



Keystone Academy Trust

Grievance Policy

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Contents:

Statement of intent

1. Legal framework
2. Roles and responsibilities
3. When to raise a grievance
4. How to raise a grievance
5. Initial handling of a grievance
6. The grievance investigation
7. Grievance outcomes
8. Appeals
9. Malicious grievances
10. Monitoring and review

Appendices

Appendix 1 – Employee Grievance Form

Appendix 2 – Grievance Appeal Form

Statement of intent

Keystone Academy Trust works to develop good professional relationships between colleagues; however, we understand that sometimes conflicts may arise. Through maintaining open communication, we want our employees to feel able to raise any grievances so that appropriate and effective solutions can be put in place.

This policy should be used for work-related issues such as concerns over working environments or a colleague's behaviour. Grievances relating to discrimination are also covered within this policy.

By implementing and following the procedures in this policy, the school aims to:

- Provide a platform for grievances to be processed and handled fairly and consistently.
- Constructively resolve grievances in a way that avoids damaging professional relationships.
- Enable any employee to have their grievances heard and addressed.
- Encourage a harmonious working environment.

Signed by:

_____	CEO	Date: _____
_____	Chair of Trustees	Date: _____

1. Legal framework

1.1. This policy has due regard to all relevant legislation including, but not limited to, the following:

- The Employment Act 2002
- The Data Protection Act 2018
- The General Data Protection Act 2018
- The Equality Act 2010

1.2. This policy has due regard to guidance including, but not limited to, the following:

- Acas (2015) 'Code of practice on disciplinary and grievance procedures'

1.3. This policy operates in conjunction with the following school policies:

- Staff Code of Conduct
- Data Protection Policy
- Whistleblowing Policy
- Equal Opportunities
- Disciplinary Policy and Procedure

2. Roles and responsibilities

2.1. The Trustee board is responsible for:

- Ensuring the effectiveness of this policy by monitoring and reviewing it every three years.
- Ensuring that all members of staff read and understand the provisions in this policy.
- Forming an appeal panel, where necessary.
- Determining the outcome of a grievance appeal.
- Ensuring no member of staff is discriminated against, in accordance with the Equality Act 2010.
- Handling any incidents of malicious grievance reporting.
- Handling any disciplinary actions following a grievance being raised.

2.2. The CEO will assume the Headteacher/Head of School's responsibilities, where a grievance is in relation to the Headteacher/ head of school/ head of school

2.3. The Headteacher/Head of School is responsible for:

- The day-to-day implementation of this policy.
- Handling any grievances that are brought to their attention.
- Overseeing any grievances raised by employees.
- Appointing a grievance officer, who assists the Headteacher/Head of School in handling any grievances. (The Headteacher/Head of School may decide not to appoint a grievance officer but to manage the process themselves)
- Working with the grievance officer to resolve any grievances as appropriate.

- Assessing information during grievance meetings and investigations, and assisting the grievance officer in determining the best course of action.
- Writing and delivering grievance outcome letters.

2.4. Line managers are responsible for:

- Monitoring the working environments of colleagues to identify any conflicts.
- Promoting positive working environments.
- Managing the informal stages of the grievance procedure.
- Working with the grievance officer and Headteacher/Head of School to investigate any grievances within their department.

2.5. The grievance officer is responsible for:

- Resolving employees' formal grievances promptly.
- Assisting with the grievance investigation.
- Presenting information at grievance meetings and during any appeal hearings.
- Making any reasonable adjustments to ensure employees are able to attend meetings.
- Remaining unbiased and listening to all sides of the grievance to uncover the truth.
- Being a witness at appeal hearings.
- Determining what the grievance outcome will be – unless the grievance goes to an appeal, in which case the board of trustees is responsible.

2.6. Employees are responsible for:

- Raising grievances without unreasonable delay.
- Submitting formal grievances in writing to the grievance officer or Headteacher/Head of School within four months, using the [Employee Grievance Form](#).
- Ensuring any grievances that they raise are truthful and fair.

3. When to raise a grievance

3.1. Grievances can be raised when employees have issues with the following (this list is not exhaustive):

- Terms and conditions of their employment
- Health and safety at the school
- Work relationships
- Bullying or harassment
- Working practices
- Organisational changes
- Discrimination

3.2. Staff will be aware of the difference between this policy and the Whistleblowing Policy and will ensure that they report concerns and grievances appropriately.

3.3. This policy does not apply to:

- Personal disagreements between employees that are not connected with their duties within the school.
- Restarting grievances that have since been closed, unless the facts of the matter have changed. If there has been a change in facts, this policy should be followed.
- Pay gradings – these are addressed by the Pay Policy.
- Collective grievances – these should be handled in accordance with a collective grievance process.

3.4. If employees are raising a concern regarding the safeguarding of children or vulnerable adults, the LA LADO will be informed immediately and no further actions will be taken in line with this policy until the LADO has conducted an investigation.

4. How to raise a grievance

- 4.1. Employees will raise their initial grievances with their Headteacher/Head of School by writing a letter outlining their grievance - the Headteacher/Head of School will conduct an informal meeting with the employee raising the grievance.
- 4.2. If the grievance is in relation to their Headteacher/Head of School, the employee will raise the grievance with the CEO.
- 4.3. Initial grievances will be raised within four months of the incident that led to the grievance.
- 4.4. If employees wish to raise a grievance outside of this timeframe, additional supporting information may be required, e.g. why it took so long to raise the grievance.

5. Initial handling of a grievance

- 5.1. All information processed during a grievance will be kept in accordance with the Data Protection Policy.
- 5.2. Employees will have the right to be accompanied at all stages of a formal procedure and may choose to bring a companion to the informal stages.
- 5.3. The employee's companion will be either a:
 - Colleague;
 - Trade union official; or
 - Accredited trade union representative.
- 5.4. Companions will not:
 - Answer questions on the employee's behalf.
 - Address the hearing if the employee does not want them to.
 - Pose a conflict of interest to the grievance being raised.
 - Prevent the employee from explaining their case.

The informal stage

- 5.5. Employees should first try to resolve their grievances by talking to their line manager.
- 5.6. Line managers will inform the Headteacher/Head of School that an informal grievance has been made;

- 5.7. The purpose of the informal stage is to resolve the issue in an open, honest and positive manner, to avoid formal escalation.
- 5.8. An informal meeting will take place within five working days of the grievance being raised with the line manager and Headteacher/Head of School.
- 5.9. The Headteacher/Head of School will arrange a time for the informal meeting – the employee will be informed of this in writing.
- 5.10. If the employee is unable to attend, another suitable time will be arranged.
- 5.11. In the informal meeting, the employee's Headteacher/ head of school will hold a meeting with the employee and determine:
- What the employee is concerned about.
 - What outcome the employee is seeking.
 - Whether further meetings and escalation to the formal stage are required.
- 5.12. The line manager will keep notes during the informal meeting and the employee will be provided with a copy of these immediately.
- 5.13. At the end of the informal meeting, the Headteacher will agree what action will be taken to achieve the appropriate outcome and by when, e.g. escalation to the formal stage. The Headteacher will provide the employee with a written outcome letter within five days of the meeting.
- 5.14. If the grievance relates to another employee, that employee will be informed in writing within five days and the Headteacher will hold a meeting with them to explain.
- 5.15. The identity of the person raising the grievance will not be provided to any other employee.
- 5.16. If a resolution cannot be found during the informal stage, the employee raising the grievance may be advised to escalate the matter to a formal grievance – employees will complete the [Employee Grievance Form](#) to do this.

Grievance hearing – formal stage

- 5.17. The employee will also write a statement of the grievance, which will include:
- A brief description of the events that lead to the grievance, including names and dates.
 - An account of how the events made the employee feel.
 - What actions the employee has taken to resolve the grievance.
 - What outcomes the employee is hoping for.
- 5.18. Line managers will give [Employee Grievance Forms](#) and written statements to the Headteacher/Head of School.
- 5.19. Employees will be advised to keep a copy of their [Employee Grievance Forms](#) and written statements.

- 5.20. Once the Headteacher/Head of School receives the [Employee Grievance Form](#) and written statement, they will, in liaison with the CEO invite the employee to a formal meeting within 10 working days.
- 5.21. If the employee or their companion is unable to attend the scheduled meeting, a suitable alternative date will be arranged.
- 5.22. If the employee is persistently unable or unwilling to attend the meeting without good reason, the CEO and Headteacher/Head of School will make a decision based on the evidence available.
- 5.23. The Headteacher will lead the meeting and they will ensure that the employee has an opportunity to explain their grievance.
- 5.24. The Headteacher will attempt to resolve the grievance at this meeting, so long as no investigations are required, e.g. no fact checking is required.
- 5.25. The Headteacher/Head of School will take minutes during the formal stage meeting – these minutes will be kept confidential and safe, in line with the Data Protection Policy.
- 5.26. An electronic copy of the minutes will be shared with the employee immediately.
- 5.27. If no resolution can take place during the formal stage meeting, an investigation will take place and a further meeting will be held within 15 working days.

6. The grievance investigation

- 6.1. The Headteacher will conduct one of the following two investigations:
- A fact checking investigation
 - A full investigation
- 6.2. The Headteacher/Head of School will determine which type of investigation is required on a case-by-case basis.
- 6.3. Following the initial formal meeting, the Headteacher/Head of School may need to conduct a fact checking investigation before resolving the grievance.
- 6.4. Fact checking investigations will be conducted in a professional, timely and non-intrusive manner.
- 6.5. Fact checking investigations may involve interviews with line managers and email searches.
- 6.6. For full investigations, the Headteacher/Head of School will lead the investigation but may choose to commission an independent, external, investigation officer:
- 6.7. During full investigations, the investigation officer will:
- Aim to conclude their investigations within 15 working days.
 - Interview the employee concerned, plus other employees whose information may have a bearing on the case.
 - Present their findings in writing to all employees involved.

6.8. The investigation officer will not be responsible for determining the outcome of the grievance – this responsibility will lie with the Headteacher/Head of School.

7. Grievance outcomes

- 7.1. Once the investigation report has been received, the Headteacher/Head of School will call a grievance meeting to which the employees concerned, and their companions, will be invited. All employees should have received a copy of the investigation report at least 5 working days prior to the date of the meeting.
- 7.2. At this meeting, employees will be given an opportunity to answer any questions that arose from the investigation.
- 7.3. At the grievance meeting, the Headteacher/Head of School may decide to invite witnesses, e.g. the investigation officer, to answer questions. The Headteacher/Head of School and the employees concerned will be permitted to ask witnesses questions.
- 7.4. Employees will also be permitted to invite witnesses to this meeting. The names of all witnesses should be declared to the Headteacher/ head of school at least 48 hours prior to the meeting.
- 7.5. Once all the information has been presented, the Headteacher/Head of School will adjourn the meeting to make their decision.
- 7.6. The Headteacher/Head of School will consider each side of the grievance and make a decision – this will be recorded in the outcome letter.
- 7.7. The outcomes possible following a grievance are as follows:
- The grievance is upheld in full;
 - The grievance is rejected in full;
 - The grievance is partially upheld, e.g. there is validity to some of the grievance;
 - Mediation.
- 7.8. A 'partially upheld' outcome will not be used as an outcome when a decision cannot be reached.
- 7.9. Sometimes, mediation will be used as an outcome. This will involve all parties collaborating to find an acceptable outcome.
- 7.10. The Headteacher/Head of School will write an outcome letter within five working days and provide a copy of this to the employee. The letter will include information on:
- The chosen outcome.
 - The reasons for the decision.
 - Any facts that the grievance officer has ascertained in coming to their decision.
 - Any recommendations or agreed actions to take.
 - The employee's right to appeal the decision.
- 7.11. If it is necessary and appropriate to take disciplinary action, Headteacher/Head of School and CEO / trustee will meet to determine what action is appropriate in line with the Disciplinary Policy and Procedure.

- 7.12. Disciplinary action will be proportionate and may include, but not be limited to, the following actions:
- Re-training;
 - Letter with management guidance
 - Verbal warning;
 - Written warning;
 - Suspension with pay;
 - Termination of employment.
- 7.13. Gross misconduct will result in the employee's contract of employment being terminated.
- 7.14. If an employee has already received a written warning, suspension with pay may be considered.
- 7.15. Where a grievance is raised against an employee during a disciplinary process, the disciplinary process may be temporarily suspended to deal with the grievance. Where the grievance and disciplinary cases are related, the grievance officer will deal with both issues concurrently.

8. Appeals

- 8.1. Where employees wish to appeal the outcome of a grievance, they are entitled to do so within 10 working days of receiving the outcome letter.
- 8.2. To raise an appeal, employees will complete the Grievance Appeal Form and explain why they are dissatisfied with the outcome, and the grounds on which they are appealing– this form will be given to the clerk to the trustees (kirsty.bryant@bournwestfield.lincs.sch.uk).
- 8.3. The clerk to the trustees will:
- Acknowledge receiving the form within five working days.
 - Arrange an appeal meeting within 10 working days.
 - Invite the grievance officer and investigation officer to the meeting.
- 8.4. The trustee board will form an appeal panel comprising three trustees / local governing board members.(at least one will be a trustee)
- 8.5. The appeal panel will decide which trustee will be the chairperson and who will take notes.
- 8.6. The appeal panel will review the paperwork and interview any relevant witnesses before making their decision.
- 8.7. The employee will:
- Be given the opportunity to explain their case at the meeting.
 - Be permitted to bring a companion.
 - Not introduce new grounds for raising their concern.
- 8.8. When the panel have heard all the information, including the rationale for the original judgement, they will make a decision on the outcome.

8.9. The outcome decision will be provided to the employee, in a written letter, within five working days of the appeal meeting.

8.10. The grievance panel's decision will be final.

9. Malicious grievances

9.1. Disciplinary action may be taken against employees making malicious grievances.

9.2. Bullying, harassment or victimisation will not be tolerated.

9.3. All employees will understand the school's Staff Code of Conduct and act in accordance with it.

9.4. All employees will adhere to the Equal Opportunities Policy.

10. Monitoring and review

10.1. The Headteacher/Head of School and Board of Trustees will review this policy every three years.

10.2. The next scheduled review date for this policy is February 2023.

10.3. Any changes made to this policy will be communicated to all employees immediately.

Please provide details of your preferred solution:

Are you being supported by a colleague, trade union official or trade union representative?

Yes

No

If yes, please provide their name:

Employee's signature:

Grievance Appeal Form

Please submit this form to the clerk to governors within **10** working days of receiving the grievance outcome letter.

Employee details				
Surname:		Forename:		
Job title:		Form completion date:		
Grievance appeal details				
Date of grievance meeting:				
Outcome of grievance meeting:				
Please provide details of the grievance appeal:				
Please provide details of your preferred solution:				
Are you being supported by a colleague, trade union official or trade union representative?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please provide their name:				
Employee's signature:				