

# GRIEVANCE POLICY FOR STAFF

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## 1. INTRODUCTION

- 1.1 Within this policy, 'we' and 'us' means the Federation.
- 1.2 We foster a culture in which you can raise any workplace problems, complaints or concerns in a supportive framework and we will ensure that all genuine grievances are dealt with quickly and fairly.
- 1.3 Most grievances can be resolved informally. However, if an informal approach does not resolve matters, or is not appropriate, you may choose to raise a formal grievance.
- 1.4 This policy outlines the grievance process, the roles of those involved and support that is available to you.
- 1.5 This policy does not form part of your contract of employment and we reserve the right to amend or withdraw it at any time.
- 1.6 The term 'senior leader' refers to any member of the Senior Leadership Team (SLT), delegated by the Executive Principal to deal with a grievance under this policy.

## 2. SCOPE

- 2.1 This policy applies to employees, workers and governors. It does not apply to agency workers, contractors, consultants, volunteers or any self-employed individuals working for the organisation.
- 2.2 If you have a grievance that relates to ongoing disciplinary proceedings against you, you should raise this during the disciplinary procedure (for example during the disciplinary meeting or appeal stage).
- 2.3 If you raise a grievance during disciplinary proceedings that is unrelated to those proceedings, the disciplinary proceedings and grievance procedure will normally run independently in parallel.

## 3. GRIEVANCES REGARDING THE EXECUTIVE PRINCIPAL, GOVERNORS, TRUSTEES OR THE CHAIR OF DIRECTORS.

- 3.1 Grievances regarding the Executive Principal, which cannot be resolved informally, will be heard by the Chair or Vice Chair of Trustees under Section 9 of this policy, by emailing the Clerk to the Trust ([clerk@rutlandfederation.com](mailto:clerk@rutlandfederation.com)). Appeals against decisions made by the Chair or Vice Chair of the Trust will be heard by a panel of 3 trustees, none of whom have had any previous involvement in the case.
- 3.2 Grievances regarding governors and trustees, which cannot be resolved informally, should be raised formally with the Executive Principal under Section 9 of this policy. Appeals against the decision made by the Executive Principal will be heard by a panel of 3 trustees, none of whom have had any previous involvement in the case. If this is not possible, a panel of 3 independent people who have not been involved with or have any details prior knowledge of the grievance will hear it.

- 3.3 Grievances regarding the Chair of the Trust, which cannot be resolved informally, should be raised with the Executive Principal under Section 9 of this policy. Appeals against the decision made by the Executive Principal will be heard by a panel of 3 trustees, none of whom have had any previous involvement in the case. If this is not possible, a panel of 3 independent people who have not been involved with or have any details prior knowledge of the grievance will hear it.

#### 4. MEDIATION

- 4.1 Depending on the nature of your grievance, we may suggest mediation as a means of trying to resolve it. This involves the appointment of a third-party mediator, who will discuss your grievance with all of those involved and seek to facilitate a resolution. We will use mediation only where you, and the other parties involved in your grievance, agree to do so.

#### 5. FAIRNESS AND RESPECT

- 5.1 We recognise that a grievance procedure can be stressful and upsetting. Everyone involved in the process is entitled to be treated calmly and with respect.
- 5.2 We will not tolerate abusive or insulting behaviour from anyone taking part in a grievance procedure and will treat any such behaviour as misconduct under our disciplinary procedure.

#### 6. ADJUSTMENTS TO PROCEEDINGS

- 6.1 If any aspect of the grievance procedure causes you difficulty because of a disability, or if you need assistance because English is not your first language, you should raise this with the HR Manager who will make appropriate arrangements for you.

#### 7. RECORDING OF MEETINGS

- 7.1 A written record of all meetings conducted under this procedure will be made, either by the person holding the meeting or by an additional person arranged by us to take notes.
- 7.2 You, or any person acting with you or on your behalf, are not normally permitted to record electronically any meeting that we hold under the grievance procedure. This is to encourage openness and full participation. Any breach of this provision may lead to disciplinary action, which could include dismissal.
- 7.3 In certain limited circumstances, we may permit a meeting to be recorded electronically, for example where it is a reasonable adjustment for an employee with a disability. Where we permit a meeting to be recorded electronically, we will take responsibility for making the recording.

## 8. RAISING AN INFORMAL GRIEVANCE

- 8.1 In the first instance, if your grievance is regarding another person, you should raise it informally with the person concerned. If this isn't possible or appropriate, you should raise it informally with your line manager. If your grievance is about your line manager, you should raise this with your link Vice Principal.
- 8.2 The relevant manager will meet with you to give you the opportunity to explain your grievance and seek to identify whether the issue can be resolved informally. Many concerns can be resolved informally.
- 8.3 However, while we encourage the informal resolution of complaints, we recognise that this is not always possible or appropriate, for example if your grievance relates to a serious issue such as discrimination. Therefore, if the informal process does not resolve matters or is not appropriate, you should raise a formal grievance under this procedure.

## 9. RAISING A FORMAL GRIEVANCE

- 9.1 Where your grievance has not been resolved informally, or if your grievance is serious in nature, you should raise the matter formally in writing.
- 9.2 It is important that you set out clearly the nature of your grievance and indicate the outcome that you are seeking. If your grievance is unclear, we may ask you to clarify your complaint before we hold a grievance meeting.
- 9.3 Your complaint should be headed "Formal grievance" and sent to the HR Manager who will review the grievance and inform the appropriate senior leader.

## 10. STAGE 1 - INVESTIGATION

- 10.1 Your grievance will be kept confidential as far as possible.
- 10.2 However, before proceeding to a grievance meeting, we may have to carry out an investigation. This will usually be conducted by the same manager who will hear your grievance. The relevant manager will write to you confirming that they are conducting the investigation and the timescale for completion.
- 10.3 The level of investigation and time this will take will vary depending on the nature of your grievance.
- 10.4 You will be given a copy of any evidence collated during the investigation in advance of the grievance meeting. However, in some cases, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, we will provide you with an appropriate summary of the evidence.

## 11. STAGE 2 - HEARING YOUR GRIEVANCE

### 11.1 The grievance meeting

- The grievance meeting will be held within five working days of receiving your written complaint. However, if this is not possible, you will be informed of the reason for any delay.
- You will be entitled to be accompanied by a fellow employee or a trade union official.
- The grievance meeting will be conducted by a senior leader. Where it is considered appropriate, the HR Manager may also be present.
- The purpose of the meeting is for you to explain the nature of your complaint and what action you feel should be taken to resolve the matter. If more information comes to light, it may be necessary to adjourn the grievance meeting to conduct a further investigation and reconvene the meeting when this has been done.
- If you are unable to attend the grievance meeting because of circumstances beyond your control, you should inform the senior leader conducting the meeting as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the grievance meeting may take place in your absence, based on your written grievance statement and any other documentation available.

11.2 Following the meeting, the senior leader will inform you in writing, usually within 7 school days after the meeting, of the outcome and any action that will be taken as a result of your complaint.

11.3 Any outcomes and recommendations as a result of the grievance should be treated in general rather than specific terms.

## 12. STAGE 3 - APPEAL

12.1 If you are not satisfied with the outcome of your grievance, you may submit a formal appeal.

12.2 You should appeal in writing to the Executive Principal within 5 school days of receipt of the grievance outcome letter.

12.3 Your letter should clearly state the grounds of your appeal, i.e. the basis on which you consider that your grievance has not been satisfactorily resolved.

12.4 We will then arrange an appeal meeting within 10 school days to consider the matter. However, if this is not possible, you will be informed of the reason for any delay.

12.5 You are entitled to be accompanied by a fellow employee or a trade union official.

- 12.6 The appeal meeting will be conducted by the Executive Principal, who will consider your grounds for appeal and review the conclusion reached in the original grievance meeting. Where appropriate, the HR Manager or an HR consultant may also be present.
- 12.7 If you are unable to attend the appeal meeting because of circumstances beyond your control, you should inform the Executive Principal as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the meeting may take place in your absence, based on your written grievance statement and any other supporting documentation available.
- 12.8 Following the appeal meeting, the Executive Principal will inform you in writing, usually within 7 school days, of the outcome. The outcome of the appeal is final.

### 13. COLLECTIVE GRIEVANCES

- 13.1 If you and another employee (or more than two of you) have identical grievances and you all wish to have it addressed in one grievance process, you can raise a collective grievance.
- 13.2 If you are raising a collective grievance, the requirements set out in this policy are varied as follows.

### 14. RAISING A FORMAL GRIEVANCE

- 14.1 Your written complaint should be headed "Formal collective grievance". Your complaint must be submitted in one document and must clearly identify and be signed by each employee raising the collective grievance. You and your colleagues will need to nominate one of you to act on behalf of all of you throughout the grievance process. Your grievance letter must identify whom you have appointed to be the nominated representative.
- 14.2 If you and your colleagues are all members of the same trade union, your trade union representative may raise the collective grievance on your behalf.

### 15. STAGE 2 - HEARING YOUR GRIEVANCE

- 15.1 If you have been appointed to be the nominated representative, you will be invited to attend one collective grievance meeting. You will be entitled to be accompanied by a fellow employee or a trade union official. Following the meeting, there will be one identical outcome. Your nominated representative will be notified of the outcome in writing and any action that will be taken as a result of your collective complaint.

## 16. STAGE 3 - APPEAL

- 16.1 If you, or any of your colleagues, are not satisfied with the outcome of your collective grievance, you may submit a formal appeal. You should appeal in writing to the Executive Principal within 5 school days of receipt of the collective grievance outcome letter.
- 16.2 Your appeal should be headed "Formal collective appeal". Your appeal must be submitted in one document and must clearly identify those withdrawing from the process and signed by those wishing to appeal. Your appeal letter must also identify whom you have appointed to be the nominated representative throughout the appeal stage.
- 16.3 If you have been appointed to be the nominated representative, you will be invited to attend one collective grievance appeal meeting. You will be entitled to be accompanied by a fellow employee or a trade union official. Following the appeal meeting, there will be one identical outcome. Your nominated representative will be notified of the outcome in writing. The outcome of the collective appeal is final.
- 16.4 If only one employee wishes to appeal, the normal grievance procedure will apply to the appeal.

## 17. DEALING WITH YOUR GRIEVANCES INDIVIDUALLY

- 17.1 We reserve the right to hear your grievances individually if you do not all voluntarily agree to the collective grievance process, if your grievances are not identical, or there are exceptional circumstances.

## 18. DATA PROTECTION

- 18.1 We process personal data collected during informal complaints and the formal grievance procedure in accordance with our data protection policy. In particular, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure. You should immediately report any inappropriate access or disclosure of employee data in accordance with our data protection policy as this constitutes a data protection breach. It may also constitute a disciplinary offence, which we will deal with under our Disciplinary Policy.

## 19. REPEATED GRIEVANCES

- 19.1 There will be occasions when, despite all stages of the grievance policy having been followed, the aggrieved colleague remains dissatisfied. It is important that we recognise when we have done everything we can in response to a grievance. If a aggrieved colleague tries to re-open the same issue, the Executive Principal should inform them that the policy has been completed and that the matter is now closed.