

CRANFIELD PARISH COUNCIL

Section 11 Staff Complaints Procedure

1. Policy Statement.

Cranfield Parish Council places responsibility upon all employees, managers and councillors to develop good working relationships where most issues can be discussed and dealt with satisfactorily. Employees should feel able to raise concerns with their manager and both employees, managers and councillors have a responsibility to ensure that proper attempts are made to resolve complaints by way of informal discussions and that complaints are dealt with promptly and fairly.

This procedure provides a framework for dealing with complaints from any employee. Within the framework, employees:

- must be given a prompt and fair hearing on any complaint;
- have the right to take the issue up with the Chair of the H.R Committee if necessary;
- have the right to appeal if not satisfied

2. Scope.

The Staff Complaints Procedure may be used to deal with any complaint relating to the employees treatment at work, and is open to all employees at any level, whether permanent, or temporary / casual.

3. Informal Process.

Managers, employees and councillors should make every effort to resolve a complaint on an informal basis. The formal procedure should only be resorted to when work place communications have broken down or it is appropriate to deal with an issue on a formal basis. If an employee wishes to make an informal complaint, they should raise it at the earliest opportunity with their line manager. The approach may be verbal or written, whichever the employee thinks appropriate. In any event, the complainant should make it clear that they are making a complaint on an informal basis in an attempt to resolve the problem.

Any employee who feels that they or others have been harassed, victimised, bullied or treated in a way that breaches the equal opportunities policy, should, if they feel able to do so, immediately tell the person(s) concerned, that the behaviour in question is offensive, unwanted, and that they want it to stop. The employee may also raise the matter with their line manager or the Chair of the HR Committee if the line manager is involved in the complaint. In any event, a short note should be kept of any conversations or informal meetings held to discuss an equal opportunity complaint. The note may be needed as evidence should the discrimination or harassment continue or reoccur.

4. **The Formal Complaint.**

If it has not proved possible to resolve the complaint by informal discussion, or if an employee is dissatisfied with progress made after informal discussion they may use the formal procedure. The procedure is as follows:

- Put the complaint in writing, stating that the employee wishes to make a complaint under the formal procedure, and setting out the reasons for the complaint. This must normally be made within 15 working days of the issue giving rise to the complaint.
- The line manager will deal with the formal complaint, unless he/she is involved in the complaint. If this is the case one councillor (normally the Chair of the HR Committee will need to deal with the matter instead of the line manager. They are hereafter called the Investigating Officer. Once the Investigating Officer has received the written complaint, they must arrange a meeting with the complainant. The Investigating Officer will be accompanied by a note taker who will make a summary note of what is said at the meeting. The complainant may also have a work based colleague, Trade Union representative or councillor present to support them. The Investigating Officer will establish the facts of the complaint.
- There will be a written summary of the meeting which will include;
 - 1) A note of who was present,
 - 2) A note of what was said in summary form. The note cannot be contemporaneous.
- The Investigating Officer may, if it is appropriate, decide to interview any independent witness to whatever has given rise to the complaint. If the complaint is with regard to the Appraisal process and PDP (see Section 7) or absence management (see Section 10) this will not normally be necessary. However, complaints arising from Equal Opportunities Policy and Discipline issues made need further investigation.
- Not only must the complainant be given the opportunity to expand on their complaint at interview but the person complained of must also be given the opportunity to put their side of the matter. The Investigating Officer will investigate the complaints, ask questions of both the complainant and the person complained of and will interview any independent witnesses who may shed light on the matter.
- In complaints under the equal opportunities policy there will be full exchange of information. That is the complaint, notes of interview and interview notes of any witnesses and any evidence which is to be relied on in determining the complaint will be made available to both parties in the complaint.
- At the conclusion of the investigation the Investigating Officer will consider all the evidence and will inform the complainant (and the person accused if appropriate) of the outcome of the complaint with a summary of reasons. The decision letter will also include details of the right of appeal. If a complaint under the Equal Opportunities Policy is upheld disciplinary and/or other recommended action against the person accused must be immediate and be aimed at preventing a repetition of the behaviour or associated behaviour. The outcome and summary of reasons for the decision must be provided to the person accused 7 days before they attend their disciplinary interview.

5. **Appeal.**

If the complainant is dissatisfied with the outcome after making a formal complaint they may appeal. The Vice Chair or Chair of the Parish Council will normally hear and determine the appeal. The Appeal will always be heard by someone different to the Investigating Officer. The appeal must be put in writing within 15 working days of the outcome of the formal complaint and must set out the reasons for the appeal. Following receipt of the written appeal the Vice Chair / Chair will arrange a meeting with the complainant to hear the appeal. A note of the meeting will be taken which will state if the complainant had a work based colleague, other persons present, and a summary of what was said. The Vice Chair/ Chair will consider all the evidence in the case and reach a decision. That decision will be notified to the appellant in writing and will state that the decision is final.

6. **Confidentiality.**

Any matter dealt with through the Staff Complaints Procedure must be kept entirely confidential by those attending meetings, unless the employees express permission is given, in circumstances where, in order obtain action or make a decision, the manager or Investigating Officer dealing with it may need to explain the contents of the complaint to others. All notes of meetings and associated correspondence at all stages must be kept confidentially on the file. Breaches in confidentiality may result in disciplinary action.

7. **Responsibility.**

All those persons referred to within the scope of this policy are required to adhere to its terms and conditions. All managers and councillors are responsible for ensuring that the policy is correctly applied.

