

We are an **ambitious** and **inclusive** Trust of schools
strengthening communities through excellent education.



Grievance Policy

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Contents

Grievance Procedure Flowchart3

1. Policy Statement.....4

2. Scope4

3. Principles4

4. Informal Process5

5. Formal Process.....5

5.1 Investigation5

5.2 Grievances against another employee6

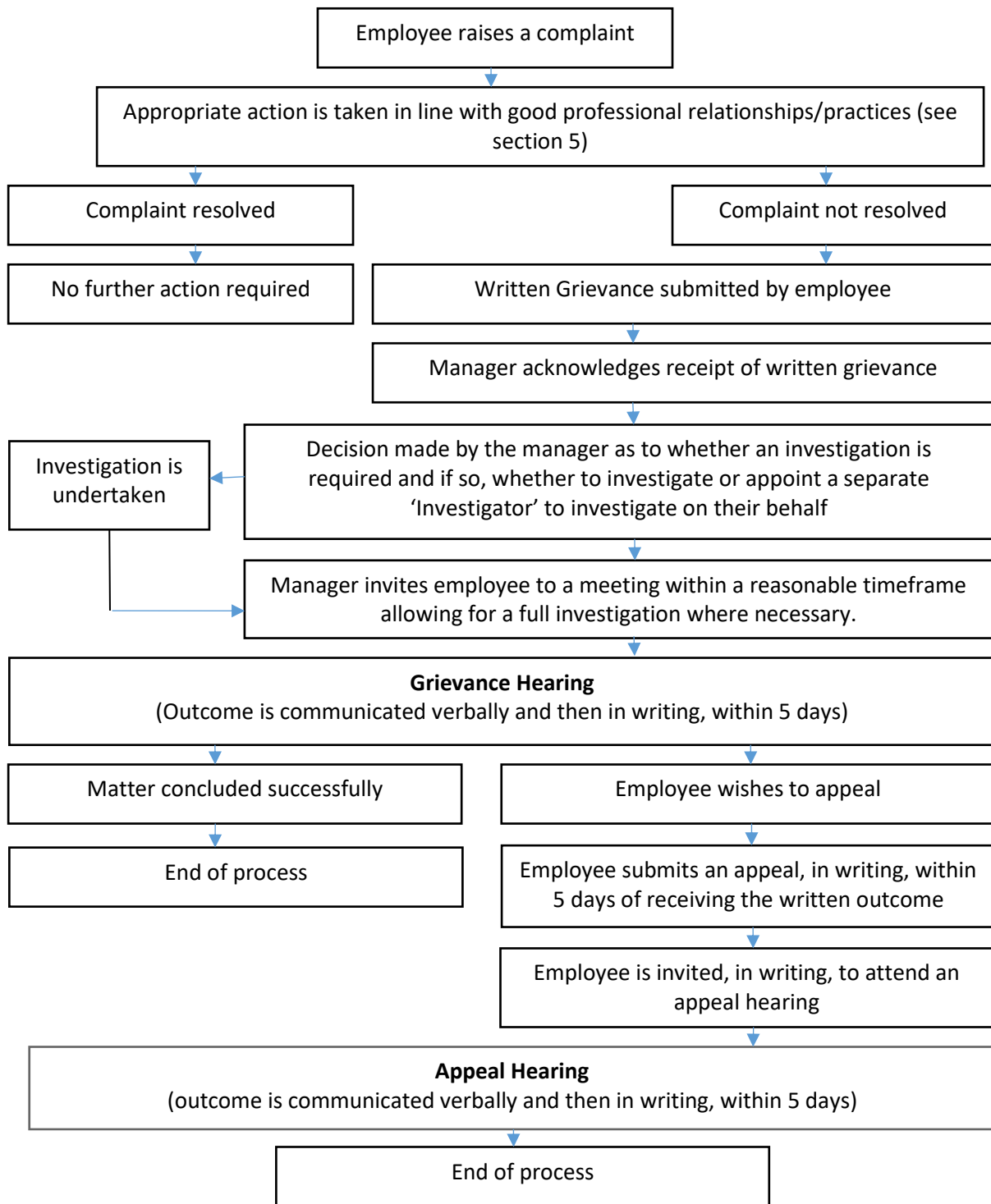
5.3. Formal Grievance Hearing6

6. Appeal Hearing6

7. Collective Grievances.....7

8. Overlapping Issues.....7

Grievance Procedure Flowchart



1. Policy Statement

We are an ambitious and inclusive Trust of schools strengthening our communities through excellent education. The Trust is committed to promoting effective working relationships and an environment in which employees feel able to raise work-related issues with their managers and to achieve a fair and prompt resolution to individual grievances.

This policy provides a clear framework to deal with concerns, problems or complaints raised by employees in the course of their employment in relation to:

- Matters affecting themselves as individuals; or
- Matters affecting their personal dealings or relationships with other employees.

2. Scope

This policy applies to all employees of the Ted Wragg Trust. This policy cannot be used to challenge formal outcomes from other procedures. The appeals process should be used in those cases.

3. Principles

A grievance is a concern, problem or complaint raised by an employee regarding their work, working conditions or relationships with colleagues.

The following reasons are examples of appropriate reasons for raising a grievance:

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

Often the quickest and most effective way of resolving a grievance is to do so informally directly with the manager. Where the employee has concerns about their manager, this should be raised directly with the Headteacher or a member of the Senior Executive Leadership Team. If the complaint is regarding a Headteacher, or member of Senior Executive Leadership Team, the matter should be raised with the Deputy Chief Executive Officer/Chief Executive Officer.

The manager should inform a member of the HR team if this policy is being invoked so that appropriate advice and guidance is available.

It is recognised that there may be occasions when it is not possible for a grievance to be resolved informally. In such cases the formal process should be followed.

It is expected that individuals will enter into either the informal or formal grievance process in good faith, with the aim of resolving the issue.

Grievances will be dealt with sensitively and with due respect for all individuals involved. All employees must treat any information communicated to them in connection with this matter as confidential. This is not intended to prevent the employee from discussing the matter with their companion in confidence.

Any steps taken under this policy should be taken promptly, unless there is a good reason for delay.

If, on investigation, the grievance is found to be vexatious or trivial, the manager may dismiss it without further consideration and the employee advised. False or vexatious complaints will be taken very seriously and may be managed under the Disciplinary Policy.

4. Informal Process

It is the responsibility of employees to take all reasonable steps to develop and maintain good working relationships with colleagues and to deal with workplace issues in a professional, practical and constructive manner.

Employees should try to resolve any difficulties at the earliest opportunity without having to use a formal process. Resolving issues in a sensible and sensitive way will require all parties to recognise their part in the issue/difficulty and how their behaviour may be contributing to the circumstances. Employees should be willing and open to looking at ways of resolving the issues.

In some cases, additional support such as mediation may be used to help resolve concerns.

Whilst there is no right to be accompanied by a trade union representative or colleague at an informal meeting, the trust will not object to any reasonable request to be accompanied. However, the trust will not postpone/delay the informal procedure due to unavailability unless this is agreeable and reasonable.

Grievances should only be progressed to the formal stage if the issue cannot be resolved by informal means or where circumstances make the informal process inappropriate.

5. Formal Process

If it is not possible to resolve a grievance informally, the employee should raise the matter formally by putting the nature of the grievance and the outcome sought, in writing to their manager.

If the grievance is about their manager, the employee should raise this directly with the Headteacher or a member of the Senior Leadership Team. If the complaint is regarding a Headteacher, or member of Executive Leadership Team, the matter should be raised with the Deputy Chief Executive Officer/Chief Executive Officer.

The employee should receive written acknowledgement of receipt of the grievance. Where there has been no informal action to resolve the grievance, the manager should seek to establish the reason for this and, where appropriate, may refer the matter back to the informal process detailed above.

The parties may, at any point, decide to resolve the grievance by means other than this policy, e.g. mediation. This decision must be confirmed in writing and will not preclude the employee from raising their grievance under this policy at a later date.

5.1 Investigation

Where an investigation is necessary this will either be undertaken by the manager or another appropriate person. Where multiple policies are being applied, particular care will be taken to ensure the impartiality of the investigator.

Following any investigation, the outcomes may be:

- For a grievance hearing to take place
- For the grievance to be considered under another procedure or policy
- Refer the matter for mediation
- Dismiss the grievance where it is found to be vexatious, trivial, false, malicious or mistaken and/or where the investigation finds insufficient evidence to substantiate the complaint. Where the grievance is dismissed, the employee will be informed of the reason and may appeal the decision

5.2 Grievances against another employee

Where the grievance is related to the actions of another employee, the other employee should be informed about the grievance and provided with a copy of this policy. They should be given the opportunity to respond to the grievance and be advised of the likely timescale of any investigation. Information regarding an employee's grievance should only be shared with other parties where it is relevant to them.

5.3. Formal Grievance Hearing

A Headteacher or a member of the Senior Leadership Team will chair the formal Grievance Hearing.

The employee will be invited to attend a Formal Grievance Hearing with the manager (and a member of the HR team). If a separate investigator has been involved in the investigation, they will also be in attendance. The employee may bring a companion to the formal grievance hearing which may either be a trade union representative or a work colleague. Where an employee's representative is unable to attend on the date/time of the hearing, the employee may propose an alternative date within 5 working days of the original date. The employee will be invited to re-state their grievance and how they would like to see it reasonably resolved.

This Hearing will take place as soon as practicable. The timescales can be extended by mutual agreement to allow additional time for information to be gathered, although it is important that there is no unreasonable delay. Prior to the Hearing, the manager will determine the appropriateness of sharing the information gathered, and which parties to share this with.

The decision will be confirmed in writing, within five days, setting out the key factors considered, the reason for the decision and what action was agreed to resolve the grievance. The letter will also detail the employee's right of appeal.

If the grievance is related to another employee, the manager should ensure that suitable feedback is given to them and that this is undertaken within a reasonable timeframe.

6. Appeal Hearing

The purpose of the Appeal Hearing is to give the employee the opportunity to have their grounds of appeal considered by the person with delegated responsibility.

If an employee wishes to appeal against the decision, they must do so in writing, stating the grounds for their appeal, within five days of receiving the written outcome of the Grievance Hearing. The appeal should be heard without unreasonable delay. A minimum of five days' notice will be given to allow for preparation.

Appeal hearings will be heard by the Deputy CEO or CEO, in accordance with the Trust's Delegated Authority to Act document.

An appeal is not a re-hearing of all of the facts but to determine if the original decision was reasonable given the circumstances.

Where the appeal is in relation to the dismissal of a grievance, the chair may wish to carry out further investigation before reaching their final decision. Where this is considered appropriate, then the employee will be informed of this as soon as practicable after the appeal hearing. Where further investigation is not required, the appeal decision will be confirmed in writing to the employee within 5 days. The grievance process ends with the decision of the Appeal Hearing.

7. Collective Grievances

If more than two employees have an identical grievance and wish them to be addressed in the same grievance process, the employees can raise a grievance collectively.

All colleagues raising the grievance must agree (without any pressure being exerted on staff members) to do this and put this in writing.

In these circumstances, participating colleagues will be entitled to only one grievance hearing and (if applicable) one appeal hearing. If grievances are not identical, the Trust will arrange to hear the grievances on an individual basis.

8. Overlapping Issues

Where an employee raises a grievance whilst being managed under another policy e.g. Disciplinary, Capability, Managing Sickness Absence, the manager should refer to the applicable policy and take appropriate action. Invoking the Grievance Policy does not necessarily mean that other processes will be put on hold, but where this is necessary to do so reasonable timescales should be adhered to and where possible delays should be no more than 10 days unless mutually agreed.

Where multiple policies are being applied careful consideration will be given to who will be responsible for acting under each policy to ensure no conflict of interest, impartial decisions, and successful resolution is possible.