



PRESTATYN TOWN COUNCIL

Grievance Policy & Procedures 2025 / 2026

prestatyn town council, 10/10/2024

VERSION UPDATES

Version	Date	Section	Details of Change
V1	04.11.2015	Whole Document	First draft document
V2	10.07.2025	Whole Document	First draft document
V2(b)	11.12.2025	Minor changes	To reflect change from 2 years to 6 months for dismissal claims (upcoming legislation changes)

APPROVALS AND DISTRIBUTION

Version	Date	Meeting	Reference
V2(b)	08.01.2025	Approved by Policy Review Sub-Committee	Policy Review Sub-Committee meeting - 08.01.2025
V2(b)	11.02.2026	Approved by Finance & Management Committee	Policy approved
V2(b)	22.04.2026	Full Council	Formally approved

Signature:  Peter Davis (Clerk) Mayor Holliday

Date: 12-5-26

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INTRODUCTION

Prestatyn Town Council (PTC) is committed to creating a harmonious and safe working environment, which is free from harassment and bullying and in which every employee is treated with respect and dignity. PTC strives to ensure that the different experiences, abilities and skills of individuals are valued; inappropriate behaviour should be challenged. It is PTC's intention to encourage everyone to always behave in a proper manner.

Harassment or bullying causes stress, anxiety and unhappiness to individuals, creates an unpleasant environment in which to work and may be unlawful. This can reduce efficiency and may ultimately have an impact on the way in which services are delivered to our constituents. For these reasons, it is important that PTC, as an employer, and individual employees strive to achieve a working environment which is free from this type of behaviour.

The harassment, bullying or victimisation may be a one-off incident, or it may be a series of incidents. Dignity at work can be affected by inappropriate behaviour, which causes offence, whether it is intentional, or not.

PTC is committed to ensuring that individuals do not feel apprehensive because of their race, religion or belief, disability, sex, sexual orientation, pregnancy or maternity, gender reassignment, marriage or civil partnership, age, or because of being subjected to any inappropriate behaviour.

Positive Work Environment

All employees can expect to:

- Be treated with dignity, respect and courtesy
- Be able to work, free from unfair treatment, bullying, harassment or victimisation
- Be valued for their skills, abilities and experiences
- All employees are expected to
- Familiarise Themselves with the content of this policy
- Treat all employees with dignity, respect and courtesy
- Contribute towards a positive working culture
- Challenge or report unacceptable behaviour
- Be mindful of others when expressing views
- Cooperate with investigations into harassment and bullying

Breaches of this policy will be considered unacceptable behaviour and will be treated as misconduct, which may include gross misconduct warranting dismissal. All employees must comply with this policy. PTC is committed to dealing with any issues quickly, positively and confidentially when and if they occur.

It is important to remember that comments made outside of work, e.g. on social networking sites, may be used as evidence in investigations on bullying and harassment matters.

For further information please see PTC's Dignity at Work Policy 2025.

Employees' Responsibilities

All employees have a responsibility to help create and maintain a working environment that respects the dignity of employees. Harassment and bullying can cause serious and genuine problems and employees should ensure that their behaviour is beyond question and could not be considered in any way to be harassment or bullying. No one should practise or encourage such behaviour and should make it clear to all concerned that it is unacceptable. Colleagues should be supported if they are experiencing harassment or bullying and are considering making a complaint. Employees should alert management of any incidents to enable PTC to deal with the matter.

Whilst this procedure is designed to assist genuine victims of harassment or bullying, employees should be aware that false complaints proven to be deliberately vexatious, lead to proceedings against the employee under the disciplinary procedure.

Reporting Bullying and Harassment

Harassment can be raised informally or formally. Anyone can report a bullying or harassment issue they have seen or heard at work, even if it is not directed at them.

Managerial Responsibility

Managers and supervisors have a responsibility to ensure that harassment or bullying does not occur in work areas for which they are responsible. They must be committed to the elimination of bullying and harassment and must be vigilant in preventing acts wherever possible.

Managers and supervisors also have a particular duty to set a proper example by treating everyone with dignity and respect and ensure that their behaviour is beyond question.

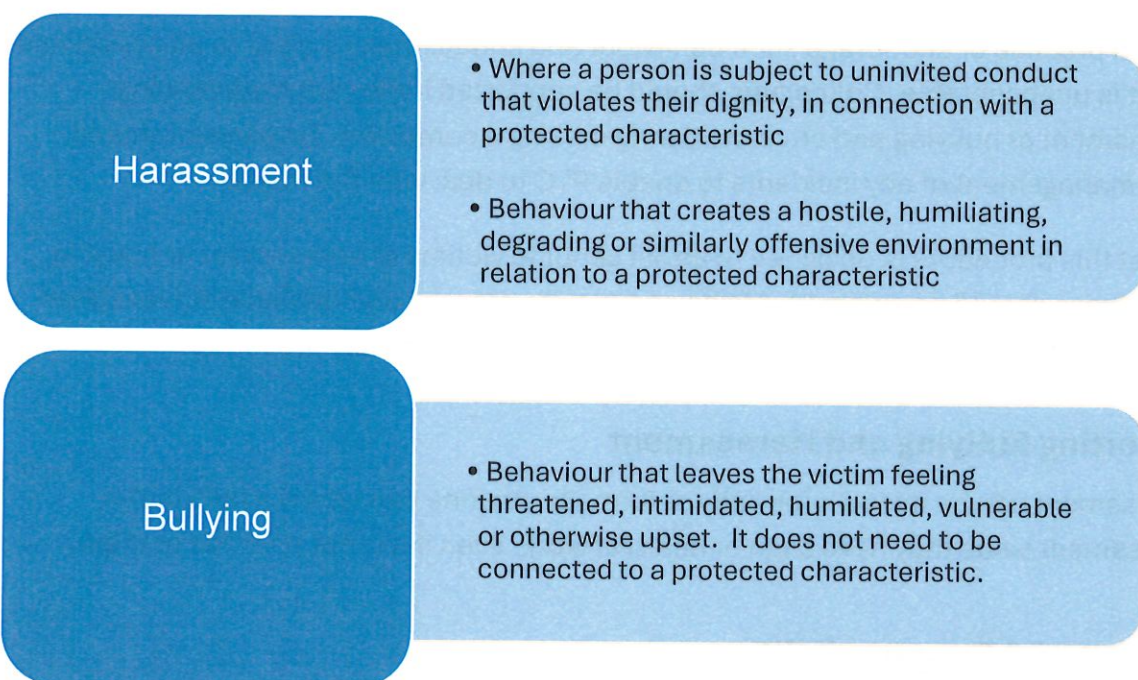
Managers also have a responsibility to make staff aware of PTC's policies and take steps to promote a positive work environment. They must be responsive and supportive

to any member of staff who makes a complaint, provide full and clear advice on the procedure to be adopted, maintain confidentiality in all cases and ensure that there are no further problems or any victimisation after a complaint has been raised or resolved.

PTC will ensure that all managers, supervisors and other staff are fully aware of this policy and the procedures for dealing with harassment and bullying.

What Type of Treatment Amounts to Bullying or Harassment?

‘Bullying’ or ‘harassment’ are phrases that apply to treatment from one person (or a group of people) to another, which is unwanted and that has the effect of violating that person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.



For further information please see **Appendix 1** and PTC’s Dignity at Work Policy 2025.

STEPS TO TAKE UPON RECEIVING NOTICE OF AN ISSUE

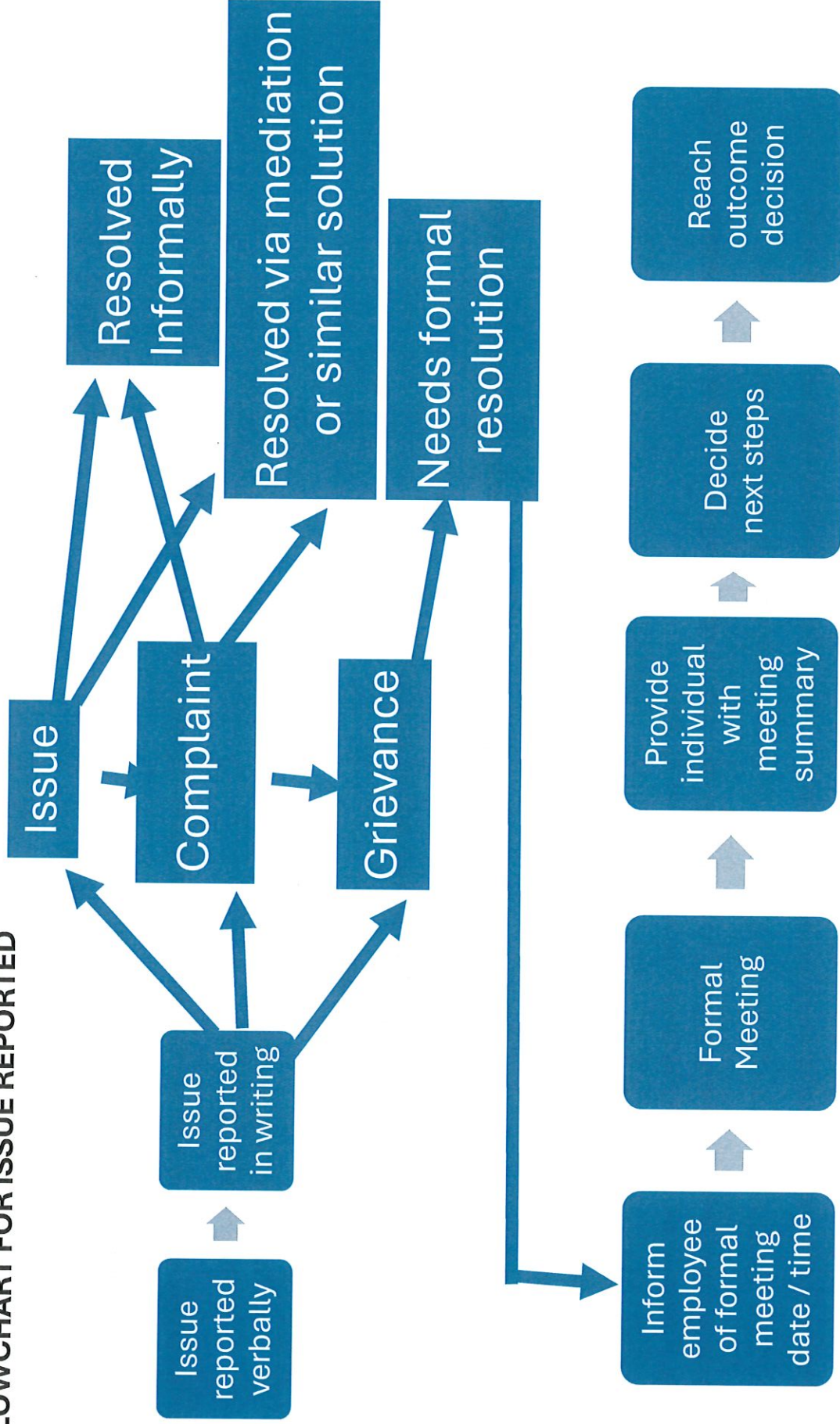
Upon receiving notice of an issue, the below steps must be followed by management:

1. If the issue is reported via verbal means, request that it is put into writing by the individual/s reporting the issue.
2. Once the issue has been recorded in writing, an immediate acknowledgement is required (example below):

Thank you for making PTC aware of this issue. I will investigate this matter further and get back to you within 2 working days. Details of a meeting, if required, will be made available to you within 5 working days.

3. Categorise the nature of the issue and decide upon whether a grievance meeting is required:
 - a. Resolve informally
 - b. Inform employee of meeting time / date and who will be present
4. Hold meeting and make notes (see **Appendix 1**) (the employee may be accompanied by a colleague or accredited trade union official if they wish)
5. Provide employee with a meeting summary and any agreed upon actions
6. Decide on next steps and how to proceed
7. Reach a decision
 - a. The grievance is dismissed
 - b. The grievance is upheld
8. Inform the employee that they have the right to appeal the decision within 5 working days
9. Hold an appeal meeting if requested
10. Inform the employee of the final decision in writing

FLOWCHART FOR ISSUE REPORTED



CATEGORISING FOR DEALING WITH COMPLAINTS & GRIEVANCES

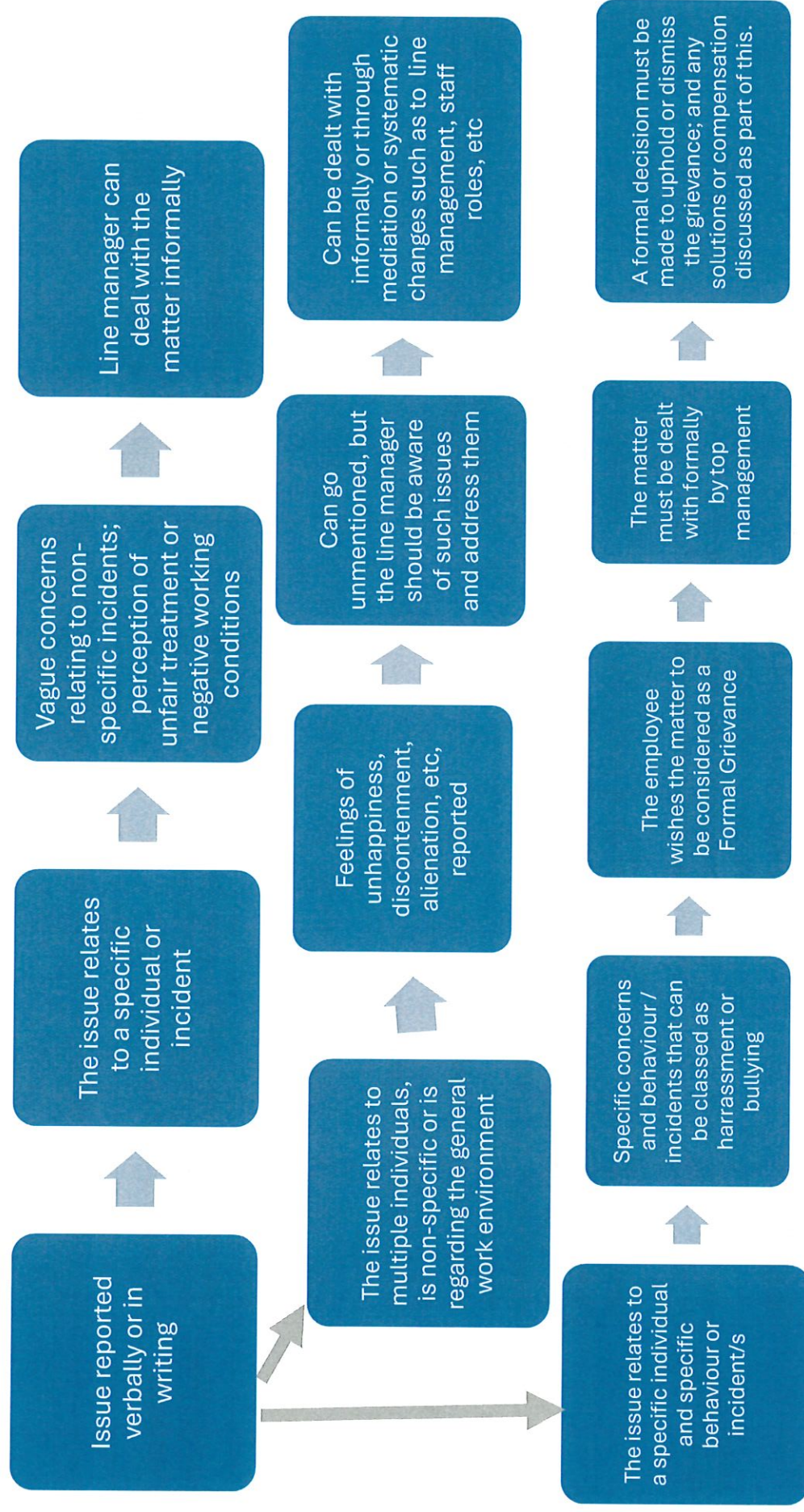
DEFINITIONS

TERMS	ISSUE	COMPLAINT	GRIEVANCE
DEFINITION	Non-specific: unresolved tension, miscommunication or undesirable behaviour/s observed or felt Can involve multiple individuals A complaint can be made for both minor and major issues such as	Surface-level concerns or dissatisfaction expressed by a specific employee Unfair or unacceptable act of management An employee may feel mistreated or disregarded Working conditions that have negatively affected the terms and conditions of employment or violated the provisions of human resource-related policies Any specific act, treatment, behaviour or state which an employee perceives as unfair or unjust Discontentment can be real or imaginary	From a specific employee Any complaint or dispute voiced by an employee relating to an incident, decision, or issue, having (or perceived as having) an adverse effect on the employee's performance Dispute voiced by an employee relating to an incident, decision, or issue amidst employer and employee, having an adverse effect on the employee's performance Issues related to lawful policies, procedures or legal rights Violation of terms of collective bargaining agreement (The Trade Union and Labour Relations (Consolidation) Act 1992) An unfair or inappropriate act that the employee has a reasonable expectation against occurring due to the law Discontentment expressed or implied may be legal and rational or untrue and irrational, real or imaginary

TERMS	ISSUE	COMPLAINT	GRIEVANCE
EXAMPLES	Inappropriate or unprofessional conduct	Inappropriate or unprofessional conduct	Unlawful harassment
	Interpersonal conflicts	Unlawful harassment or bullying	Repeated bullying from manager / co-workers
	Repeated miscommunication or lack of communication	Issues with health and safety	Discrimination, bullying, harassment, misconduct
	Lack of understanding or training	Organisational complains	Discrimination based on protected characteristics
		Organisational policy or decision-making	Breaches of conduct, standing orders or any area of recognised law by the employer
		Interpersonal conflicts	Poor working conditions or changes in working conditions, such as scheduling
		Lack of sufficient training	Hostile employer-employee relationship
		Poor working conditions	Bias or unfair management policies
		Incorrect salary payments	Incorrect salary payments
		Inappropriate working conditions, long working hours	Promotion and employment terms
FORM FORMAL / INFORMAL SCOPE		Unavailability of required equipment	Holiday restrictions
	Involves one or more people; may go unmentioned	Oral or written claim by the complainant	Disciplinary action
	Informal	Informal	Written complaint by an employee
	Minor or Major	Minor or Major	Formal
			Major

TERMS	ISSUE	COMPLAINT	GRIEVANCE
REPORTED TO	Can be unmentioned	Line Manager	Overall Manager / HR
AGAINST / REGARDING	Various	Management, a specific manager, the work environment, a co-worker, office equipment, facilities provided, workload, payment discrepancies	
EFFECTS	Unhappiness in the workforce; discontentment, alienation, demotivation, absenteeism, frustration, low morale, negligence, inefficiency, unproductivity, poor work quality, insubordination, resistance to change Over-ambition, unrealistic attitude towards role and work	Over-ambition, unrealistic attitude towards role and work	As under 'Issues' Over-ambition, unrealistic attitude towards role and work Formal complaints made to external governing or legal bodies if dissatisfied with the employer's actions
RESOLUTION PROCESS	May require mediation, staff movement, change in line managers, disciplinaries, etc	Can be resolved quickly and informally	Requires a formal process May result in dismissals, settlements, disciplinaries, staff restructuring, etc

FLOWCHART FOR CATEGORISING THE ISSUE



GRIEVANCE MEETING

Questionnaire for a Formal Meeting – Page 1	
Is the employee accompanied by anyone?	
Has the issue/s caused any sickness absence for the employee? Or anyone else connected to the issue?	
What is the primary complaint/s?	
What date / time did the incident/s take place?	

Questionnaire for a Formal Meeting – Page 2

Are there any witnesses or collaborating evidence?	
How has the issue/s affected your work or work relationships?	
What actions or outcome would you like to see?	

Questionnaire for a Formal Meeting – Page 3

Are you able to continue in your role in the current circumstances?

Is there any other individual/s involved?

Any other comments or relevant information?

PUBLIC INTEREST DISCLOSURES

(Whistleblowing)

PTC recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and PTC's success is to be ensured.

Any individual who, in the public interest, raises genuine concerns will not be subjected to any form of detriment or disadvantage because of having done so. The victimisation or harassment of an individual making a protected disclosure is a disciplinary offence. This protection applies if an employee reasonably believes that one of the following sets of circumstances is occurring, has occurred or may occur within PTC and that the disclosure is within the public interest:

- A criminal offence has been committed, is being committed or is likely to be committed.
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which s/he is subject.
- A miscarriage of justice has occurred, is occurring or is likely to occur.
- The health and safety of any individual has been, is being or is likely to be endangered.
- The environment has been, is being or is likely to be damaged.
- Information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

It is not necessary to prove the breach or failure alleged has occurred or is likely to occur, the suspicion need only be reasonable to be raised; however, an individual will not be protected from the consequences of making such a disclosure if, by doing so, they are committing a criminal offence.

Procedure

1. The issue should be raised with the line manager
2. If the issue cannot be raised with the line manager, then it should be raised with a different manager at the same level or the Town Clerk, the Staffing Committee or the mayor (depending on the circumstances surrounding the issue).
3. If management feels it suitably necessary, an investigatory meeting will be held with the employee regarded as a witness.
4. Depending on the nature of the issue, it may not be possible to find an immediate solution, but the matter will be investigated as quickly as possible.
5. The employee will be advised when any investigation is completed, and the appropriate action has been taken. Depending on confidentiality, they may not be informed of specific details.
6. Where it is necessary for a disclosure and the minutes of an investigative meeting to be supplied to an employee as part of evidence supporting disciplinary action, measures will be taken to make sure that the working environment and working relationships are not prejudiced by the disclosure.

Appeal

If an employee is dissatisfied with the outcome of the procedure, the matter can be raised with the Chair of the Staffing Committee or the mayor. If the employee remains dissatisfied with the outcome, then they have the right to express their concerns to the relevant Prescribed Person designated by the Public Interest Disclosure (Prescribed Persons) Order 2014 (or any superseding legislation). In Wales, this is the Auditor General for Wales. They can be contacted regarding the proper conduct of public business, value for money, fraud and corruption in public bodies in Wales.

PIDA Officer

The Auditor General for Wales
24 Cathedral Road
Cardiff
CF11 9LJ

Tel: 029 20 320 522

Email: whistleblowing@audit.wales

Website:

www.audit.wales/whistleblowing

A disclosure may also be made to Protect, the leading authority on public interest whistleblowing, if an individual is dissatisfied with the outcome of an appeal or if Protect may have an interest in the matter.

[Protect - Speak up stop harm - Whistleblowing Homepage](#)

Disclosures made to legal advisors in the course of obtaining legal advice will be protected. If the relevant failure is believed to be mainly due to the conduct of a person for whom PTC has no legal responsibility, the disclosure should be addressed to that other person.

Disclosures found to have been made in bad faith (e.g. untrue or made to cause disruption within PTC), may result in disciplinary action against the employee.

APPENDIX 1

Bullying & Harassment (Acas)

What is Bullying

There is no legal definition of bullying, it can be described as unwanted behaviour from a person or group that is either:

- Offensive, intimidating, malicious or insulting
- An abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone

Bullying may be:

- Be a regular pattern of behaviour or a one-off incident
- Happen face-to-face, on social media, in emails or calls
- Happen at work or in other work-related situations
- Not always be obvious or noticed by others

It is possible someone might not know their behaviour is bullying. It can still be bullying even if they do not realise it or do not intend to bully someone.

Examples of Bullying

- Constantly criticising someone's work
- Spreading malicious rumours about someone
- Constantly putting someone down in meetings
- Deliberately giving someone a heavier workload than everyone else
- Excluding someone from team social events
- Putting humiliating, offensive or threatening comments or photos on social media

Upward Bullying

Bullying can also happen from staff towards someone more senior, for example a manager. This is sometimes called 'upward bullying' or 'subordinate bullying'. It can be from one employee or a group of employees.

It can be difficult for someone in a senior role to realise they are experiencing bullying behaviour from their staff. It is important to consider the real reasons for the behaviour. For example, there might be a wider issue with the culture of the organisation that can be identified and addressed.

Examples of upward bullying:

- Showing continued disrespect
- Refusing to complete tasks
- Spreading rumours
- Constantly undermining someone's authority
- Doing things to make someone seem unskilled or unable to do their job properly

When Bullying is Harassment

Bullying and harassment are often confused. By law (Equality Act 2010), bullying behaviour can be harassment if it relates to any of the following 'protected characteristics':

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation

Bullying not classed as harassment could still lead to other legal issues. For example, severe bullying might contribute towards constructive dismissal.

Employer / Employee Responsibilities

Employers and employees have a mutual duty to treat each other honestly and with respect. This means employees have the right to have trust and confidence in their employer and expect to not to be bullied at work.

Employers have the right to expect employees not to bully each other expect employees to treat their managers with respect and follow all reasonable instructions. Employers also have a legal duty of care to protect their employees from harm. This includes dealing with bullying issues.

Employers should do all they can to try to prevent bullying from happening and take any bullying complaint seriously and investigate it as soon as possible.

What is Harassment

In discrimination law (Equality Act 2010) there are **three types of harassment**:

- Harassment related to certain 'protected characteristics'
- Sexual harassment
- Less favourable treatment as a result of harassment

Harassment and bullying are often confused. Bullying behaviour can be harassment if it meets the definitions on this page.

Harassment Related to a Protected Characteristic

This type of harassment is unwanted behaviour related to any of the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation

To be harassment, the unwanted behaviour must have either:

- Violated the person's dignity
- Created an intimidating, hostile, degrading, humiliating or offensive environment for the person

It can be harassment if the behaviour:

- Has one of these effects even it was not intended
- Intended to have one of these effects even if it did not have that effect

By law, whether someone's **behaviour counts as harassment depends on:**

- The circumstances of the situation
- How the person receiving the unwanted behaviour views it
- If the person receiving the behaviour is 'reasonable' to view it as they do

If someone makes a harassment claim to an employment tribunal, the judge will consider whether a 'typical' person would see the behaviour as harassment.

Examples of unwanted behaviour:

- A serious one-off incident
- Repeated behaviour
- Spoken or written words, imagery, graffiti, gestures, mimicry, jokes, pranks, physical behaviour that affects the person

The person being harassed might feel:

- Disrespected
- Frightened
- Humiliated
- Insulted
- Intimidated
- Threatened

It can still be against the law even if the person being harassed does not ask for it to stop.

The law on harassment related to a protected characteristic applies when someone:

- Has a relevant protected characteristic
- Is harassed because they are thought to have a certain protected characteristic when they do not
- Is harassed because they have a connection with someone with a certain protected characteristic
- Witnesses harassment, if what they have seen has violated their dignity or created an intimidating, hostile, degrading, humiliating or offensive working environment for them

Example of Harassment Related to Sexual Orientation

Quinn is gay and has not told people at work. When out with their partner one evening, Quinn runs into someone from work. They tell the rest of the team that Quinn is gay. After this, people in the team start ignoring what Quinn says in daily team meetings. Quinn finds this humiliating and uncomfortable. This behaviour is likely to be harassment on the grounds of sexual orientation.

Example of Harassment Related to Sex

Taylor is an apprentice and is the only man in a team of women. Taylor is expected to make drinks for everyone and do the washing up. Several people make comments that "it's nice to see a man doing the chores for once". This becomes a common joke in the team. Taylor feels disrespected and intimidated. This behaviour is likely to be harassment on the grounds of sex.

Sexual harassment is unwanted behaviour of a sexual nature. This type of harassment does not need to be related to a protected characteristic. For example, someone who thinks they've been sexually harassed does not need to show it was because of their sex or sexual orientation.

Less favourable treatment as a result of harassment is when someone experiences less favourable treatment because of how they responded to previous harassment.

It can apply whether the person rejected or 'submitted to' (accepted) the previous harassment. Harassment happens when the person is treated less favourably than they would have been if they had not responded to the previous harassment in the way they did.

The previous harassment must have been either:

- Sexual harassment
- Harassment related to sex
- Harassment related to gender reassignment

Example of less favourable treatment because of harassment

Jade receives several sexual advances from their manager but rejects them. A few weeks later at Jade's yearly performance review, the manager gives them a poor performance score. Jade is regularly praised by others for their hard work. This could be harassment if Jade's poor performance score is because they rejected the manager's advances.

Harassment law does not cover the protected characteristics of:

- Marriage and civil partnership
- Pregnancy and maternity
- If someone experiences worse treatment because of having one of these protected characteristics, they might have experienced direct discrimination

If someone who's pregnant or on maternity leave experiences unwanted behaviour, this could be harassment related to sex. An example of this could be offensive comments about pregnant women.

Other Kinds of Harassment

Under the Protection from Harassment Act 1997 there is a type of harassment which is separate to the 3 types of harassment under the Equality Act 2010.

This is behaviour that causes alarm or distress but is not necessarily related to a protected characteristic. It includes stalking. It can be a criminal act.

APPENDIX 2

Employee Dismissal

Automatically Unfair Reasons for Dismissal

Some things are 'automatically unfair' if they're the main reason for dismissing an employee. An employee **does not need to be employed for six months** to claim automatically unfair dismissal

These include:

- Making a flexible working request
- Being pregnant or on maternity leave
- Wanting to take family leave
- Being a trade union member or representative
- Taking part in legal, official industrial action for 12 weeks or less
- Asking for a legal right
- Doing jury service
- Being involved in whistleblowing
- 'Compulsory retirement'
- Unfair dismissal because of a health and safety issue

An employer must not cause 'detriment' to the worker if they:

- Reasonably believe being at work or doing certain tasks would put them in serious and imminent danger
- Take reasonable steps over a health and safety issue, for example complaining about unsafe working conditions
- Inform the employer about a health and safety issue in an appropriate way

Detriment means being treated worse than before, such as:

- A reduction in work hours
- Bullying or harassment
- Refusal of training requests without good reason
- Overlooked for promotions or development opportunities

Employees cannot be dismissed for taking part in industrial action if:

- It is called as a result of a properly organised ballot
- It is about a dispute about employment terms and conditions
- The employer receives a legally required, detailed notice about the industrial action at least 7 days before it begins
- They take part in the action at any time within the 12 weeks from when it began
- Non-union members have the same rights as union members not to be dismissed if they take part in legal, official industrial action
- After 12 weeks, employees could be dismissed for taking part in industrial action if the employer has tried to settle the dispute. For example, the employer may have asked Acas to help find a solution.

Constructive Unfair Dismissal

When an employee feels they have no choice but to resign because of something serious their employer has done.

Wrongful Dismissal

An employee **does not need to be employed for six months** to claim wrongful dismissal. A 'wrongful dismissal' is when an employer has breached an employee's contract, often to do with notice period or notice pay, such as:

- Dismissing an employee without giving them a notice period or notice pay
- Not giving someone the full notice period they're entitled to

Employment Tribunal

An employee has the right to make an unfair dismissal claim to employment tribunal if:

- They are legally classed an employee
- They have been employed for six months, unless they've been dismissed for 'automatically unfair' reasons or discrimination – e.g. race, sex or another 'protected characteristic'
- Claims can be made for both discrimination and unfair dismissal
- They make a claim within the time frame [3 months minus one day] from the date that their employment ended

