



GRIEVANCE POLICY

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1 Scope and purpose of the policy

- 1.1 The purpose of this policy is to provide employees with a readily accessible procedure for addressing any problems or concerns they may have at work. This procedure should not replace normal employee–manager dialogue. However, where such informal dialogue has failed to resolve an issue of concern, then an employee may utilise this procedure in an effort to have an issue resolved to their satisfaction.
- 1.2 It is accepted that when people work together there will inevitably be situations where misunderstandings, problems or concerns need to be resolved. It is the policy of the Trust that a culture of good communication, openness and a willingness to co-operate and listen will exist. Therefore, it is envisaged that the majority of these issues or misunderstandings will be capable of being addressed informally in an efficient and effective manner. However, where such issues are unresolved they may become grievances. In such circumstances employees are encouraged to seek resolution of an issue by utilising this procedure.
- 1.3 The policy aims to enable employees of the Trust to raise concerns about workplace issues without fear of victimisation or repercussion, and to ensure all grievances are dealt with fairly and objectively.
- 1.4 The purpose of the grievance procedure is to provide a formal mechanism to address such issues and bring about a satisfactory resolution in a fair and prompt manner.
- 1.5 The Policy adheres to the ACAS Code of Practice on disciplinary and grievance procedures.
- 1.6 The policy applies to all staff of Reach South Academy Trust.
- 1.7 **Former Employees** – where an individual has left the Trust either before submitting a grievance or prior to the grievance being resolved the Trust will respond in writing to the points raised. There is a time limit of two months for a former employee that has already left the Trust to submit a grievance. There will be no further recourse under this process.
- 1.8 **Time Limits** – a grievance that refers to a matter that occurred three months or more before the grievance was raised shall be considered to be time expired.
- 1.9 Subject to the agreement of management and apart from in exceptional circumstances the practice or agreement in force at the time the grievance is registered may be agreed to continue to operate pending a resolution i.e. the status quo will apply.
- 1.10 For the purposes of the formal procedure, the term ‘grievance’ is defined as a complaint meeting the following stipulations:
 - The grievance must be specific to the individual employee. For complaints about collective matters, for example, pay, conditions of service issues, or where there is another recognised route available, then the relevant policy will apply. Where there are a number of individual grievances about the same issues then this policy may be used as a means to resolving the complaints.
 - The grievance must relate to the individual member of staff’s employment.
 - The grievance itself must be substantial in terms of the facts as stated by the employee.
 - The grievance must involve a complaint of unfairness rather than simply because a member of staff disagrees with a decision that has been taken. In practice this means that the grievance must involve deprivation of a benefit or a right to which the member of staff is entitled, or that they have been treated in

a biased manner, or have been induced to do something by misrepresentation.

- Resolution and redress must not be impracticable.
- 1.11 The Grievance Policy should not be used to lodge appeals against disciplinary sanctions. The Trust's disciplinary procedure contains sufficient mechanism for dealing with an employee's dissatisfaction at a disciplinary sanction applied to them.
 - 1.12 If a line manager is unsure whether a member of staff is using the correct procedure, or if there are concerns that informal resolution has not been considered, line managers should seek advice from HR before proceeding.
 - 1.13 The Trust operates a separate Whistleblowing Policy to enable staff to report illegal activities, wrongdoing or malpractice. The purpose of that Policy is to enable staff to make reports of incidents that need to be addressed at an executive-level, such as any concerns relating to our compliance with safeguarding regulations, for example. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of whistleblowing, you should raise the matter under this Grievance Policy.
 - 1.14 The outcome of a grievance will not prejudice any associated formal proceedings such as a disciplinary matter and vice-versa.

2 General principles

- 2.1 Time limits in the policy should be adhered to whenever possible, they may be altered to meet particular circumstances by agreement between the parties. There will be a balance between the principle of resolving a grievance promptly and that of ensuring sufficient time is taken to find a resolution that allows everyone to return to normal working as quickly as possible.
- 2.2 Staff will not be victimised for raising a grievance or for supporting a colleague to raise a concern.
- 2.3 All parties involved in a grievance have a responsibility to attend meetings, provide honest and factual information, act with integrity, and treat each other with respect as well as maintaining confidentiality.
- 2.4 All parties must be aware that the outcomes of a grievance procedure may need to be justified before an employment tribunal or court.
- 2.5 Access to the Grievance Procedure does not require completion and submission of a formal notice of grievance. A written complaint that falls within the scope of a grievance procedure should be dealt with using the Trust policy, even where the complaint is not presented on the recommended Notice of Grievance.

3 Roles and responsibilities

3.1 Headteachers/Manager are responsible for:

- Attempting to resolve issues informally and as quickly as possible.
- Protecting employees from bullying, harassment and victimisation
- Communicating with staff in an open manner to ensure that misunderstandings are avoided.
- Avoiding unnecessary delay, in the interests of both the member of staff, the school and/or the Trust.
- Ensuring that decisions taken are fair and reasonable.
- Providing the member of staff with an outcome to their grievance.

- Taking forward good practice and lessons learned from grievances raised.

3.2 Employees are responsible for:

- Participating in and co-operating with the Grievance process.
- Making themselves available for meetings.
- Where appropriate making use of available employee support mechanisms e.g. counselling and occupational health.
- Co-operating with good practice and lessons learned from grievances raised.

3.3 Trade Union Representatives/Workplace Colleagues are responsible for:

- Making themselves available for meetings, as far as is practicable.
- Providing support to members as far as is practicable.

3.4 Human Resources are responsible for:

- Ensuring that appropriate advice and guidance about the interpretation and implementation of the policy is provided to Headteachers/Managers, staff and their representatives to enable them to fulfil their role within the Grievance procedure.

4. Flexibility in HR procedures

- 4.1 Normally this procedure will apply as set out. However, in some circumstances, two or more policies may apply to a situation, e.g. where a member of staff is taken through the sickness procedure and a grievance is raised. In these circumstances the most appropriate procedures will be determined by HR using the principles of ACAS best practice and employment law. The aim should be to incorporate the essential elements from each procedure but minimise the number of meetings and correspondence to the benefit of all parties to resolve and manage issues promptly.
- 4.2 In general 4.1 will not apply to grievances raised in relation to the disciplinary process. Insofar as a grievance has any bearing on disciplinary proceedings this should be raised as part of the disciplinary process. Please see the Trust's Disciplinary Policy for further information.

5 Resolving a grievance informally

- 5.1 An employee who wishes to raise their concerns should first discuss the issue with their immediate line manager (where appropriate) on an informal basis. This provides an opportunity for the issues to be resolved without recourse to the formal Grievance procedure
- 5.2 Under normal circumstances there is no right to be accompanied by a work colleague or union representative at the informal stage, neither is it appropriate for a manager to be accompanied by a HR representative. In some circumstances, and where both parties agree, staff can be accompanied by a union representative or work colleague and HR can be requested to attend.
- 5.3 Where it has either not been possible or not appropriate to resolve the grievance at an informal level the grievance may be raised formally.

6 Mediation

- 6.1 It may be appropriate depending on the nature of the grievance for the matter to be dealt with by way of mediation. This may involve the appointment of a third-party mediator, who will seek to discuss the issues raised by the grievance with all of those

involved and seek to facilitate a resolution. Mediation will be conducted either internally or externally by an appropriately individual.

- 6.2 Mediation is a voluntary process and may be considered at any stage of this procedure to help resolve issues between individuals. Mediation can only be used where all parties involved in the grievance agree.

7 Raising a grievance formally

- 7.1 The employee will be expected to provide the details of their grievance in writing. **Appendix 1** can be used for this purpose if required. This written statement will form the basis of the subsequent meeting and any investigations so it is important that it clearly identifies:

- The nature of the grievance
- The discussions/actions to date to resolve the matter
- The outcome of those discussions/actions
- The resolution that is being sought.

- 7.2 Where the grievance is being raised by a group of staff (collective grievance) or by a Trade Union on their behalf, these staff must sign up to the grievance being submitted. A staff member should also be identified as a lead to take the grievance forward [in conjunction with the trade union] on the others' behalf.

- 7.3 The grievance letter should be sent to the member of staff's line manager and Human Resources. If the complaint relates to the way in which a member of staff's line manager is treating them, the grievance may be sent to the next level of management and Human Resources. This letter will be acknowledged within 5 working days where possible.

- 7.4 Further attempts may be made to resolve the matter informally, depending on the nature of the grievance.

- 7.5 An appropriate manager will acknowledge receipt of the grievance and make arrangements for the employee to attend a meeting to discuss the grievance. Ideally, this should take place within 10 working days of receipt of the letter.

8 The grievance meeting

- 8.1 The grievance meeting will be held as soon as is reasonably practicable and subject to any needs to carry out prior investigations. The meeting will be conducted by either the line manager or an alternative manager identified to hear the grievance. The manager will be supported by a Human Resources representative. The employee has the right to be accompanied by a trade union representative or workplace colleague.

- 8.2 At the grievance meeting the employee will be given every opportunity to explain the nature of their grievance and the resolution they are seeking. If any additional information is gathered in the course of the investigation into the grievance this will be discussed as part of the grievance meeting.

- 8.3 If further investigation is required, the meeting will be adjourned for these investigations to take place. The manager will complete a full investigation in to the matter. This may involve holding investigation meetings with witnesses, requiring witness statements to be produced and reviewing written evidence.

- 8.4 The member of staff must take all reasonable steps to attend this meeting. If the staff member is unable to attend due to circumstances beyond their control, they should inform the manager hearing the grievance as soon as possible. If a member of staff's representative/workplace colleague is unable to attend the date originally proposed, the staff member must contact the manager and agree another date for

the meeting to convene provided that it is reasonable and, where possible, within five days of the original meeting. This five-day limit will only be extended in exceptional circumstances. This may mean the member of staff needs to consider being accompanied by an alternative representative/workplace colleague.

- 8.5 Following the meeting, and within five working days, the manager hearing the grievance should provide a detailed written response to the employee advising them of the outcome. This may include:
- The reason for upholding or dismissing the grievance;
 - Any agreement reached/actions to be taken;
 - Details of the appeal procedure.

9 Appealing the outcome

- 9.1 An employee who wishes to lodge an appeal against the outcome of a grievance must do so in writing within 10 working days of the date of the letter confirming the outcome and clearly state the grounds for the appeal. This should be sent to the named individual outlined in the grievance meeting outcome letter.
- 9.2 The Trust's Appeal Policy outlines the grounds of an appeal and details the procedure.

10 Post-conclusion support

- 10.1 The Trust encourages all parties to a grievance to conduct themselves in a professional manner at all times. Managers are reminded that they are representatives of the Trust and must conduct themselves appropriately at all times during, and after the conclusion of, a grievance.
- 10.2 Bullying, harassment or intimidation of any person involved in a grievance (whether the complainant or the person against whom allegations have been made) will not be tolerated and disciplinary action may be taken as appropriate.
- 10.3 We understand that working relationships may be affected by a grievance. The Trust has a variety of resources that employees may access, including the Counselling Service, internal mediation, the Occupational Health support, and its HR department, who may signpost individuals to a particular service.
- 10.4 The Trust's Dignity at Work Policy and Appropriate Workplace Behaviour Policy may also be useful.

11 Untruthful or malicious allegations

- 11.1 This policy is designed to assist employees who have a genuine cause for concern. It is not designed to enable individuals to escalate untruthful or malicious allegations in bad faith.
- 11.2 Where we suspect bad faith, we may take disciplinary action under our Disciplinary Policy, as appropriate.

12 Training and awareness

- 10.1 Advice and support will be provided by the HR team to support staff and managers in adhering to this policy and their understanding of dealing with grievance issues.
- 10.2 Guidance documents are available to both Staff and Managers regarding the application of this policy.

13 References

- 11.1 ACAS Code of Practice on Disciplinary and Grievance Procedures

14. Review of the policy

- 14.1 This policy is reviewed as required by Reach South Academy Trust in consultation with the recognised Trade Unions.
- 14.2 This policy will be reviewed every three years, earlier review may be required in response to exceptional circumstances, organisational change or relevant changes in legislation or guidance.
- 14.3 We will monitor the application and outcomes of this policy to ensure it is working effectively.

Appendix 1 – Notification of Formal Grievance Form

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

You and your trade union representative (if applicable) should complete the form and hand it to your Headteacher/Line Manager or next manager up. You should keep a copy for your records.

Name:	School:
Post held:	Department:

Describe briefly the nature of your grievance (continue on a separate sheet if necessary)

When did you first raise your grievance, and with whom?	
What action has been taken to resolve your grievance?	
Detail what resolution you are seeking from this process?	
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 provide your union representative (if applicable) name and contact details	

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

Print Name.....

POLICY HISTORY

Policy Date	Summary of change	Contact	Implementation Date	Review Date
September 2018	Trade Union consultation	All Recognised Trade Unions	June 2018	May 2021
May 2021	Review of policy by Trust HR; renamed HR_02	HR	N/A	N/A
June 2021	Trade Union consultation	All Recognised Trade Unions	September 2021	September 2021
December 2021	Update and review of policy by Trust HR	HR	N/A	N/A
January 2022	Trade Union consultation	All Recognised Trade Unions	February 2022	February 2025