

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## Grievance Procedure

**Note: This document should be read in conjunction with and forms part of the Council's Grievance Policy.**

### 1. Informal Action

1.1 Most routine complaints and grievances are best resolved informally in discussion with the employee's immediate manager or supervisor. Addressing grievances in this way can often lead to speedy resolution of problems and can help maintain the integrity of the immediate line manager who may well be able to resolve the matter directly.

1.2 Where this route is followed, both the manager and employee should keep a mutually agreed written note of their meeting and the outcome(s).

1.3 Where informal action either fails to resolve the matter, or produces an outcome, which does not satisfy the employee, then the grievance should be pursued under the following formal Grievance Procedure.

### 2. Formal Procedure

2.1 This procedure is designed to achieve the objectives referred to in the Policy in an effective and efficient manner. It should not be used unless local discussions have left the matter unresolved, the informal approach has not proved successful or that the problem or issue is inappropriate to be dealt with through the normal communication channels at that level.

2.2 This would include cases where the grievance relates in some way to the conduct or performance of the employees immediate line manager. In such cases the grievance should initially be raised with the next senior level of management.

2.3 To enable full consideration of the issue or issues, any relevant documents should be supplied either with the written grievance or at least 2 working days prior to any meeting.

2.4 There are three stages to the formal Grievance Procedure. A member of the Human Resources Advisory team may be present at any formal or informal meetings held within each stage, as appropriate, in order to facilitate the process and to actively assist in seeking a resolution to the grievance. Employees have the right to be accompanied at each stage of the procedure.

#### 2.4.1 Stage One

2.4.1.1 Employees must set out their grievance in writing and send their statement to their immediate line manager within ten working days of the issue occurring or as soon as is reasonably practicable or, of it remaining

unresolved at the informal stage. In certain circumstances a direct personal approach will be accepted, particularly if the issue involves a sensitive or personal matter, but must be followed up in writing afterwards.

2.4.1.2 The individual must clearly indicate:

- that the formal Grievance Procedure is being invoked
- the details of the grievance including, where appropriate, against whom the grievance is lodged and the reasons for this
- how, in their view, their grievance can be reasonably resolved to their satisfaction or what resolution is expected.

2.4.1.3 A Pro-Forma has been produced to aid the process and is produced as **Appendix 1**.

2.4.1.4 Where the grievance appears to be immediately unresolvable, the line manager must arrange a meeting with the individual as soon as is reasonably practicable. The first meeting should normally take place within 10 working days of the notification of the grievance being received. This will allow the manager a reasonable opportunity to consider a response to the grievance.

2.4.1.5 If the initial meeting cannot be arranged within the above timescale, the employee will receive written notification of the reasons for the delay and an indication of when the meeting will take place.

2.4.1.6 When the employee is informed of the date of the meeting they will also be advised of their right to be accompanied.

2.4.1.7 A written summary of the contents of the meeting will be recorded on the Pro-Forma by the manager and will include all decisions, recommendations and outcomes. This will be signed and kept by both parties with a copy sent to Human Resources to be kept confidentially on the employee's personal file. Where an individual chooses not to be accompanied at the meeting this fact will also be recorded in the written summary.

2.4.1.8 Managers will only be able to fully complete the Pro-Forma once the employee has received confirmation from the manager of the outcome of the meeting and indicated whether the grievance is settled or they wish to proceed to the next stage. The employee's decision needs to be made within 10 working days of receiving the outcome of the grievance at this stage.

2.4.1.9 Where an employee believes that there has been undue delay in addressing their grievance at Stage One, is not satisfied with the progress being made, or cannot accept the proposed period before action is to be taken, then they are able to progress their grievance to Stage Two automatically.

2.4.2 Stage Two

2.4.2.1 If an employee disagrees with the decision(s) made at Stage One they have a right to refer the matter to Stage Two of the procedure. This right can only be exercised if the employee seeks a referral to Stage Two within 10 working days of being notified of the outcome of Stage One.

2.4.2.2 In pursuing their grievance to Stage Two, the employee must submit a letter asking for their grievance to be considered further at Stage Two of the Grievance Procedure. This letter will need to include the reasons why the employee remains dissatisfied and how they see the grievance being reasonably resolved to their satisfaction. The letter should be addressed to the Head of Service.. A copy of this letter must also be sent to the Human Resources Unit.

2.4.2.3 The Head of Service will arrange a meeting with the employee normally within 10 working days of receipt of the employee's letter of appeal. Any subsequent meetings required at this stage will be mutually agreed and normally arranged within 5 working days of each other. When the employee is informed of the date of the meeting they will also be advised of their right to be accompanied.

2.4.2.4 If any meeting cannot be arranged within this timescale, the employee will receive written notification of the reasons for the delay and an indication of when the meeting will take place.

2.4.2.5 The Head of Service in consultation with the Human Resources representative will consider the grievance as documented from Stage One. Where the issues are complex this initial meeting may be of an exploratory nature and lead to further investigations being carried out or further information being sought.

2.4.2.6 A written summary of the contents of the meeting, including all decisions, recommendations and outcomes, will be made by the Head of Service by use of the Pro Forma, with a copy to Human Resources to be kept confidentially on the employee's personal file. All decisions and outcomes will be confirmed in writing to the employee within 5 working days of the final meeting being held with the employee to consider the grievance at this stage of the procedure.

2.4.2.7 Again, Managers will only be able to fully complete the Pro-Forma once the employee has received confirmation from the manager of the outcome of the grievance at this stage and indicated within 10 working days whether the grievance is settled or they wish to proceed to the next stage.

### 2.4.3 Stage Three

2.4.3.1 Where the employee still remains dissatisfied with the outcome of their grievance they may appeal against the decision(s) made at Stage Two and progress to Stage Three of the Grievance Procedure. The appeal must be made in writing to the Employment Panel, within 10 working days of receiving formal notice of the outcome of their grievance at Stage Two. As at Stage One, this letter should include the reasons why the employee

remains dissatisfied and how they see the grievance being reasonably resolved to their satisfaction. A copy of this letter must also be sent to the Human Resources Unit.

2.4.3.2 A meeting of the Employment Panel will normally be arranged within 20 working days of receipt of the appeal or sooner where practicable. When the employee is informed of the date of the meeting they will also be advised of their right to be accompanied.

2.4.3.3 The Service Manager will present the Council's case and a Human Resources representative will advise the Panel. The decision of the Panel will be given verbally wherever possible and all decisions and outcomes will be confirmed in writing to the employee within 5 working days of the final meeting being held with the employee.

2.4.3.4 A written summary of the contents of the meeting, including all decisions, recommendations and outcomes, be made by the Employment Panel will be kept confidentially on the employee's personal file with a copy to Human Resources.

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