



## Staff Grievance Policy and Procedures

### 1. Aims

This policy aims to enable employees to raise concerns about workplace issues without fear of victimisation and repercussion, and to ensure all grievances are dealt with fairly and objectively.

### 2. Legislation and guidance

We are required to set out grievance procedures under general employment law.

These grievance procedures are based on the disciplinary and grievance code of practice from Acas.

These procedures also comply with our funding agreement and articles of association.

### 3. Definitions

A **grievance** is a concern, problem or complaint raised with the school by an employee. It can be caused by issues such as working conditions, health and safety concerns, bullying or discrimination or work relations. This policy does not cover issues raised by people who are not employed by the school, as this would fall under our complaints procedure

### 4. Grievance procedures

We are committed to dealing with grievances fairly and objectively. Employees will be protected from discrimination or victimisation after raising a work-related grievance.

#### 4.1 Informal stage

In the first instance, we will aim to resolve an employee's grievance informally with their line manager. If the member of staff's concerns relate to their line manager they should discuss the issue with the line manager's manager.

It may be necessary for the member of staff who has raised a grievance to attend a meeting to discuss the concerns in more detail. However, this will be determined on a case-by case basis.

#### 4.2 Formal stage

If it is not possible to resolve the matter informally, employees should set out their grievance in writing to their line manager. If the subject of the grievance is the line manager, the employee should submit the written grievance to the Executive Principal. If the grievance is against the Executive Principal it should be submitted to the Chair of Governors.

Upon receipt of a grievance, an investigating officer will be appointed. This will be an independent individual with no prior knowledge of the complaint.

A grievance panel will also be appointed. This group of people will be separate from the investigating officer and will be chaired by an independent individual, with no prior knowledge of the complaint. The panel may include the Headteacher/Chair of Governors/Employee's Line Manager/other senior member of staff.



The investigating officer will undertake a grievance investigation and will make a recommendation.

A formal meeting will be arranged within 10 working days after the grievance has been raised. At the meeting, the employee will be given the opportunity to explain their grievance and how they think it should be resolved.

Employees have a statutory right to be accompanied by a companion at a grievance meeting. The companion must be a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

#### **4.3 Deciding on appropriate action**

The meeting will be adjourned and the grievance panel will reflect on it before coming to a decision.

This decision will be communicated to the employee in writing within 5 working days. It will set out the action that will be taken to resolve the grievance. It will also inform the employee that they can appeal if they are not satisfied with the outcome, and explain how to do this.

#### **4.4 Appeals**

If the employee is not satisfied with the outcome of the grievance they have the right to appeal the decision.

The employee should set out their grounds of appeal in writing as soon as possible (and not after 14 days of the receipt of the decision) and submit this to the Executive Principal/Chair of Governors.

A grievance appeal panel will be appointed. This will be a group of people independent from any previous stage of the grievance procedure.

Appeals will be heard without unreasonable delay. Employees will be told the time and place of the appeal meeting in advance.

Employees have the same statutory right to be accompanied to the appeal meeting by a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The outcome of the appeal will be confirmed in writing to the employee within 5 working days.

### **5. Record keeping**

Minutes will be kept of all meetings. Where possible, these will be confirmed as an accurate reflection of what was discussed during the meeting.

Records of all materials relating to the grievance process will be kept securely, only for as long as necessary and in line with data protection law and our privacy notices.

### **6. Monitoring arrangements**

This policy will usually be reviewed every 2 years, but can be revised as needed. It will be reviewed by the Executive Principal and governing body

The policy will be approved by the full governing board.



## 7. Links with other policies

This policy links with our policies on:

Staff disciplinary procedures

Complaints procedure, which sets out how grievances will be raised by those not employed by the school

Single Equality and Disability Equality Scheme (inclusive of Accessibility Plan)

Staff Privacy notice

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The Governing Body approved this procedure on date: **7<sup>th</sup> December 2018**

Signed:

Chair of Governors

Signed:

Principal



## Appendix 1

### **Procedure to be followed at hearings under the Formal Grievance Resolution Procedure**

All parties should be sent a letter (with a duplicate copy for any representatives) notifying them of the hearing to be received not less than seven working or ten consecutive days before the hearing itself.

In this procedure reference to the "employee" means the person who has initiated proceedings under the formal grievance procedure, reference to the "colleague" means the other party to the grievance; both shall include their personal representatives. At appeal stage the "appellant" will take the place of the "employee" as designated under the procedure:

- The written reports of all parties shall be submitted to the panel hearing the grievance setting out details of the grievance and any steps already taken to resolve the matter. Copies of all documentation shall be sent to all parties at the same time as the notice of the date and time of the meeting;
- Both the employee and colleague shall be entitled to attend the hearing and to be accompanied by a work colleague or Trade Union representative and to call witnesses and produce relevant documents;
- The Chair of the hearing will introduce those present, explain the purpose of the hearing and the procedure to be followed, and will establish whether witnesses are to be called by either side;
- The employee shall state the case in the presence of the colleague and may call such witnesses as they consider appropriate;
- The colleague shall have the opportunity to ask questions of the employee and of the witnesses on the evidence given by them;
- The Panel will have opportunity to ask questions of the employee and witnesses as appropriate;
- Where appropriate the Investigation officer will have the opportunity to ask questions of the employee and witnesses as appropriate;
- The colleague will be asked to respond to the grievance that has been raised;
- Where appropriate the Investigation Officer will present the findings of the investigation;
- The colleague will call any witnesses;
- The employee shall have the opportunity to ask questions of the colleague and his/her witnesses (if any);
- The panel will be able to ask questions of the colleague and witnesses;



- Where appropriate the Investigation Officer will be able to ask questions of the colleague and witnesses;
- Both parties shall have the opportunity to sum up their cases if they so wish, the colleague's side have the right to do so last;
- The employee, colleague, investigation officer and any witnesses shall withdraw;
- The Panel, and any advisory officer present, shall deliberate in private, only recalling all parties together to clear points of uncertainty on the evidence already given. The Clerk to Governors shall also remain. If recall is necessary, all parties are to return even if only one is concerned with the points giving rise to doubt;
- Having heard both parties to the grievance the Principal/Chair of Governors/sub-committee will make a decision having regard to the substantial merits of both sides. In this respect they may wish to give a determination on a particular matter having regard to the possible recurrence in the future of similar circumstances;
- The Chair of the hearing shall announce the decision and/or recommendation(s) to both sides, personally or in writing as it may determine, and the findings shall in any event be confirmed in writing within **five working or seven consecutive days** of the decision being taken, together with reasons for any action taken, and any right of appeal.

Please note: Panel may refer to Principal, Chair of Governors or sub committee of Governors.

It is important that individuals who have previously been concerned in a grievance should not be involved in the deliberations of the Governing Body Grievance sub-committee, although they may appear before the Governors either as witnesses or to present the case. Anyone asked to attend in an advisory capacity will not previously have been involved in the matter in question.