policy
- implementing agreed outcomes.

Where the Town Clerk has had significant prior involvement in the issued raised, the Council will consider whether another person should manage the grievance to maintain impartiality.

4.4 Investigating Officer

Where an investigation is required, an Investigating Officer may be appointed. The Investigating Officer will:

- gather relevant information;
- interview the employee and any witnesses;
- review documents and other evidence;
- prepare an investigation report.

They will not normally determine the outcome of the grievance. Wherever practicable, the Investigating Officer should have had no prior direct involvement in the matters under investigation.

4.5 Human Resources / External Advisers

Where appropriate, the Council may seek advice from HR professionals or other external advisers to support the fair and lawful operation of this policy.

5. Overview of the Grievance Process

The Council recognises that many workplace concerns can be resolved effectively through early discussion. Employees are encouraged to raise concerns informally where appropriate; however, employees may proceed directly to the formal stage where the matter is serious, sensitive, or informal resolution would not be appropriate.

The grievance process consists of three main stages:

1. Informal Resolution
2. Formal Resolution
3. Appeal

The Council will seek to resolve grievances as quickly as reasonably practicable while ensuring that fairness and procedural integrity are maintained.

Timescales within this procedure are intended as guidance. They may be extended where necessary due to:

- complexity of the issues;
- availability of relevant individuals;
- need for further investigation;
- reasonable adjustments;
- agreement between the parties.

Where timescales cannot be met, the employee will be informed of the reason for delay. Any revised timescales will be confirmed to the employee as soon as reasonably practicable.

6. Informal Resolution Stage

6.1 Purpose of Informal Resolution

The Council recognises that early discussion is often the most effective way of resolving workplace concerns.

Informal resolution allows employees and managers to:

- clarify misunderstandings;
- discuss concerns openly;
- identify practical solutions;
- repair working relationships.

An informal approach does not prevent an employee from raising a formal grievance if the matter remains unresolved.

6.2 Raising an Informal Concern

Employees wishing to raise an informal concern should normally approach:

- the Town Clerk;

Where the concern relates directly to the Town Clerk, the employee should approach the Chair of the Staffing Committee. Employees are encouraged to raise concerns promptly and normally within twenty working days of the matter occurring where reasonably practicable.

The Council will consider circumstances where a concern is raised later, particularly where:

- events have occurred over a period of time;
- the employee was unaware of the issue;
- the employee needed time to seek advice or support;
- there are personal or sensitive circumstances.

No reasonable concern will be disregarded solely because it has not been raised within the suggested timescale, provided it is still practicable to investigate.

6.3 Informal Discussions

An informal discussion may involve:

- the employee explaining their concerns;
- clarification of relevant facts;
- discussion of possible solutions;

- agreement on future actions.

The person dealing with the concern should:

- listen objectively;
- avoid prejudging the matter;
- maintain confidentiality;
- provide feedback on the outcome.

Informal discussions will not normally involve formal findings of fact or disciplinary conclusions. A brief management note may be kept where appropriate to record any agreed actions but this will not normally be treated as a formal finding or warning.

7. Mediation

7.1 Purpose of Mediation

Mediation is a voluntary process that may assist employees and managers to resolve workplace difficulties.

It is particularly useful where concerns involve:

- communication difficulties;
- relationship breakdown;
- misunderstandings;
- conflict between colleagues.

Mediation is:

- confidential;
- impartial;
- voluntary;
- solution-focused.

7.2 Mediation Arrangements

Mediation may be suggested:

- during informal discussions;
- before a formal grievance is submitted;
- during a formal grievance process;
- following completion of a grievance.

A mediator should normally be independent of the dispute and may be:

- an appropriately trained internal person;
- an external mediator;
- an HR adviser.

The outcome of mediation belongs to the parties involved. The mediator does not normally determine fault or make formal findings.

Participation in mediation does not remove an employee's right to pursue a formal grievance. Where mediation is proposed, the Council will explain the process so that all parties can make an informed decision about participation.

8. Formal Grievance Procedure

8.1 Submitting a Formal Grievance

Where informal resolution has not resolved the matter, or where informal resolution is inappropriate, an employee may submit a formal grievance.

The grievance should be submitted in writing to:

- the Town Clerk; or
- the Chair of the Staffing Committee where the grievance concerns the Town Clerk.

The written grievance should include:

- a clear description of the concern;
- relevant dates and events;
- names of individuals involved;
- any supporting information or evidence;
- the outcome the employee is seeking.

Employees may request assistance from a trade union representative or workplace colleague when preparing a grievance.

8.2 Acknowledgement and Initial Review

The Council will acknowledge receipt of the grievance as soon as reasonably practicable.

The initial review will determine:

- whether the matter falls within this procedure;
- whether another Council procedure is more appropriate;
- whether further information is required;
- whether an investigation is necessary.

The employee will normally be informed of:

- the next steps;
- who will handle the matter;
- expected timescales.

Where the grievance is not accepted under this procedure, the reasons will be explained to the employee and where appropriate any alternative options will be outlined.

8.3 Appointment of Investigator

Where an investigation is required, the Council will appoint an appropriate investigator.

The investigator may be:

- the Town Clerk;
- a member appointed through appropriate Council arrangements;
- an external HR professional or investigator.

Where reasonably practicable:

- the investigator should be separate from the decision-maker;
- individuals with conflicts of interest should not participate.

For smaller councils where complete separation is not possible, the Council will take reasonable steps to ensure the process remains fair and impartial. Any limitations on separation of roles will be explained to the employee.

8.4 Investigation Process

The purpose of an investigation is to establish the relevant facts, not to determine blame or conduct disciplinary proceedings unless separately required.

The investigator may:

- review documents;
- interview the employee;
- interview relevant witnesses;
- request additional information;

The employee will normally be given the opportunity to comment on factual information gathered during the investigation that is relevant to their grievance. A summary of the investigation findings will be shared with the employee before any formal grievance hearing, subject to confidentiality considerations.

8.5 Grievance Hearing

Once any necessary investigation is complete, a grievance hearing will normally be convened.

The employee will receive written notice of:

- the date, time and venue of the hearing;
- who will hear the grievance;
- their right to be accompanied;
- any documentation to be considered.

The employee will normally be given at least five working days' notice of the hearing. Where the employee or their companion cannot reasonably attend on the proposed date, the employee may request a postponement to a reasonable alternative time within five working days of the original date, or as otherwise agreed.

At the hearing, the employee will have the opportunity to:

- explain their grievance;
- present evidence;
- call witnesses where reasonably necessary;
- respond to information considered by the Council.

The person or panel hearing the grievance may:

- ask questions;
- request clarification;
- adjourn to seek further information.

If the employee fails to attend the hearing without good reason, the Council may proceed in their absence based on the available information. Before doing so, the Council will consider any written representations submitted by the employee.

8.6 Grievance Outcome

Following the hearing, the Council will decide whether the grievance is :-

- upheld;
- partially upheld;
- not upheld.

The outcome will be confirmed in writing and will include:

- the decision reached;
- the reasons for the decision;
- any actions to be taken;
- information about the right of appeal and how to exercise it.

Where actions are identified, the Council will outline who is responsible for implementation and the intended timescale.

9. Appeal Stage

9.1 Right of Appeal

An employee who is dissatisfied with the outcome of a formal grievance has the right to appeal.

Appeals should:

- be submitted in writing;
- normally be received within ten working days of receipt of the grievance outcome letter;
- clearly state the grounds of appeal.

Grounds of appeal may include:

- a significant procedural error;
- relevant evidence not previously considered;
- an outcome considered unreasonable based on the evidence available.

9.2 Submitting an Appeal

Appeals should be submitted to the person specified in the grievance outcome letter, normally the Chair of the Staffing Committee or another designated person. The Council may consider late appeals where there is a reasonable explanation for the delay.

9.3 Appeal Panel

The Appeal Panel may consist of:

- members of the Staffing Committee; or
- members of Full Council appointed for this purpose.

Members of the Appeal Panel must:

- have had no previous involvement in the grievance;
- have no conflict of interest;
- approach the matter with an open mind;
- maintain confidentiality.

Where appropriate, the Council may seek advice from an independent HR adviser or other professional adviser.

9.4 Appeal Hearing

The employee will receive reasonable notice of the appeal hearing.

The employee will have the right to be accompanied in accordance with Section 11 of this policy.

The Appeal Panel may:

- review the original grievance documentation;
- consider the grounds of appeal;
- request clarification;
- consider additional evidence where relevant;
- uphold, overturn or amend the original decision.

The Appeal Panel may adjourn the hearing where further information is required. The appeal will not normally involve a complete rehearing of the original grievance unless the Appeal Panel considers this necessary in the interests of fairness.

9.5 Appeal Outcome

The Appeal Panel will provide a written decision explaining:

- the decision reached;
- the reasons for that decision;
- any actions arising.

The decision of the Appeal Panel will be final under the Council's internal grievance procedure. Any actions arising from the appeal outcome will be monitored to ensure they are implemented.

10. Special Circumstances

10.1 Grievances Against the Town Clerk

The Town Clerk is normally responsible for managing employee grievances. However, where the grievance relates directly to the Town Clerk, alternative arrangements must be made to ensure independence and fairness.

Alternative arrangements may include:

- the Chair of the Staffing Committee managing the process;
- appointment of an external investigator;
- appointment of an independent chair for hearings or appeals.

In managing such grievances, the Council will have regard to any relevant sector guidance relating to the role of the Town Clerk as the Council's Proper Officer.

10.2 Collective Grievances

Where a group of employees raises a grievance about the same or similar issue, the Council may:

- agree a representative process;
- meet with nominated employee or trade union representatives;
- apply any agreed outcome to the wider group as appropriate.

10.3 Overlapping Procedures

Where a grievance overlaps with another procedure (for example, disciplinary, capability, whistleblowing or safeguarding), the Council will decide how best to proceed. Options may include:

- dealing with matters together;
- dealing with them separately;
- pausing one process while another is completed.

The Council will explain the approach to the employee. The chosen approach will aim to avoid unnecessary duplication while maintaining fairness in all relevant procedures.

11. Right to be Accompanied

Employees have the right to be accompanied at any formal grievance hearing or appeal hearing by:

- a trade union representative; or
- a workplace colleague.

The companion will normally attend in their own time unless otherwise agreed.

The companion may:

- address the hearing;
- present and sum up the employee's case;
- confer with the employee;
- ask questions or seek clarification where appropriate.

Representatives should not prevent reasonable progress of the procedure or answer questions on behalf of the employee unless agreed by the meeting chair.

The Council will work constructively with recognised trade unions and employee representatives where applicable.

There is no general right to be accompanied by a legal representative, although the Council may agree to this in exceptional circumstances.

12. Record Keeping and Data Protection

12.1 Records Maintained

The Council will keep records of:

- the nature of the grievance;
- any informal steps taken;
- investigation notes and evidence;
- hearing and appeal records;
- decisions and actions.

12.2 Confidentiality

All parties involved in a grievance are expected to maintain confidentiality. Information will only be shared where necessary for:

- proper consideration of the grievance;
- implementation of agreed actions;
- legal or regulatory obligations.

Unauthorised disclosure of confidential information may itself be treated as a disciplinary matter.

12.3 Retention of Records

Records will only be retained for as long as necessary for:

- employment administration;
- legal compliance;
- responding to potential claims;
- governance requirements.

Retention periods will be in line with the Council's data protection and records retention policies.

13. Monitoring, Review and Continuous Improvement

The Council will periodically review the operation of this policy to ensure that it remains:

- legally compliant;
- consistent with ACAS guidance;
- aligned with local council employment practice;

- effective in supporting positive working relationships.

The policy will normally be reviewed every three years or earlier where:

- legislation changes;
- ACAS guidance changes;
- NALC/SLCC guidance changes;
- operational experience identifies improvements.

Where appropriate, employees and recognised trade unions or staff representatives will be consulted on proposed changes.

Appendix 1 – Grievance Process Flowchart

Stage 1: Informal Resolution

Employee raises concern.



Discussion with Town Clerk, or Chair of Staffing Committee where appropriate.



Possible mediation.



Informal resolution achieved or formal grievance considered.

Stage 2: Formal Grievance

Written grievance submitted.



Acknowledgement and initial review.



Investigation where appropriate



Grievance hearing and written outcome



Stage 3: Appeal

Appeal submitted within specified timescale.



Appeal hearing.



Final written decision

The flowchart is a simplified overview. The full procedure set out in this policy will apply in the event of any inconsistency.

Appendix 2 – Formal Grievance Submission Form

Lostwithiel Town Council

Formal Grievance Submission Form

This form should be used by employees who wish to raise a formal grievance under the Council's Grievance Policy and Procedure.

Employees are encouraged to seek advice from their trade union representative or workplace representative before submitting a formal grievance if they wish to do so.

A grievance should be submitted to:

- The Town Clerk; or
- The Chair of the Staffing Committee where the grievance concerns the Town Clerk.

Section 1 – Employee Details

Employee Name:

.....

Job Title:

.....

Date Submitted:

.....

Preferred contact details:

.....

Section 2 – Details of Grievance

Please describe the concern you wish to raise.

Include:

- what has happened;
- when and where it happened;
- who was involved;
- how the matter has affected you;
- any relevant background information.

(Continue on additional pages if required.)

.....
.....
.....
.....
.....
.....
.....

Section 3 – Previous Attempts to Resolve the Matter

Have you attempted to resolve this matter informally?

☐ Yes

☐ No

If yes, please provide details:

- Who was involved?
- When did discussions take place?
- What was the outcome?

.....
.....

Section 4 – Individuals Involved

Please identify anyone who may have information relevant to your grievance.

Name	Role / Relationship	Relevant Information
------	---------------------	----------------------

Section 5 – Supporting Evidence

Please list any documents or evidence you wish the Council to consider.

Examples:

- emails;
- letters;
- meeting notes;
- policies;
- witness information.

Evidence Provided**Date****Attached**

Section 6 – Desired Outcome

Please explain what outcome you are seeking.

Examples may include:

- clarification of a decision;
- a change in working arrangements;
- restoration of a working relationship;
- review of a process or decision;
- another appropriate resolution.

.....

.....

Section 7 – Representation

Are you being supported by a representative?

☐ Trade union representative

☐ Workplace colleague

Name of representative:

.....

Organisation (if applicable):

.....

Section 8 – Declaration

I confirm that the information provided in this grievance submission is accurate to the best of my knowledge.

I understand that:

- the Council may need to share relevant information with individuals involved in managing the grievance;
- the Council may investigate the matters raised;
- confidentiality will be maintained wherever reasonably possible;
- knowingly providing false information may result in further action.

I understand that the Council will handle this information in accordance with its data protection policies

Employee Signature:

.....

Date:

.....

Office Use Only

Date received:

.....

Acknowledgement sent:

☐ Yes

☐ No

Investigator appointed:

.....

Date employee notified of next steps:

.....

Appendix 3 – Grievance Outcome Letter Template

Lostwithiel Town Council

Formal Grievance Outcome Letter

Private and Confidential

To: [Employee Name]

Date: [Insert date]

Subject: Outcome of Formal Grievance

Dear [Employee Name],
Following receipt of your formal grievance dated [insert date], and the subsequent investigation and/or grievance meeting held on [insert date], I am writing to confirm the outcome.

The Council has considered the concerns you raised carefully and has reviewed the information available, including:

- your written grievance;
- information provided during meetings;
- evidence submitted;
- relevant documents;
- information provided by other individuals where applicable

1. Summary of Grievance

Your grievance concerned:

[Provide a clear summary of the issues raised.]

.....
.....

2. Process Followed

The grievance was considered in accordance with the Council's Grievance Policy and Procedure.

The following steps were undertaken:

- ☐ Informal resolution considered
- ☐ Investigation undertaken
- ☐ Investigation report prepared
- ☐ Formal grievance meeting held
- ☐ Additional information considered

Details:

.....

3. Findings and Consideration

The Council considered each element of your grievance as follows:

Issue 1:

Concern raised:

.....

Evidence considered:

.....

Finding:

- ☐ Upheld
- ☐ Partially upheld
- ☐ Not upheld

Reason for decision:

.....

Issue 2:

Concern raised:

.....

Evidence considered:

.....

Finding:

- ☐ Upheld
- ☐ Partially upheld
- ☐ Not upheld

Reason for decision:

.....

4. Overall Outcome

Having considered all available information, the Council's decision is:

- ☐ The grievance is upheld.
- ☐ The grievance is partially upheld.
- ☐ The grievance is not upheld.

The reasons for this decision are:

.....

.....

5. Actions Arising

The following actions will be taken:

Action	Responsible Person	Timescale
--------	--------------------	-----------

Where appropriate, these actions may include:

- improvements to working arrangements;
- clarification of expectations;
- mediation or facilitated discussions;
- review of policies or procedures;
- management actions.

6. Confidentiality

All parties involved are reminded that grievance matters should be treated confidentially.

Information will only be shared where necessary for the proper administration of Council business, legal obligations, or implementation of agreed actions.

7. Right of Appeal

If you remain dissatisfied with this outcome, you have the right to appeal under the Council's Grievance Policy and Procedure. The appeal will be managed in accordance with the Council's Grievance Policy and Procedure.

Any appeal should:

- be submitted in writing;
- normally be received within ten working days of receipt of this letter;
- clearly state the grounds of appeal.

Examples of grounds for appeal may include:

- a significant procedural error;
- relevant evidence not previously considered;
- an outcome considered unreasonable based on the evidence available.

The appeal should be sent to:

[Insert appropriate recipient]

Yours sincerely,

.....

.....

For and on behalf of Lostwithiel Town Council
