

# KENT ASSOCIATION OF LOCAL COUNCILS



## GRIEVANCE POLICY

### 1. Dealing with grievances informally

1.1 If the employee has a grievance or complaint to do with their work or the people they work with they should, wherever possible, start by talking this over with the Chief Executive to see if an informal solution is possible. If you do not want to discuss the grievance with the Chief Executive (for example it concerns the Chief Executive), you should contact the Chairman.

Where a member of the Executive Committee has a grievance against the Executive Committee, an individual (including other members and officers) or the Association in general: they should submit their concerns in writing to the Chairman of the Executive Committee or in his/her absence the Vice Chairman and this will be reviewed by the Chairman of the Committee, the Vice Chairman and the Chief Executive. If any of these members or officers are conflicted or unavailable the President will act as a substitute. The review should be completed within *14 working days* and a written response issued to the member as soon as possible thereafter which will set out the reasoning and any proposed actions including remedy that will be recommended to the Executive Committee for approval by simple majority no later than the next meeting of the committee. In some cases, the calling of an extraordinary meeting of the Executive Committee with limited agenda may be justified if judged expedient by the Chairman of the Executive Committee in conjunction with the agreement of the Chief Executive. There will be no appeal process: although a member will be allowed to make a short personal statement before any decisive vote that endorses the determination.

### 2. Formal Grievance

2.1 If it is not possible to resolve the grievance informally, the employee may submit a formal grievance in writing to the Chief Executive. Where their grievance is against the Chief Executive and they feel unable to approach them they should submit their formal grievance to the Chairman.

2.2 The Finance & General Purposes Sub-Committee will appoint a Staffing Panel of 3 of its members to investigate the grievance. The Panel will appoint a Chairman from one of its members. No member with direct involvement in the matter shall be appointed to the Panel.

2.3 The Panel will investigate the matter before the grievance meeting, which may include interviewing others (e.g. employees, councillors).

### **3. Grievance Hearing**

3.1 Within 10 working days of KALC receiving the employee's grievance, the employee will be asked, in writing, to attend a grievance meeting. The Panel's letter will include the following:

- The names of its Chairman and other members;
- A summary of the employee's grievance based on their written submission.
- The date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will be within 25 working days of when KALC received the grievance.
- The employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official.
- A copy of KALC's grievance policy.
- Confirmation that, if necessary, witnesses may attend on the employee's behalf and the employee should provide the names of their witnesses at least 5 working days before the meeting.
- Confirmation that the employee will provide KALC with any supporting evidence at least 5 working days before the meeting

3.2 At the grievance meeting:

- The Chairman will introduce the members of the Panel to the employee.
- The employee (or companion) will set out the grievance and present the evidence.
- The Chairman will ask the employee what action they want KALC to take.
- Any member of the Panel and the employee (or the companion) may question any witness.
- The employee (or companion) will have the opportunity to sum up the case.
- The Chairman will provide the employee with the Panel's decision, in writing, within 5 working days of the meeting. The letter will notify the employee of the action, if any, that KALC will take and of the employee's right to appeal.
- A grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the Panel.

### **4. The Appeal**

4.1 If the employee decides that their grievance has not been satisfactorily resolved by the Panel, they may submit a written appeal to the Executive Committee.

4.2 The grounds for appeal include:

- A failure by KALC to follow its grievance policy.
- The Panel's decision was not supported by the evidence.
- The action proposed by the Panel was inadequate/inappropriate.
- New evidence has come to light since the grievance meeting.

4.3 The Appeal will be heard by a Panel of 3 members of the KALC Executive Committee who have not previously been involved in the case. The Panel will appoint a Chairman from one of its members.

4.4 The employee will be notified, in writing, within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will take place within 25 working days of KALC's receipt of the appeal. The employee will be advised that they may be accompanied by a workplace colleague, a trade union representative or a trade union official.

4.5 At the appeal meeting, the Chairman will:

- Introduce the Panel members to the employee.
- Explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the Staffing Panel.
- Explain the action that the Appeal Panel may take.

4.6 The employee (or their companion) will be asked to explain the grounds of their appeal.

4.7 The Chairman will inform the employee that they will receive the decision and the Panel's reasons, in writing, within 5 working days of the appeal meeting.

4.8 The Appeal Panel may decide to uphold the decision of the Staffing Panel or substitute its own decision.

4.9 The Appeal Panel's decision is final.

Approved and adopted by the KALC Executive Committee on 23 July 2016  
Reviewed and adopted by the KALC Executive Committee on 7 April 2018