



Grievance Procedure

Date	Review Date	Coordinator	Nominated Committee member
08/09/2020	08/09/2021	N MYERS	M Hayes

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Safety Representatives and Safety Committees Regulations 1977
- Health and Safety at Work Act 1974
- Trade Union and Labour Relations (Consolidation) Act 1992
- Employment Rights Act 1996
- Health and Safety (Consultation with Employees) Regulations 1996
- **Data Protection Act 2018**
- Public Interest Disclosure Act 1998
- Working Time Regulations 1998
- Employment Relations Act 1999
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Sex Discrimination) Regulations 2005
- Employment Equality (Age) Regulations 2006
- Employment Act 2008
- School Staffing (England) Regulations 2009
- Equality Act 2010

The following documentation is also related to this policy:

- Acas/AL04 Advice Leaflet: Bullying and Harassment at Work: A Guide for Managers and Employers (2009-5)
- Acas/CP01 Code of Practice on Disciplinary and Grievance Procedures (2209)
- Discipline and Grievances at Work - The Acas Guide (Acas)
- Equality Act 2010: Advice for Schools (DfE)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)

We are aware that the General Data Protection Regulations (GDPR) has entirely replaced the previous Data Protection Act (DPA) making changes to many existing data protection rules and



regulations that schools, academies and other educational establishments adhered to under the DPA. The principal aim of the GDPR is to strengthen and unify the safety and security of all data held within an organisation.

We believe that a grievance is a concern, problem or complaint that an employee brings to the attention of his/her employers. The grievance may be regarding bullying and harassment, discrimination, health and safety, new working practices, terms and conditions of employment, the workplace environment, and working relationships with colleagues.

We will at all times follow the Acas code of practice on disciplinary and grievance procedures.

The purpose of this policy is to enable all grievances to be settled fairly and consistently and quickly as possible.

The procedure complies with legislation and affords the opportunity to resolve the issues informally, through discussion with the employee's manager, or formally through the appropriate panel of the Committee.

The procedure is designed to reflect the following principles:

- Employees with a grievance about their employment have a right to raise the grievance. All proceedings that follow will remain confidential within the parties concerned.
- Whenever possible, grievances should be dealt with at the informal stages of the procedure.

We understand that raising a grievance can be stressful to all parties involved. Therefore, we aim to deal with the grievance as quickly as possible.

We recognize that at all stages of the procedure employees are entitled to representation from either a work colleague or trade union representative.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We all have a responsibility to ensure equality permeates in to all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual



orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

We acknowledge the findings of the Race Disparity Audit that clearly shows how people of different ethnicities are treated across the public services of health, education, employment and the criminal justice system.

The educational section of the audit that covers: differences by region; attainment and economic disadvantage; exclusions and abuse; and destinations, has a significant importance for the strategic planning of this school.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

Aims

- To enable all grievances to be settled fairly and consistently and quickly as possible.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Committee

The Committee has:

- delegated powers and responsibilities to the Headteacher to ensure all school personnel and stakeholders are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities committee member to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- make effective use of relevant research and information to improve this policy;
- nominated a link committee member to:



- visit the school regularly;
 - work closely with the Headteacher and the coordinator;
 - ensure this policy and other linked policies are up to date;
 - ensure that everyone connected with the school is aware of this policy;
 - attend training related to this policy;
 - report to the Committee every term;
 - annually report to the Committee on the success and development of this policy.
- responsibility for the effective implementation, monitoring and evaluation of this policy.

Informal Stage

At this stage:

- informal discussions will be held with all parties concerned;
- the employee can be accompanied by a colleague (companion) , the staff representative or their trade union official;
- every effort will be made by all parties to resolve the grievance

Presenting the Grievance

If the grievance is not resolved at the informal stage, then the employee must:

- write to the Headteacher outlining full details of the grievance;
- give a copy of the letter to the person that the grievance is against;
- give a copy of the letter to the Chair of the Committee if the grievance is against the Headteacher with a copy to the Headteacher

An investigation into the circumstances of the grievance will begin led by either the Head or the Chair of the Committee. Once this has been completed then a meeting will be arranged with the employee.

Invitation to the Meeting

The employee will receive a written invitation from the Headteacher or Chair of the Committee to the meeting within five working days of them receiving the employee's letter of grievance.



However, pending the outcome of the investigation a two week deferment may be sort by the Headteacher or Chair of the Committee.

The invitation will outline that:

- the employee may be accompanied by a person of their choice;
- the Headteacher or Chair of the Committee may also be accompanied;
- a deferment of the meeting may be requested if either companion is unable to attend on the date or time specified;
- all relevant papers will be circulated in advance of the meeting.

The Meeting

The meeting will be:

- clerked;
- chaired by the Chair of Committee member s or another person nominated by the Chair of the Committee if the grievance is against the Headteacher
- The employee will:
 - present his or her case;
 - call any witnesses if necessary;
 - answer any questions
- If the grievance is against the Headteacher or a colleague they will:
 - respond;
 - call any witnesses;
 - answer any questions
- If the grievance is against the Committee member s the Chair of the Committee will:
 - respond;
 - answer any questions
- Once this has been done then each party will sum up.
- Both parties then withdraw and a decision should be announced before the end of the meeting.
- Within seven days both parties will receive the decision in writing.



- The employee has a right of appeal if he or she is unhappy with the decision. The letter will outline the appeals process.

The Appeal Process

- If the employee wishes to appeal then they must write to the clerk of the committee within ten days requesting an appeal hearing.
- The decision of the Appeals Panel is final.
- Within three weeks of receiving the letter a meeting of the Appeals Panel will be convened.
- The meeting will take place at a time convenient for all parties.
- Both parties have the right to be accompanied.
- The meeting will be clerked and the Panel may decide to have professional advice at hand.
- The employee will be heard first followed by the other party.
- Questions will be asked by either party and by the Panel of each party.
- Each side will sum up.
- Both parties then withdraw and a decision should be announced before the end of the meeting.
- Within seven days both parties will receive the final binding decision of the Appeals Panel in writing.

Records

All records of grievances will:

- be kept secure;
- not be disclosed or accessed by any unauthorised person or persons without the permission of the employee.

Role of the Headteacher

The Headteacher will:

- in the first instance meet with the employee informally to listen to the grievance;
- investigate the issue in question impartially;
- listen to all concerned;
- ask open questions;
- seek advice if need be;
- try to resolve the grievance informally by coming to a fair decision;



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- give a clear decision of the outcome of the investigation that hopefully will resolve the grievance;
- work in conjunction with the Senior Leadership Team to ensure all school personnel, pupils and parents are aware of and comply with this policy;
- work closely with the nominated committee member ;
- make effective use of relevant research and information to improve this policy;
- monitor the effectiveness of this policy;
- annually report to the Committee on the success and development of this policy.

Role of School Personnel

School personnel will:

- comply with all aspects of this policy in the event of a workplace grievance;
- be aware of all other linked policies;
- try to resolve all grievances informally;
- be aware that they have the right to be accompanied by a companion (a work colleague or an accredited trade union representative) at a formal grievance hearing;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community.

Role of the Companion

The companion:

- may assist in preparing and presenting the case
- may accompany the employee to the hearing
- may speak on behalf of the employee at the beginning and end of the hearing
- may provide support for the employee during the hearing
- may not answer questions on behalf of the employee
- may consult with the employee during the hearing
- will ensure the correct procedures are followed during the hearing
- offer advice based on past experiences

Raising Awareness of this Policy

We will raise awareness of this policy via:



- the Staff Handbook
- meetings with school personnel
- reports such annual report to parents and Headteacher reports to the Committee

Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction which specifically covers:
 - Disciplinary Procedure
 - Staff Capability
 - Complaints
 - Anti-Bullying and Anti-Harassment at the Workplace
 - Whistle Blowing
 - Equality
 - Inclusion
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications

Training will be provided by an accredited trainer for the Headteacher and all members of the senior leadership team, the school bursar and the nominated committee member that deals with:

- the informal and formal stages of the grievance procedure
- the successful handling of a grievance
- roles and responsibilities
- the appeals process

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.



This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated committee member .

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Committee for further discussion and endorsement.

Linked Policies

- Anti-Bullying and Anti-Harassment at the Workplace
- Complaints
- Data Protection and the General Data Protection Regulation (GDPR)
- Disciplinary Procedure
- Equality
- Staff Capability
- Whistle Blowing

See Appendices Documents section on Policies for Schools Website

- Frequency of Policy Monitoring
- Monitoring Implementation and Policy Effectiveness Action Plan
- Initial Equality Impact Assessment
- Policy Evaluation
- Policy Approval Form

Headteacher:	N Myers	Date:	08/09/2020
Member of Committee:	M Hayes	Date:	08/09/2020