



Grievance Policy

Purpose

The Grievance Policy sets out the framework for Head Teachers and Governing Bodies to follow when dealing with employees' complaints to achieve a reasonable resolution. By providing for grievances to be dealt with promptly, fairly, consistently and as near as possible to the point of origin, the Grievance Policy aims to give the School and Council protection should an employee make a claim to an Employment Tribunal.

Document Control

Implementation date	
Author	Celia Dyson
Modified for adoption by Schools	Celia Dyson
Equality impact assessment date	25 November 2010
Handbook/master list updated	
Revised/updated	1 January 2013

1.0 Policy application

- 1.1 The Council, in consultation with recognised trade unions, has agreed this policy for adoption by those employed under the delegated powers of Governing Bodies of community, voluntary controlled and trust schools. Governing Bodies are strongly urged to adopt this policy for all employees within their delegated powers.
- 1.2 This policy does not apply where a grievance is raised after an employee has left the School's employment.
- 1.3 Most grievances will be dealt with through this policy, except . . .
 - where separate School policies exist for dealing with employees' concerns about particular issues.
 - issues involving two or more employees who are members of a recognised trade union, which should be raised on their behalf as a collective grievance through the normal negotiating machinery. This excludes complaints about other individual employees.
 - collective disputes, which are dealt with through the normal negotiating machinery.

2.0 Principles

- 2.1 All employees have the right to express a grievance relating to their employment. Grievances are work related concerns, problems or complaints that employees raise with their employers. This includes unacceptable behaviour on the part of one employee towards another, including bullying, harassment, discrimination and victimisation on any grounds.
- 2.2 The Grievance Policy complies with the statutory ACAS Code of Practice on Disciplinary and Grievance Procedures effective from April 2009 under the provisions of the Employment Act 2008, as well as equalities legislation and statutory equality duty, and takes account of the non statutory ACAS Guide.
- 2.3 It is the intention of this policy that in most cases, grievances will be resolved informally wherever possible. Head teachers and Governing Bodies are expected to deal reasonably and helpfully with an employee's complaint; equally employees are expected not to challenge reasonable management actions. Head teachers and Governing Bodies should aim to deal with informal grievances within 5 working days (pro-rata for part-time staff).
- 2.4 Mediation is considered a key element in the process of resolving grievances and maintaining positive working relationships, particularly where Head teachers and/or employees have been unable to resolve a grievance informally, before progressing to formal resolution. Mediation may also be used at any stage of the formal process.

2.5 Where a grievance is referred to the formal stage, both the Head teacher and the employee will be expected to show what steps they have taken to achieve a reasonable solution to the problem.

2.6 At the formal stage of the grievance process employees

- will have the right to be accompanied by another employee of the School or trade union representative plus any support as required under the Equality Act 2010 at meetings, including formal investigation meetings
- will be given a minimum of 5 working days (pro-rata for part-time staff) notice of formal grievance and formal investigation meetings
- should make every effort to attend meetings as arranged. They may offer a reasonable alternative time within 5 working days (pro-rata for part-time staff) of the original date if their companion cannot attend.

2.7 All actions will be carried out without unreasonable delay - all those involved in the grievance have a responsibility to co-operate fully with the process to achieve a resolution within any specified timeframes. If the meeting is postponed again managers will determine the best way to progress the issue taking account of the circumstances.

Occasionally, when it is mutually agreeable to both employee and employer, the process may continue during non-working days.

2.8 Where an employee raises a grievance at any stage while they are subject to another school process where the two are related, they must present their grievance as part of their case for that other process. Raising a grievance in this way will not delay applying the other process in any way.

2.9 A summary of the grievance framework and process is:

2.9.1 **Informal resolution**

- Employee raises issue with Head teacher / Chair of Governors if it relates to a Head teacher
- Head teacher or Chair of Governors considers grievance
- Head teacher or Chair of Governors responds verbally as soon as possible and confirms in writing
- Use mediation in appropriate cases.

2.9.2 **Formal resolution**

- Employee raises grievance in writing with Head teacher/Chair of Governors as appropriate
- Head teacher or Chair of Governors holds meeting to consider grievance and considers use of mediation
- Head teacher / Chair of Governors adjourns meeting for further fact-finding if required or, exceptionally, for formal investigation
- Head teacher / Chair of Governors respond to grievance and notify the employee in writing within 5 working days (pro-rata for part time staff) of the meeting.

2.9.3 Outcomes of grievances may include referral for action to be taken through the Disciplinary and Dismissals Policy.

3.0 Appeal

3.1 Employees will have the right of appeal against the outcome of the grievance meeting.

3.2 This is the final stage of the internal grievance process.

4.0 Support and guidance

4.1 A full description of the process including guidance, supportive information and documentation is available from Human Resources.

5.0 Roles and Responsibilities

5.1 The roles and responsibilities of key stakeholders are summarised in Appendix 1.

Appendix 1 GRIEVANCE POLICY ROLES AND RESPONSIBILITIES OF KEY STAKEHOLDERS

Governing Body	Governor's First Committee	Headteacher	Employee	HR
Fairness and equality				
To ensure this policy is implemented in a fair, consistent and non-discriminatory manner.	To facilitate reasonable adjustments as required.	To provide reasonable adjustments as required.		Provide advice and guidance to managers and employees. To ensure this policy is implemented in a fair, consistent and non-discriminatory manner.
General Operation of the Scheme				
Ensure Head teachers carry out their roles and responsibilities				Provide advice to Head teachers, Governing Bodies and employees.
Raising a grievance				
Receive informal verbal or written complaint Receive formal grievance form Follow the grievance procedure		Receive informal verbal or written complaint Receive formal grievance form	Raise issue informally with Head teacher / Chair of Governors verbally or in writing. Complete grievance form to raise formal grievance	
Informal resolution				
	Follow informal grievance	Follow informal grievance	Participate in informal	Provide advice to Head

Governing Body	Governor's First Committee	Headteacher	Employee	HR
	process Advise employee of outcome Consider mediation	process Advise employee of outcome Consider mediation	process Consider mediation	teacher / Governing Bodies and employees as required.
Formal resolution				
	Follow informal grievance resolution if directed Participate in formal grievance process if directed.	Acknowledge formal grievance Decide if appropriate to progress through grievance process Decide on informal resolution or formal resolution Follow informal grievance resolution process if directed Consider using mediation at any stage Follow formal grievance	Participate in formal grievance resolution process Consider informal resolution Consider mediation Attends grievance meeting and arranges for companion and any witnesses to be present	Provide advice to Head teachers, Governing Bodies and employees as required.

Governing Body	Governor's First Committee	Headteacher	Employee	HR
		<p>resolution process</p> <p>Attend grievance meeting if directed</p>		
Document Retention				
<p>Ensure documents are treated in confidence and in line with the School's and Council's data protection and IT policies.</p>	<p>Ensure documents are treated in confidence and in line with the School's and Council's data protection and IT policies.</p>	<p>Ensure documents are treated in confidence and in line with the School's and Council's data protection and IT policies.</p>	<p>Keep a copy of documents and decision letters.</p>	<p>Ensure documents are treated in confidence and in line with the School's and Council's data protection and IT policies.</p> <p>Ensure information is processed through VISION and that key documents are placed on the employee's personal file.</p> <p>Keep a copy of documents and decision letter in case file</p>