

Policy for Grievance procedure for all staff

Adopted from LBC Personnel Handbook

1. Our policy

- 1.1 The school as an employer seeks to provide a working environment that is open, supportive and fair.
- 1.2 The school readily accepts that employees may have concerns about their employment, and feels that raising them and dealing with them is vital to good employee relations.
- 1.3 Problems, or the most recent incident of the problem where it may be an ongoing issue should be raised promptly and must be raised within 3 months of the problem arising, discussed fully, and steps taken in good faith by all concerned to resolve them.

2. The purpose of this procedure

- 2.1 This procedure is to help to resolve problems, concerns and complaints which employees may have about their employment promptly and fairly, and as near as possible to their point of origin.
- 2.2 This procedure may be used for a variety of issues an employee may have excluding:
 - grading appeals
 - redundancy
 - performance management
 - discipline and disciplinary appeals
 - public interest disclosure ('whistleblowing')
 - collective processes with the School's trade unions (including redundancy and organisational change)
 - Unfair Discrimination, Harassment and Bullying

Where an employee raises a concern in relation to any of the above matters and there is an alternative procedure under which their concern may be raised the employee will be advised of this.

If, in responding to a problem during this process, the manager considers that another procedure is more appropriate, the employee will be directed there, and the grievance resolution process discontinued.

- 2.3 Day-to-day issues should normally be resolved through dialogue between employees and their manager, without having recourse to a formal procedure. Most issues can be resolved in this way, sometimes by acknowledging that although a matter may have created annoyance, it can best be handled by simply talking it through. Managers and employees should consider mediation in appropriate cases.
- 2.4 The School's aim when any issue, problem or grievance arises is to resolve it informally. Prior to registering a grievance formally at the First Stage below, employees must make an attempt to resolve it informally. Employees will be required to state what steps they have taken to resolve the matter informally when completing the First Stage Grievance Form at Appendix One.
- 2.5 This grievance resolution procedure only comes into play when the employee is not satisfied with the outcome of that dialogue with their manager and when all other informal routes to resolve the matter have been exhausted, or, where the problem is of a particularly sensitive nature which prohibits an informal resolution.

2.6 The School Staffing (England) Regulations 2003 and the Education Act give responsibilities to the governing body for the management of the school. The governing body, therefore, will need to establish sufficient members that alongside the head teacher, will seek to resolve employee grievances at the formal stages

2.7 At any stage the Head teacher or Governors may ask for advice and guidance from the schools Luton HR schools HR team.

3. **The stages**

First stage

3.1 If the problem has not been resolved informally or if the problem is of a particularly sensitive nature to the employee raising the grievance and cannot be dealt with informally, then the employee must register the problem formally with the Head teacher using the First Stage Grievance Form at Appendix One. If the grievance is against the Head teacher it should be registered with the Chair of Governors.

3.2 The Head teacher or Governors delegated this authority will:

- Investigate the issue, taking statements from other involved parties if appropriate and obtaining data or other information were needed. This investigation may also include meeting with the employee to take more details of the problem.
- Where a meeting with the employee has not yet taken place convene a meeting with the employee to explore possible resolutions to the problem, notifying the employee of the date and of the right to be accompanied by a companion (see 3.3 for the definition of a companion). Wherever possible, the employee will be invited to the meeting within two weeks (excluding school closure periods) of the employee formally registering the problem;
- Reply to the employee within a week of the meeting describing the action which they propose to take and the time-scale. This reply can be oral, in which case it will be confirmed in writing as soon as possible.
- If it is not possible to respond within these periods, the employee will be given an explanation for the delay, and be told when a reply can be expected.

3.3 The chosen 'companion' can be one of the following only:

- A work colleague
- A trades union representative*
- An official employed by a trades union

* A trades union representative who is not an employed official must have been certified by their trades union as being competent to accompany the worker. (It is the employee's responsibility to check with their trades union that their chosen representative has been certified as competent.)

Second stage/Appeal

3.4 If the action proposed or taken as a result of the first stage will not or does not resolve the problem from the employee's point of view, or if no action is taken or no reply is received, the employee may appeal by submitting the Second Stage Grievance Form at Appendix Two to the Chair of Governors. The employee should include the full details of the problem, why they are dissatisfied with the response at stage one of the procedure; and what they think would be a satisfactory remedy. Where the grievance is against the Head teacher the appeal should be submitted to the Chair of Governors. The Chair of Governors will nominate a governor to action the appeal.

- 3.5 The Second Stage Grievance Form must be submitted within two weeks of receipt of any reply from the Head teacher or the Governors who investigated the first stage.
- 3.6 The Governor appointed to consider the appeal will:
- Review the first stage of this process and determine what further investigation is required
 - Investigate the issue, taking statements from other involved parties if appropriate, and obtaining data or information where needed (the investigation may be commissioned from the Luton HR Traded Services team)
 - Convene a meeting with the employee to explore possible resolutions to the problem, notifying the employee of the date and of the right to be accompanied by a companion (see 3.3 for the definition of a companion). It may be appropriate to also meet with the person who investigated the first stage. Wherever possible the employee will be invited to a meeting within two weeks (excluding school closure periods) of the employee's Second Stage Grievance form being received.
 - Reply to the employee within a week of the meeting describing the action which they propose to take and the time-scale. This reply can be oral, in which case it will be confirmed in writing as soon as possible.
 - If it is not possible to respond within these periods, the employee will be given an explanation for the delay, and be told when a reply can be expected.

3.7 The reply at the end of the second stage will be the final response by the School.

4. **Special considerations**

- 4.1 Records must be kept detailing the nature of the problem, the response, any actions taken and the reasons for them. These records will be kept confidential in line with the school's retention policy.
- 4.2 A concluding action open to the Head teacher or governors may be determining to take disciplinary action against employees who abuse the Grievance Resolution Procedure by making complaints that the school has reason to believe are false or are made in bad faith.
- 4.3 Confidentiality will be given the utmost importance by both parties at all stages of the procedure. However if the grievance raises issues which require investigation under the disciplinary procedure it is likely that they will need to be disclosed during the course of that procedure
- 4.4 This procedure is subject to any reasonable adjustments which may be required by employees who are considered to be a disabled person within the meaning of the Equality Act 2010.

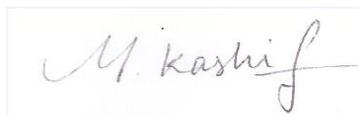
This policy will be monitored and reviewed by the Head teacher on an annual basis.

Policy updated: January 22

Staff responsible: Sally Bacon

This policy was ratified by the Governing Body on: 26th January 2022

Signed on behalf of the Governing Body:



(signature)

M. Kashif - Chair of Governors

(printed)

**FIRST STAGE GRIEVANCE FORM:
NOTIFICATION OF FORMAL GRIEVANCE**

To be completed by employee raising grievance:

Name:

School:.....

To ; Headteacher / Chair of Governors (*delete as appropriate)

What is the nature of your grievance?

What action have you/management taken to address the grievance informally?

What remedy are you seeking to your grievance?

Signature:

Date:.....

SECOND STAGE GRIEVANCE FORM: GRIEVANCE APPEAL

To be completed by employee raising grievance:

Name:

School:.....

To ; Chair of Governors/ Appeals Committee Panel / Director of Children and Learning*
(*delete as appropriate)

What is the nature of your grievance?

(Please attach a copy of the First Stage response letter)

What is the reason for your appeal?

What remedy are you seeking to your grievance?

Signature:

Date:.....