



# Castlethorpe Parish Council

## Clerk's Grievance Procedure

The grievance procedure is intended as the tool by which the Clerk may formally have a grievance, regarding any condition of their employment, heard by the Council. Under the provisions of the 1999 Employment Relations Act s.10 the Clerk has the right to have a representative of their choice present at any Grievance hearing (a Trade Union Representative, if appropriate, or a work colleague).

In the event of the Clerk wishing to raise a grievance, it is preferable for the grievance to be satisfactorily resolved as close to the individual and their Chair as possible. It is accepted that this might not always be possible and that a formal procedure is required to ensure the swift and fair resolution of the matter/s that aggrieve the Clerk.

Time scales have been fixed to ensure that grievances are dealt with quickly, however these may be extended if agreed upon by both parties.

This procedure is not intended to deal with dismissal or disciplinary matters, which are covered under the Council's disciplinary procedure policy.

### Conciliation and Mediation

Before resorting to formal procedures from the Clerk or from the Council, it is the policy of the Council that discussions between both parties should be entered into with the express purpose of resolving the matter through a process of mediation seeking conciliation. Mediation will be regarded as a voluntary process where the mediator helps those involved in dispute to attempt to reach an agreement and any agreement comes from those in dispute, not from the mediator. The mediator will not judge, apportion blame or instruct each party on what they should do. The mediator is in charge of the process of seeking to resolve the problem but not the outcome. The Clerk and council will mutually agree on a person of choice to lead the mediation process. The person does not have to be a Parish Councillor.

If mediation is not successful, then the grievance procedure can be commenced.

### Stage 1

The Clerk who has a grievance, should raise the matter with the Chair immediately either verbally or in writing. Should the matter itself concern the Chair then the Clerk should approach the Vice Chairman as a course of initial redress.

If the Chair/Vice Chair is unable to resolve the matter at that time informally then a formal written grievance should be submitted within **five working days**. The Chair/Vice Chair must respond within a like period to the grievance unless an extended period of time is agreed upon by both parties. The response will give a full written explanation of the mangers decision and who to appeal to if still aggrieved.

### Stage 2

In most instances the Council would expect the Chair/Vice Chair decision to be final for the Clerk and for the matter to come to a close. However, if the Clerk remains aggrieved they can appeal against the decision.

For the Clerk, the grievance should be taken via the Chair or Vice Chairman to the whole council for a public excluded debate at which both sides of the argument can be placed. The Clerk is entitled to representation at that meeting. This must be made within **ten working days** of the original response to the Clerk's grievance and a meeting must be called by the Chair within the statutory limits. The appeal must be in writing. The Chair/Vice Chair will act as Chair for the meeting who's purpose will be to attempt to resolve the grievance. A formal response and decision of the full council with a full explanation will be give in writing, as will the name of the person to whom they can appeal if still aggrieved, **within seven days of the meeting**.

### **Stage 3**

If the Clerk remains aggrieved the only course of redress will be to lodge a formal request to the Council for professional mediation or arbitration. The Council will seek the services of an external expert to forward this process to reach a conclusion satisfactory to both parties in the dispute. This appeal must be made in writing to the Chair of the Parish Council within **ten working days** of receipt of the Stage 2 response. This Chair/Vice Chair will arrange professional mediation through a recognised body. This body to be agreed on by both parties. This appeal hearing and/or process to be called **within 20 working days**.

The outcome of the outside mediation/arbitration is final. There is no further right of appeal within this mechanism.