



Staff Grievance Policy

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All staff and volunteers working in our school share a responsibility for promoting and safeguarding the welfare of the children with whom they come into contact with.

Aim

The aim of this grievance procedure is to enable any member of staff or ex-employee to have his/her grievance heard and to seek redress as appropriate.

The intention is that grievances should be settled quickly and fairly and should be first dealt with as close to the source as possible.

The procedure applies to all employees at the school including the Headteacher, full and part-time, permanent and temporary employees and ex-employees in accordance with the Employment Act 2002 (Dispute Resolution) Regulations 2004.

A grievance is a complaint by an employee about any aspect of his/her employment e.g. the nature or range of duties, individual pay and conditions of service, relationships with supervisors. The grievance must be one that lies within the power of the management of the establishment to resolve, e.g. it must not be a grievance about matters determined by legislation or collective agreements. A grievance arising from disciplinary action is to be resolved by appeal within the disciplinary procedure. The grievance procedure is not available in addition to, or in substitution for the disciplinary procedure.

An employee who is a member of a trade union may consult that union's representative before invoking the grievance procedure, but the employee should normally raise the problem personally with the immediate supervisor before involving his/her trade union representative.

It may be appropriate to refer to any separate written procedures that the school may have for raising complaints about sexual or racial harassment.

Those responsible for dealing with employees' grievances should treat them seriously and attempt to resolve them as quickly as possible. There should be no attempt to block an employee's wish to raise the grievance at a higher level. Employees should recognise that answers to some complaints may be obtainable only by reference to others outside the establishment and that answers may be delayed beyond normal time limits.

At any stage of the procedure the Headteacher and/or Governors may wish to refer to an adviser external to the school for guidance to bring about a resolution of the grievance acceptable to both sides outside the formal hearing within the Grievance Procedure. Such conciliation is without prejudice to the position of both parties in the procedure.

The Headteacher and/or Governors should be aware of the model grievance procedure for teachers contained in the Conditions of Service for School Teachers in England and Wales - (Burgundy Book) of which this guidance has taken account. The National Agreement on Pay and Conditions of Service for support staff (the Green Book) says: "The employing authority should ensure that all employees are aware of the person to whom they should apply in the event of their having a grievance and of the procedure to be followed in that instance. These procedures should accord with ACAS guidance."

The Headteacher and/or Governors may wish to take advice from the school's Personnel Adviser before considering a grievance.

Stages of the Grievance Procedure

Where informal resolution has not been possible mediation should always be considered as a means of resolving the grievance at an early stage. For mediation information and access to qualified mediators please contact the WES Advisory Service on 01926 418614.

Stage 1

The employee should personally present the grievance, either orally or in writing, to his/her immediate line manager. The line manager should give a reply as soon as possible, within a calendar week, even if it is only an interim reply. If the employee's grievance is against the line manager personally, the grievance may be referred direct to Stage 2 but it would be reasonable to let the line manager know this move is intended. If the immediate line manager is the Headteacher and the matter is not resolved with the Headteacher, then the employee shall go direct to Stage 3.

Stage 2

If the employee is not satisfied with the reply and the reply is not from or on behalf of the Headteacher, the employee should refer the grievance to the Headteacher. The Headteacher should normally meet the employee to hear the grievance and reply as soon as possible, within two calendar weeks, even if it is only an interim reply. At this stage, the employee may be accompanied by a friend at any meeting to discuss the grievance. The Headteacher may be accompanied by another member of staff, or the schools Personnel Adviser or an officer of the LA. If it is necessary for the Headteacher to attempt conciliation between two or more members of the staff at this stage, each member of staff may be accompanied by a friend at any meeting called by the Head.

Stage 3

If the employee is dissatisfied with the reply, or if the reply at Stage 1 had been from or on behalf of the Headteacher, the employee should refer the grievance to the Governing Body (via the Clerk). The Governing Body should normally invite the employee (and his/her friend) to a hearing of the appropriate committee of the Governing Body. This should be given as soon as possible. The Governing Body should also invite to the hearing any party against whom the grievance is made. A standing committee of governors shall be set up, to be referred to as the Hearings Committee of which at least 3 Governors shall meet to hear any grievance. The Committee may have adviser(s) to attend the meeting who may also be involved in its private deliberations. The adviser(s) should not have had any previous involvement in dealing with the grievance and shall not have a vote in the decision of the Committee. The Committee shall decide the procedure by which it will hear the grievance to allow all parties to present their cases. It shall advise all parties, prior to the start of the

hearing, of the procedure it intends to follow. If the grievance is not resolved to the employee's satisfaction at this stage, there is right of appeal to the Appeals Committee of the Governing Body whose decision is final.

Grievance Procedure
WCC HR 2015

What does this procedure cover?

GRIEVANCE PROCEDURE

1. Policy Statement

The Governing Body/Trust Board is responsible for creating positive working relations between all employees. If employees have concerns, complaints or a grievance, the Governing Body/Trust Board wishes to ensure that workplace problems or disagreements are handled constructively and that matters are resolved as near as possible to their point of origin.

This policy applies to all staff employed within the school.

An employee who has a grievance or complaint relating to work, working conditions, benefits, working hours, treatment at the hands of other employees, or concerns about a health and safety issue, a breach of statutory employment rights or any other issue affecting employment, should first talk the matter over on an informal basis with their immediate Line Manager/Headteacher/ Chair (in the case of the Head). He/she will discuss the matters in confidence, make discreet investigations, and attempt to resolve the matter speedily and fairly.

In instances where informal attempts to resolve have been unsuccessful and where the line manager is implicated in the grievance, the next line manager or the Chair of Governors where the Headteacher is implicated should be approached.

2. Definition

The ACAS code of practice defines a grievance as "a concern, problem or complaint that an employee raises with his or her employer".

3. The Purpose

This procedure is based on the 'ACAS code of practice on disciplinary and grievance procedures' and its accompanying guidance. The code is brief in its handling of grievance issues but emphasises the importance of seeking an informal resolution of the grievance, followed, if necessary, by the holding of a grievance meeting with a right of appeal. Compliance with the code is not a legal requirement, although breach of its provisions may be taken into account by any Employment Tribunal considering a claim, where the code is relevant. The procedure does not apply to settling differences relating to any of the following:

- Dismissal, disciplinary or capability matters
- Statutory matters (e.g. Health and Safety Legislation) or matters over which the Council/school has no control.
- Nationally agreed pay and terms and conditions
- Any situation/process where alternative appeal procedures exist
- Complaints from parents or students.

Related Policies and Documents

- Disciplinary Procedure
- Dignity at Work (Anti Bullying and Harassment) Policy
- Equality

Other policies and documents may be identified from time to time, as circumstances change and may be added to the list.

4. Principles

There are many reasons why a grievance or complaint can arise from an employee. This procedure provides for individual employees to raise concerns related to their employment and gives the opportunity for the issue to be properly identified and fully investigated in a reasonable, equitable, timely and constructive manner.

An employee who feels aggrieved should, wherever possible, seek to resolve the complaint or grievance as near as possible to its point of origin.

Any Line Manager/Headteacher/Chair contemplating using this procedure beyond the informal stage should seek guidance from their Human Resources (HR) provider.

Employers are obliged to deal with any grievance an employee raises in writing within defined time-scales as laid out in the procedure. A meeting must be held to discuss the matter and how it might be resolved. The employee can appeal against any decision that he or she considers unsatisfactory at Stage 1. For Stage 2 Appeals please see page 6 which outlines the exceptional circumstances where this may be allowed.

Employees must, as part of the formal procedure, set out in writing the reasons for their grievance, who they believe to be responsible for their grievance and what solutions or desired outcomes they would like to resolve the issue. The grievance cannot proceed beyond the informal stage unless the grounds for the grievance and the expected outcomes are clearly set out.

5. Responsibilities

The Line Manager/Headteacher/Chair has responsibility to:

- deal with grievance issues as they arise;
- attempt to resolve the issue as quickly as possible;
- conduct the informal stage of the procedure;
- conduct all stages of this procedure as appropriate. Ensure their actions are working towards the vision of the school.

The Human Resources provider has responsibility to:

- provide advice, guidance to the Line Manager/Headteacher/Chair to ensure that the Grievance Procedure is followed correctly;
- Support an independent Line Manager/Headteacher/Chair or panel of Governors at the Appeal Stage (where required).

Recognised Trade Union Representatives have a responsibility to:

- support an employee who is a member of their Trade Union throughout all formal stages of the Grievance Procedure, as appropriate and if requested.

Employees have a responsibility to:

- ensure their actions are working in line with the vision and expected behaviours of the school.
- have made efforts to seek to resolve matters at an informal stage wherever possible.
- raise with their Line Manager/Headteacher if any aspect of the grievance procedure causes difficulty on account of a disability. The Line Manager/Headteacher will then make appropriate arrangements.

6. Procedure

With the exception of the informal stage an employee is entitled to be accompanied by a recognised Trade Union representative or work colleague if they so wish. In the event of any action being proposed involving a Trade Union representative under this procedure, then the appropriate full time official of that Trade Union should be notified prior to the procedure being used. (For further information please refer to the ACAS Code of Practice).

6.1 Informal Stage

The aim is to resolve an employee's grievance or concerns informally with their Line Manager/Headteacher/Chair wherever possible. This can be done in most cases by the employee and Line Manager/Headteacher/Chair meeting and discussing the issues of concern and agreeing a way forward.

If the complaint concerns the Line Manager/Headteacher/Chair and the employee is unable to discuss the matter directly with them, they should then approach the next immediate senior role in the organisation.

It must be emphasised that both parties should make every effort to seek to resolve the grievance informally before the formal stage is used. The party bringing the grievance should make it clear to the other party what they are seeking as an outcome which may assist in seeking to resolve the grievance.

As this is an informal one to one discussion, employee representation will not normally be appropriate at this stage, nor is there a need to articulate the complaint in writing unless it assists in clarifying the details for those concerned.

It might be appropriate to explore mediation at this stage of the process. Mediation is a voluntary process, agreed by both parties whereby an independent third party mediator helps two or more people in dispute to attempt to reach an agreement. The agreement comes from those in dispute not from the mediator. Mediation can be used at any stage of

the grievance process. This will mean that any formal procedures are halted whilst mediation route is pursued. If mediation is unsuccessful, the process will revert to the stage reached prior to mediation. WES HR are able to provide access to qualified mediators to support this process 01926 418614.

6.2.1 Formal Stage

If a grievance cannot be settled informally the employee should raise it formally in writing with their Line Manager/Headteacher/Chair. In situations where a complaint is against the Line Manager/Headteacher/Chair the formal complaint may be addressed to the next immediate senior member of the school organisational hierarchy.

An appropriate senior member of staff/Governor will be nominated to undertake the role of investigating Officer so the complaint can be considered as impartially as is practically possible. If this is not possible then the matter should be referred to the Chair of the Governing Body/Trust Board to nominate a suitable party to support the process moving forward.

6.2.1 Outlining the Grievance

An employee must set out in writing, full details of the grievance and stating clearly the desired outcomes they are seeking. The Line Manager/Headteacher/Chair must invite the employee to attend a meeting to discuss the grievance. Advice should be sought from the HR provider. Depending on the nature of the grievance there may be occasions when it is necessary for those considering the grievance to have first carried out an investigation. The meeting should wherever possible be arranged within ten working days from receipt of the employee's letter or extended to a later date by mutual agreement. The employee will also be informed of their right to representation or to be accompanied by a work colleague (see template letters (itemised in the contents page) in Guidance Document 2).

Guidance Document 5 outlines how to conduct the meeting. Following the meeting the Line Manager/Headteacher/Chair must inform the employee in writing of the response to the grievance. This should be within five working days of the meeting. The employee will be informed of their right to an appeal hearing.

If the work colleague/representative is unable to attend the meeting on the date proposed, the meeting will be rearranged as mutually agreed. The alternative date should normally be within five working days from the original date.

6.2.2 Appeal against the grievance outcome

If the employee wishes to appeal against the written response to the grievance, they should inform their Line Manager/Headteacher/Chair and complete the pro forma in Guidance Document 6. The Appeal will normally be heard by a nominated Senior Manager or Governor (i.e. a panel of one).

The reason for the appeal must be set out in writing within five working days of the formal notification of the original decision. The appeal should detail all the pertinent facts of the case and the reasons for the dissatisfaction with the decision.

The person hearing the appeal must then invite the employee to attend a meeting to consider the appeal. Wherever possible, this should be arranged within five working days of the receipt of the appeal letter. The employee will again be informed of their right to representation from a recognised Trade Union representative or a work place colleague. See Guidance Document 5 for the recommended Appeal Hearing conduct/format of the meeting.

The employee must be informed of the Appeal decision within five working days of the meeting.

The Appeal decision will mark the end of the internal grievance procedure.

6.3 Raising a Grievance when the Employee has left the School/ The Modified Grievance Procedure

Whenever possible a grievance should be dealt with before leaving the school. However, if an employee has already left and raises a grievance within four weeks of leaving and the standard grievance process has not commenced, a modified grievance procedure whereby both parties follow the modified grievance procedure will be used as follows: Step 1 - Statement of Grievance

The employee must set out in writing:

1. The details of the grievance and
2. The basis for it

The ex-employee must send the grievance to the Headteacher or, if the grievance is against the Headteacher, the employee must send the grievance to the Chair of Governors.

Step 2 – Response

The Headteacher or Chair of Governors will acknowledge receipt of the grievance in writing, normally within two working days of receiving it and will confirm that the ex-employee will have the grievance dealt with under the modified grievance procedure.

The Headteacher or Chair of Governors will then investigate and respond in writing with the decision normally within four weeks of receiving the grievance.

Any existing member of staff may request that the school hears their grievance under the 'modified grievance procedure' as an alternative to the process outlined in 6.

They must make this request clearly in writing to their next appropriate manager i.e. Line Manager/Headteacher or Chair (if the complaint concerns the Headteacher).

This policy will be reviewed after any changes to the legal framework or any changes to procedure within school, and every 2 years as a minimum.

Guidance Documents

The following documents are for information/guidance only and may be amended by the school from time-to-time. They are not, nor intended to be, incorporated into individuals' Contract of Employment.

- ❓ Information - Warwickshire's Mediation & Conflict Resolution Service
- ❓ Guidance Document 1 – Frequently Asked Questions
- ❓ Guidance Document 2 – Standard Template letters
- ❓ Guidance Document 3 – Grievance Policy and Procedure Flow Chart
- ❓ Guidance Document 4 – Fact Sheet
- ❓ Guidance Document 5 – How to Conduct a Grievance Hearing
- ❓ Guidance Document 6 – Appeal Against Grievance Outcome

Warwickshire's Mediation & Conflict Resolution Service

What is Mediation?

Mediation is a positive well established informal process for resolving disagreements of disputes between two or more employees, quickly and effectively, without the need to resort to more lengthy and formal methods.

It is a structured process, in which a qualified and impartial Mediator helps two or more parties to talk together about complaints, grievances or other matters of serious disagreement or potential conflict between them. Mediation gives all parties the opportunity to resolve these issues by agreeing mutually acceptable solutions within a safe environment.

The process is voluntary and therefore no-one will be forced to take part in mediation and any of those involved can choose to withdraw from the process at any time.

Individuals, who agree to pursue mediation but are unable to reach an agreement, can still seek a resolution through a more formal process.

Mediation is totally confidential and discussions and agreements that take place will not be shared with any other party.

When is Mediation useful?

Mediation is appropriate when there has been a breakdown in the working relationship between two people or groups of people. Mediation helps individuals to move on from the process and outcome of past difficulties and establish a way forward for future working relationships. Examples of where conflict can arise and can be resolved through mediation include.

- Change management
- Interpersonal conflict
- Differences in working styles
- Communication breakdown
- Inter-departmental breakdown

Initial meetings

Mediators will arrange 1-1 meetings to get to know those involved and gain an understanding of the main issues. These take approximately 1 hour and can be done at the normal place of work or at an agreed venue.

The face to face Mediation

Once the parties are ready, the Mediator will arrange a joint face to face mediation session. Each person is given equal time to discuss their issues and the Mediator will ensure this takes place in a respectful and safe environment.

Success Rates and cost benefit analysis

Research demonstrates the published success rate for workplace mediations ranges from 80-85% with the contributing factor that employees reach and own the solutions to the problem. The cost benefit for mediation far outweighs the amount spent on having employees absent from work, managing grievances, or even litigation if the situation worsens and is not dealt with.

The role of the Mediator is not to offer solutions or suggestions, but to facilitate the discussion and get parties to jointly agree what needs to happen to improve their working relationship.

The end result is a written agreement, agreed and signed by both parties. The agreement is confidential and is not shared with managers, HR or any third party.

1-2-1 and Team Mediations

The Warwickshire Mediation and Conflict Management Service has a number of professionally trained and accredited Work Place Mediators who are available to carry out '1-2-1' or team mediations.

What benefits can Mediation offer me and my organisation?

Mediation has a whole range of benefits to offer to employees and managers. The whole ethos of mediation centres on identifying win/win solutions that are mutually beneficial. The entire process is relatively quick and reduces the stress that can be caused by taking formal action or allowing issues to go unresolved. Ultimately, there is nothing to lose in trying mediation as a way to resolve conflict in the workplace and improve working relationships. Formal routes are still available should individuals not be satisfied with the outcome, however this is rarely the case.

Making a referral/Finding out more about the Mediation Service

Mediation can be suggested by a number of sources. A manager or manager of a Leadership Team, Staff Care, Occupational Health, Employee Relations, Trade Union or an employee. If you feel that you may have a situation within the workplace that would benefit from mediation, or are an individual wanting to find out more, then please email your details to:

For mediation information and access to qualified mediators please contact the WES Advisory Service on 01926 418614.

Guidance Document 1

Frequently Asked Questions

Q1 Do workers have the right to be accompanied at a grievance hearing?

A1 Yes an employee may be accompanied by a recognised Trade Union Official or a work colleague throughout the formal stages of the procedure. The work colleague will be from the same employer.

Q2 What is the work colleague's/Trade Union Representative's role at a grievance hearing?

A2 The work colleague/Trade Union Representative may address the hearing in order to put the employee's view across and respond on the employee's behalf to any view expressed at the hearing. They will also be permitted to confer with the employee during the hearing. The work colleague/Trade Union Representative has no right to answer questions on behalf of the employee or to address the hearing if the employee does not wish him or her to do so.

Q3 Does the work colleague/Trade Union Representative have the right to time off to act as a companion at a grievance hearing?

A3 Yes an employer must allow a worker to take a reasonable amount of paid time off to act as a companion to another of its employees. It would also be reasonable to give time off to allow them to familiarise themselves with the case and confer with the employee they are accompanying both before and after the hearing.

Q4 Can an employee choose to go straight into the formal stage of the process without the informal stage being considered?

A4 As the process aims to resolve any disputes as close to their source as possible in all circumstances the employee should, wherever possible, raise the matter informally with their Line Manager/Headteacher/Chair before referring to the formal stage. Only in exceptional cases where an employee feels they are unable to discuss the matter with their Line Manager (next senior manager)/ Headteacher/Chair, should the informal stage not be used and formal stage used immediately.

Q5 Where an ex-employee raises a grievance after having left the school what should the school do?

A5 Grievance procedures should focus on resolving disputes with employees. A former employee might have a dispute with his or her ex-employer that could form the basis of tribunal or court proceedings, and the employer may feel that it is appropriate to engage in dialogue with the individual in the hope of resolving the issue within 1 month of leaving. This is known as using a modified procedure and consists of a written response to their

written grievance. However, this does not require the use of a formal grievance procedure with a right of appeal.

Q6 If a resignation letter is received detailing a complaint should this be treated as a grievance?

A6 Yes, the grievance should be pursued even if the employee is leaving the organisation, whilst still employed (i.e. serving notice of their resignation) every attempt should be made to resolve the matter and reduce any potential risk of future claims Q7 How should employers inform employees that a grievance procedure exists?

A7 In the first instance if an employee has a problem they should talk to their Line Manager/Headteacher/Chair about this procedure and explore an informal resolution or possibly mediation prior to submitting a formal grievance. If you are a member of trades unions they will be able to provide advice.

Q8 What will happen if my work colleague or Trade Union Representative is unable to attend the proposed date for the Grievance Hearing?

A8 The meeting must be postponed to a time proposed by the work colleague/representative which is mutually convenient. The alternative time must be reasonable and fall before the end of the period of five working days beginning with the first working day after the day proposed by the employer.

Q9 I believe I am being bullied and I am concerned that if I raise a grievance that this may result in further harassment. What do I do?

A9 The Dignity At Work Policy should be used in cases of this nature. You should refer your concerns to your Line Manager/Headteacher/Chair or your Trade Union Representative.

Q10 Will my grievance be treated confidentially?

A10 Any grievance raised will be treated in the strictest confidence as far as possible e.g. any grievance may give rise to disciplinary or criminal investigation even if the member does not want to pursue it.

Q11 Will I be notified of the outcome of the Grievance Hearing?

A11 You will be notified in writing of the outcome within five working days of the date of the grievance hearing and appeal hearing.

Q12 Can I appeal against the outcome of a grievance?

A12 You have the right to appeal the grievance outcome. The grounds of the appeal may outline where new evidence arises not previously considered, or due to technical or procedural deficiencies, you may appeal following a decision. Once this has been concluded the decision will be final as the internal procedure is exhausted.

Q13 I am going through the Disciplinary Process and I want to raise a grievance related to the case. What will happen?

A13 If, in the course of the disciplinary process an employee raises a grievance that is related to the case, the employer may consider suspending the disciplinary procedure for a short period while the grievance is dealt with or it may be appropriate to consider both matters concurrently

Q14 If the Senior Manager/Headteacher/Chair has been implicated or involved with the process what should happen?

A14 The grievance should always be heard by the next higher tier of management up or if necessary moved sideways to another Senior Manager/Deputy Headteacher/Governor(s). Where the Headteacher is implicated it may be necessary to put the complaint in writing to the Chair of Governors to hear this stage of the process.

Q15 What should the written request for an Appeal hearing include?

A15 As much detail of the complaint as possible, including dates, times and documentary evidence. It should also include any objection to a particular person hearing the grievance and the reasons for that objection. If you have in mind a desired outcome, it would be helpful to also include this.

Q16 In the case of a grievance being received against a Governor who should hear it?

A17 In this case the Governing Body/Trust Board will nominate the Vice Chair/another Governor/senior manager within the Governing Body/Trust to hear the grievance.

Guidance Document 2

Letter Templates for Line Manager/Headteacher/Chair

(1)

Grievance Procedures: Letter inviting an employee to attend a grievance meeting

Dear xxxxxxxx,

I confirm that I have received your letter setting out your grievance and invite you to attend a meeting to discuss the issues that you have raised. I suggest that the meeting takes place at (Time) on (date). The location of the meeting will be (xxxxxxx) and it will be attended by (Line Manager/Headteacher/Chair/HR provider).

The purpose of the meeting is to allow you to explain your grievance and discuss how it can be resolved. I will write to you to confirm any agreed action within five working days of the grievance meeting.

If I am unable to resolve your difficulty to your complete satisfaction within this period I will give you my reasons in writing and will advise you of your right to pursue the matter further through an appeal to the next most appropriate senior member of the management team or nominated member of the Governing Body.

A work colleague or a Trade Union representative may accompany you at the meeting. Please contact me to confirm that you will be able to attend the meeting at the suggested time and whether it is your intention to bring someone with you.

Yours sincerely,

(2)

Grievance Procedure: Letter informing an employee of the Line Manager/ Headteacher/Chair decision and right of appeal following a grievance meeting.

Dear xxxxxxxx,

Following the meeting that was held with you to discuss (details of employee's grievance), it has been agreed that the following action will be taken:

(details of action to be taken)

(or)

Following the meeting that was held with you to discuss (details of the employee's grievance), it has been decided that no further action will be taken in relation to your grievance because (details of reasons).

If you disagree with the decision that has been taken in relation to your grievance, you have the right of appeal in writing to xxxxxxxx (nominated Senior Manager Headteacher/Chair). Once your appeal has been received xxxxxxxx (nominated Senior Manager/Headteacher/Chair/Governor(s)) will arrange to meet with you to discuss the grounds for it.

Yours sincerely,

(3)

Grievance Procedures: Letter inviting an employee to attend a grievance appeal meeting.

Dear xxxxxxxx,

I have received your appeal against the decision in relation to the grievance you raised about (details of grievance). I am writing to invite you to attend a meeting to discuss the grounds of your appeal. It is proposed that the meeting take place at (time) on (date). The location of the meeting will be (xxxxxxx) and will be attended by *please give details* (Line Manager/Headteacher/Chair/Governor(s)).

The purpose of the meeting is to allow you to set out the grounds for your appeal and discuss with us how it can be resolved. Your (Line Manager/Headteacher/Chair) will inform you of the outcome of your appeal within five working days. A work colleague or a Trade Union representative may accompany you at the meeting.

Please contact me to confirm your attendance at the meeting or to arrange an alternative time and date.

Yours sincerely,

(4)

Grievance Procedure: Letter informing an employee of the Line Manager/Headteacher/Chair decision following a grievance appeal meeting.

Dear xxxxxxxx,

Following the meeting that was held with you to discuss your appeal against (details of original decision) it has been agreed that the following action will be taken:

(details of action to be taken)

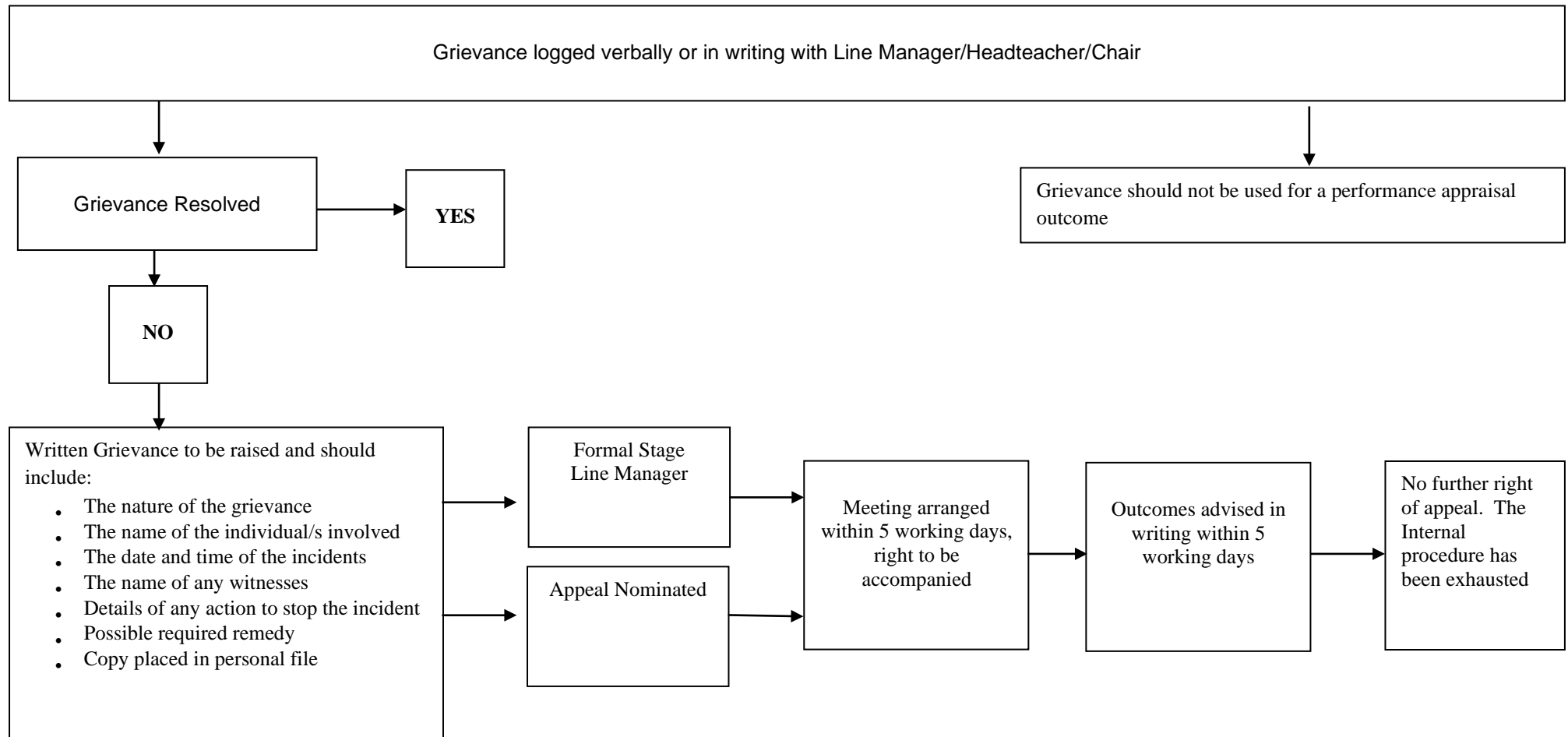
(or)

Following the meeting that was held with you to discuss your appeal against (details of original decision), it has been decided that no further action will be taken in relation to your grievance because (details of reasons).

This is then the final stage of the internal grievance procedure and you have no further right of appeal.

Yours sincerely,

Guidance Document 3 – GRIEVANCE POLICY AND PROCEDURAL FLOW CHART



**FACTSHEET
Grievance Procedure**

WHEN SHOULD THIS PROCEDURE BE USED?

If an employee has a concern relating to work, working conditions, pay and benefits, working hours or treatment by colleagues, concerns about health and safety, a breach of statutory employment rights or any other issue affecting their employment this procedure should be used. In the first instance an employee should, wherever possible, talk the matter over with their immediate Line Manager/ Headteacher/ Chair in an attempt to resolve the matter quickly and fairly in an informal way. Each step and action must be taken without unreasonable delay. If a concern or grievance cannot be settled informally, the formal approach should be used.

HOW DOES THE FORMAL PROCEDURE WORK?

Formal Stage

- The employee should set out the grievance and the basis for it in writing.
- The Line Manager/Headteacher/Chair must invite the employee to a meeting to discuss the matter.
- The employee will have a right to representation or to be accompanied by a work colleague.
- Following the meeting the Line Manager Headteacher/Chair must inform the employee of his/her response to the grievance and notify the employee of their right to appeal.

Appeal

- If the employee is unhappy with the employer's response they can appeal.
- The appeal will be heard by the Line Manager/Headteacher/Chair/nominated Governor(s), appeals panel, with no material prior involvement in the matter.
- The reason for the appeal must be set out in writing within five days of the formal decision at stage 1.
- The Line Manager / Headteacher / Chair (assisted by HR provider)
- The employee has a right to representation
- The employer must inform the employee of its decision within ten working days of the meeting.

There is no further right of appeal under the procedure.

Guidance Document – 5

Guidance on how to conduct a Grievance Hearing/Appeal Hearing Format for Line Manager/Headteacher/Chair

- Any hearing should be held in private and without interruption.
- Inform the employee of his/ her right to be accompanied at any hearing - i.e., any formal meeting to discuss the grievance. Be careful that any informal discussions of a grievance do not turn into something that could be classed as a 'hearing', triggering the right to be accompanied.
- Ensure (where possible) all relevant facts are available - personal details and, when appropriate, written statements from witnesses.
- It may be useful to have an impartial person, to take notes at meetings so Line Manager/Headteacher/Chair is free to give his/her full attention to the employee. – Note takers ought to be administrative/secretarial staff.
- Before the first meeting, find out whether similar grievances have been raised before, how they were resolved, and if any action has been necessary? This is to assist in providing background or assisting working toward a solution.
- Invite the employee to outline in writing detail of their grievance and how they would like it to be resolved?
- Encourage as open a discussion of the grievance as possible, asking open-ended questions to get the employee to speak more freely, such as 'what happened next?', 'what did he say to that?' and so on.
- You may reach a point in the hearing where you are not sure how to deal with the grievance, so adjourn the meeting to get advice if necessary.
- Tell the employee when they might expect a response if one cannot be made immediately - for example, where you may need to investigate further/gather information, consult or take advice from an external source. Tell the employee what will happen next.
- Respond to the grievance in writing within the agreed time scale.
- Keep records for future reference, detailing the nature of the grievance raised, the employer's response, action taken, reasons for action taken, whether there was an appeal and if so, the outcome.
- If relevant (depending on the nature of the complaint) advise the employee that the outcome of grievance/grievance investigations can lead to disciplinary proceedings.

The Hearing/Appeal Hearing format

- A Chair is appointed (no more than a panel of one required but optional to have additional panel members) for the hearing.
- The employee/appellant or their representative will outline the grounds for their case.
- The Chair of the hearing will then have the opportunity to question the employee/appellant or their representative.
- The Headteacher/investigating officer will then present their case responding to the issues that have been raised.
- The Chair of the hearing will have the opportunity to question the Head/management side/investigating officer in relation to this information provided.
- Both parties will then withdraw whilst the Chair of the hearing considers the information.
- The outcome of the hearing/appeal hearing will be confirmed in writing within five working days.
- The decision of the Chair of the hearing/appeal hearing shall not be subject to any further review under the procedure.

APPEAL AGAINST GRIEVANCE OUTCOME

I wish to submit an appeal against dismissal/action taken.

PERSONAL DETAILS

Your Name:	
Your Job Title:	
Your Contact Telephone No:	
Union/ Representative (if known)	
Name of Line Manager/ Headteacher/ Chair taking decision	
Date of receipt of written decision	

GROUND OF APPEAL: Please provide further detail for your grounds of appeal (continue on another sheet if necessary)

Your Signature: _____ **Print Name:** _____

Date of Signature: _____

Please send this completed document to the Manager/Headteacher/Chair who heard your grievance. You will be advised shortly regarding the next arrangements. Please ensure you have supplied sufficient and specific information to support your case.