



**Dream Believe Achieve**

## **Staff Grievance Procedures**

**Signed by Chair of Governors**

**Kerry Scott**

**Date ratified by Governors**

**16/06/2021**

**Date to be reviewed by Governors**

**16/06/2022**

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### 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, fully and objectively.

### 2. Legislation and guidance

We are required to set out grievance procedures under [The School Staffing \(England\) Regulations 2009](#), in particular regulation 7.

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. Roles and responsibilities

Being internal matters, grievances may involve a number of people in the school. There is an emphasis on dealing informally with grievances, and so it is not practicable to prescribe specific roles. However, the following guidelines may be useful.

#### 4.1 The line manager

Provided they are not the subject of the grievance, the line manager will be the first point of contact for the employee raising a grievance. If the grievance is about the employee's line manager, the employee will raise the grievance with their line manager's manager.

## **4.2 The headteacher or a senior leader**

Provided they are not the subject of the grievance, the headteacher or a member of the senior leadership team (SLT) will consider the grievance at the formal stage (see 5.2).

## **4.3 Chair of governors**

Where the headteacher is the subject of the grievance, the chair of governors will be responsible for appointing an appropriate governor who has not been directly involved in the grievance to oversee the procedure.

## **4.4 Investigating officer**

At the formal stage, the headteacher (or appointed governor if the headteacher is the subject of the grievance) will appoint an investigating officer to collect and present the facts of the grievance in an investigation report. The investigating officer will be someone who has not been directly involved in the grievance.

## **4.5 Grievance panel**

The headteacher (or appointed governor if the headteacher is the subject of the grievance) will appoint a grievance panel consisting of 3 people with no prior knowledge of the grievance. These people will be separate from the investigating officer and will be chaired by an independent individual.

## **4.6 Other members of staff or trade union staff**

A work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings may accompany the employee raising the grievance at a formal grievance meeting.

# **5. 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.

## **5.1 Informal stage**

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

It may be necessary for the employee 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.

## **5.2 Formal stage**

If it is not possible to resolve the matter informally, employees should set out their grievance in writing to their line manager, in accordance with the staff grievance notification form at Appendix 1. If the subject of the grievance is their line manager, the employee should submit the written grievance to an alternative, preferably senior, manager.

Upon receipt of a grievance, the headteacher (or appointed governor if the headteacher is the subject of the grievance) will appoint an investigating officer. This will be an independent individual with no prior knowledge of the grievance.

The headteacher (or appointed governor if the headteacher is the subject of the grievance) will also appoint a grievance panel. 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 grievance.

The panel could be made up from the following: Headteacher, Senior member of staff, Inclusion Manager or governor.

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

The investigating officer will also arrange a formal meeting (to be held in person, or over video conferencing if appropriate) 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, to the grievance panel.

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.

### **5.3 Deciding on appropriate action**

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

The investigating officer will communicate the decision to the employee in writing within 10 working days. The decision 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.

### **5.4 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 submit this to the headteacher.

An appeal is not designed to re-hear the matter but to examine the grounds of appeal. The employee should therefore be specific about the grounds of the appeal.

However, a full re-hearing may be appropriate in exceptional circumstances.

The headteacher (or appointed governor if the headteacher is the subject of the grievance) will appoint a grievance appeal panel consisting of 3 people. This will be a group of people independent from any previous stage of the grievance procedure, and the panel will be chaired by an independent individual.

Appeals will be heard without unreasonable delay and in any event within 15 working days of the date of the appeal notice. The headteacher (or appointed governor if the headteacher is the subject of the grievance) will tell the employees the time and place of the appeal meeting in advance (to be held in person, or over video conferencing if appropriate).

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 10 working days of the appeal. The decision of the appeal panel will be final.

## **6. 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, our privacy notices and record retention schedule.

## 7. Monitoring arrangements

This policy will usually be reviewed annually but can be revised as needed from time-to-time. It will be reviewed by the governing body.

This policy will be approved by the full governing board.

## 8. Links with other policies

This policy links with our policies on:

- Staff disciplinary procedures
- Staff codes of conduct
- Complaints procedure, which sets out how grievances will be raised by those not employed by the school
- Equality
- Privacy notice for the school workforce
- Staff capability policy

## Appendix 1: staff grievance notification form

**Name:**

**School:**

**Post held:**

**Department:**

Describe the nature of your grievance, including:

- A full description of your grievance
- Relevant evidence, such as facts, dates and names of individuals involved

Please state the following:

The date on which you first raised your grievance, and with whom

<p>The action taken in respect of your grievance at the informal stage</p>	
<p>The outcomes you are seeking and the actions you would like taken to resolve the situation</p>	
<p>Whether you would like to explore a resolution through mediation</p>	
<p>Whether you would like accompaniment at a grievance meeting by a work colleague, trade union official, or trade union representative - and if so, their name and position</p>	
<p>Signed:</p>	<p>Dated:</p>