



# Grievance Policy

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| Audience:       | All employees, contractors and volunteers |
| Approved:       | Trust Board – March 2019                  |
| Policy owner:   | Director of HR                            |
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# REAch2 Grievance Policy



At REAch2, our actions and our intentions as school leaders are guided by our Touchstones:

- Integrity** We recognise that we lead by example and if we want children to grow up to behave appropriately and with integrity then we must model this behaviour
- Responsibility** We act judiciously with sensitivity and care. We don't make excuses, but mindfully answer for actions and continually seek to make improvements
- Inclusion** We acknowledge and celebrate that all people are different and can play a role in the REAch2 family whatever their background or learning style
- Enjoyment** Providing learning that is relevant, motivating and engaging releases a child's curiosity and fun, so that a task can be tackled and their goals achieved
- Inspiration** Inspiration breathes life into our schools. Introducing children to influential experiences of people and place, motivates them to live their lives to the full
- Learning** Children and adults will flourish in their learning and through learning discover a future that is worth pursuing
- Leadership** REAch2 aspires for high quality leadership by seeking out talent, developing potential and spotting the possible in people as well as the actual

|                             | Page  |
|-----------------------------|-------|
| POLICY OVERVIEW             | 3     |
| Overarching Principles      | 3     |
| Intended Impact             | 3     |
| Roles and responsibilities  | 3- 4  |
| POLICY PRINCIPLES IN DETAIL | 4 – 5 |
| IMPLEMENTATION              | 5 – 8 |
| ANNEXES                     | 9     |

## **1. POLICY OVERVIEW**

### **1.1 Overarching Principles**

Reach2 Academy Trust is committed to creating a positive working environment. It is recognised, however, that there may be occasions where an employee may wish to raise a concern, problem or a complaint. In many cases an issue will be resolved quickly and informally but when this is not possible a formal procedure is available.

### **1.2 Intended Impact**

The aim of this policy is to settle grievances or complaints fairly, simply and quickly. Every effort will be made to resolve the issue at the earliest possible stage and, at each stage efforts will be made to avoid proceeding to the next stage and to settle the issue amicably.

### **1.3 Roles and Responsibilities**

#### **Employee's responsibilities**

- To raise any concerns, problems or complaints relating to their employment informally in the first instance.
- To engage positively in any efforts to resolve disagreements, conflicts and concerns informally.
- To familiarise themselves with the Grievance Policy.
- To engage actively in the process in order to assist in resolving their grievance.

#### **Line Manager's responsibilities**

- To ensure that all employees understand the Grievance Policy and know where to find it.
- Where appropriate, ensure that mediation has been explored and offered as a way of resolving the grievance before it reaches a formal stage.
- To consider any grievances fairly and thoroughly.
- To make sure that all employees are treated fairly, reasonably and consistently.
- To ensure a good working environment while the grievance is being handled.
- To make sure that any investigation is undertaken in a fair and timely manner.
- To adhere to the timescales set out in the policy.

#### **Human Resources responsibilities:**

- To advise line managers at each stage of the procedure, this may include supporting managers during an investigation or an appeal.
- To support line managers in considering options taking equality, precedence, risk, legal and practical considerations into account before the line manager makes a decision.
- To provide the opportunity for an employee to discuss their grievance with someone else if they don't feel they can raise it with their line manager.
- To monitor the application of the procedure to ensure it is applied in a fair and consistent way across the Trust.
- To monitor and record the outcomes of action taken under the formal stages of the procedure.

If a grievance is against an accredited representative of a trade union or professional association no process will commence until the matter has been discussed with a full-time officer, and with the individual's consent. If consent is not given, the process will continue as laid out in this policy.

## **1. POLICY PRINCIPLES IN DETAIL**

### **2.1 Scope**

This policy applies to anyone working for, or on behalf of, the Trust including trustees, local governing bodies, all staff whether employed by the Trust or external contractors providing services on behalf of the Trust, teacher trainees and other trainees and volunteers. all employees of Reach2 whether in either a permanent, fixed term or temporary post. The grievance procedure is not contractual.

### **2.2 Principles**

Wherever possible employees and their line manager should seek to resolve a concern informally in the first instance without recourse to formal procedures. Where an issue is with the line manager, the employee may choose to talk to the next level manager, or another manager. Such informal resolutions may enable colleagues to resume productive and professional working relationships. Should an employee's letter of resignation indicate that their decision relates to a perceived grievance in these circumstances the grievance policy will apply.

The following will apply in all cases:

1. Employers and employees will seek to resolve issues promptly and consistently
2. Employees will have an opportunity to put their case.
3. Employees will have an opportunity to appeal against a decision.
4. Employees will have a right to be accompanied by a trade union representative or work colleague at all formal stages of this procedure.
5. A request for a representative or work colleague to be present during an informal meeting will be welcomed.
6. Employees will not be victimised for raising a grievance or for supporting a colleague to raise a concern.

Situations involving discrimination, bullying, harassment or victimisation will be managed under the Dignity at Work policy.

With mutual agreement, it may be helpful to consider using an independent third party, or external mediator, to help resolve a problem.

### **2.3 Grievances and the Disciplinary Procedure**

In the case of a grievance being taken out as a counter-grievance, or in response to the start of disciplinary action, it may be appropriate to deal with both issues at the same time. If not,

the disciplinary procedure may be temporarily suspended in order to deal with the grievance first.

## **2. IMPLEMENTATION**

### **3.1 Timescales**

Where reasonably practicable, the procedure will be carried out within the timescales defined below. In the case of all staff, a working day is a day they would normally be required to attend for work.

Where a grievance arises just before a school holiday, arrangements to resolve the matter speedily should be discussed between the parties. With consent from all parties, and without pressure to do so, this procedure may continue during non-working days. A school holiday should not itself be a cause for an undue delay in resolving the issue.

The following timescales should be adhered to:

- Invitation to an informal or formal grievance meeting – 5 working days' notice of a formal meeting
- Written notice of the outcome of a grievance meeting – 5 working days
- Written notice of the employee's intention to appeal – 10 working days following receipt of the decision
- Written notice of an appeal hearing – 7 working days
- Written notice of the outcome of appeal hearing – 7 working days.

Timescales may vary by mutual agreement if the case is complex and involves a substantial volume of work / paperwork, or by up to 5 days if the employee is unable to secure union representation for a proposed formal meeting.

Should an employee fail to attend two formal hearings, the case will be heard in their absence.

### **3.2 Stage One - Informal Process**

Many workplace problems can easily be resolved at a local level, quickly, and in an informal manner. Employees should endeavour to approach the person with whom they have a grievance, to see whether the issue can be resolved by informal discussion before bringing their concerns to their line manager. If the grievance relates to the line manager who would normally deal with a grievance at this stage, the grievance should be referred to the next level line manager or to another manager – the Grievance Manager.

The Grievance Manager will attempt to resolve the complaint informally. They will enquire into the grievance, discuss it with the complainant and provide a written record of the discussion within 5 working days. This will include what steps will be taken to resolve the grievance, by whom and when these will take place.

With mutual agreement, it may be helpful to consider using an independent third party, or an external mediator, to help resolve the problem. If the issue cannot be resolved informally or the employee believes that informal resolution is inappropriate, the formal grievance procedure may be used.

### **3.3 Stage Two – Formal Process**

The employee should put their grievance in writing to their line manager as soon as possible after the incident which gives rise to the complaint, or after the informal process has been exhausted, providing as much detail about the specific circumstance as possible (see Appendix 1). If the grievance is against the employee's line manager, the matter should be raised with the next level manager or HR for advice. If the grievance is about the head teacher or if the head teacher has previously been involved in the case at the informal stage, then the grievance should be provided to the Chair of Governors. Whoever deals with the grievance at the meeting, will be excluded from hearing any appeal.

#### **3.3.1 Invitation to a Grievance Meeting**

The Grievance Manager will invite the employee to attend a meeting, within five working days, to discuss the matter. The employee is entitled to be accompanied by a trade union representative or work colleague at this meeting. A note-taker who is not involved in the grievance, will take notes and provide a summary to both parties. Each will be invited to agree the accuracy of the summary.

The Grievance Manager will ensure the meeting is in private, respect confidentiality and consider carefully all the points raised and agree any steps or actions to try and resolve the grievance.

At the meeting, the Grievance Manager will read out the grounds of the employee's grievance, ask the employee if they are correct and ask for clarification on any details of the grievance if they are unclear.

The employee will be given the opportunity to put forward their case and say how they would like to see it resolved. The employee may call witnesses and refer to any documents previously provided for the meeting.

The Grievance Manager may question the employee and any of the employee's witnesses. The employee will be given the opportunity to sum up but may not introduce any new material.

The meeting may be adjourned by the Grievance Manager if further information, or investigation is necessary (see 3.3.2 below).

A trade union representative or work colleague may address the meeting to put, and sum up, the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the hearing. The representative may not answer questions on the employee's behalf or address the meeting if the employee does not wish it.

Having considered the grievance, the Grievance Manager will communicate a decision in writing to the employee. If appropriate, the decision will set out what action the employer intends to take to resolve the grievance or, if the grievance is not upheld, will explain the reasons. This will also include notifying the employee of their right of appeal and the procedure to be followed.

#### **3.3.2 Investigating a Grievance**

An investigation may need to be undertaken to obtain all relevant information surrounding the grievance and to facilitate a reasonable decision on how to proceed.

The Grievance Manager will delegate the role of Investigating Officer to a senior member of staff, or to external HR, who has not had any prior involvement in the case. The investigation will be completed as soon as possible. The employee is entitled to be accompanied by a trade union representative or work colleague at any meeting during the investigation.

Once the investigation is completed, the Investigating Officer will prepare a formal statement for consideration by the Grievance Manager who will decide whether the grievance is rejected, partially upheld or upheld and will communicate the decision in writing to all parties with an explanation for the decision.

### **3.4 Stage Two - Appeal**

An employee who wishes to appeal against a grievance decision should do so in writing to the Grievance Manager's manager – the Appeal Hearing Manager - within ten working days of receiving written notification of the grievance decision. They should state the reasons for the appeal and include any documents in support of the appeal.

The Appeal Hearing Manager will chair the Appeal Panel and invite two people from the following roles: head teachers; heads of function or governors, who have had no previous involvement in the grievance to join the panel. The panel will be supported by a member of HR. The employee is entitled to be accompanied by a trade union representative or work colleague and to invite appropriate witnesses to attend the appeal meeting.

Arrangements for the appeal meeting will be made by the Appeal Hearing Manager who will ensure that a note taker is present. The appeal meeting should be held without unavoidable delay and the employee should receive written notice seven working days before the Appeal Panel. The notice must include who will be present at the Appeal Panel.

The Appeal Panel will:

- Clarify with the employee why they remain dissatisfied and the outcome they are seeking.
- Consider the outcome of the initial decision, including any investigation and the grounds for that decision.
- Request further information or further investigation as they consider necessary.
- Make a final decision based on all the available information.

The meeting may be adjourned by the Appeal Hearing Manager if it is considered necessary to undertake further investigation and the meeting will be reconvened as soon as possible. The Appeal hearing Manager will confirm the outcome of the appeal to the employee in writing within seven working days. The decision of the Appeal Panel is final.

### **3.5 Collective Grievances**

In circumstances where a grievance is raised by, or on behalf of, more than one person the details of the grievance must be set out in writing, signed by all who are party to the grievance and given to the head teacher, or head of service who will allocate a senior manager to review the grievance and follow steps 3.2 to 3.4 of this procedure.

Employees may nominate one person to represent the group. This may be a trade union representative, or trade union representatives, where the employees involved are members of more than one trade union.

If the employees are dissatisfied with the outcome of the grievance hearing they can appeal. The arrangements for the appeal hearing will be made in accordance with 3.4 above.

End



**Appendix 1**

**Grievance Form**

This form may be used to submit a grievance in accordance with the formal grievance procedure.

You and your trade union representative should complete the form and hand it to your line manager. Please keep a copy.

|            |             |
|------------|-------------|
| Name :     | Academy:    |
| Post held: | Department: |

Describe briefly the nature of your grievance (continue on a separate sheet if necessary – please attach any extra sheets)

When did you first raise your grievance, and with whom?

What action has been taken to resolve your grievance in the informal stage?

What would you like as the outcome of raising your grievance?

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

If YES: Do you wish your representative to receive correspondence?  
YES/NO

Please identify the representative and where s/he may be contacted?

Signed..... Date.....

Print name.....