

# Staff Grievance Procedure

## September 2022

Monitoring Responsibility	COO
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## 1. Introduction

Grievances are complaints, concerns, or problems raised by staff relating to their employment. If it is not possible to resolve a grievance informally employees should raise the matter formally and without unreasonable delay with a manager who is not the subject of the grievance. This should be done in writing and should set out the nature of the grievance and the outcome they are seeking.

The procedures outlined below can be used when:

- a staff member has a grievance with a colleague
- a staff member has a grievance with their manager or another member of the leadership team, including the headteacher
- a staff member has a grievance about matters relating to their employment
- an employee has a grievance with the Trust.

Grievances can be about issues including:

- terms and conditions of employment
- health and safety
- work relations
- bullying and harassment
- new working practices
- working environment
- organisational change
- discrimination.

The procedures outlined in this policy should not be used for:

- grievances about termination of employment
- grievances about national insurance, income tax or pensions
- grievances about pay or performance management
- grievances related to whistleblowing.

## 2. Informal Procedure

The wellbeing of our staff is very important, and we strive for an environment in which employees are confident that any grievances can be resolved quickly and informally through open communication with their line manager or headteacher. Staff are encouraged to seek an informal resolution. If they are unable to speak to their manager (e.g. because the complaint concerns their manager), they should speak informally to the Human Resources Manager.

If this does not resolve the issue or is not appropriate, staff should follow the formal procedure below.

## 3. Formal Procedure

Where staff think that informal procedures cannot or have not resolved their grievance, they can initiate formal procedures. These will progress as outlined below:

- The staff member with the grievance should submit their grievance in writing, detailing the outcome they are seeking, to be handed to their manager or, if the manager is the subject of the grievance,

the headteacher. Where the headteacher is the subject of the grievance, the grievance should be addressed to the Human Resources Manager.

- An initial investigatory / exploratory meeting may be held involving the member of staff with the grievance and the recipient of the letter (their manager) to discuss the grievance and context. The individual who has received the letter will take notes and pass these on to the headteacher or person considering the grievance.
- Once the information is collected the headteacher or person considering the grievance will arrange for a formal grievance meeting to take place.
- An employee has the right to bring a companion (a trade union representative or a colleague) to the formal grievance meeting or appeal meeting under this procedure. Employees should tell the person holding the grievance meeting who their chosen companion is in good time before the meeting. If the employee's companion is unavailable at the time a meeting is scheduled, the employee may propose an alternative time for the meeting to take place. If the alternative time is reasonable and within five working days after the original scheduled date, then the meeting will be postponed and rearranged to that date. At the meeting, your companion may make representations to us and ask questions but should not answer questions on your behalf. You may request an adjournment to speak to them privately at any time during the meeting.
- The person holding the meeting will hear evidence from the parties involved and review any relevant documentation. The person may adjourn the meeting or defer a decision until they are satisfied that they have thoroughly reviewed all the evidence and considered all relevant factors.
- In some cases, it may be necessary for investigations to be carried out into the grievance. The meeting may be adjourned to carry out necessary investigations, or an investigation may be conducted before the grievance meeting if appropriate. The nature of the investigation will depend on the complaint; it may involve interviewing the employee, a witnesses or witnesses, or reviewing relevant documents.
- All parties involved will usually be notified in writing of the decision of the panel and the reasons for the outcome within five working days. There may be circumstances in which it is considered inappropriate for all those involved to receive the full notification.

Employees are required to raise matters without undue delay, matters that occurred over 3 months ago may not be considered.

#### 4. Appeals

The individual who has brought the grievance can appeal by writing to the Human Resources Manager within five working days of the decision, stating in detail the grounds. An appeal meeting will be held as soon as practicable and will be dealt with impartially by a more senior manager not previously involved. The grievance will be re-heard on condition that:

- there is new evidence
- new grievances will not be added.

The decision of this panel is final.

## 5. Overlapping Grievance and Disciplinary Issues

If an employee raises a grievance after disciplinary proceedings have started against them, the Trust may consider suspending the disciplinary period for a short time to consider the implications of the grievance on the disciplinary proceedings. If the grievance and disciplinary issues are considered to be unrelated then they can be heard separately. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

## 6. Collective Grievances

If two or more employees have identical grievances and all wish them to be addressed in the same grievance process, staff members can raise a collective grievance via this procedure. All employees must agree (without any pressure being exerted on staff members to join the collective process) to do this.

If the employees raising the collective grievance are all members of the same trade union, their trade union representative can raise the grievance on their behalf. Alternatively, employees can agree to nominate one employee to act on behalf of everyone. Collective grievances will be managed in accordance with the procedure set out above. However, the written collective grievance statement should also:

- Identify you and each of your colleagues who wish to raise the grievance;
- Identify any nominated trade union representative or colleague to represent you all;
- State that you have all voluntarily consented to use the collective grievance procedure;
- Confirm that you understand that the grievance will give each of you the right to only one collective grievance meeting, one identical outcome (if applicable), one appeal meeting and one identical appeal outcome.