

# **CITY OF YORK COUNCIL** **GRIEVANCE PROCEDURE**

## **1. Introduction**

1.1 The Grievance Procedure is designed to encourage good working relations across the council by;

- ◆ encouraging the settlement of grievances informally
- ◆ ensuring grievances are resolved fairly
- ◆ ensuring grievances are resolved speedily
- ◆ giving employees the right to raise grievances and collective disputes with their manager

1.2 Separate procedures exist for pursuing complaints of personal harassment or bullying, and regrading appeals or appeals against disciplinary action. These procedures are available from your directorate HR Manager. School employees will have a separate procedure, based on the same principles, as approved by their school governing body.

## **2. Resolving grievances informally**

2.1 The Council recognises that there may be occasions when employees feel the necessity to express dissatisfaction with aspects of their employment or a perceived injustice.

2.2 In such circumstances, you are encouraged to raise such issues verbally with your line manager, telling them exactly what you are dissatisfied with and all the circumstances of your grievance.

2.3 The line manager will undertake to respond fully to the complaint as quickly as possible and every effort will be made to resolve the grievance through informal discussion.

2.4 Even before raising concerns informally, the employee may need advice. If the employee is a member of a trade union, their representative can be a useful source of advice. They are in frequent contact with managers and human resources staff, which makes them well placed to advise on whether a complaint should be pursued and how. Their representative can also suggest ways to resolve issues informally, and can offer to assist personally to achieve this.

## **3. Stage 1**

3.1 If you are still unhappy with your line manager's decision you should put your grievance in writing to your line manager's own manager, detailing all the circumstances of the grievance and the reason for your dissatisfaction with the response given so far.

- 3.2 At this stage you can raise the matter if you so wish with your trade union representative or another person, who may take up the matter on your behalf.
- 3.3 The manager will arrange a meeting with you and your representative if appropriate. The meeting should take place within ten working days of the receipt of your written grievance (see para 6.9).
- 3.4 It may be possible to resolve the matter to your satisfaction at this meeting.
- 3.5 If not, you will be informed verbally of the decision as soon as possible, and will receive confirmation in writing within 10 working days (see para 6.9). The manager may either refer the matter back to your line manager with suggestions on how to settle the matter, or they may reject the grievance. If rejected, you will be informed of the reasons for this decision.

#### **4. Stage 2**

- 4.1 If you are still dissatisfied with the manager's decision, you can take the matter a stage further.
- 4.2 You can request that your grievance is considered by the appropriate Chief Officer in your directorate. This request should be in writing and sent to the Chief Officer for consideration.
- 4.3 The Chief Officer will arrange a meeting with you and your representative. The meeting should take place within 10 working days of receipt of your request.
- 4.4 You may be accompanied and/or represented by a trade union representative or another person.
- 4.5 You will be given written confirmation of the Chief Officer's decision within 10 working days of the hearing of your grievance (see para 6.9).

#### **5. Stage 3 – Appeals**

- 5.1 If you are still dissatisfied with the Chief Officer's decision, you can request that your complaint is considered by the Appeals Committee (Corporate & Environment).
- 5.2 This request should be in writing and forwarded to the Operations Manager, Democracy Support Group within 10 working days of receiving the decision of the Chief Officer.
- 5.3 You have the right to attend this committee if you so wish, and you may be accompanied or represented by a colleague or a trade union representative.

- 5.4 The Appeals Committee (Corporate & Environment) consists of three councillors, drawn from all the major political groups represented on the Council and trained in dealing with appeals of this nature.
- 5.5 If you wish to appeal you will be given information on the procedure, normally two days in advance.
- 5.6 You will be given written confirmation of the Appeals Committee decision within 10 working days of hearing the complaint.

## **6 General Notes**

- 6.1 You may wish to be accompanied by a work colleague, instead of a trade union representative. If so, they must have permission from their supervisor to be absent from work to attend the hearing of your complaint. Alternatively, you may prefer not to be represented or accompanied.
- 6.2. If your grievance is against your line manager you should discuss the issue with them directly through the informal process, however in exceptional circumstances where you do not feel comfortable to do so, you may go directly to the formal procedure.
- 6.3 If your grievance is against an Assistant Director or Head of Service, where possible you should discuss the issue with them directly through the informal process, however, if you do not feel comfortable to do so, you should contact your Human Resources Manager who will arrange for another Assistant Director to consider the complaint.
- 6.4 Where the complainant is not satisfied with the decision made, then they should contact their HR Manager who will arrange for a Director or their nominee to hear the complaint through the formal process.
- 6.5 If the grievance is against the Chief Executive, the complainant should contact their Human Resources Manager or Head of Human Resources who will act in the role of facilitator in order to try and resolve the issue informally.
- 6.6 Where the complainant is not satisfied with the decision made, then the Head of Human Resources will liaise directly or through their nominee with the appropriate Executive Member, in order for them to hear the complaint.
- 6.7 The procedure will be subject to annual review.
- 6.8 If you need any further information please contact your directorate Human Resources Manager.
- 6.9 Every effort will be made to resolve your grievance as quickly as possible. However, please remember that some cases take time to investigate fully. For this reason, it may be necessary, on occasion, to change the time limits of the Grievance Procedure, but this would only be done with the agreement of all parties concerned.