

SEASCALE PARISH COUNCIL

GRIEVANCE POLICY

Purpose

Seascale Parish Council is committed to promoting positive working relationships and maintaining a respectful, professional and inclusive environment for all Councillors and its employee, the Clerk.

This policy provides a fair, consistent and timely procedure for resolving grievances raised by:

- the Clerk as an employee of the Council; and
- Councillors who have concerns regarding the conduct or behaviour of another Councillor where the matter does not fall within the Members' Code of Conduct.

The Council encourages grievances to be resolved as quickly and informally as possible wherever appropriate.

Scope

This policy applies to:

- employment-related grievances raised by the Clerk;
- grievances between Councillors that affect the effective functioning of the Council.

This policy does not apply to:

- disciplinary matters;
- complaints from members of the public;
- allegations that a Councillor has breached the Members' Code of Conduct.

Where a grievance amounts to a potential breach of the Members' Code of Conduct, it should be referred to the Monitoring Officer at Cumberland Council.

Principles

The Council will:

- deal with grievances fairly and without unreasonable delay;
- treat all parties with dignity and respect;
- maintain confidentiality wherever possible;

- ensure that no Councillor involved in the matter participates in determining the grievance;
- consider mediation where appropriate.

No person will suffer any disadvantage for raising a genuine grievance in good faith.

Informal Resolution

Most concerns can be resolved informally.

Clerk

The Clerk should normally raise concerns with the Chair of the Council or, where appropriate, the Chair of the Staffing Committee.

Councillors

Councillors should, wherever possible, seek to resolve concerns directly with the other Councillor.

Where this is not appropriate or has been unsuccessful, assistance may be sought from the Chair of the Council.

If the grievance concerns the Chair, the Vice-Chair should undertake this role.

The Chair or Vice-Chair may suggest informal mediation if all parties agree.

Formal Grievance Procedure

Where informal resolution has not been successful, a formal written grievance may be submitted.

The written grievance should include:

- the nature of the grievance;
- relevant dates and facts;
- any supporting evidence;
- the outcome sought.

The grievance should be submitted to:

- the Chair of the Council; or
- the Vice-Chair where the grievance concerns the Chair.

Where the grievance is submitted by the Clerk and concerns the Chair, it should be submitted to the Vice-Chair.

Appointment of a Grievance Panel

The Chair (or Vice-Chair where appropriate) shall appoint a panel of three Councillors who have had no previous involvement in the matter.

Panel members must declare any conflict of interest.

Where the Council cannot form an impartial panel, it may seek assistance from another parish council or appoint an independent person to advise the panel.

Investigation

The panel may:

- obtain written statements;
- interview those involved;
- consider documentary evidence;
- seek advice from an independent adviser where appropriate.

The investigation should be proportionate to the issues raised.

Grievance Hearing

The parties will receive reasonable notice of the hearing.

Each party may:

- attend the hearing;
- present their case;
- provide supporting evidence;
- call relevant witnesses where appropriate;
- be accompanied by a fellow Councillor, trade union representative (for the Clerk) or another person agreed by the panel.

The panel may ask questions of all parties.

The hearing may be adjourned if further enquiries are required.

Decision

Following the hearing, the panel will determine whether the grievance is upheld in whole, in part or not upheld.

The decision will normally be provided in writing within fourteen calendar days.

Where appropriate, the panel may recommend actions including:

- mediation;
- an apology;
- improved communication arrangements;
- training;
- amendments to working practices;
- any other reasonable steps to improve working relationships.

The panel cannot determine allegations under the Members' Code of Conduct or impose sanctions reserved to the standards regime.

Appeals

Either party may appeal against the decision within seven calendar days of receiving the outcome.

The appeal must state the grounds of appeal.

Appeals may be made where:

- the procedure was not followed correctly;
- relevant evidence was overlooked;
- new evidence has become available;
- the decision was unreasonable based on the evidence.

The appeal will be heard by a different panel of three Councillors who have had no previous involvement in the matter.

The appeal decision shall be final.

Confidentiality

Everyone involved in the grievance process is expected to maintain confidentiality.

Information will only be shared where necessary to investigate or determine the grievance or where required by law.

Records will be retained in accordance with the Council's Data Protection Policy and relevant legislation.

Relationship with the Members' Code of Conduct

Nothing within this policy prevents a complaint being referred to the Monitoring Officer where there is evidence that a Councillor may have breached the Members' Code of Conduct.

If, during the course of a grievance investigation, it becomes apparent that the matter should properly be dealt with under the Code of Conduct, the grievance procedure may be suspended while advice is sought from the Monitoring Officer.

Review

This policy will be reviewed every three years or earlier if legislation, ACAS guidance or NALC guidance changes.

Date of Policy: June 2026