

BILDESTON PARISH COUNCIL

GRIEVANCE, HARRASSMENT & BULLYING POLICY

Adopted by the Parish Council on 9th October, 2019

GRIEVANCE, HARASSMENT AND BULLYING POLICY AND PROCEDURE

1. POLICY STATEMENT GRIEVANCE

Bildeston Parish Council is committed to supporting dignity at work for all its employees and is keen that employees feel able to raise any concern, problem or complaint about any aspect of their work, the people they work with or treatment they have received. The grievance procedure is designed to handle matters of conflict quickly, thoroughly and fairly in order to prevent them from escalating into more serious situations.

Many grievance issues can be resolved informally and promptly by discussion with line managers, who will then discuss the matter directly with their line manager. If they should approach the Chair of the Council, who will discuss ways of dealing with the matter.

Where attempts to resolve the matter informally do not work, it may be appropriate for employees to raise a formal grievance under the grievance procedure. Complaints of harassment or bullying should also be dealt with via the grievance procedure (see (2) below).

Bildeston Parish Council aims to ensure that individuals involved in the grievance process are treated fairly, with dignity and respect and without discrimination in relation to their age, disability, race, faith, gender or sexuality. In this respect, the Council promotes an inclusive and supportive environment for staff, in accordance with the Council's Equalities Policy.

The grievance procedure cannot be used where an employee simply does not agree with or like a particular policy, agreement or accepted practice within the Council. Similarly, the grievance procedure will not be used where another process which includes an appeal process has already been followed. In situations where it appears that an employee has not acted in good faith and has submitted a grievance that appears demonstrably vexatious, Bildeston Parish Council reserves the right to consider pursuing action through the disciplinary procedure.

The stages of the procedure conform to the requirements of the ACAS Code of Practice and other statutory regulations so any variation to the procedure could jeopardise the fairness of the disciplinary action.

2. POLICY STATEMENT HARASSMENT AND BULLYING

Bildeston Parish Council is committed to creating a work environment where all employees are treated with dignity and respect in the workplace. It operates a zero tolerance policy with regards to discrimination, harassment and bullying.

Harassment and bullying covers a range of behaviour which is unacceptable and unwelcome to the recipient and which creates an intimidating, hostile or offensive environment, irrespective of the intentions of the perpetrator. Personal harassment and bullying takes many forms and can range from subtle, derisory remarks to violent behaviour. The behaviour can be defined by its persistence or may be, by its nature or severity (e.g. violence), unacceptable even on a single occasion.

Harassment or bullying may occur as an abuse of authority, such as a manager affecting an employee's job, career or grade. Harassment and bullying in other contexts (e.g., by colleagues or customers) may occur.

Incidents of harassment or bullying may make the victim feel that it is necessary to change their job or resign. Harassment can damage working conditions and have a business impact.

It is hoped that conflict can often be resolved by quick intervention and the use of informal processes, such as mediation, rather than immediately resorting to a formal process. Mediation is an effective tool for resolving interpersonal conflicts between colleagues.

3. PURPOSE

Bildeston Parish Council expects that attempts are made to resolve the grievance informally wherever possible.

Whenever a grievance is raised as a result of a particular management action or decision, the implementation of that action or decision will not be delayed because the grievance procedure has been invoked. It is a matter for everyone involved to ensure that the grievance is dealt with as efficiently as possible.

Should a grievance be raised during the course of a disciplinary investigation, both the grievance and the disciplinary action should be run in parallel wherever possible and in most instances.

Complaints that amount to an allegation of misconduct on the part of another employee will be investigated and dealt with under the disciplinary procedure. Where a grievance has been submitted and is demonstrably vexatious, malicious or stands no reasonable prospect of success, the manager reserves the right to consider the use of the disciplinary procedure.

There may be circumstances where a grievance may apply to more than one employee, and in these circumstances, the issues may be resolved through a collective grievance, see section 8 below.

4. SCOPE

This policy and procedure applies to all employees.

5. GRIEVANCE PROCEDURE

5.1 Informal Stage

There is an expectation that informal resolution will be explored before formal steps are considered. It is often possible to agree a solution informally, and in many cases this is the preferred option. Managers should address issues by inviting employees to attend a meeting. At this stage, employees do not have the right to representation. Mediation may also be an appropriate way to seek an informal resolution to interpersonal conflicts.

However, in some cases it may be appropriate that the case is dealt with under the formal stage of the process immediately. For some cases it may also be considered appropriate to deal with the allegations directly under the disciplinary policy and procedure.

5.2 Formal stage

If it is not possible to resolve a grievance informally, employees should raise the matter formally in writing and without unreasonable delay, with their line manager. The grievance should set out their complaint clearly, so an investigation can be carried out if necessary, and stating what they believe to be the solution. All parties should encourage prompt action regarding meetings, decisions or communication of this matter.

Where it is not possible to raise the grievance with the line manager (e.g. if the line manager is the subject of the grievance), the employee should discuss with an appropriate member of the Parish Council. The meeting must be held within 10 working days of receipt of the written grievance. A written invitation should be sent within this time including the right for the employee to be accompanied by a work colleague or trade union representative.

5.3 Grievance meeting

The meeting is an opportunity for the manager to explore the grievance and the employee to state their case. If the employee is accompanied the work colleague or trade union representative must not answer direct questions on the employees behalf. After the meeting the manager will usually give a decision in writing within 5 working days. It may be possible in some circumstances to adjourn the meeting and for the manager to give a decision on the same day. In other circumstances an investigation may need to be carried out either internally (this could require the manager to be released from their normal job role), or occasionally by an investigator external to the Council. It is recommended that any investigation will be completed within 20 working days. Once the investigation is concluded, the outcome will be provided in writing within 5 working days, unless the meeting needs to be reconvened. If this happens, a response will still be issued after 5 working days of the meeting. Any delay should be notified to all parties.

The employee has the right to be accompanied by a workplace colleague or trade union representative at this meeting, as do witnesses and the alleged perpetrator in cases of harassment or bullying. It is the responsibility of the employee to notify their chosen representative of the meeting arrangements.

5.4 Appeal

If the manager has not upheld the employee's grievance either wholly or in part, an appeal can be submitted against any part not upheld. An appeal should be in writing, setting out the employee's reasons for disputing the decision. New evidence will not be considered at this stage.

Appeals must be received within 10 working days of the date of the manager's outcome letter. A meeting will normally be convened within 10 working days.

Version No	Reviewed by	Notes/Comments	Date	Date Review Due
1	Council	Version 1 of this policy produced in line with the ACAS code of practice.	9 th October, 2019	September, 2022