



# GRIEVANCE POLICY

## 1. Rationale

- 1.1 On occasion employees may have problems or concerns relating to their employment which they wish to be addressed. These could be related to employment terms and conditions, health and safety, working practices and organisational change. This procedure sets out the school procedures for dealing with employee grievances.
- 1.2 Staff are encouraged to attempt to resolve grievances at the informal stage.

## 2. Scope

- 2.1 This procedure applies to all employees who are employed by or under a school Governing Body who has formally adopted this procedure.
- 2.2 Individual records must be treated as confidential by all parties concerned.

## 3. Principles

- 3.1 In the first instance all grievances will be dealt with under the informal stage. Only in exceptional circumstances will grievances be allowed to enter the procedure at the formal stage.
- 3.2 Management will attempt to resolve all grievances in a fair, consistent and timely manner.
- 3.3 Any complaint must be registered with the line manager within 3 months of the date on which it first arose, or where a series of associated incidents have occurred, within 3 months of the last of these incidents. Only where there are clear extenuating circumstances, such as where further evidence emerges, will these time limits be extended.
- 3.4 A complainant has the right to be accompanied at each stage of the formal procedure by a trade union representative or work colleague.
- 3.5 Any other party or parties who may be identified as the focus of the complaint also has the right to be accompanied by a trade union representative or work colleague at investigation meetings and grievance hearings, at the formal stage, if appropriate.

- 3.6 The trade union representative or work colleague accompanying the employees as described above must not be involved/potentially involved in the complaint.
- 3.7 No Governor with prior involvement at an earlier stage may hear any subsequent appeal.
- 3.8 The manager or Governors dealing with the complaint or appeal may where appropriate be supported by the school's HR Manager.
- 3.9 Timescales may be extended by agreement with both the employee and management.
- 3.10 Where the complaint is against the Headteacher, the Chair of Governors (or their nominee) will act as the stage 2 manager.
- 3.11 Where the Headteacher wishes to raise a complaint, they should first discuss the matter informally with the Chair of Governors. The Vice Chair of Governors (or their nominee) will act as the stage 2 manager.
- 3.12 Grievance appeal committees will have the power to allow or disallow the appeal or vary the decision appealed against. Their decision is final and there is no further internal process to follow.
- 3.13 The Grievance appeals committee should normally consist of three governors. However, where this is not possible the committee may comprise two governors if agreed by both parties.
- 3.14 Where an employee pursues a grievance in good faith, which is not upheld after investigation, no action will be taken. If however an employee pursues a grievance that is shown to be malicious or vexatious, disciplinary action may be taken.
- 3.15 Where the complaint relates to perceived harassment and / or bullying from another employee the Dignity at Work Policy should be followed in place of the Grievance Policy.
- 3.16 In the case of collective grievances this procedure shall apply and usually one person shall be nominated from the group to represent the complaints at all stages. For complex matters it may be appropriate to allow up to 3 people to represent the group.

## 4. Stages of the Procedure

### Stage 1 – Informal Stage (Discussion)

- 4.1 If an employee has a grievance they should make every effort to resolve the matter through communication with the relevant person.
- 4.2 Where the approach under point 4.1 has not been productive the employee should discuss their complaint with their manager. At the end of the meeting the manager will consider all the information and arrive at a decision to resolve the issue. This will be conveyed to the complainant within five working days.
- 4.3 Where appropriate the line manager may gather information from other parties to gain a full picture of the situation. In this situation confirmation of the outcome may be delayed, in which case this will be discussed with the complainant.

- 4.4 At this stage brief notes should be taken by the manager for reference.
- 4.5 If the employee remains dissatisfied with the response they should consider moving to Stage 2 – Formal Stage.

### **Stage 2 – Formal Stage (Grievance Meeting)**

- 4.6 Employees should submit their complaint in writing to the manager who dealt with the complaint at the informal stage within 5 working days of receiving the outcome of Stage 1 (informal stage discussion).
- 4.7 The written complaint should detail the following (see Appendix 1):
- The nature of the complaint
  - Details of any informal action to resolve this. If no informal action has been taken the reasons why
  - Why they are still dissatisfied
  - The outcome they are seeking and how this might be achieved
- 4.8 Where a formal written grievance has been received the manager will write back to the employee to confirm receipt. The manager will pass the grievance to a more senior manager or governor who will arrange a formal grievance meeting to consider and respond to the complaint. The employee will receive five working days' notice of the meeting.
- 4.9 At the meeting the employee will have the opportunity to state their complaint to the Stage 2 manager and outline the reasons they remain dissatisfied with the outcome of Stage 1.
- 4.10 The Stage 2 manager will consider all relevant information which may include, but is not limited to:
- Any written documentation relating to Stage 1
  - Any documentary evidence presented by the employee and the manager who dealt with the complaint at Stage 1
- 4.11 Any party wishing to submit written information to be considered by the Stage 2 manager at the meeting must do so within 3 working days of the meeting.
- 4.12 The Stage 2 manager may adjourn the meeting for the purpose of gathering any further relevant information which may include the interviewing of witnesses. A timescale should be agreed with the employee along with how the outcome will be communicated. The Stage 2 manager should keep the employee informed about any issues or delays which may affect this timescale.
- 4.13 Notes should be taken of any meeting and interviews of any witnesses. Witnesses will be asked to sign these notes to confirm an accurate record.
- 4.14 Once the Stage 2 manager has considered all the relevant information relating to the complaint the outcome will be confirmed in writing to the employee without unreasonable delay. The employee will be informed of their right of appeal.

- 4.15 If the employee remains dissatisfied with the response they should consider moving to Stage 3 of the process which is the Appeal Hearing. This involves putting their case before a committee of Governors.

### **Stage 3 – Grievance Appeal Hearing**

- 4.16 Employees should put their appeal in writing to the Stage 2 manager within five working days of receipt of the letter confirming the outcome from the grievance meeting.

- 4.17 The written appeal should detail the following (see Appendix 2);

- The nature of the complaint
- Details of any previous action to resolve this
- Why they are still dissatisfied
- The outcome they are seeking and how this might be achieved
- Grounds of appeal

- 4.18 The Stage 2 manager or governor will pass the appeal to an appropriate person (e.g. Clerk to Governors) to arrange a grievance appeal hearing. A Governors committee comprising of three governors will consider the appeal. The members of the committee must not have been previously involved in the case.

- 4.19 The purpose of the appeal hearing is to determine whether the process of the grievance meeting was fair and/or whether the outcomes are reasonable in all the circumstances. The committee is under no obligation to consider new information, which has not been considered previously, at this stage. However, if relevant new information has come to light the committee may allow it.

In addition, the hearing committee may adjourn the hearing for the purposes of gathering any further relevant information it requires, which can include seeking clarification from witnesses interviewed at Stage 2.

- 4.20 The appeal hearing should be arranged without unreasonable delay. The employee will receive five working days' notice of the hearing.

- 4.21 At the hearing the employee will have the opportunity to state their complaint and the reasons why they remain dissatisfied with the outcome at Stage 2. The hearing committee will consider all relevant information, this can include but is not limited to;

- Any written information relating to the informal and formal stage
- Any witness statements/interview notes
- Any documentary evidence presented by the employee and the manager who dealt with the complaint at Stage 2.

- 4.22 All written information from the employee and the manager who dealt with the grievance at Stage 2, will be given to the hearing panel three working days before the hearing.

- 4.23 Notes should be taken of any meeting and interviews of witnesses. Witnesses will be asked to sign the notes as an accurate record.

- 4.24 Once the hearing committee has considered all the relevant information relating to the complaint the outcome will be confirmed within 5 working days.
- 4.25 Outcomes of the hearing can include but will not be limited to: -
- No action to be taken
  - Grievance upheld / partially upheld
  - Some other action e.g. retraining, counselling ▪ Where another party is the focus of the grievance:
    - A recommendation to attempt to resolve the issue between the parties through discussion and/or mediation
    - A recommendation to invoke the disciplinary procedure against the person(s) being complained about
    - A recommendation to invoke the disciplinary procedure against the complainant, should the manager believe that the complaint was malicious or vexatious
    - The findings will be confirmed in writing to both parties. Where the manager recommends invoking an investigation under the disciplinary procedure against the person being complained about or the complainant, as the manager believes that the complaint was malicious or vexatious, this decision will **not** be relayed to the other parties involved. The investigation from this procedure will be used to inform the disciplinary procedure and all witnesses should be asked for consent for their information to be shared.
- 4.26 The decision of the committee is final and there will be no further internal right of appeal.

## 5. Withdrawing a Grievance

- 5.1 If an employee decides to withdraw a grievance at any stage during the procedure they should advise the manager in writing of this plus the reason for the decision.
- 5.2 Whilst in the majority of cases the school will respect the rights of the employee to withdraw the grievance, there may be instances where the concern impacts on the duty of care towards others and the school may take the decision to investigate independently of the grievance.

## 6. Responsibilities under this Policy

### Employees

- 6.1 Employees will comply with all aspects of the policy in the event of a workplace grievance.
- 6.2 Employees will attempt to resolve all grievances informally in the first instance.
- 6.3 Employees must report and deal with all incidents of discrimination and report any concerns they have to their management team.

### School

- 6.4 Ensure employees are aware of and comply with this policy.
- 6.5 Resolve any grievances promptly and confidentially.

## 7. Raising Awareness of this Policy

7.1 We will raise awareness of this policy via:

- the school website
- the school intranet
- new employee induction

## 8. Equality Impact Assessment

- 8.1 Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.
- 8.2 This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010. As it is fair, it does not prioritise or disadvantage any student and it helps to promote equality at this school.

## 9. Monitoring the Effectiveness of the Policy

### Review of Policy

This procedure shall be subject to periodic review and may be changed from time to time.

### Management of Policy

The Governors and Headteacher have overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcomes.

## 10. Document Status

Version	Date	Action
Version 1	2005	
Version 2	2014	
Revision 2	17/07/2017	Final amendments following JCC 12 July 2017 – policy agreed
	14/11/2017	Approved by ALS Governing Body
	October 2019	Review by ALS. No amendments.
	July 2021	Review by ALS. No amendments
	September 2022	Reviewed, minor formatting amendments and addition of appendices. No change to LCC policy.
	July 2023	Review by ALS. No amendments

**Appendix 1 - Grievance Form - Stage 2 - Formal Hearing**

<b>Name</b>	
<b>Role</b>	
<b>Line Manager</b>	
<b>Who considered the complaint informally?</b>	
<b>Date this happened.</b>	

<b>Outline the nature of your complaint</b>

<b>Detail what informal action you have taken to resolve this.</b>
<b>If no informal action has been taken please explain the reasons why.</b>

<b>Outline why you are still dissatisfied.</b>

<b>Explain what outcome you are seeking and how this might be achieved.</b>

<b>Signed</b>	
<b>Date</b>	

<b>Name</b>	
<b>Role</b>	
<b>Line Manager</b>	
<b>Who considered the complaint informally?</b>	
<b>Date this happened.</b>	

<b>Outline the nature of your complaint</b>

<b>Detail what formal action you have taken to resolve this.</b>

<b>Outline why you are still dissatisfied.</b>

<b>Explain what outcome you are seeking and how this might be achieved.</b>

<b>State your grounds for appeal.</b>

<b>Signed</b>	
<b>Date</b>	