



HR: Grievance Procedure

Review Due:	September 2021
Last Review	September 2020
Applicable to:	All Trust Schools
Reviewed By:	SP
Approved By:	Board of Trustees September 2020

Comments:

This policy has been reviewed in line with government requirement to review the document annually. It includes guidance through the grievance process which is in line with the current government guidance and appropriate trade union requirements. Draft approved by external solicitors.

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1. ABOUT THIS PROCEDURE

- 1.1 It is our policy to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. We aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied.
- 1.2 This procedure applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors.
- 1.3 This procedure has been implemented following consultation with staff and the recognised support and teaching trade unions.
- 1.4 This policy does not form part of any employee's contract of employment and we may amend it at any time.

2. USING THIS PROCEDURE

- 2.1 Issues that could cause grievances may include:
 - (a) terms and conditions of employment;
 - (b) health and safety;
 - (c) work relations;
 - (d) bullying and harassment;
 - (e) new working practices;
 - (f) working environment;
 - (g) organisational change; and
 - (h) discrimination.
- 2.2 This Grievance Procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the appropriate procedure which is available from the Trust Business Manager.
- 2.3 We have a separate Anti-harassment and Bullying Policy that may be useful if you have been the victim of bullying or harassment or wish to report an incident of bullying or harassment involving other people. It is available from the policies folder.
- 2.4 We operate a separate Whistleblowing Policy to enable employees to report illegal activities, wrongdoing or malpractice. However, where you are directly affected by

the matter in question, or where you feel you have been victimised for an act of whistleblowing, you may raise the matter under this Grievance Procedure.

- 2.5 This procedure does not apply to grievances concerning two or more employees (collective grievances) raised by a representative of a trade union or other representative body. These will be dealt with as appropriate to the facts of the case.
- 2.6 If you have difficulty at any stage of the Grievance Procedure because of a disability or because English is not your first language, you should discuss the situation with your line manager as soon as possible.
- 2.7 Written grievances will be placed on your personnel file along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed in accordance with our Data Protection Policy.

3. RAISING GRIEVANCES INFORMALLY

Most grievances can be resolved quickly and informally through discussion with your line manager or Headteacher/Principal. If you feel unable to speak to your manager, for example, because the complaint concerns him or her, then you should speak informally to a more senior manager or the CEO. If this does not resolve the issue, you should follow the formal procedure below.

4. FORMAL WRITTEN GRIEVANCES

- 4.1 If your grievance cannot be resolved informally you should put it in writing and submit it to line manager or Headteacher/Principal, indicating that it is a formal grievance. If the grievance concerns your Headteacher/Principal, you may submit it to the CEO instead.
- 4.2 The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations we may ask you to provide further information.

5. INVESTIGATIONS

- 5.1 It may be necessary for us to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents. The investigation may be carried out by your line manager or someone from the Trust.
- 5.2 You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.

5.3 We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

6. RIGHT TO BE ACCOMPANIED

6.1 You may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either a trade union representative or a colleague. You must tell the person holding the grievance meeting who your chosen companion is, in good time before the meeting.

6.2 At the meeting, your companion may make representations to us and ask questions, but should not answer questions on your behalf. You may talk privately with them at any time during the meeting.

6.3 Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.

6.4 If your chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, we may ask you to choose someone else.

6.5 We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) if this will help overcome a disability, or if you have difficulty understanding English.

7. GRIEVANCE MEETINGS

7.1 We will arrange a grievance meeting, normally within one week of receiving your written grievance.

7.2 You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.

7.3 The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made.

7.4 After an initial grievance meeting we may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.

7.5 We will write to you, usually within one week of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take

to resolve the grievance. We will also remind you of your right of appeal. Where appropriate we may hold a meeting to give you this information in person.

8. APPEALS

- 8.1 If the grievance has not been resolved to your satisfaction you may appeal in writing to writing to the individual detailed in your outcome letter, stating your full grounds of appeal, within [one week] of the date on which the decision was sent or given to you.
- 8.2 We will hold an appeal meeting, normally within one week of receiving your written appeal. This will be dealt with impartially by a manager who has not previously been involved in the case (although they may ask anyone previously involved to be present). You have a right to bring a companion to the meeting (see paragraph 6).
- 8.3 We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal.