



# **GRIEVANCE PROCEDURE FOR TEACHING AND SUPPORT STAFF**

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*Policy adopted on:*

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*Responsible person: Head of Finance and Business Services*

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## **GRIEVANCE PROCEDURE FOR TEACHING AND SUPPORT STAFF**

### **1.0 INTRODUCTION**

- 1.1 Grievances are concerns, problems or complaints that employees raise in respect of their work, working conditions or relationships with colleagues. The purpose of this procedure is to enable the issues to be addressed and where possible resolved. The procedure applies to all employees within the School.
- 1.2 Employees should aim to settle grievances informally with their line manager with many issues resolved during the course of the working relationship. However where issues/concerns cannot be resolved in this way an employee should use this procedure. At the informal grievance stage employees have the right to inform their Trade Union (if relevant) in case the matter proceeds to a formal grievance.

### **2.0 APPLICATION OF PROCEDURE**

- 2.1 Grievances should be raised by an employee(s) within **3 months** of the incident/issue taking place or arising. An appropriate manager, who is not the subject of or party to the grievance, should deal with the grievance promptly. In exceptional circumstances this may be extended to allow an investigation of the facts however; the situation should be discussed with the Trust's HR Team.
- 2.2 There will be matters outside of the control of the School/Trust and the scope of this procedure that therefore cannot be addressed via the Grievance Procedure:
- Statutory adjustments to pay and allowances (e.g. National Insurance, Income Tax, Pension Scheme). These should be discussed with Payroll Services
  - Personal matters not directly related to employment. Employees may wish to discuss these with their Line Manager/Executive Principal or the HR Team
- 2.3 There are also some issues which the procedure is unable to deal with and other HR procedures should be utilised; e.g.
- Disciplinary Procedure,
  - Appraisal or Capability Procedure,
  - Sickness Absence Management Procedure,
  - Equality and Diversity Procedures
  - Flexible Working Policy
  - Recruitment and Selection Policy
- 2.4 An employee may during the course of a disciplinary process, raise a grievance. Where the grievance is related to the disciplinary case then it may be appropriate that both matters are dealt with simultaneously. However it is advisable that another Manager is allocated responsibility for investigating the disciplinary aspect of the case. In instances where the grievance has no relationship to the disciplinary matter then both procedures may be dealt with concurrently.

- 2.5 An employee is entitled to be accompanied throughout the formal stages of the procedure by a work colleague or accredited Trade Union Representative.
- 2.6 In some cases the Manager/Executive Principal may consider that mediation can be used to assist in resolving issues/concerns. Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Mediation can be particularly effective when used to deal with minor issues, concerns or misunderstandings that are being dealt with at the informal action stage.
- 2.7 Collective Grievances - Where two or more employees raise an identical grievance the employees may agree to have them addressed in the same grievance process. The employees may be represented throughout the formal stages of the process by a work colleague or accredited Trade Union Representative. Collective grievances will follow the same process as an individual employee grievance.
- 2.8 The Local Governing Body has overall responsibility for the staff within the School. The Local Governing Body may delegate these responsibilities to the Executive Principal, an individual Governor, or a group of Governors with or without the Executive Principal.
- 2.9 It should be noted however, that any LGB Member or Executive Principal hearing the case must have had no previous involvement in the grievance process.
- 2.10 In the case of a grievance against the Executive Principal, the Chair of the Local Governing Body will undertake the role of Manager as referred to throughout the procedure and will be advised by a member of the Trust's HR Team.
- 2.11 The Local Governing Body should ensure that all employees have the right to appeal at any of the formal stages to the Executive Principal or a panel of at least two Governors who have not been involved in the case or decision connected with the Grievance Procedure.
- 2.12 Where applicable there should be an equal number of Governors on the panel for the Grievance Meetings and Appeal Meetings.
- 2.13 The Investigator appointed to undertake the investigation should be of an appropriate managerial level, have had no prior involvement in the case and must not be an individual who is named in the grievance.

### **3.0 INFORMAL STAGE**

- 3.1 It is hoped that most grievances will be resolved at the informal stage without the necessity to proceed to the formal stage.
- 3.2 The aggrieved member of staff should discuss the grievance with his/her line manager. If the grievance concerns the line manager, the matter should be discussed with the Executive Principal and if it relates to the Executive Principal, the employee should contact the Chair of the Local Governing Body.
- 3.3 Where the member of staff requests a personal interview with a senior member of staff or the Executive Principal, the request shall be granted within 5 working days.
- 3.4 Where appropriate, the senior member of staff or Executive Principal shall seek to resolve the problem personally or, by mutual agreement, in consultation with other

members of staff. The Executive Principal may also seek advice from the Trust's HR Team and consult with representatives of the trade union(s) concerned.

#### **4.0 FORMAL GRIEVANCE**

- 4.1 Where the grievance is of such a serious nature that an informal process cannot be followed, the employee is required to submit his/her grievance in writing to the Executive Principal or, if it concerns the Executive Principal, to the Chair of the Local Governing Body by completing a Grievance Form shown at Appendix 1. This should include as much detail as possible about the issues/concerns and the outcome the employee is seeking as remedy of the situation.
- 4.2 On receipt of the written grievance, the Executive Principal (or Chair of the Local Governing Body) will acknowledge the grievance in writing and will arrange a meeting to discuss the matter and investigate the grievance within 10 working days of receipt of the completed grievance form. You must take all reasonable steps to attend the meeting. You should be in a position to show the Executive Principal (or Chair of the Board) any supporting evidence of your complaint or to indicate any witnesses of the events of the grievance.
- 4.3 You will receive a written reply from the Executive Principal (or Chair of the Local Governing Body), normally within 5 working days after the initial meeting, informing you of the decision unless, by agreement, the period is extended. You will also be told of your right to appeal if you are not satisfied with the outcome.

#### **5.0 APPEAL MEETING**

- 5.1 If you are dissatisfied with the outcome and wish to pursue the matter further, you may appeal by sending a copy of your completed grievance form with a covering letter explaining why you wish to appeal to the Executive Principal or to the Clerk of the Local Governing Body as appropriate.
- 5.2 The Executive Principal or Clerk to the Local Governing Body as appropriate will acknowledge your grievance appeal in writing. You will then be invited to attend a meeting with the School's Appeals Panel.
- 5.3 At the meeting you will have the opportunity to explain what the grievance is and why you are dissatisfied with the outcome of the initial grievance stage. This meeting will take place within 10 working days unless it is mutually agreed that there is a different timescale. You must take all reasonable steps to attend the meeting. As far as possible, meetings will take place within the normal school day.
- 5.4 The Appeal Panel will conclude its investigation, including discussion with the Executive Principal (or Chair of the Local Governing Body) who initially investigated the grievance.
- 5.5 The Clerk to the Appeal Panel will issue the decision of the Appeal Panel in writing within 5 working days of meeting. This period may be extended if further investigation by the Appeal Panel is needed. If this is the case the Chair of the Panel will inform you in writing. The decision of the Appeal Panel shall be final and there will be no further right of appeal.
- 5.6 The procedure to be followed at the Appeal Meeting is shown at Appendix 2.

## **6.0 ADDITIONAL INFORMATION**

- 6.1 Throughout all stages of the procedure you will be expected to continue working normally. However, in exceptional circumstances with the agreement of all parties if this is not practicable then it may be possible for the person to be moved elsewhere within the School. If your grievance is against the Executive Principal / Line Manager you should still carry out your normal day to day duties, wherever possible.
- 6.2 Every effort will be made to deal with the grievance as speedily as possible. It should be remembered, however, that some cases need time to investigate fully. You will be given every opportunity in the meeting to explain the details of the case.
- 6.3 If the employee's representative is unable to attend on the specified date, the employee may request that the meeting be postponed. They should then offer an alternative date within 5 working days of the original date. This will only be accommodated on one occasion. Where the employee is unable to attend the rescheduled meeting without justifiable reason then Management will assume the employee no longer wishes to progress his/her grievance.



**GRIEVANCE FORM**

**Make a copy of this form when you have completed it. Keep one copy. Give the other copy to the Executive Principal / Chair of the Board (in accordance with the procedure)**

**Name of Employee** \_\_\_\_\_

**Job Title** \_\_\_\_\_

**School** \_\_\_\_\_

**Department** \_\_\_\_\_

**Line Manager** \_\_\_\_\_

**WHAT IS YOUR GRIEVANCE? (You may continue on a separate sheet if necessary)**

**WHAT ACTION HAS ALREADY BEEN TAKEN ON YOUR GRIEVANCE? WHO HAS CONSIDERED IT? WHAT WAS THE RESULT?**

**PLEASE STATE THE ACTION THAT YOU WOULD REQUIRE TO BE TAKEN ON YOUR GRIEVANCE TO RESOLVE IT TO YOUR SATISFACTION.**

**Signed** \_\_\_\_\_  
**Date** \_\_\_\_\_

**FORMAT OF GRIEVANCE APPEAL MEETING**

**THE GRIEVANCE PROCEDURE FOR TEACHING AND SUPPORT STAFF**

1. Introduction by the Chair of the Panel and a reminder to all present of:
  - a) the procedure under which the meeting has been called;
  - b) the manner in which the meeting will be conducted as set out below in paragraphs 2-12;
  - c) the degree of confidentiality;
  - d) those present and the purpose of the meeting;
  - e) the supporting papers.
2. Explanation by the member of staff and/or representative of the detail of the grievance, the reasons for the appeal and how the grievance might be resolved.
3. Questions from the Panel.
4. Opportunity for the member of staff and/or representative to submit any final points.
5. Withdrawal by the member of staff and representative(s)
6. Explanation by Executive Principal /Chair of Local Governing Body for decision taken in respect of grievance claim
7. Questions by Governors
8. Opportunity for the Executive Principal /Chair of the Board to submit any final points.
9. Withdrawal by the Executive Principal /Chair of Governors
10. Consideration of the matter by the Committee.
11. Within 5 working days of the meeting, the Chair of the Panel (or his/her nominee) to confirm the decision of the Panel to the employee, in writing, following, if appropriate, further investigation of any matters raised.
12. If the grievance is particularly complex the Chair (or his/her nominee) will write to the employee with an interim reply and a commitment when a final decision will be reached.
13. The decision of the Panel shall be final and there will be no further right of appeal.