



GRIEVANCE POLICY

Originator: Ian Graham-Wells
September 2020

1. PURPOSE

- 1.1 Within this policy 'we' and 'us' means the School.
- 1.2 We will endeavour to maintain harmonious relationships between staff. The purpose of this procedure is to try to resolve an individual member of staff's grievance, should one occur, as quickly and as fairly as possible.

2. PRINCIPLES

- Any grievance will be dealt with as quickly as possible.
- Any grievance should be resolved as near as possible to the point of origin.
- At all formal stages of the procedure, the member of staff will have the right to be accompanied by his or her trade union representative or a workplace colleague at any discussion or hearing regarding his or her grievance.
- All information in connection with any grievance will be treated in the strictest confidence.
- The aggrieved member of staff will be kept informed in writing of the response to the grievance and the reasons for any action which is taken.
- On investigation, a grievance may result in additional disciplinary action, but this is not the intended outcome of this policy.

3. SCOPE

- 3.1. This procedure applies to all School staff and volunteers including Governors. It does not apply to contractors or others who do not work at the School.
- 3.2. It does not apply to:
 - 3.2.1. Grievances regarding statutory and voluntary deductions from pay e.g. income tax, pension contributions and national insurance, which should be raised separately with the School Business Manager.
 - 3.2.2. Grievances regarding pay and grading which will be dealt with under the School's Pay and Appraisal Policy.
 - 3.2.3. Collective disputes and differences.
 - 3.2.4. Matters specifically covered by a separate appeal procedure; the grievance procedure is not available in addition to or substitution for the disciplinary procedure and, therefore, does not cover a grievance arising from a disciplinary action which is to be resolved by appeal within the disciplinary procedure itself.
- 3.3. Where the grievance is against the Headteacher and/or includes alleged racial or sexual harassment and the employee does not feel able to raise the issue with the Headteacher, the procedure should be entered at Stage 3.

4. STAGE 1: INFORMAL DISCUSSION WITH THE MEMBER OF STAFF CONCERNED

If a member of staff has a grievance against another member of staff, he or she should, wherever possible, raise the matter with the person or persons concerned.

5. STAGE 2: FORMAL WRITTEN GRIEVANCE

5.1 If the matter cannot be resolved through Stage 1 or the member of staff does not feel able to approach the person or persons against whom he or she has a grievance or the grievance is not against a Governor, he or she should set out the nature of the grievance including a brief description of the complaint and relevant information relating to the grievance. This should be in writing and without unreasonable delay, for the attention of the HR Manager who will review the grievance and inform the appropriate Deputy Headteacher. In the case of teaching staff this will be a Deputy Headteacher. In the case of support staff this will be the appropriate Deputy Headteacher responsible for HR.

5.2 In the case of a grievance against the Headteacher the written grievance account should be passed to the Chair of Governors. The process will begin at Stage 3 (see section 9.5)

6. INVESTIGATION

- 6.1. It may be necessary for the senior leader to carry out an investigation into the 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 the aggrieved employee and any witnesses, and/or reviewing relevant documents.
- 6.2. The senior leader would normally meet with the member of staff with whom the grievance has been taken
- 6.3. Investigations may be carried out before holding a grievance meeting if it is considered appropriate. In other cases, a grievance meeting may be held before deciding what investigation (if any) to carry out. In those cases, a further grievance meeting may be held with you after the investigation and before a decision is reached.
- 6.4. Employees have a duty to co-operate with the investigation, including providing names of any relevant witnesses, disclosing any relevant documents and attending interviews.

7. RIGHT TO BE ACCOMPANIED

- 7.1 The member of staff will have the right to be accompanied by his or her trade union representative or a workplace colleague at any discussion or hearing regarding his or her grievance.
- 7.2 The companion should be allowed to address the hearing to put and sum up the worker's case, respond on behalf of the worker to any views expressed at the meeting and confer with the worker during the hearing. The companion does not, however, have the right to answer questions on the worker's behalf,

address the hearing if the worker does not wish it or prevent the employer from explaining their case.

- 7.3 Staff who are required to attend an investigation meeting as part of a grievance are not entitled to bring a representative.

8. GRIEVANCE MEETINGS

- 8.1 The Deputy Headteacher will arrange for a formal meeting to be held and may invite a second senior leader to be present. The HR Manager may also be present, and notes of the meeting will be taken.
- 8.2 The meeting will be arranged usually within 5 working days upon receipt of a written grievance; however, the school retains the right to extend these timescales, as necessary.
- 8.3 The purpose of this meeting is to clarify the nature of the grievance and to agree the outcome the member of staff would like to achieve.
- 8.4 8.4 If an employee is unable to attend the meeting, they should inform the Deputy Headteacher as soon as possible and propose an alternative date/time to meet.
- 8.5 The meeting may be adjourned should there be a need to carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.
- 8.6 Following the meeting, the Deputy Headteacher will decide on what action, if any, to take.
- 8.7 The Deputy Headteacher's decision should be communicated to the employee, in writing within 7 working days of the interview and, where appropriate, should set out what action the employer intends to take to resolve the grievance. The employee should be informed that they can appeal if they are not content with the action taken.
- 8.8 If the senior leader cannot resolve the grievance he or she should establish, in consultation with the Headteacher, whether the grievance is one which the Headteacher or Governors are empowered to resolve.
- 8.9 Where the grievance is against a Deputy Headteacher and includes alleged racial or sexual harassment of staff and the employee does not feel able to raise it with him or her, the procedure should be entered at Stage 3 as appropriate.

9. STAGE 3: INTERVIEW WITH THE HEADTEACHER

- 9.1 If the member of staff does not feel that their grievance has been satisfactorily resolved or is unable to approach the senior leader and the matter is one which the Headteacher or Governors are empowered to resolve, the member

of staff should appeal by letting us know the grounds for their appeal without unreasonable delay and in writing for the attention of the Headteacher.

- 9.2 The member of staff should write in detail what their grounds for appeal is and the remedy they are seeking and hand it to the senior leader who dealt with the matter at Stage 2.
- 9.3 The Headteacher will arrange a formal meeting to be held to discuss the grievance raised, normally within 10 working days.
- 9.4 The Headteacher would normally meet with the member of staff with whom the grievance has been taken. It may be necessary for the Headteacher to also interview witnesses.
- 9.5 If the grievance is against the Headteacher, the written account of the grievance and the remedy sought should be passed to the Chair of Governors. In this case the Chair of Governors will arrange the interview and invite two other Governors to be present.
- 9.6 At the interview either party may call witnesses, who should normally only be present when they are being questioned by the Headteacher.
- 9.7 There should be a written response normally within 7 working days. An agreed full note of the discussion should be kept.
- 9.8 If the aggrieved member of staff is dissatisfied with the Headteacher's response, he or she has the right to appeal to a subcommittee of Governors.

10. STAGE 4: APPEALS PANEL AT THE BOARD OF GOVERNORS

- 10.1 This will consist of three Governors. The sex and ethnic origin of the staff member may be relevant in determining the composition of the subcommittee.
- 10.2 The Governors may seek at this stage, and may do so at an earlier stage, advice from the School's HR advisors in advance of the hearing. The Governors may invite a HR advisor to be present at the meeting.
- 10.3 The member of staff should submit to the Clerk of the Governors a written statement of the grievance, together with any associated documentation and the names of any witnesses that will be called to appear at the hearing. Any additional information from previous stages will be made available to the Headteacher or, in the case of the Headteacher being involved, to the Chair of Governors.
- 10.4 On receipt of this statement and normally within 10 working days, the Headteacher or Chair of Governors should send a response to the Clerk, which should include any documentation and the names of any witnesses who will be called. The Clerk should make this information available to the member of staff concerned and his or her representative.
- 10.5 The member of staff has the right, within 5 working days, to send to the Clerk a supplementary written statement in the light of this response. This supplementary information should be made available to the Headteacher or the Chair of Governors and the member of staff's representative. No further statement will be allowed unless the supplementary statement raises new matters, in which case a copy should be sent to the member of staff concerned.
- 10.6 The Clerk should now notify the employee and the Headteacher (or the Chair of Governors if the Headteacher is involved) in writing of the date, time and place of the hearing. This should be held normally at least 10 days but not more than 20 days after the date of the notification.
- 10.7 At least 5 working days before the hearing, the Clerk should send each member of the committee copies of the employee's statement of the case and the Headteacher's response and should notify them of the names of any witnesses to be called on either side.
- 10.8 At the hearing, the employee or his or her representative should be invited to present the statement of the case and call any witnesses, who may be questioned by the Headteacher and the committee.
- 10.9 The Headteacher (or Chair of Governors) should be invited to present his or her response and call any witnesses who may be questioned by the employee and the committee.
- 10.10 The Headteacher (or Chair of Governors) and the employee, or his or her representative, may sum up.

11. NOTES ON PROCEDURE

- 11.1 The introduction of any matters not covered by the written submissions should only be allowed in exceptional circumstances and with the consent of the committee.
- 11.2 Witnesses should normally only be present while they are being questioned but this may be varied with the agreement of both parties. Witnesses may be recalled for further examination. During any further examination of evidence or witnesses both parties must be present.
- 11.3 The parties, including the Clerk to Governors, should withdraw whilst the committee considers its decision. The Clerk may be called into the meeting whilst the decision is being made if the committee requires advice about procedural issues.
- 11.4 The parties should be recalled and informed of the decision and the reasons for it.
- 11.5 Either party or the committee may request an adjournment of an appropriate length at any stage of the hearing.
- 11.6 The role of the Clerk to the Governors is to ensure that the information required by the employee and Governors prior to the meeting is provided within an agreed timescale.

12. AFTER THE HEARING OF THE APPEALS PANEL OF THE GOVERNING BODY

- 12.1 The committee Clerk will prepare a minute of the hearing and notify the employee and the Headteacher (or Chair of Governors) in writing, of the outcome within 7 working days.
- 12.2 The decision of the panel of Governors will be final.

13. TIME LIMITS

- 13.1 Time limits in this policy are expressed in working days. These are deemed to be Monday to Friday during term time.
- 13.2 In some circumstances it may be impractical for one or more stages to be completed within the prescribed period. If so, it is permissible for both sides to agree a variation of any prescribed period, if regard is paid to the overriding objective of the procedure and the variation does not lead to an unreasonable delay. Where it is considered appropriate to proceed during a closure period, all parties involved must agree with the proposed date for the meeting.