



Cyngor Sir  
**CEREDIGION**  
County Council

# Grievance Policy and Procedure



People & Organisation Service  
2024



**PERTHYN DYSGU LLWYDDO BYW**  
**BELONG LEARN SUCCEED LIVE**

## Version Control

<b>Version</b>	<b>Approval by Cabinet Date</b>	<b>Effective Implementation date</b>	<b>Review date</b>	<b>Author</b>	<b>Comment</b>
1.0		September 2017	<date>	CL	New policy
2.0	<date>	November	<date>	LM / ANR	Policy review

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**The appendices do not form part of the policy and are for guidance purposes only.**

# Policy

## 1. Introduction

- 1.1 The purpose of this policy is to set out Ceredigion County Council's (the Council) position and procedures on workplace grievances.
- 1.2 The Grievance Policy and Procedure has been written in accordance with the ACAS Code of Practice. It is designed to help managers, employees and their representatives deal with grievance situations in the workplace.
- 1.3 The purpose of the Grievance Policy and Procedure is to provide a mechanism for individual employees to raise a grievance arising from their employment; and for it to be dealt with promptly, fairly and at a local level. This includes concerns from an employee about action that the Council, as their employer, has taken or is contemplating taking in relation to them.
- 1.4 This policy applies to all employees other than the Chief Executive and those who are employed by School Governing Bodies.
- 1.5 It includes those:
  - employed by the Council to work in partner organisations,
  - who work in joint or multidisciplinary teams remain entitled to raise grievances using this procedure
  - seconded to work for Ceredigion County Council where it is stipulated within the agreement

## 2. Links with other policies

- 2.1 Where an employee believes they are being bullied or harassed, then they should refer to the Council's Dignity at Work Policy for initial advice on how the matter can be addressed informally. Where an individual has exhausted the informal avenues or where they feel the matter is of a serious nature that cannot be resolved through informal means, the issues of concern may be addressed formally through the Grievance Policy, with reference to the definitions and principles of the Dignity at Work Policy.
- 2.2 When an employee wishes to disclose any malpractice or misconduct (whistleblowing) of which they become aware, then they should refer to the

Whistleblowing Policy and Procedure. Importantly, this will provide protection for employees who report allegations of such malpractice or misconduct.

2.3 Where there are matters of concern raised which potentially fall under the scope of both the Whistleblowing policy and the Grievance Policy or Dignity at work Policy, it may be necessary to first establish which process should be used. In these circumstances an independent Investigating Officer will be asked to

- explore the concerns with the complainant to better understand the nature of the concerns and under which policy structure these concerns should be taken forward;
- prepare a draft term of reference for any subsequent investigation under the terms of this policy for the Monitoring Officer's consideration and agreement.

Any concerns raised which are not felt to be potential matters of public interest will be considered under the Grievance policy or Dignity at Work policy, depending upon the nature of the concern and whether the complainant wishes the matter to be dealt with informally in the first instance. The same Investigating officer may undertake the investigation under the appropriate procedure to ensure a full and comprehensive understanding of the concerns has been achieved.

2.4 Where a grievance relates to proposed changes such as redundancy or restructure, employees should raise concerns in line with the consultation process outlined in the Managing Change Policy.

2.5 Where an employee raises a grievance during a disciplinary process, 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. Please refer to the Disciplinary Policy and Procedure. A decision on what action to take in such circumstances will be taken by the relevant Corporate Lead Officer and HR Officer following discussion

### 3. General Principles

3.1 The Council recognises that grievance rules and procedures help to promote good employment relations whilst ensuring fairness and consistency in the treatment of individuals.

- 3.2 The purpose of the policy is to ensure that employees who have a grievance about their employment have a clear framework to enable that grievance to be dealt with. The procedure is designed to reflect the following principles.
- 3.3 The ability of the employee to be treated fairly and consistently in accordance with the principles of natural justice, the right of representation and the right to present their case.
- 3.4 Employees with a grievance about their employment have a right to raise the grievance and to have it heard through the medium of Welsh or English.
- 3.5 Whenever possible, grievances should be dealt with at the early stages of the policy.
- 3.6 All participants in the grievance process will be required to maintain appropriate levels of confidentiality.
- 3.7 Employees have the right to be accompanied to any grievance hearing by a Trade Union Official or workplace colleague of the Authority. The Council actively encourages representation at all stages of the procedure.
- 3.8 The ability of the manager to organise and manage those for whom they are responsible, ensuring and maintaining the required standard of employee conduct and performance and to take any disciplinary action, including dismissal where appropriate.
- 3.9 The aim of the resolution process is about achieving a successful outcome for all and therefore it is vital that managers, employees and trade union representatives approach the resolution of grievances with openness, trust and respect.
- 3.10 Raising a grievance that is known to be without foundation, or is otherwise in bad faith, may result in disciplinary action.
- 3.11 Concerns may be raised under this policy where this relates to the conduct of colleagues on any social media platform (that is, interactive media that allows parties to communicate instantly with one another or to share data in a public forum), where the complainant has subsequently felt directly harassed, bullied, victimised, or sexually harassed.
- 3.12 All matters within the procedure should be completed in as short a time scale as is reasonably possible. The timescales within the procedure should be adhered to unless there are compelling reasons not to do so.
- 3.13 If it is not possible to respond within these timescales, the parties involved must be informed and the Investigating/Responsible Officer, in conjunction with Human Resources, will decide whether an extension is appropriate.



- 3.14 Safeguarding children or adults at risk investigations take precedence over the resolution process and may inform the grievance investigation.
- 3.15 For the avoidance of doubt, where this policy refers to a “working day” this should be taken to mean one of the 5 in 7 working days within an average week but would exclude weekends and public holidays.

## 4. Scope

- 4.1 Grievances may be concerned with a wide range of issues, including:
- Terms and conditions of employment
  - Health and safety
  - New working practices
  - Working environment
  - Dignity at work matters
- 4.2 A formal grievance is concerned with the way in which an employee has been treated by the organisation or managers acting on its behalf. It may also be concerned with matters raised under the Dignity at Work policy and procedure.
- 4.3 This procedure:
- will not apply to matters subject to collective bargaining arrangements;
  - cannot be used to challenge formal decisions and outcomes made in other procedures which have an appeal process.
  - cannot be used to challenge Grievances which have previously been dealt with under this policy. In such circumstances the grievance will not be considered or re-investigated.
  - cannot be used by former employees (these matters will be addressed by the Council's Complaints Procedure).
- 4.4 Whilst a grievance is being considered under this procedure, the working and management arrangements (which may have given rise to the complaint) will not be altered until a resolution has been reached or the procedure exhausted, providing this does not have an adverse or detrimental impact on an individual or the Council. Interim arrangements may however be made to protect all parties from further escalation of the matter of concern or to protect the integrity of an investigation process. In such instances any interim arrangements will be discussed with the parties concerned, including both HR and TU representatives, and the decision ratified by the CLO for People & Organisation.

## 5. Collective Grievances

- 5.1 Where a group of employees raise the same grievance, either directly or through their Trade Unions then the same basic process will still be followed. Where there are more than three employees submitting the same grievance, then employees will be asked to collectively nominate up to three representatives to attend any meetings along with, where requested, a trade union representative.
- 5.2 No more than three nominated representatives may attend any grievance investigation or hearing, and may be accompanied by one Trade Union representative.
- 5.3 A joint grievance must be signed by all parties raising the concerns and who are affected by the grievance, at the outset.
- 5.4 Where multiple grievances of a similar nature have been raised individually, HR will consider whether they should be dealt with as one process.

## 6. Collective Bargaining Matters

- 6.1 Any concerns raised by one or more of the recognised trade union relating to collective bargaining matters, should be discussed in the first instance with the Corporate Lead Officer; People of Organisation or Corporate Manager: Human Resources for consideration at the Social Partnership Forum.

## 7. Roles and Responsibilities

### 7.1 All Employees

All employees are responsible for:

- ensuring they are aware of the Grievance Policy and Procedure
- seeking to resolve potential grievance issues informally whenever possible.
- raising a grievance in a constructive manner, including escalating the grievance to the formal stage if it can't be resolved informally.
- when formally raising a grievance, they clearly confirm in writing (assistance maybe obtained when required e.g. from colleagues or trade unions) the nature of the grievance. Vague generalisations may not result in grievances being heard.
- It will normally be a reasonable request for an employee to attend investigations or grievance hearings, when it is believed that they can assist the process.



## 7.2 Line Managers

Line Managers are responsible for:

- ensuring they have read and understood this policy and procedure.
- ensuring those whom they line manage have read and understood this policy and procedure.
- taking prompt action and a considerate approach to employees' concerns, aiming to deal with matters informally where possible.
- handling any grievance sensitively and confidentially, ensuring standards of fairness, objectivity and consistency in treatment are upheld in all cases.
- taking advice from Human Resources at each stage of this policy and procedure.
- providing feedback to the employee about what can, and/or cannot, be done to resolve the grievance; and
- taking any necessary follow-up action.

## 7.3 Human Resources

Human Resources are responsible for:

- Providing advice to managers and employees on the operation of this policy and procedure and ensuring that any action taken is consistent with actions elsewhere within the Council.
- Attendance of a HR representative at all formal grievance hearings, ensuring that a written record of the meeting is made and support is provided to the manager in confirming the outcome in writing.
- Keeping records of all grievances raised and their outcomes. These records will be made available to employees through their line manager and will also form part of the HR monitoring and reporting process.

## 7.4 Corporate Lead Officers

Corporate Lead Officers are responsible for ensuring that:

- this policy and procedure is adhered to, and any resulting outcomes are consistent.
- investigations are completed in a timely and professional manner, and that any grievance hearings take place promptly after a grievance becomes known.
- where any witnesses are requested, that they are notified when they should attend a hearing, and that they are afforded the time to attend.

## 8. Role of the Grievance Officer

- 8.1 The role of the Grievance Officer will be to consider any formal grievance received impartially and fairly.
- 8.2 The Grievance officer will normally be a senior manager within the relevant service area who has not had previous involvement in seeking to resolve the grievance informally. There may however be occasions where a Manager from a different service may be asked to act as the Grievance Officer. Where this may be required it will be discussed in conjunction with the HR Officer.
- 8.3 They are responsible for liaising with the HR Officer regarding the policy and issuing of any correspondence to an employee in relation to the management of their grievance.

## 9. Role of Investigating Officer

- 9.1 The role of the Investigating Officer is to carry out an impartial investigation into the facts surrounding any allegation.
- 9.2 They are responsible for liaising with the HR Officer regarding the policy and issuing of any correspondence to an employee relating to the investigation.

## 10. Review of Policy

- 10.1 The People & Organisation Service is responsible for reviewing this policy and procedure at regular intervals.

## Procedure

### 11. Informal Stage

- 11.1 It is important that possible grievances are raised informally and without unreasonable delay. It is recommended that the matter of concern is raised with the line-manager in the first instance, or their line-manager if the line-manager is the subject of the concern.
- 11.2 The normal expectation is that a grievance should be submitted as soon as possible, and normally the trigger incident should be no more than 12 weeks prior to the point the grievance is lodged. It is however recognised that there are occasions where this is not possible. Where this occurs the Council will endeavour to address the grievance, recognising that due to the passage of time there may be some limitations on the recollections of those involved, availability of witnesses, and the retention of key evidence or documentation. All of these factors may affect the scope of any subsequent process and this will be discussed with the complainant by the Grievance Officer before the formal process commences.
- 11.3 Any employee with a grievance should normally discuss it initially with their line-manager (or alternative as mentioned in 11.1), who will wherever possible, respond and seek to resolve the grievance at the time. As part of the informal stage the line-manager or nominee will meet with the complainant and any other relevant parties and will conduct any necessary fact-finding investigations before returning to the complainant with their conclusions. The line-manager will give a definitive decision once the matter has been considered and/or investigated. This will be done orally and confirmed in writing normally within 10 working days. If it is deemed that a fact-finding investigation is required this may be extended on agreement to a period normally no longer than 30 working days.

### 12. Formal stage

- 12.1 Stage 1 - If the employee is dissatisfied with the response received at the Informal Stage of the procedure, or the informal stage of the Dignity at Work procedure, the employee, assisted by a trade union representative or a work colleague, if necessary, may submit a written grievance for the attention of Human Resources. For matters raised informally under this policy and procedure, this must be done within 10 working days of receipt of the decision by the Line Manager, using form

GR1 as attached at Appendix 2. For matters informally raised under the Dignity at Work Policy please complete form DW2.

- 12.2 It is recognised that a grievance can sometimes be more likely to be resolved successfully at the informal stages in accordance with ACAS best practice and it is therefore only in exceptional circumstances that a grievance will progress to a formal stage if there has been no attempt by the complainant, to seek an informal resolution with an appropriate level of management support.
- 12.3 Following receipt of the formal grievance, the HR officer will work with the CLO for the relevant service area to identify an appropriate Grievance Officer to consider the matter formally in accordance with section 8 of this policy.
- 12.4 Upon receipt of the grievance the Grievance Officer will arrange to meet with the complainant to explore the nature of the grievance and to confirm an understanding of the matter. The Complainant will have the right to be accompanied to the meeting by a recognised Trade Union representative or work colleague of their choice.
- 12.5 The Grievance Officer may choose to conduct some informal fact-finding with other parties at this stage if they feel that a potential resolution may be identified without recourse to a hearing. Where a potential resolution is identified the Grievance Officer will arrange to meet with the complainant and any relevant parties to explore a potential resolution. Any agreed outcomes to the process will be followed-up in writing, and all parties will be entitled to be accompanied by a work colleague or Trade Union representative of their choice.
- 12.6 Where the Grievance Officer feels that the matter requires further investigation an independent Investigating Officer will be commissioned to undertake the necessary investigation and to prepare a report for the consideration of the Grievance Officer in accordance with the principles in section 13.
- 12.7 Upon receipt of the report the Grievance Officer will give consideration as to whether there is scope to resolve the matter through an alternative means, that could include a facilitated conversation or mediation. This will be explored with both the complainant and any subject(s) of the grievance before determining whether the matter should progress to a Hearing.
- 12.8 In the event that the matter is referred to a formal hearing, the employee will be informed of their right to be accompanied at the hearing by a trade Union representative or work colleague of their choice. A HR Officer will attend the hearing in an advisory capacity. The outcome of the Hearing will be communicated to the individual on the same day wherever possible. Where further consideration is

required the outcome will be communicated to the Complainant within 5 working days of the hearing. The letter will include the outcome of the grievance and will include the details of the appeal arrangements available to the complainant. It should be noted that where the outcome of the process is to remit a matter to a different process (for example, the disciplinary policy), the employee will not be advised of the outcome of this process in accordance with the requirement to maintain confidentiality.

## 13. Investigations

- 13.1 The report prepared by the Investigating Officer will normally be shared with the Complainant. In exceptional circumstances there may be elements of the report / transcripts or meeting notes gathered during the course of the investigation which may need to be redacted before being shared with the complainant. Where this is thought to be necessary advice will be sought from the Council's Data Protection team.
- 13.2 If any evidence is gathered during the course of these investigations, the employee will be given a copy in advance of a hearing in order that they may consider their response. In exceptional circumstances, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, this will be explained to the employee and an appropriate summary of the evidence (approved by the Corporate Lead Officer: People & Organisation) will be provided.
- 13.2 At the outset of the investigation, it may be necessary to assess any risks to the integrity of the process to protect the complainant from ongoing harassment or being victimised. For example, the complainant or the individual against whom the complaint has been raised may need to be moved or redeployed to another team or site. Any witnesses should be similarly risk assessed.

## 14. Stage 2– Appeal

- 14.1 Any appeals should be submitted to the Corporate Lead Officer for People & Organisation within 10 working days of receipt of the written confirmation of the outcome of the grievance hearing on form GR2.
- 14.2 Upon receipt of the GR2 from the complainant the Corporate Lead Officer for People & Organisation, or a nominated representative, will arrange a grievance appeal hearing at the earliest opportunity, but not later than 20 working days

following receipt of the form. A member of the Human Resources section will attend the grievance appeal hearing.

- 14.3 Where the Grievance Officer who heard the grievance was a Corporate Lead Officer, an alternative Corporate Lead Officer or Corporate Director will convene a grievance appeal hearing and will be known as the Grievance Appeal Officer.
- 14.4 The Grievance Appeal Officer will consider the grounds that the employee has put forward and assess whether or not the conclusion reached in the original hearing was appropriate. The appeal is not a re-hearing of the original grievance, but a consideration of the specific areas with which the employee is dissatisfied in relation to the original grievance. Therefore, the discussion can be confined to those specific areas rather than reconsider the whole matter afresh.
- 14.5 Following the hearing, the Grievance Appeal Officer or representative, will confirm their decision in writing to the employee and/or their representative with 5 working days.
- 14.6 The procedure to be followed at the Appeal Hearing is as detailed under Appendix 1.
- 14.7 If an employee fails to attend without explanation, or if it appears that they have not made sufficient attempts to attend, or not attend on the second occasion, the hearing may take place in their absence.
- 14.8 In exceptional circumstances the employee may request that a trade union representative or chosen work colleague attends the hearing in their place. The hearing will then consider the evidence presented.
- 14.9 A flowchart is shown in Appendix 1, confirming the process in its entirety.

## 15. Keeping Records

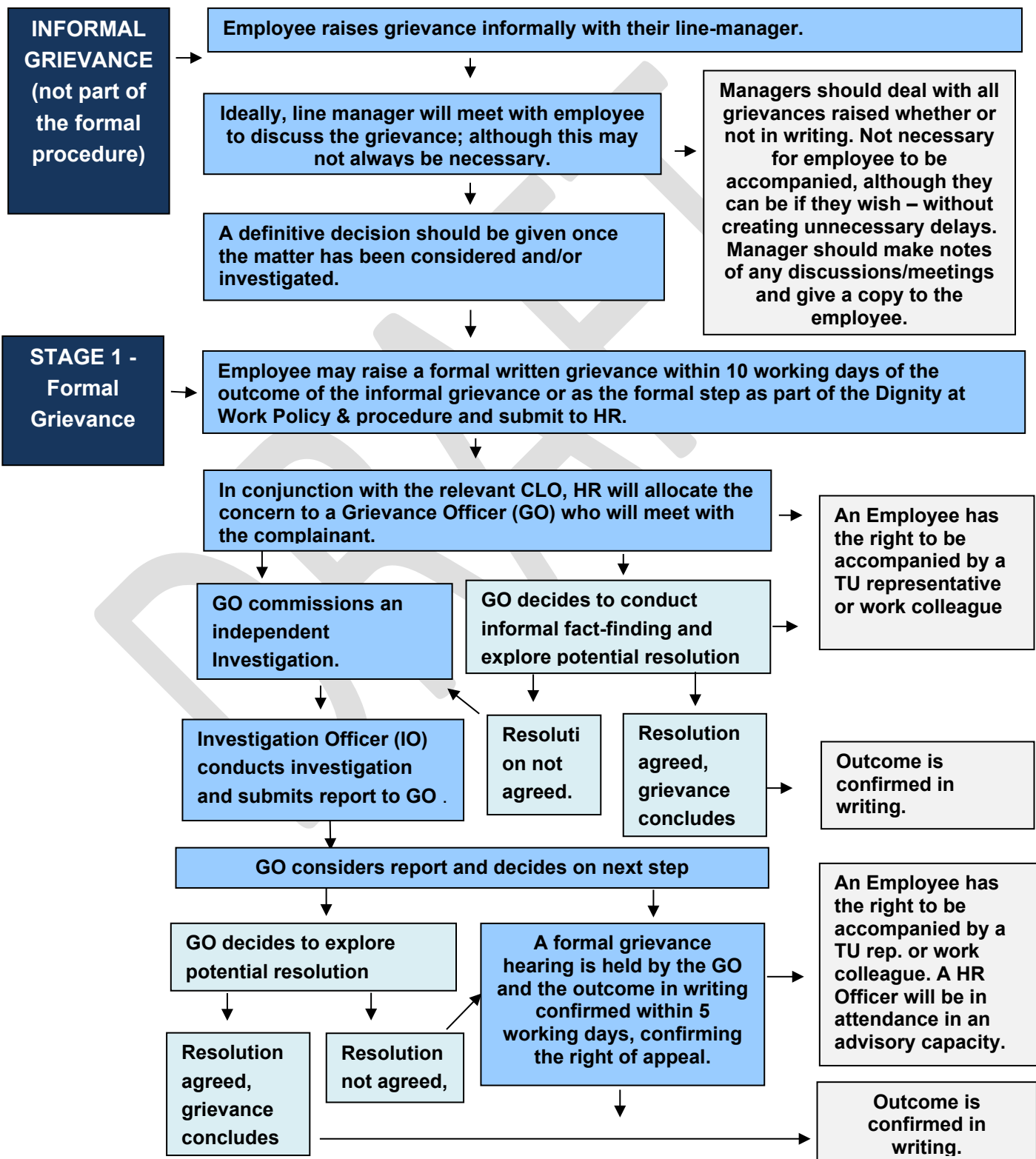
- 15.1 Confidential records will be kept by the Manager during the resolution process. Records will include notes of any formal actions, including support made available to the employee or other affected parties. These records will be kept in accordance with the relevant data protection legislation and the prevailing corporate retention schedule.



- 15.2 Human Resources will keep all relevant paperwork pertaining to the case in accordance with the corporate retention schedule.
- 15.3 Employees will have access to their personal records in accordance with data protection legislation.

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**GRIEVANCE POLICY AND PROCEDURE – FLOWCHART**



**STAGE 2 -  
APPEAL**

↓

Employee may appeal to the CLO for People & Organisation within 5 working days of receipt of the written confirmation of the outcome of the grievance hearing held under stage 1, using form GR2.

↓

A Grievance Appeal Officer (GAO) will be appointed to consider the appeal and the hearing will normally be held within 20 working days of receipt of the appeal.

↓

GAO reaches decision if possible on the day of the meeting, or within 5 calendar days. Outcome is confirmed in writing within 5 days of the hearing. This is the final stage of the Council's Grievance Procedure

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## Appendix 2

### GR1 form to be used to formally raise a grievance

<b>PART A – WRITTEN NOTIFICATION OF GRIEVANCE – FORMAL STAGE</b> (A copy of this form to be sent to the Human Resources Section at each Stage of the Procedure)	
<b>Section 1</b>	
This section of the form must be completed by any employee or their representative who wishes to raise a formal grievance under formal stage one of the Procedure. When completed, the form should be sent electronically, marked <b>CONFIDENTIAL</b> , to the relevant line-manager.	
I have discussed my concerns with:	
A grievance that:	
I remain aggrieved because:	

<p><b>I wish to exercise my rights to register formally my grievance with you. The redress I am seeking is:</b></p>			
<p><b>Signed</b></p>		<p><b>Date</b></p>	
<p><b>Service</b></p>			
<p><b>Name (please print)</b></p>			
<p><b>Contact Address</b></p>			

<p><b>GR2 – APPEAL AGAINST WRITTEN NOTIFICATION OF GRIEVANCE</b></p>			
<p><b>PART A</b></p>			
<p><b>This section of the form must be completed by any employee or their representative who wish to appeal the outcome of the formal grievance. When completed, the form should be sent to the Corporate Lead Officer for People &amp; Organisation.</b></p>			
<p><b>The response I have received following my formal grievance (GR1) is attached. I remain aggrieved and wish to appeal on the following grounds:</b></p>			
<p><b>The redress I am seeking is:</b></p>			
<p><b>Signed</b></p>		<p><b>Date</b></p>	

## Appendix 3

### Final Stage - Grievance Hearing Appeal Held by Corporate Lead Officer (or their representative)

#### Attendance

- (1) The Corporate Lead Officer (or representative)
- (2) The Appellant, together with his/her Trade Union Representative or work colleague
- (3) The relevant Manager / Supervisor
- (4) The Human Resources Officer
- (5) Any Witnesses.

#### The Procedure

- (1) The parties to the grievance and their respective representatives shall be called in simultaneously before the Hearing.
- (2) The Corporate Lead Officer (or representative) will introduce those present and explain how the hearing will be conducted.
- (3) The Corporate Lead Officer (or representative) will establish details of any witnesses to be called and also **any** documentation which will be referred to during the hearing, by either side.
- (4) The Appellant (and/or representative) will present details of the grievance, including the submission of any supporting documentation.
- (5) The other parties may ask questions on the presentation in the following order:-
  - (a) The Manager / Supervisor
  - (b) The Corporate Lead Officer (or representative)
  - (c) The Human Resources Officer.
- (6) The Appellant (and/or representative) will call any Witnesses.
- (7) The other parties may ask questions of the Witnesses in the following order:-
  - (a) The Manager / Supervisor
  - (b) The Corporate Lead Officer (or representative)
  - (c) The Human Resources Officer (or representative), if present.
- (8) The Manager / Supervisor shall respond to the appeal.



- (9) The other parties may ask questions in the following order:-
  - (a) The Appellant (and/or representative)
  - (b) The Corporate Lead Officer (or representative)
  - (c) The Human Resources Officer
- (10) The Manager / Supervisor will then call any Witnesses.
- (11) The other parties may ask questions of the Witnesses in the following order:-
  - (a) The Appellant (and/or representative)
  - (b) The Corporate Lead Officer (or representative)
  - (c) The Human Resources Officer
- (12) Both sides will then have the opportunity to sum up, the manager/supervisor speaking first.
- (13) The Appellant (and representative), the Manager / Supervisor and any Witnesses will then withdraw.
- (14) The Corporate Lead Officer (or representative) and the Human Resources Officer, who will act as an advisor, will then deliberate in private, recalling the Manager/Supervisor and the Appellant (and representative) only to clear points of uncertainty on evidence already given and/or to hear further representations in relation to the penalty. If recall is necessary, both parties are to return, even if only one is concerned with the point giving rise to doubt.
- (15) All parties will be recalled and informed verbally of the Corporate Lead Officer's decision. The Corporate Lead Officer will normally confirm his/her decision in writing to the employee and/or Trade Union representative, within 7 working days of the hearing.



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