

## **Grievance Policy**

Date adopted	July 2018
Last reviewed:	May 2023
Next review due:	May 2024

### **Introduction**

It is the policy of The Southover Partnership to provide a good working atmosphere in which employees feel that they are participating in meeting the objectives of their employer. The organisation acknowledges that during the course of employment some employees may have concerns, problems or complaints that need addressing. These are known as grievances. This policy aims to enable all employees to raise concerns about workplace issues without fear of victimisation and repercussion, and to ensure all grievances are dealt with fairly, fully and objectively.

It is our wish that you should try to resolve any problems through discussion with your relevant Head of School, Service Head or relevant Senior Leadership Team member. If your grievance involves this person, then discuss with the Executive Head before invoking this formal procedure.

Management should endeavour to resolve differences of interest in a responsible and constructive way as part of good employee relationships. If, however, this is not possible, the following formal procedure applies.

This policy applies to all staff including the Executive Headteacher.

### **Mediation**

Mediation can play an important role in resolving problems between employees. Mediation is an informal, voluntary process, which can be used to resolve disagreements in the workplace. Employees are encouraged to consider using mediation at both the informal stages of a grievance, or if necessary, as a result of the formal stages being invoked.

### **Day to Day Management**

Employees are encouraged to and will be supported to resolve the problem informally in the first instance. The individual raising the grievance should attempt to discuss the issue directly with their line manager, either verbally or in writing. If the grievance relates to the individual's line manager, it should be referred to the line manager's

manager. Discussions should take place which seek to achieve a full and satisfactory resolution to the matter. Where this is not possible or does not conclude matters, further investigation into the complaint may be required.

Whilst the grievance is being considered the status quo will apply.

## **Roles and responsibilities**

### **The Line Manager**

Provided they are not the subject of the grievance, the line manager will be the first point of contact for the employee raising a grievance. If the grievance is about the employee's line manager, the employee will raise the grievance with the line manager's manager.

### **The Executive Headteacher/ Head of School or a Senior Leader**

Provided they are not the subject of the grievance, the Executive Headteacher, or nominated member of the SLT will consider the grievance at the formal stage.

### **Chair of Trustees**

Where the Executive Headteacher is the subject of the grievance, the chair of trustees will be responsible for appointing and appropriate trustee who has not been directly involved in the grievance to oversee the procedure at the formal stage.

### **Investigating Officer**

An independent investigating officer may need to be appointed in order to carry out a thorough investigation and collation of appropriate information to establish the facts of the case at the formal stage.

The role of the investigator will be to investigate the issues raised, interview witnesses as appropriate, establish the facts and make any recommendations for resolution. The school will ensure that the investigating officer is impartial.

Investigations will vary in the level of detail required; this must be proportionate to the matter in question.

### **Welfare Officer**

An independent welfare officer from the SLT may need to be appointed in order to carry out welfare checks on the individual who is under an investigation.

## **Grievance Panel**

The Executive Headteacher (or appointed trustee if the headteacher is the subject of the grievance) will appoint a grievance panel of 3 people with no prior knowledge of the grievance. These people will be separate from the investigating officer and will be chaired by an independent individual.

## **Other members of staff or trade union staff**

A work colleague, trade union representative or trade union official who has been certified as being competent to attend such meetings may accompany the employee raising the grievance at a formal grievance meeting.

## **Formal Process**

Where the employee feels that their grievance has not been resolved via day-to-day management or where the complaint is deemed insufficiently serious, the grievance should be put in writing to a manager who is not the subject of the grievance. The letter should specify the exact nature of the complaint and resolution that the employee wishes to see whilst attaching any relevant evidence.

Following the receipt of the grievance formal acknowledgement of the grievance should be sent to the employee and a meeting arranged without unreasonable delay.

## **Procedural Arrangements**

1. Once a Formal Grievance has been received, it will be acknowledged and this procedure will be enacted and an 'Investigative Officer' (IO) will be appointed, this will usually be the Senior Leadership Team member the Grievance is addressed to.
2. At any stage during the Formal Grievance Procedure employees have the statutory right to be accompanied, this can be a trade union representative/official or a work colleague. To exercise this right, employees must make their request in advance of the meeting, letting them know the name of their representative and whether they are a trade union representative or work colleague. The meeting will allow the individual to elaborate on the points raised in their written grievance and will inform the next steps of the investigation. The purpose of the investigation is to establish the facts of the case and collate appropriate and relevant evidence to establish whether there is an issue that needs to be addressed. All parties will be given the opportunity to respond to the points raised and may direct the investigating officer to any relevant witnesses to support the case.

The Investigating Officer will produce a report outlining their findings, summary and recommendations for the Decision – Making Manager. Based on the outcome of the investigation the manager will give one of the following outcomes:

- The grievance is upheld
- The grievance is partially upheld
- The grievance is not upheld

A summary of the findings should be provided to the complainant. The outcome to the process must be confirmed to the complainant in writing outlining their right to appeal against the decision.

The respondent should also be informed of the outcome, e.g., whether the matter will be dealt with via day-to-day management or if the matter will move to a formal disciplinary process. Consideration will be given as to how the parties are going to work together moving forward.

3. All those parties involved with the grievance i.e., management, employee(s) and companion(s) should treat the matter in confidence unless it is mutually agreed that the matter can be discussed with others.
4. Following an investigation, the SLT member will confirm to you the outcome in writing, normally within 5 working days, unless further investigation into your complaint is required, such as gathering statements from witnesses or documents, which may delay meeting this timescale.

## **Stage One**

You must set out, in writing, details of your grievance(s), any evidence you have to support your grievance, and/or names of people who could support your grievance and submit this to your Head of School, Service Head or relevant Senior Leadership Team member.

## **Stage Two**

You will then be invited to a meeting, to discuss your grievance and investigate what resolutions may be possible, you should take all reasonable steps to attend.

Any additional information will be collected from you during this meeting, to enable the IO to take your Grievance forward.

A meeting will be held with the person the grievance is being made about, and they will be given every opportunity to respond to the grievance, they have the right to be accompanied, this can be a trade union representative/official or a work colleague

The outcome of the meetings will be confirmed to you in writing, as will your right of appeal.

### **Stage Three**

If you are not satisfied with the outcome at Stage 2, you will be given the right to an appeal meeting with a more Senior Manager/Trustee who, wherever possible, has not been previously involved in the procedure.

You will be expected to take all reasonable steps to attend the appeal meeting, this will be held to gather any further information the appeal manager requires and to consider and try to resolve the grievance(s) you have set out in writing.

The outcome of the meeting will be confirmed to you in writing, and this is the end of the procedure.

### **Withdrawing the Grievance**

If at any point the employee who has instigated the grievance procedure wishes to withdraw his/her grievance, they should confirm this in writing and submit this to the same individual they originally submitted the grievance letter to.

### **Appeal**

Where an individual is not satisfied with the outcome of their grievances following the investigation process, they will have the right to appeal this outcome in line with the school's Appeal Policy.

### **Re-establishing Working Relationships**

Regardless of the outcome, the alleged perpetrator and the recipient must attend mandatory joint meeting to discuss what support or action is required to assist them to re-establish their working relationship. The Decision-Making Manager should ensure that this meeting is scheduled to take place as soon as possible after the parties have been advised of the investigation outcome. A third part (e.g., manager, HR representative) should be involved in this meeting to help facilitate a solution.

The meeting should focus on agreeing strategies to assist the parties to resume and repair their working relationship. A potential outline of the meeting might include: -

- Explaining the purpose of the meeting (I.e., it is not to revisit the complaint previously investigated, it is about moving forward);
- Identifying potential areas of concern and explore these with the parties;
- Encouraging open and honest communication
- Confirming the key points agreed to help move forward

- Re-affirming that both parties have a responsibility to ensure good working relations are maintained and that failure to do so could lead to disciplinary action being considered.

## **Collective Grievances**

In cases where more than two employees have an identical grievance, they may wish for the matter to be addressed as a collective grievance. All employees must agree to being party of such action without any pressure being placed on them by other employees to join the collective complaint.

Depending on the nature of the complaint, attempts may be made to resolve the matter informally. However, where the employees are not satisfied with the outcome the matter will be dealt with via the formal stages of the policy.

A group of employees raising a collective grievance must decide to either:

- a. Nominate a spokesperson from the group of employees to act on the group's behalf throughout the grievance process, or
- b. Request that trade union representative raise the grievance on behalf of the employees (where the employees are all members of the same Trade Union), or
- c. Where there is no agreement on a single nominated representative, or the complaints are not identical, employees will be entitled to raise individual grievance.

The collective complaint should be headed "Formal collective grievance" and submitted to the Executive Headteacher/Chair of Trustees. The complaint should:

- Be signed by all individuals wishing to raise the grievance
- Identify any nominated trade union representative or colleague to represent the group and
- Confirm that all those involved understand that the grievance will have one collective outcome and one appeal outcome.

The process for dealing with collective grievances will follow the same process as outlined in this document above for individual grievances.

## **Monitoring arrangements**

This policy will usually be reviewed every annually but can be revised as needed from time to time. It will be reviewed by the Trustee Board.

## Appendix 1: staff grievance notification form

<b>Name:</b>	<b>School:</b>
<b>Post held:</b>	<b>Department:</b>
Describe the nature of your grievance, including: <ul style="list-style-type: none"> <li>• A full description of your grievance</li> <li>• Relevant evidence, such as facts, dates and names of individuals involved</li> </ul>	
Please state the following	
The date on which you first raised your grievance, and with whom	
The action taken in respect of your grievance at the informal stage	
The outcomes you are seeking and the actions you would like taken to resolve the situation	

Whether you would like to explore a resolution through mediation	
Whether you like accompaniment at a grievance meeting by a work colleague, trade union official, or trade union representative – and if so, their name and position	
Signed	<b>Dated:</b>