



Derby City Council

Grievance and Collective Grievance Policy

Purpose

The Grievance and Collective Grievance Policy aims to protect the interests of employees and the Council by ensuring that all grievances are considered promptly, fairly and consistently by the appropriate level of manager. It is designed to promote and maintain positive working relations.

Document Control

Implementation date	1 July 2013
Author	Tina Holmes
Equality impact assessment date	
iDerby Updated	
Revised/updated	

1. Policy application

1.1 This policy applies to all Council employees except:

- The Chief Executive and Chief Officers, or where a grievance is about the Chief Executive or Chief Officers, for whom there are separate provisions.
- Where a grievance is raised after an employee has left the Council's employment.
- Governing bodies of Community Schools, are strongly urged to adopt this policy for non-teaching staff within their delegated powers.

1.2 The policy is designed to cover work related concerns such as;

- interpretation of terms and conditions of employment
- health and safety
- new working practices
- working environment
- harassment, discrimination, victimisation and bullying on grounds of age, disability, gender or gender identity, race, religion or belief or sexuality
- unacceptable behaviour by other employees.

1.3 The policy does not cover the following situations which are covered by separate policies and procedures;

- recruitment and selection complaints
- re-grading and other grading related issues
- consultation, restructuring and redundancy
- disciplinary and dismissals
- managing attendance
- managing individual capability
- flexible working
- disputes.

2. Principles

2.1 All employees have the right to express a grievance relating to their employment. These may be raised by an individual, a couple of individuals or collectively where a group or groups of employees are affected, by the same work related issue.

2.2 If two or more employees have an identical grievance they can use this policy to raise a collective grievance. Where a collective grievance is raised the employees can either use their trade union representative to raise the grievance or nominate one person to act on their behalf. Employees using this procedure collectively, cannot then raise an individual grievance on the same issue.

2.3 All grievances should be dealt with informally wherever possible.

2.4 Managers will deal with an employee(s) complaint reasonably and helpfully. Employees will not use the grievance procedure to challenge reasonable management actions or requests.

2.5 Grievances should be dealt with at the first level of management, unless this is deemed inappropriate and as quickly as possible. It is the responsibility of all

involved to co-operate fully with the grievance process to resolve the issue as quickly as possible.

- 2.6 Mediation should be considered at all stages but particularly before progressing from the informal to formal stage of the process.
- 2.7 All parties will be expected to show what steps they have taken to achieve a reasonable solution to the problem prior, to progression to the formal stage.
- 2.8 Employees have the right to be accompanied by another employee of the Council, or trade union representative.
- 2.9 Reasonable adjustments will be made to support employees where needed.
- 2.10 In order to prevent delays, grievances that are submitted in relation to another Council process will be heard as part of that case.
- 2.11 The internal grievance process will contain no more than four stages as follows:
 - Informal Stage
 - Formal Stage
 - Appeal Stage
 - Member Appeal Stage (This is the final stage of the grievance process)
- 2.12 In the case of collective grievances the process can start at the formal stage subject to the agreement of management and the employee representative.
- 2.13 Outcomes of any grievance, may include referral to the Disciplinary and Dismissals Policy.
- 2.14 Employees are expected to follow the Council's Code of Conduct in any part of this process.

3. Support and guidance

- 3.1 A full description of the process including guidance, supportive information and documentation is on iDerby, under Human Resources:

[\(insert link\)](#)

4. Roles and responsibilities

- 4.1 The roles and responsibilities of key stakeholders are summarised in Appendix One.

APPENDIX ONE

Chief Executive & Chief Officers, Tiers 1 & 2	Head of Service Tier 3	Managers	Employee	Human Resources
Every employee must use the procedure and guidance on iDerby				
Fairness and equality				
To ensure this policy is implemented in a fair, consistent and non-discriminatory manner	To ensure this policy is implemented in a fair, consistent and non-discriminatory manner	To provide reasonable adjustments as required	To notify managers of reasonable adjustments required	Provide advice and guidance to managers and employees
General operation of the scheme				
Ensure the policy is implemented in a fair, consistent and non-discriminatory manner	Ensure the policy is implemented in a fair, consistent and non-discriminatory manner	Ensure that grievances are responded to in a timely manner.	Make every effort to attend meetings as arranged or offer a reasonable alternative, normally within five working days of the original date	Provide advice and guidance to managers and employees
Ensure managers carry out their responsibilities	Ensure managers carry out their responsibilities	Acknowledge grievance within two working days		
Acknowledge grievance within two working days	Acknowledge grievance within two working days			
Raising a grievance				
Receive informal verbal or written complaint	Receive informal verbal or written complaint	Receive informal verbal or written complaint	Raise issue informally with manager, verbally or in writing	
Receive formal grievance form	Receive formal grievance form		Complete grievance form to raise formal grievance	

Chief Executive & Chief Officers, Tiers 1 & 2	Head of Service Tier 3	Managers	Employee	Human Resources
Every employee must use the procedure and guidance on iDerby				
Informal Resolution				
Follow the informal grievance process Advise employee(s) of outcome Consider mediation		Follow the informal grievance process Advise employee(s) of outcome Consider mediation. For collective grievances this should be in liaison with the groups' representative	Participate in the informal process Consider mediation	Provide advice and guidance to managers and employees as required
Formal Resolution				
Acknowledge formal grievance Decide if appropriate to progress through grievance process Decide if formal or informal resolution is appropriate Forward grievance for informal resolution to appropriate manager Consider using mediation at any stage	Acknowledge formal grievance Decide if appropriate to progress through grievance process Decide if formal or informal resolution is appropriate Forward grievance for informal resolution to appropriate manager Consider using	Follow informal grievance resolution if directed Participate in formal grievance resolution process Attend grievance meeting if appropriate Consider using mediation at any stage Provide reasonable adjustments as required	Consider informal grievance resolution process Participate in formal grievance resolution process Consider mediation Notify managers of reasonable adjustments required. Attend grievance meetings and arrange for	Provide advice and guidance to managers and employees. If collective grievance consider the wider implications of the grievance

Follow formal grievance resolution procedure	mediation at any stage	Give minimum of five working days notice, of grievance meeting	companion to be present	
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Chief Executive & Chief Officers, Tiers 1 & 2	Head of Service Tier 3	Managers	Employee	Human Resources
Every employee must use the procedure and guidance on iDerby				
Formal Resolution continued				
Attend grievance meeting if appropriate	Follow formal grievance resolution procedure Attend grievance meeting			
Document Retention				
Ensure documents are treated in confidence and in line with Council's data protection and IT policies	Ensure documents are treated in confidence and in line with Council's data protection and IT policies	Ensure documents are treated in confidence and in line with Council's data protection and IT policies	Keep a copy of documents and decision letters	Ensure documents are treated in confidence and in line with Council's data protection and IT policies Ensure information is processed through the HR IT system and that key documents are placed on the employee's personal file Keep a copy of documents and decision letter in case file

Chief Executive & Chief Officers, Tiers 1 & 2	Head of Service Tier 3	Managers	Employee	Human Resources
Every employee must use the procedure and guidance on iDerby				
Formal Resolution continued				
Attend grievance meeting if appropriate	Follow formal grievance resolution procedure Attend grievance meeting			