



ANDOVER TOWN COUNCIL

GRIEVANCE POLICY – 2019 (March 2019)

Contents	Subject	Page No
	GDPR Privacy Statement	1
1	Purpose and Scope	3
2	Standard Grievance Procedure	3
3	Stage One: Grievance	3
4	Stage Two: Appeal	4
5	Post-Employment Grievance Procedure	5
6	Vexatious Complaints	5
7	Document Information	5
8	Document Control	6

The General Data Protection Regulation (GDPR) standardizes data protection law across all 28 EU countries and imposes strict new rules on controlling and processing personally identifiable information (PII). It also extends the protection of personal data and data protection rights by giving control back to EU residents. GDPR replaces the 1995 EU Data Protection Directive and goes into force on May 25, 2018. It also supersedes the 1998 UK Data Protection Act.

GDPR PRIVACY STATEMENT

(General Data Protection Regulations)

This is a privacy statement of Andover Town Council. Our registered office address is 68b High Street, Andover, Hampshire, SP10 1NG.

INTRODUCTION

- This is a statement to inform you of our policy about all the information we record about you. It sets out the conditions under which we may process any information that we collect from you or that you provide to us. Any information that identifies you (“Personal Information”) is used to provide you with the services you require.
- We regret that if there are one or more points below that you are not happy with us holding, we have to hold this under General Data Protection Regulations (GDPR) law.



Grievance Policy

- We take seriously the protection of your privacy and confidentiality. We understand that all visitors to our websites, customers and clients are entitled to know that their personal data will not be used for any purpose other than the lawful basis upon which it was provided for.
- We undertake to preserve the confidentiality of all information that you provide to Andover Town Council.
- Our policy complies with UK law accordingly implemented including that required by the GDPR.
- The law requires us to tell you about your rights and our obligations to you in regards to the processing and control of your personal data. We do this now by requesting that you read the information provided at www.knowyourprivacyrights.org.
- Except as set out in our GDPR policies (which can be found at www.andover-tc.gov.uk we do not share, sell or disclose any personal data to any other organisation or third party.

THE BASIS ON WHICH WE PROCESS INFORMATION ABOUT YOU

The law requires us to determine under which of the six defined bases, we process different categories of your personal information. If a basis on which we process your personal information is no longer relevant, your personal information will be destroyed.

If the basis changes then as required by law, we will notify you of the change and of any new basis under which your personal data is being held.

ALLOTMENTS

Data is held on an internal Town Council database/software system and is used to send you Newsletters, Yearly Invoices, Receipts, Follow-Up letters and Terminations if necessary.

Tenancy Agreements are held for 1 year after the expiry of the agreement under the GDPR guidelines (subject to change).

EMAILS & WEBSITES

If you contact the Town Council via email or our website, your personal data i.e. email address, will be kept for the time it takes to answer your enquiry, unless another lawful reason becomes apparent, which we will notify you of, after which time it will be destroyed.

For details of our full Privacy Policy, please refer to www.andover-tc.gov.uk. Alternatively, you may write to us at Andover Town Council, 68b High Street, Andover, Hampshire, SP10 1NG and we will send you a hard copy.



1. Purpose and Scope

There may be a time when a problem arises that concerns an employee and he/she feel it is a matter that Andover Town Council should help to resolve.

The purpose of the grievance policy is to ensure that, in such circumstances, the employee has the opportunity to discuss the problem and find a mutually agreeable solution. If such a problem arises, Andover Town Council aims to ensure that it is resolved fairly and promptly.

2. Standard Grievance Procedure

Employees are encouraged to raise any concerns which they may have about any aspect of his/her work with his/her line manager, informally in the first instance. Mediation by an external body may also be utilised in an effort to informally resolve grievances. If the matter remains unresolved, the employee has the right to take action through the grievance procedure.

Andover Town Council aims to resolve problems as near as possible to their point of origin. However, should this fail to produce a result which the employee is satisfied with, the grievance procedure allows the employee to take his/her case to a higher level.

No formal action will be taken until the grievance has been thoroughly investigated.

An employee will be given reasonable notice (between one and three working days) to attend a grievance hearing. The meeting may be held sooner if acceptable to all parties. If the employee and his/her chosen companion are unable to attend at the time suggested, the employee should inform the manager as soon as possible before the time set for the grievance hearing. Alternative dates and times suggested must be provided within five days of the original grievance hearing.

3. Stage One: Grievance

The matter should be set out in writing and addressed in the first instance to the employee's manager. If this is not appropriate because the grievance involves the employee's manager then the grievance should be raised with Chairman of the Staffing Sub-committee or the Chairman of the Town Council. Grievances against the Town Clerk will be heard by a panel of 3 Andover Town councillors. Andover Town Council may also appoint someone to attend and minute the meeting. The employee must make it clear that the matter is being raised as the first step in the grievance procedure. The employee will be invited in writing to attend a meeting to discuss the grievance and must take all reasonable steps to attend the meeting.

At the grievance meeting the employee has the right to be accompanied by a companion. The companion may be either a trade union representative or an Andover Town Council employee of his or her choice. If the employee wishes to exercise his or her right to be accompanied, he or she should inform their manager as soon as practicable of the identity of his or her companion. The companion can address the meeting to put and sum up the employee's case, respond on behalf of the employee and to confer with the employee during the meeting, but will not be permitted to answer questions on the employee's behalf.

The employee must take all reasonable steps to attend the grievance meeting. Where an employee (and/or his or her companion) cannot attend the grievance meeting, they should inform the person conducting the meeting as soon as practicable. If the employee (and/or his or her companion) fails



to attend for a reason which was unforeseeable at the time the grievance meeting was arranged, another meeting will be arranged. If the employee fails to attend the rearranged meeting without good reason, a decision may be taken in his or her absence.

Following the meeting, the employee will be notified of the decision in writing and his/her right of appeal.

4. Stage Two: Appeal

At each stage of the procedure the employee has the right of appeal. If an employee wishes to appeal, they should do so to the person they have been notified to appeal to, in writing, within five working days of the date on which the employee received notification of the grievance decision, setting out the grounds of his or her appeal. In exceptional circumstances, Andover Town Council may agree to extend this time limit to allow the employee an opportunity to consider the decision and/or his or her grounds for appeal.

Andover Town Council will then arrange for an appeal meeting to take place. The appeal will be heard by an appeals panel made up of three members of the Andover Town Council and who, where possible, have not previously been materially involved in the detail of the case. Andover Town Council may also appoint someone to attend and minute the meeting. The appeal meeting will take place at a time and location that is reasonable for both the Andover Town Council and the employee. At the appeal meeting, the employee will have an opportunity to comment on any new evidence arising during the appeal before any decision is taken.

At the appeal meeting the employee has the right to be accompanied by a companion. The companion may be either a trade union representative or an Andover Town Council employee of his or her choice. If the employee wishes to exercise his or her right to be accompanied, he or she should inform Andover Town Council as soon as practicable of the identity of his or her companion. The companion can address the meeting to put and sum up the employee's case, respond on behalf of the employee and to confer with the employee during the meeting, but will not be permitted to answer questions on the employee's behalf.

The employee must take all reasonable steps to attend the appeal meeting. Where an employee (and/or his or her companion) cannot attend the appeal meeting, they should inform the person conducting the meeting as soon as practicable. If the employee (and/or his or her companion) fails to attend for a reason which was unforeseeable at the time the appeal meeting was arranged, another meeting will be arranged. If the employee fails to attend the rearranged meeting without good reason, a decision may be taken in his or her absence.

In some cases, the manager hearing the appeal may choose to have a rehearing of all the evidence at the appeal. There is no further appeal from this rehearing.

If the appeal is upheld Andover Town Council will withdraw or alter the outcome letter from the grievance meeting. The manager hearing the appeal will write to the employee giving the reasons for the appeal being upheld. Copies will be given to the employee and placed on the employee's personnel file.

If the appeal is not upheld, then the decision issued at the grievance meeting will stand.

The decision of the panel hearing the appeal will be final.



5. Post-Employment Grievance Procedure

A grievance may also be brought by an employee after termination of employment and this would normally be within three months of leaving employment.

A modified grievance procedure is available to ex-employees and only where:

Andover Town Council was unaware of the grievance prior to the employment ending or was aware but Andover Town Council grievance procedure was not initiated or had not been completed by that time; and

Both parties have agreed in writing that the modified grievance procedure will apply.

The modified grievance procedure differs from the normal grievance procedure as it does not involve any meetings to discuss the issues. Andover Town Council's decision will be final and there is no further right of appeal against Andover Town Council.

Stage 1 - Writing

The ex-employee must set down in writing the nature of their grievance and send this to the person conducting the investigation.

Stage 2 - Response

Andover Town Council will respond to the ex-employee in writing. This decision will be final and there is no right of appeal.

6. Vexatious Complaints

Should it be evident that an employee has presented a vexatious or frivolous complaint, this will be investigated in accordance with Andover Town Council's Disciplinary Policy.

7. Document Information

Title:	Expenses Policy
Status:	3 rd draft
Version:	14 March 2019
Consultation:	Policy & Resources Committee
Approved by:	Council
Approval Date:	14 March 2019
Review Frequency:	Every three years or if change occurs
Next Review:	March 2022



8. Document Control

Date	Version	Description	Sections Affected	Approved by
Nov 2016	1	1 st Draft	All	Policy & Resources Committee
Mar 2019	2	2 nd Draft	All	Council

Disclaimer:

A printed version may not be the current version.

A current version may be obtained in the required format from the Town Clerk's Office at Andover Town Council.