

GRIEVANCE PROCEDURE

Last review – October 2021

Purpose and Scope

This procedure is designed to help school Trustees, the Headteacher and staff resolve individual grievances in an atmosphere of trust and total confidentiality. In the context of this procedure a “manager” may be a Head of Department, Assistant Headteacher, Deputy Headteacher or the Headteacher.

Objectives

- (a) To foster good relationships between school management, staff, and the Trustees by discouraging the harbouring of grievances.
- (b) To settle grievances as near as possible to their point of origin.
- (c) To ensure that grievances are resolved as earnestly and as fairly as possible, taking care to respect the School’s Single Equality Scheme.

Employees’ Rights

At all stages the aggrieved employee will have the right to be accompanied and/or represented by a recognised trade union/professional association representative or workplace colleague. Witnesses may be called. Any written information provided for the benefit of the person or the panel hearing the grievance should be made available to all the parties before the hearing.

The Procedure

(a) Informal Stage

- (i) If an employee has a grievance which involves another member(s) of staff, s/he should first of all endeavour to solve the matter amicably by direct approach to the member(s) involved, or in discussion with the appropriate manager including, if necessary, the head teacher.
- (ii) Where an employee requests a personal interview with a manager it should be arranged to take place within five school days. The manager should seek to resolve the problem personally or, by mutual agreement, in consultation with other members of staff, including, if necessary, the Headteacher who may, as appropriate, consult with the representatives of the relevant trade unions and/or professional associations.
- (iii) Where an employee has a grievance with the Headteacher or Trustee Body which does not involve any other member of staff, s/he should advise or consult with the Headteacher before making an approach to the Chair of Trustees as may be appropriate

(b) Formal Stage

- (i) If any grievance involving a member of staff or the Trustee body is not resolved informally the employee will submit details in writing to the Headteacher, the person against whom the grievance is brought, and the Chair of Trustees who will arrange for it to be considered at a panel meeting of at least three Trustees not previously involved in the case. The Chair of Trustees should not normally be part of this panel.
- (ii) The meeting of the panel of Trustees will take place within 15 school days of the Chair’s receipt of the written grievance. All relevant documents must be submitted at least

three school days in advance of the meeting. All parties involved will be allowed to attend and make representations at the meeting. (Also see Para (c) (i) below). By agreement of all the parties, there may be a change in the time limits.

- (iii) The panel, in seeking to resolve the grievance, may adjourn the meeting or defer their decision until they are satisfied they have had the opportunity to take account of all relevant factors. The decision of the panel and the reasons for that decision will be communicated to all parties and confirmed in writing in three school days.
- (iv) Where a grievance remains against the Trustees Body, the employee may submit an appeal to the Chair of Trustees – see below.

(c) Appeals

- (i) Where the grievance does not involve the Trustees Body, the employee may appeal in writing to the Chair of Trustees within 15 school days of receiving the panel's written decision. The Chair will then arrange for the members of the Trustee body not previously involved, to hear the appeal. The hearing will take place within 15 school days of the Chair receiving the written grievance and follow the arrangements set out in (B) (ii) and (iii) above. The decision reached at this hearing will be final.
- (ii) Where a grievance still remains against the Trustee Body, the employee may lodge notice of an appeal in writing within 15 school days to the Chair of Trustees. An Appeals Panel of three Trustees not previously involved in the case will be convened, and hear the grievance as soon as possible after that time. All relevant documents must be submitted at least three days in advance of the hearing. The panel's decision will be final, and will be communicated in writing.

Conditions Of The Procedure

- (a) This procedure is not appropriate for disciplinary matters, termination of employment, pension, national insurance, income tax or staff recreation associations.
- (b) The time limits in the procedure should be adhered to whenever possible but they may need to be adjusted by agreement between the parties involved to meet particular circumstances.
- (c) A copy of the procedure should be given to the parties at the outset.
- (d) Where a grievance is against an accredited trade union or professional association representative the hearing shall not be convened until the matter has been discussed with the Branch Secretary or a full-time official of that trade union or association.

Advice on the practical application of the grievance procedure and the maintenance of good employee relations

The grievance may be about a person, a method of working or about a change which has occurred causing the individual to feel unhappy. The grievance procedure affords the individual the opportunity to put their case and perhaps assist in resolving the problem.

In conducting the hearing:

- First accept that the person may have a deeply held complaint.
- Actively listen and identify the problem/s by asking questions and clarifying what you have heard.
- If the grievance is against a third party, ensure you hear what they have to say.
- Avoid passing judgement or coming to conclusions before you have considered all aspects of the grievance.
- Examine the general constraints on the situation. Are there any precedents?
- If you cannot decide, adjourn to consider the information.
- If you have to adjourn, be as quick as is realistically possible in your response.
- If practical, try solution building as a joint activity with the aggrieved person.
- Keep a written record of the proceedings and place this in the individual's file.

Usually the chair of the grievance hearing will keep the proceedings as informal as possible. In chairing the hearing, the following is the usual and fair way to proceed:

- Step 1 Let the individual explain his/her grievance, introducing witnesses where necessary.
- Step 2 If there is an individual who is the target of the grievance – allow this individual to ask any relevant and pertinent questions of the aggrieved party and witnesses.
- Step 3 Where there is an individual who is the target of the grievance allow him/her to make a statement, introducing witnesses where necessary.
- Step 4 Let the aggrieved party ask any relevant and pertinent questions arising from Step 3.
- Step 5 The chair to ask any clarifying questions.
- Step 6 The chair to summarise the major points raised.
- Step 7 The chair to decide, seeking the agreement of all parties.

N.B. Even with infinite wisdom it may not be possible to resolve a grievance to the satisfaction of all parties.

*Discussed and approved by Trustees' Finance, Staffing and Premises committee: 13 October 2021
Next Review: October 2023*