



GRIEVANCE POLICY

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Who should use this	All Staff
Author	SAC
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Review History

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1. INTRODUCTION

Ayrshire Valuation Joint Board is committed to achieving and promoting fairness and equity in the treatment of individual employees in the course of their employment. The aim of this policy is to ensure that any grievances relating to employment are settled fairly, promptly and as near to the point of origin as possible.

The Board promotes openness in communication and consultation at all levels, consequently where concerns are raised, they can often be settled in the course of everyday working. Advice and assistance on the application of this policy is available from the Boards' Personnel Representatives.

2. LEGISLATION

- 2.1 This policy complies with the provisions outlined in the ACAS Code of Practice on Disciplinary and Grievance Procedures and the requirements of Equalities Legislation.

3. KEY PRINCIPLES

- 3.1 The key principles outlined in the policy apply to all local government employees and Chief Officials and will apply to individuals or to a group of employees who share a common grievance. A Handbook has been developed to accompany this policy providing advice on the practical application of the grievance policy
- 3.2 All officers with delegated authority to deal with grievances will undertake appropriate training. All aspects of the procedure will be completed timeously and without any unreasonable delay to meetings, decisions or confirmation of decisions.
- 3.3 A grievance is a complaint by an employee about the **unfair or improper** application of (or failure to apply) agreed terms and conditions, employment policies, or working arrangements, which has or is likely to have some detriment to them personally.

In this respect, "unfair or improper" relates to:

- Actions in contravention of agreed terms and conditions or employment policies;
 - Actions whilst following procedures have been unfairly or unreasonably applied;
 - Actions which are illegal;
 - Matters relating to Equality at work
- 3.4 Issues that will not be considered under the Board's Grievance procedure include the following:
- Matters of discipline which are covered separately with the disciplinary policy.
 - Matters of administration such as the method/frequency of payment of salaries, income tax or N.I. regulations, Superannuation regulations or the operation of sick pay/ maternity/ adoption etc. Queries about the calculation of pay should be raised with the immediate supervisor who should deal with the matter promptly to avoid hardship.
 - Matters relating to internal processes that have inbuilt appeal procedures e.g. the grading of an employee's job, must be raised through the appeals procedure that exists within the Job Evaluation Scheme and matters relating to job matching must be raised through the Managing Change Policy.
 - Any issues arising during the process of formal consultation. Such issues may only be raised once the formal consultation process has been exhausted.

- Any complaints about Board employees from external agencies, customers or contractors. These must be dealt with in accordance with the Board's Complaints Procedure.

In any other cases of doubt as to whether the issue falls within the definition set out in section 3.3 above, the matter shall be decided by the Assessor or Nominated Senior Officer. Matters once referred to this policy shall remain until either resolved, a decision reached by appeal or the matter withdrawn by the employee.

- 3.5 Ideally, employees should aim to settle a grievance informally with their line manager. This allows for a problem to be addressed and resolved quickly before it develops into a more difficult situation.
- 3.6 Grievances may be raised by an employee or group of employees either personally or through their trade union representative and should be lodged as soon as possible from the time that employees are reasonably aware of the change, action or incident, which is the subject of the grievance, having taken place.
- 3.7 Where a grievance is notified, and it is deemed to be a competent one, the status quo immediately existing before the grievance, will **normally** be maintained until the procedure has been followed and exhausted. However, there may be exceptional circumstances where it is not possible to maintain the status quo. Any such exceptional circumstances should be agreed with the Assessor or Nominated Senior Officer.
- 3.8 A decision will not normally be taken until an employee has attended a properly convened grievance hearing and been given the opportunity to state their case. If an employee wishes to be accompanied during the process, this will be by a trade union representative or a work colleague. It is the responsibility of the employee to arrange for their representative to be present at any stage of the process.
- 3.9 An employee will be informed in writing, of the decision following each stage of the grievance procedure. The employee must also be advised of his/her right of appeal against the decision taken and such appeals will not be heard by anyone who is either the subject of the grievance or has had prior involvement in the grievance procedure.
- 3.10 A stage in the procedure may be omitted by mutual agreement for example, where the matter requires reference to a higher level of authority for consideration.
- 3.11 Time limits for replying to grievances or disputes may be extended by mutual agreement or where it is clearly impractical to make a decision within the time limit agreed. Any failure to comply with the stated time limits by either party unless by agreement will result in the matter progressing to the next stage of the procedure.
- 3.12 Where the grievance cannot be resolved via mediation (i.e., at stage 2(a)), employees will have the right to appeal to the Appeals Sub-Committee. For all employees the grievance will end at this stage.
- 3.13 During any stage of this procedure the Trade Unions reserve the right to involve their Union full-time officer.

- 3.14 No Trade Union involved in the dispute or grievance will cause, take part in or authorise its members to take part in any form of industrial action against the Board unless and until this procedure has been fully exhausted. Similarly the Board will take no action against employees until the procedure is fully exhausted. Both parties to any dispute should, wherever possible, reach an agreement on interim arrangements to allow work to continue while the procedures are being followed.
- 3.15 The Assessor will be responsible for any grievance submitted by a Chief Official.
- 3.16 Where a grievance is contemplated and the Assessor is the subject of the complaint, it is recommended that the grievance is heard by the Board's Appeal Sub-Committee with SAC Head of Employee and Customer Services acting as adviser.
- 3.17 Where an employee raises a grievance during any part of a disciplinary process, a decision will be taken regarding whether the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently. Advice should be sought from SAC HR in these circumstances.

4. SUMMARY OF PROCEDURE

4.1 Where it has not been possible to resolve a grievance informally employees should raise the matter formally and without unreasonable delay with a manager who is not the subject of the grievance. This must be done in writing and should set out the nature of the grievance (please refer to Grievance at Work Form – Appendix A).

4.2 The procedure will consist of the following stages:

Stage 1: Appeal to Line Manager or Supervisor

Stage 2: Formal appeal to the Assessor or Nominated Senior Officer

Stage 2(a): Mediation

Stage 3: Formal appeal to a Sub-Committee of Ayrshire Valuation Joint Board

The Grievance Form (Appendix A) should be completed at each stage of the procedure.

A written report can be compiled to accompany the grievance form, showing clearly what facts have been established and the issues that are in dispute; it will also identify which arguments have been accepted at earlier stages of the process and which have not. This will allow areas still at issue to be highlighted at further stages of the process (please refer to Appendix B for template report).

5. RESPONSIBILITIES

5.1 Managers

The Assessor or nominated senior officer is responsible for ensuring that grievance procedures are carried out in a fair and equitable manner and that wherever possible, grievances are resolved at the lowest possible level.

5.2 **Employees**

Employees are responsible for raising issues promptly and should not unreasonably delay meetings. Where employees wish to be accompanied by a work colleague or trade union representative, at any formal grievance hearing, the responsibility for choosing an appropriate companion rests with the employee and the employee must ensure that they attend the relevant stage of the process.

6. APPLICATION OF PROCEDURE

6.1 The Grievance Policy Handbook provides additional information to managers and employees on the application of the policy and procedures to be followed. This Handbook, which is available on SharePoint has been subject to consultation with the joint trade unions and contains information on all aspects of grievance including:

- Effective handling of grievance issues
- The grievance hearing
- Overlapping grievance and discipline issues
- Flowchart summarising the grievance process
- Appendices including grievance form, the process to be followed at a hearing of a grievance appeal and standard grievance letters.

**GRIEVANCE AT WORK
CONFIDENTIAL**

Note: If completing by hand, please do so *clearly* and in *black ink*. If you require assistance in completing this form please contact the Board's Personnel Representatives.

SECTION A

EMPLOYEE DETAILS

Name:		Section	
NI Number:			
Date of Birth:		Designation:	
Home Address:		Work Location:	
Phone (Home):		Phone (Work):	
Date entered service:		Grade/Level:	
Trade Union:		Trade Union Rep:	

SECTION B

STATUS OF APPEAL

STAGE OF APPEAL		RESOLVED			
Stage 1*		Yes		No	
Stage 2		Yes		No	
Stage 2a		Yes		No	
Stage 3		Yes		No	

* Stage 1 is a formal meeting – if unresolved complete form and progress to Stage 2

SECTION C

NATURE OF GRIEVANCE:

SECTION D

Please use the section below to record the outcome of each stage of the grievance where applicable. This form is designed to be used to document all Stages of the grievance procedure. Additional information can be attached as per the procedure.

Please state what answer was provided at each stage.

STAGE 1

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STAGE 2

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STAGE 2a

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STAGE 3

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SECTION E

Please indicate in your opinion how the grievance could be resolved.

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Employee Signature:

Date:

This form is used to help assess and investigate the grievance. It will be securely stored in your personnel file where only authorised personnel will have access to it.

AYRSHIRE VALUATION JOINT BOARD
Grievance Report
Date
Subject of Grievance

1. Background

Give a summary of the background to the grievance.

2. Terms of Reference

Give a summary of reference documents, employment policies or working arrangements that are causing the detriment.

3. Stage 1

Summarise main points of discussion, findings and any points that have been resolved satisfactorily.

Stage 2, 2(a), Stage 3

Summarise main points that are still in dispute.

4. Conclusions

The conclusions should be based on the findings from Stages 1 to 3 above.

5. Recommendations

Detail the action (if any) that requires to be taken to resolve the grievance.