



Grievance Policy

At Queen Elizabeth's Grammar, Alford the named persons with responsibility for the Grievance Policy are:

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Aims

This policy aims to enable employees to raise concerns about workplace issues without fear of victimisation or repercussion, and to ensure all grievances are dealt with fairly and objectively.

Legislation and guidance

We are required to set out grievance procedures under general employment law. These grievance procedures are based on the disciplinary and grievance code of practice from ACAS.

Definitions

A grievance is a concern, problem or complaint raised with the school by an employee. It can be caused by issues such as working conditions; health and safety concerns; bullying or discrimination; or work relations. This policy does not cover issues raised by people who are not employed by the school, as this would fall under our complaints procedure

Grievance procedures

We are committed to dealing with grievances fairly and objectively. Employees will be protected from discrimination or victimisation after raising a work-related grievance.

Scope of the policy

Grievances must be raised within three months of the incident/last in a series of them or action giving rise to it unless exceptional circumstances apply. Any grievances raised outside of that time limit may not be considered.

Grievances can only be raised by a current employee or ex-employee (subject to the time limits above) If an ex-employee wishes to raise a grievance, they must indicate in writing that this is the case.

Comments made in any exit interview or questionnaire will not automatically be considered as a formal grievance for the purposes of this policy.

Informal stage

In the first instance, we will aim to resolve an employee's grievance informally with their line manager. The line manager should meet with the employee and formally discuss the matter, seek a resolution and take notes of this conversation. If the member of staff's concerns relates to their line manager they should discuss the issue with the line manager's manager who will seek to resolve the matter informally.

The notes should include the date the issue was raised, the date of the meeting, the nature of the grievance, any advice given and the outcome.

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Additional to meeting informally with the employee the manager considering the grievance may need to gather other evidence in order to better understand the nature of the grievance and be able to resolve the matter at this stage.

Any meeting(s) at this stage will only involve the member of staff and line manager.

It may be necessary for the member of staff who has raised a grievance to attend a meeting to discuss the concerns in more detail. However, this will be determined on a case-by-case basis.

During the informal stage, it may be appropriate to explore the use of mediation, depending on the nature of the grievance.

Employees should be able to demonstrate that they have made every effort to discuss the issue(s) informally, before the formal process is commenced. It may be the case that the complainant wishes to be accompanied by a companion to the meeting. The companion must be a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

Formal stage

If it is not possible to resolve the matter informally, employees should set out their grievance in writing to their line manager (App 1). In exceptional circumstances, it may be considered appropriate for the grievance to be handled formally without the requirement to have completed the informal stage. This will be treated on a case-by-case basis. If the member of staff's concerns relates to their line manager they should discuss the issue with the line manager's manager who will seek to resolve the matter informally.

Upon receipt of a grievance, an investigating officer will be appointed. This will be an independent individual with no prior knowledge of the complaint.

A Grievance Panel will also be appointed. This group of people will be separate from the investigating officer and will be chaired by an independent individual, with no prior knowledge of the complaint. This panel will include 2 governors or representatives.

The investigating officer will undertake a grievance investigation and will make a recommendation. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the employee and witnesses and/or reviewing relevant documents.

The employee must co-operate fully and promptly in any investigation. This may include informing the investigating officer of the names of any relevant witnesses, disclosing any relevant documents and attending interviews as part of the investigation.

Grievances concerning issues that are more than three months old will not usually be investigated unless related to the current issue or there are exceptional circumstances.

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The school may instigate an investigation before holding a grievance meeting, where considered appropriate. In other cases, a grievance meeting may be held before deciding what investigations (if any) to carry out. In either case, the school will hold a further grievance meeting after the investigation is completed to enable a decision to be made.

A formal meeting will be arranged within ten working days after the grievance has been raised. At the meeting, the employee will be given the opportunity to explain their grievance and how they think it should be resolved.

The Grievance Panel may include the Headteacher; Chair of Governors; employee's line manager; local authority representative; other senior member of staff or two governors.

Employees have a statutory right to be accompanied by a companion at a grievance meeting. The companion must be a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

Deciding on appropriate action

The meeting will be adjourned, and the grievance panel will reflect on it before coming to a decision. This decision will be communicated to the employee in writing within five working days. It will set out the action that will be taken to resolve the grievance. It will also inform the employee that they can appeal if they are not satisfied with the outcome and explain how to do this.

Possible Outcomes of Formal Stage

Notes of the outcomes and meeting will be retained.

MEDIATION

Mediation may be used where the manager believes that this may help to resolve the issues and may be used at any stage of the procedure as appropriate.

The decision to proceed to mediation will be on a case by case basis and following discussion with the relevant manager and mediator.

Where the mediator agrees that mediation is appropriate, the relevant Senior Manager within the School will communicate this outcome to all employees involved. Mediation can only take place if all parties are in agreement to it and there should be no coercion by management on any individual to participate.

Appeals

If the employee is not satisfied with the outcome of the grievance, they have the right to appeal the decision.



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If the senior manager determines that the outcome from the previous formal hearing was appropriate in which case, the original outcome would be upheld and the grievance appeal dismissed.

The employee should set out their grounds of appeal in writing as soon as possible and submit this to the Headteacher, or Chair of Governors if the grievance is about the Headteacher.

A grievance appeal panel will be appointed. This will be a group of people independent from any previous stage of the grievance procedure.

Appeals will be heard without unreasonable delay. Employees will be told the time and place of the appeal meeting in advance.

Employees have the same statutory right to be accompanied to the appeal meeting by a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The outcome of the appeal will be confirmed in writing to the employee within five working days.

Record keeping

Minutes will be kept of all meetings. Where possible, these will be confirmed as an accurate reflection of what was discussed during the meeting.

Records of all materials relating to the grievance process will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention schedule.

Overlapping disciplinary and grievance issues

Overlapping disciplinary and grievance issues. If an employee raises a grievance after disciplinary proceedings have started against them, the school will consider suspending the disciplinary proceedings for a short period to consider the implications of the grievance (if any) on the disciplinary process. If the grievance and disciplinary issues are unrelated, they can be heard separately, otherwise they may be dealt with concurrently where appropriate.

Vexatious, malicious or frivolous grievances

All grievances will be taken seriously, but only those which raise a legitimate or genuine concern will be heard or investigated. The Headteacher or Chair of Governors as appropriate will not consider any frivolous or vexatious grievances or any repeat complaints which have already been responded to. Evidence of malicious grievances may result in formal disciplinary action being taken against the employee(s) concerned.



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Appendix 1:

Employee's notification of grievance

This form should be used to submit a grievance in accordance with the formal grievance procedure, adopted by the governing body of your school.

You and, where appropriate, your professional association/trade union representative should complete the form and hand it to your Headteacher, the person against whom the grievance is being brought and the Chair of Governors.

You are advised to keep a copy.

Name:

Post held:

Department:

Describe briefly:

a) The nature of your grievance (this should include a full description of the nature of your complaint including any relevant facts, dates and names of individuals involved).

b) On what date did you first raise your grievance, and with whom?

c) What action has been taken on your grievance at the informal stage?

d) What outcomes are you seeking? (Please detail actions you would like taken to resolve the situation, e.g. an apology).

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e) Are you interested in exploring a resolution through mediation?

Has your professional association/trade union representative been informed? YES/NO

If YES: (a) Do you wish the representative to receive correspondence? YES/NO

(b) Please identify the representative and where he/she may be contacted.

Signed:

Date:



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Appendix 2 – Guidance for employees on how to raise a grievance

What is a grievance?

Anyone working in a school may, at some time, have problems or concerns about their work, working conditions or relationships with colleagues that they wish to talk about with management. Examples of a grievance include (but are not limited to): conditions of employment, health or safety, relationships at work and new working practices. If you are a member of a trade union or professional association, you should seek advice from your representative at the earliest stage as some concerns are dealt with through different procedures.

What should I do if I have a grievance?

Always try to resolve the grievance at source, if necessary, by talking it through with your line manager. This allows for problems to be resolved quickly and normal working relationships to resume.

What is the informal process for handling a grievance?

Talk to your line manager at one of your regular one-to-one meetings or, if such a meeting is a long way off, by requesting a special meeting for this purpose.

What do I do if the grievance cannot be resolved informally?

Provide a written submission (see Appendix 1)

What information should I include in the notice of grievance?

- what the grievance is about (be clear and specific)
- who is involved and when
- why the grievance has not been resolved at an earlier stage
- how you think the grievance can be resolved
- whether you will be interested in exploring a resolution through mediation.

What happens once I have submitted notice of a formal grievance?

A meeting will be arranged at which you have the opportunity to set out your grievance. This may be before or after any investigation has taken place although investigations are not always necessary. This is the formal stage of the procedure. All parties may be accompanied or represented by the professional association or trade union representative or by a work colleague. The chair of the meeting will inform you of the outcome.

What happens if I don't like the outcome of this meeting?

The job of the hearing manager at a formal meeting is to reach a conclusion that is fair and equitable to all sides. If you feel that the outcome is not fair, then an appeal meeting before a panel can be requested. The decision of the panel at this stage is final: there are no further hearings

