

Collective Grievance Policy and Procedure

1. Introduction

- 1.1 The purpose of this policy is to ensure that Collective Grievances are handled fairly and effectively. It complements the procedure for dealing with grievances and like that policy is informed by the ACAS guidelines. This policy also adheres to the requirements of the Employment Act 2009 and the Employment Tribunal (Constitution and Rules of Procedure)(Amendment) Regulations 2009.
- 1.2 Staff using this procedure must be aware that they cannot then use the Individual Grievance Procedure for raising the same issue.
- 1.3 Dependent upon the type of grievance, the initial stages of this procedure may be omitted if mutually acceptable to both management and to staff representatives and/or the group of staff affected.
- 1.4 At each stage, possible methods of mediation or conciliation should be considered.
- 1.5 This policy and procedure has been agreed with staff side and may be reviewed in the light of experience and statutory and legal changes but it is binding on management and staff. The specified time limits may be modified only by mutual agreement as some issues may require immediate action and others may need more time to investigate more fully.
- 1.6 If employees raise a grievance in good faith but it is not subsequently upheld no action will be taken against them and, if upheld, appropriate action will be taken to resolve the issues raised.

2. Scope

- 2.1. The procedure covers any group of staff employed by the Council. It applies to grievances with management locally. No provision of this procedure will be applied in such a way as to contradict a national agreement, regulation or statute.
- 2.2 A group of staff not represented by a Trade Union, would be advised and accompanied by staff side.

3. Definitions

- 3.1 Grievances are concerns, problems or complaints that employees raise with their employer. Issues that may cause grievances include problems concerning terms and conditions of employment or working practices, health and safety, work relations, bullying and harassment, or discrimination. This list is not exhaustive.

3.2 A collective grievance is a grievance brought by a group of staff (i.e. 2 or more).

4. Procedure

4.1 Stage 1 (informal)

A collective grievance should, in the first instance, be raised with the immediate supervision/manager who should discuss the issue and make appropriate arrangements to investigate. As a general rule, a response will be made within 5 working days. If the grievance involves the line manager it should be raised with the line manager's manager or with Human Resources.

4.2 Stage 2 (formal)

If the grievance is not resolved to the satisfaction of the staff concerned and they wish to take it further, then they must put their issue in writing to Human Resources. The written submission must cover the following points:

- a) The specific cause of the grievance;
- b) The specific staff involved in the grievance (not necessarily by name but in enough detail, i.e. job titles, locations etc. for it to be quite clear who is affected and who is not);
- c) The name(s) of the representative(s) nominated or elected by the staff to act as their spokesperson/s. A meeting will be arranged as soon as possible, or at least within a further ten working days, when the staff representative(s) and management will meet to discuss what can be done to settle the grievance. If still unresolved, a written record of the meeting should be agreed and sent to the relevant member of CMT who will instigate stage 3.

4.3 Stage 3 (appeal)

Where the grievance remains unresolved, it will be referred to a further panel made up of a member of CMT and 2 other members of the leadership team.

This meeting will take place as soon as possible and no later than 2 weeks after receipt of the written outcome of stage 2. This decision will be notified in writing to the staff and their representatives. The purpose of this panel will not be to re-hear the grievance but to consider any new facts or information which could change the previous decision on the grievance/grievance.

5. Monitoring and review

5.1 The use of this policy will be monitored by the inclusion of statistics relating to collective grievances or grievance in relevant HR reports.

5.2 This policy will be formally reviewed two years after agreement or sooner if the needs arise.