



# Employee Grievance Policy

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Approved By	Trustee Board
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VERSION NO.	DATE OF CHANGE	CHANGE SUMMARY	PAGE NO.
1.0	24.6.20		
2.0	12.9.22	Updated in new brand. Checked against the Scheme of Delegation. Checked by employment lawyer but no updates required.	

**This policy applies to all staff including the Headteacher based at each school.**

**In accordance with the Trust's Scheme of Delegation and Articles of Association, application of this policy is devolved to individual Academies within The Trust, unless otherwise stated.**

**The constitution of formal panels will be determined by the Trust's Scheme of Delegation.**

**This policy does not form part of employees' terms and conditions of employment and therefore may be subject to change at the discretion of the Trust.**

**Data will be processed to be in line with the requirements and protections set out in the UK General Data Protection Regulation.**

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## **1. Purpose**

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- 1.1 The purpose of the policy is to provide a framework within which employees can raise individual grievances and managers can deal with those grievances in an appropriate manner.

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## **2. Mediation**

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- 2.1 Mediation can play an important role in resolving problems between employees. Mediation is an informal, voluntary process, which can be used to resolve disagreements in the workplace. Employees are encouraged to consider using mediation at both the informal stages of a grievance, or if necessary, following the formal stages being invoked.

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## **3. Day to Day Management**

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- 3.1 Wherever possible, employees should be supported in trying to resolve the problem informally. This can often be done effectively by the individual raising the issue directly with their line manager, either orally or in writing. If the grievance relates to the individual's line manager, it should be referred to the line manager's manager.

Whilst the grievance is being considered the status quo will apply.

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## **4. Investigating Officer**

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- 4.1 An Investigating Officer may need to be appointed to carry out a thorough investigation and collation of appropriate information to establish the facts of the case.

- 4.2 The role of the investigator will be to investigate the issues raised, interview witnesses as appropriate, establish the facts and make any recommendations for resolution. The school must ensure that the investigating officer is impartial.
- 4.3 Investigations will vary in the level of detail required; this must be proportionate to the matter in question.

## **5. Formal Process**

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- 5.1 Where the employee feels that their grievance has not been resolved via day-to-day management or where the complaint is deemed to be sufficiently serious enough, the grievance should be put in writing to a manager who is not the subject of the grievance. The letter should specify the exact nature of the complaint and the resolution that the employee wishes to see whilst attaching any relevant evidence.
- 5.2 Following the receipt of the grievance, formal acknowledgement should be sent to the employee and a meeting arranged without unreasonable delay.
- 5.3 Individuals have the statutory right to be accompanied at formal meetings by either a work colleague or trade union representative. The meeting will allow the individual to elaborate on the points raised in their written grievance and will inform the next steps of the investigation. At the meeting, the accompanying person may make representations and ask questions, but should not answer questions on behalf of the employee.
- 5.4 After an initial grievance meeting, further investigations and further grievance meetings may be carried out as deemed appropriate. Such meetings will be arranged without unreasonable delay.
- 5.5 Where an Investigating Officer has been appointed, they will produce a report outlining their findings, summary, and recommendations back to the Decision-Making Manager
- 5.6 Based on the outcome of the investigation the manager will give one of the following outcomes:
  - a) The grievance is upheld
  - b) The grievance is partially upheld
  - c) The grievance is not upheld
- 5.7 A summary of the findings should be provided to the complainant and where necessary any other individuals that the complaint is against. The outcome to the process must be confirmed to the complainant in writing outlining their right of appeal against the decision.
- 5.8 If the grievance has been raised against another individual(s) consideration should be given as to how the parties are going to work together moving forward.

- 5.9 This Grievance Policy should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the Trust's Appeal Policy.

## **6. Withdrawing the Grievance**

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- 6.1 If at any point the employee who has instigated the grievance procedure wishes to withdraw their grievance, they should confirm this in writing and submit this to the same individual they originally submitted the grievance letter to.

## **7. Appeal**

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- 7.1 Where an individual is not satisfied with the outcome of their grievances at the formal stage, they will have the right of appeal this outcome. The appeal will be held in line with the Trust's Appeal Policy.

## **8. Re-establishing Working Relationships**

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- 8.1 Regardless of the outcome, the alleged perpetrator and the recipient **must** attend a mandatory joint meeting to discuss what support or action is required to assist them to re-establish their working relationship. The Decision-Making Manager should ensure that this meeting is scheduled to take place as soon as possible after the parties have been advised of the investigation outcome. A third party (e.g., manager, HR representative) should be involved in this meeting to help facilitate a solution.
- 8.2 The meeting should focus on agreeing strategies to assist the parties to resume and repair their working relationship. A potential outline of the meeting might include:
- Explaining the purpose of the meeting (i.e., it is not to revisit the complaint previously investigated, it is about moving forward);
  - Identifying potential areas of concern and explore these with the parties;
  - Encouraging open and honest communication;
  - Confirming the key points agreed to help move forward;
  - Re-affirming that both parties have a responsibility to ensure good working relations are maintained and that failure to do so could lead to disciplinary action being considered.

## **9. Collective Grievances**

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- 9.1 In cases where more than two employees have an identical grievance, in relation to the way they have been treated by the school or in relation to their employment, they may wish for the matter to be addressed as a collective grievance. All employees must agree to being party of such action without any pressure being placed on them by other employees to join the collective complaint.
- 9.2 Depending on the nature of the complaint attempts may be made to resolve the matter informally as per section 3 above. However, where the employees are not satisfied with the outcome the matter will be dealt with via the formal stages of this policy.
- 9.3 A group of employees raising a collective grievance must decide to either:
  - a. nominate a spokesperson from the group of employees to act on the group's behalf throughout the grievance process.
  - b. request that a union representative raise the grievance on behalf of the employees (where the employees are all members of the same Trade Union).
  - c. where there is no agreement on a single nominated representative, or the complaints are not identical, employees will be entitled to raise an individual grievance.
- 9.4. The collective complaint should be headed "Formal collective grievance" and submitted to the Headteacher. The complaint should:
  - identify the names of those wishing to raise the grievance;
  - identify any nominated trade union representative or colleague to represent the group;
  - confirm that all those involved have all voluntarily agreed to submit the collective grievance; and
  - confirm that all those involved understand that the grievance will only involve one collective grievance investigatory meeting, one identical outcome and one identical appeal outcome.