



Staff Grievance Procedures

For all schools in Crofty Multi Academy Trust

Audience:	School and academy staff, particularly Headteachers and administrative staff Local Governing Bodies
Reviewed/ Consulted/ Adopted:	March 2021
Other related policies / procedures	Allegations of Abuse Against Staff Equal Opportunities Anti-harassment and Bullying Whistleblowing Staff Disciplinary Procedures Staff Pay Policies
Owner	Director of Education
Policy / procedure model	MAT policy: all Crofty schools use this policy

1. Introduction

- 1.1 The Trust promotes a positive working environment and has developed policies and procedures to support this. However, the Trustees understand that, on occasion, employees may want to raise a grievance related to their employment. Most grievances will be resolved through informal discussions. This policy provides employees with a clear and specific mechanism for resolving their grievances quickly, fairly and consistently, to help maintain effective working relationships.
- 1.2 Employees raising a grievance should be able to do so without fear of victimisation. Employees will not be treated any less favourably or suffer any detriment in their employment, as a result of raising a grievance under this policy. All those involved in a grievance have a duty to act honestly and without malice to anyone else. Individuals raising complaints maliciously will be subject to disciplinary action.

2. Purpose

- 2.1 The aim of this policy is to achieve fair and equitable treatment of all employees of the Trust in the resolution of individual employment related grievances, by providing a structured framework through which individual employees can seek redress. Broadly, a grievance may be raised about any matter arising from employment, including grievances amongst members of staff, with the Head Teacher or the Governing Body/Trustees.
- 2.2 This procedure is not the appropriate recourse for the following employment matters:
 - Any outcome of a disciplinary process (in such circumstances the Appeals' Procedure established within the Disciplinary Procedure applies).
 - Any issue relating to the pay progression of a Teacher
 - Whistleblowing (in such circumstances, the Trusts' Whistleblowing Procedure applies)
 - Matters relating to the rules of the Local Government Pension Scheme or Teachers' Pension Scheme (such matters will be referred to the Scheme Administrators and ultimately Pensions' Ombudsman).
- 2.3 The Head Teacher and MAT leaders have specific responsibilities to direct the work of members of staff and to manage performance. It is not the intention of the application of this procedure to affect the Head Teacher and MAT leaders from exercising these responsibilities appropriately and fairly. This includes issuing instructions, providing critical feedback to allow employees to improve their performance, acting to control absence or to deal with misconduct, even whether employees feel that the action is unjustified or unfair.

3. Scope

- 3.1 This policy applies to all employees of the Trust.

4. Policy statement

- 4.1 The Trust is committed to promoting and sustaining a working environment in which employees feel valued and respected and in which they co-operate and communicate effectively with each other in seeking to achieve the highest standards of work performance. It is recognised that situations may arise where an employee may wish to seek redress for grievances arising from their employment. Accordingly, the Trust is committed to ensuring that employees are able to raise grievances in the first place and, where possible, have them resolved without unreasonable delay and to the satisfaction of all concerned.
- 4.2 Most issues should be discussed and can be dealt with satisfactorily within the course of normal working relationships where staff should feel that their problems and opinions can be discussed frankly and freely with each other and/or with their line manager or member of the senior leadership team. However, where an employment-related individual grievance has not been resolved informally, or where it is considered inappropriate to resolve the issue on an informal basis, the employee will:
- be given a fair hearing on any grievance
 - have the right to take the issue to the Headteacher/ Senior manager and/or representative of Trustees as appropriate
 - if still not resolved to the complainant's satisfaction, have the right to take the issue further to a Committee of Governors/Trustees by way of an appeal.
- 4.3 Where the procedure is invoked, the Trust is committed to ensuring that the grievance is addressed as quickly as is reasonably practicable. The time limits should be adhered to whenever possible, though they may be altered to meet particular circumstances by agreement between the parties.

5. Informal procedure

- 5.1 The wellbeing of our staff is very important and the Trust strives for an environment in which staff are confident that any grievances can be resolved quickly and informally through open communication with line managers or Headteachers. Staff are encouraged to seek an informal resolution. If staff are unable to speak to their manager (e.g. because the complaint concerns their manager), they should speak informally to a more senior manager.
- 5.2 Where the aggrieved employee holds a grievance with a work colleague or manager, attempts should be made to meet with the other party on an informal basis to discuss the situation and attempt to resolve the concern. This informal process should be encouraged and managed by an appropriate manager or senior manager not directly involved in the case. The manager should conduct a facilitated meeting, considering arrangements that are mutually agreeable to all parties, in order to encourage an open dialogue between the parties with a view to resolving the concerns held by the aggrieved employee at the earliest opportunity. The aggrieved employee may request to attend an informal meeting with a trade union representative for the purpose of

attempting to resolve a work-related complaint informally. Such a request will not unreasonably be refused.

- 5.3 As an alternative to a facilitated meeting and prior to evoking the formal procedure, mediation may be arranged between the relevant parties. Formal mediation can be arranged through the appointment of an independent trained mediator. Formal mediation is only a viable option where both parties agree to engage in the mediation process and agree to commit to a Mediation Agreement at the conclusion of the process. In accordance with the principles of mediation, mediation meetings are held with the two parties concerned and the mediator only. Trade union representatives or companions will not attend mediation meetings on either party's behalf.
- 5.4 If the informal approach does not resolve the issue or is not appropriate, staff should follow the formal procedure below.

6. Formal procedure stage 1

- 6.1 If informal procedures cannot or have not resolved a grievance, formal procedures can be initiated. If a member of staff raises a grievance after disciplinary proceedings have started against them, the Trust will consider suspending the disciplinary period for a short time to consider the implications of the grievance on the disciplinary proceedings. If the grievance and disciplinary issues are unrelated then they can be heard separately.

The formal procedure will progress as outlined below:

6.2 Written grievance

An employee wishing to invoke the procedure should normally raise their concerns within 20 school days of the event or the latest in a series of events that has resulted in the grievance.

Concerns should be submitted in writing in a document clearly labelled formal grievance. The grievance should set out the nature of the complaint to include any relevant facts, dates, and names of individuals involved so that it can be investigated.

The written grievance should be handed or emailed to the manager or, if the manager is the subject of the grievance, to a member of the senior leadership team or the Headteacher. Where the Headteacher is the subject of the grievance, the form should go to the Director of Education. Where the Governing Body is the subject of the grievance, you should approach the Chair of Trustees.

6.3 Grievance meeting

The Trust will arrange a grievance meeting, normally within working 10 days of receiving the written grievance.

At all stages of the formal procedure, the member of staff raising the grievance is entitled to take advice from and/or be accompanied or represented by a workplace colleague or trade union representative. Staff are encouraged to consult their trade union representatives or professional associations prior to invoking the grievance procedure.

The person holding the meeting will hear evidence from the parties involved and review any relevant documentation in an endeavour to devise a suitable resolution. The person may adjourn the meeting or defer a decision until they are satisfied that they have thoroughly reviewed all the evidence and considered all relevant factors. The manager will arrange for notes of the meeting to be taken, copies of which will be provided to all parties.

In some cases, it may be necessary for investigations to be carried out into the grievance. The meeting may be adjourned to carry out necessary investigations, or an investigation may be conducted before the grievance meeting if appropriate. The nature of the investigation will depend on the complaint; it may involve interviewing the member of staff who raised the grievance, a witness or witnesses, or reviewing relevant documents.

6.4 Grievance outcome

The staff member who was the subject of the grievance will usually be notified in writing of the decision and the reasons for the outcome within 5 working days. The outcome will include notification of any further action the Trust intends to take to resolve the grievance. The member of staff will be informed of their right to appeal against the outcome.

7. Appeal

- 7.1 If the staff member is not satisfied with the outcome, they can appeal by writing to the CEO within 5 working days of the decision, stating the grounds for appeal in detail. A Panel comprising Senior Leaders/ Trustees / Governors who have had no prior involvement in the case will hear grievance appeal.
- 7.2 The Appeals' Panel will hold the appeal, where practicable, within 20 working days of the receipt of the written request for an appeal. The employee and previous panel chair will be informed of the date of the appeal hearing in writing and will be offered the opportunity to submit any documents to the Panel in advance of the hearing, but no later than 5 days prior to the hearing.
- 7.3 At the Appeal Hearing, the employee will have the opportunity to present their reasons for dissatisfaction with the outcome of the grievance, along with any evidence or documents, which he/she consider to be pertinent to his/her grounds of appeal. If appropriate, the previous panel chair may present a response to the appeal that may include presentation of information on the outcome of the grievance for the Panel's consideration.

7.4 The decision regarding the outcome of the appeal may be given at the hearing but will be confirmed in writing usually within 5 working days of the hearing. The decision of this panel is final and there is no further right to appeal.