Staff Grievance Policy

King David Primary School

Approved by:

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Staff grievance policy and procedures

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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 general employment law.

These grievance procedures are based on the The Acas Code of Practice on disciplinary and grievance procedures.

These procedures also comply with our funding agreement and articles of association.

3. Definitions and scope

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, discrimination or working relationships.

This policy does not apply to:

- Issues raised by people who are not an employee of the school, as this would instead fall under our complaints procedure
- Redundancy dismissals
- Non-renewal of fixed-term contracts
- Collective grievances, raised on behalf of 2 or more employees by a representative of a recognised trade union or other appropriate workplace representative

These are covered by separate policies and procedures.

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 nominated 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 at the formal stage.

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.

It's anticipated that a number of grievances will be resolved at this informal stage with no need to progress matters further. However, if the matter has not been resolved at the informal stage, it may then proceed to the formal stage of the procedure.

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 will consist either the Headteacher, a member of the SLT, chair of governors or a representative from the local authority.

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

The investigating officer, supported by HR colleagues, 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.

The employee must let the investigating officer know that they request to be accompanied. If the chosen companion will not be available on the initial date and time proposed for the formal meeting, the investigating officer must move the meeting to an alternative time proposed by the employee, provided that the alternative time is both reasonable and no more than 5 working days after the date originally proposed.

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 chair of the panel will communicate the decision to the employee in writing within 5 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 within 10 working days 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 10 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 by the chair of the appeal panel to the employee within 5 working days of the appeal. The decision of the appeal panel will be final.

6. Overlapping procedures

If an employee raises a grievance after disciplinary proceedings have already started against them, the disciplinary proceedings may be temporarily suspended in order to consider the implications of the grievance on the disciplinary process.

If the grievance and disciplinary proceedings address related matters, it may be possible to deal with the issues simultaneously as part of disciplinary proceedings.

7. Record keeping

Minutes will be kept of all meetings. Where possible, these will be confirmed as a record 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 our record retention schedule.

8. Monitoring arrangements

This policy will usually be reviewed every 2 years but can be revised as needed from time-to-time. It will be reviewed by the Headteacher.

This policy will be approved by the full governing body.

9. 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 and Inclusion Policy
- Privacy notice for the school workforce
- Staff capability policy
- Staff Well-being 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	
The action taken in respect of your grievance at the informal stage	
The outcomes you are seeking and the actions you would like taken to resolve the situation	
Whether you would like to explore a resolution through mediation	
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	
Signed:	Dated: