



Grievance Procedure

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Next Review Date	As required
Reviewed By	Staffing Committee

Grievance Procedure



PURPOSE AND SCOPE

This Grievance Procedure gives employees the opportunity to raise and seek resolution for any concerns, problems, or complaints related to their employment. It is designed to provide a fair, consistent, and timely process in line with the [ACAS Code of Practice \(2015\)](#) and the [ACAS Guide on Discipline and Grievances at Work \(2019\)](#).

The procedure ensures compliance with the [Equality Act 2010](#), the [Data protection: The UK's data protection legislation - GOV.UK](#), and the [Data Protection Act 2018](#), while supporting constructive working relationships between the Council and its employees.

Grievances may cover any concerns, problems, or complaints employees wish to raise with the Council. This procedure is intended to resolve such matters promptly and fairly.

KEY PRINCIPLES

The policy will be applied fairly, consistently and without discrimination.

- Employees are encouraged to resolve most grievances informally with their line manager.
- Employees have the right to be accompanied at any grievance or appeal meeting by:
 - a workplace colleague,
 - a trade union representative, or
 - a trade union official.

The companion may present the employee's case, address the meeting, and confer privately with the employee. They may not answer questions on behalf of the employee.

- The Council will provide employees with reasonable notice of meetings. Where a companion is unavailable, the employee may request a postponement and propose an alternative date within five working days.
- All information about a grievance will remain confidential to those involved in the process. Records will be stored securely in accordance with [UK GDPR and the Data Protection Act 2018](#).
- The Council may consider mediation at any stage, provided all parties consent. Mediation will be facilitated by a trained mediator.
- No employee will be subject to disciplinary action for raising a grievance in good faith, even if it is not upheld.
- Audio or video recordings of proceedings are not permitted unless agreed as a reasonable adjustment (e.g., for a medical condition).
- If an employee under disciplinary investigation raises a grievance, the grievance will usually be heard after the disciplinary process concludes.

3. Special Considerations: Complaints about Councillors

- Employees may use the informal stage of this procedure to raise complaints about councillors. Both the employee and the councillor must consent to participation at this stage.
- If not resolved, the employee may contact the Monitoring Officer at Teignbridge District Council, who will advise if the complaint falls under the Councillor Code of Conduct.
- If the complaint does not concern the Code of Conduct, the employee may raise a formal grievance under this procedure.
- If the complaint is a Code of Conduct matter, it cannot proceed beyond the informal stage of this procedure. However, the Council retains a duty of care under the [Health and Safety at Work Act 1974](#) to protect staff from bullying, harassment, and discrimination, and will take all reasonable steps to maintain a safe working environment.

4. Informal Grievance Procedure

Employees and managers should make every effort to resolve issues informally and quickly.

- The employee should raise the issue with their line manager.
- If the grievance concerns the line manager, the employee may approach the Chairperson of the Staffing Committee or another Staffing Committee member.
- Where the grievance involves a councillor, informal involvement of that councillor may be appropriate with both parties' agreement.

5. Formal Grievance Procedure

If the matter cannot be resolved informally, and it does not fall under the Councillor Code of Conduct, the employee may submit a formal grievance in writing to the Chairperson of the Staffing Committee.

Sub-Committee

- The Staffing Committee will appoint a sub-committee of three members to hear the grievance.
- The sub-committee will appoint a Chairperson from among its members.
- Councillors directly involved in the matter will not be appointed.

Investigation

- Where necessary, the sub-committee may appoint an investigator to establish the facts before the grievance meeting.
- The investigator will summarise their findings in a report to the sub-committee.

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Notification

- Within **10 working days** of receiving the grievance (longer if an investigation is required), the Council will normally write to the employee to confirm the hearing details.
- The letter will include:
 - names of the sub-committee members,
 - date, time, and location of the meeting (normally within 25 working days),
 - the employee's right to be accompanied,
 - confirmation of the Council's grievance policy,
 - arrangements for witnesses and evidence submission,
 - a copy of any investigation findings,
 - an invitation to request reasonable adjustments.

The Grievance Meeting

- The Chairperson will introduce the sub-committee and explain the process.
- The employee (or their companion) will present the grievance and supporting evidence.
- Sub-committee members may ask questions.
- Witnesses may be questioned by both the sub-committee and the employee/companion.
- The meeting may be adjourned if further investigation is required.
- The sub-committee will provide a written decision within **five working days**, outlining any actions to be taken and confirming the right of appeal.

6. Appeal Procedure

Employees may appeal if they believe their grievance was not resolved satisfactorily. Appeals must:

- Be submitted in writing within **five working days** of receiving the decision.
- Clearly state the grounds of appeal, which may include:
 - failure to follow procedure,
 - decision not supported by evidence,
 - inappropriate or inadequate action,
 - new evidence coming to light.

Appeal Panel

- An appeal will be heard by three members of the Staffing Committee not previously involved. If insufficient members are available, other Council members may be appointed.
- The appeal panel will appoint a Chairperson.

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Appeal Meeting

- The employee will be notified in writing within **10 working days** of receipt of appeal.
- The meeting will normally be held within **25 working days**.
- At the meeting, the employee (or companion) will present their grounds for appeal.
- The panel will provide a written decision, with reasons, within **five working days**.
- The appeal panel may uphold the original decision or substitute its own. The decision of the appeal panel is final.

7. Council's Duty of Care

Regardless of the grievance outcome, the Council is committed to ensuring:

- a safe and healthy working environment (in line with the Health and Safety at Work Act 1974),
- protection against bullying, harassment, and discrimination,
- fair and consistent treatment of employees.