

William Westley CE Primary School

# Grievance Policy



Children at the heart of our school;  
our school at the heart of the community.

## William Westley School Values

kindness self-worth positivity self-control respect celebration

**March 2022**

William Westley CE Primary School

Grievance Policy

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## Grievance Policy

**Date of Full Implementation: 15th March 2022**

**Review date: 14th March 2023**

### 1 Introduction

The School's policy is to achieve fair and equitable treatment for all staff and to support the resolution of grievances in the workplace.

The procedure applies to all members of staff of the School. This procedure does not form part of any staff member's contract of employment and it may be amended at any time.

If there is no resolution of a grievance at the informal stage, this procedure recommends that staff members submit a written Notice of Grievance Form in order to have the matter dealt with formally, (see Appendix 1), although a grievance can be expressed in other ways, for example, verbally. It is important to recognise and deal with any potential grievances and seek clarification from the staff member as to whether they wish to take their complaint formally through this procedure.

Grievances, particularly once the formal process is invoked, can be extremely time-consuming, distracting and emotionally fatiguing for all parties involved. At worst, an adverse consequence could be the deterioration of teaching and care provision for students at the school. Therefore, it is the School's policy to follow this procedure on fastest timings. Delays in submission of the appropriate documentation, by either party, should be avoided at all costs and every effort should be made to conduct interviews and summarise reports as quickly as possible.

### 2. Scope

The procedure may be used for concerns relating to the staff member's own work, contract of employment or working relationships with colleagues.

NB: Grievances concerning issues that are more than three months old will not usually be considered unless related to a current issue or there are exceptional circumstances.

#### 2.1 Procedures

The procedure may not be used for grievances regarding:

disciplinary action

termination of employment

National Insurance, Income Tax or pensions

pay

performance capability/performance appraisal

harassment and bullying or

whistleblowing (unless the staff member is directly affected by the matter in question or where the member of staff believes they may have been victimised for an act of whistleblowing).

These are all covered by separate procedures. For all school policies and procedures, please visit:

[www.williamwestley.cambs.sch.uk](http://www.williamwestley.cambs.sch.uk)

A member of staff cannot raise a grievance on the same grounds they have cited in an earlier appeal/grievance heard under any other policy. This procedure cannot be used to lodge a complaint about the outcome of any other formal procedure which has its own appeal process.

This procedure does not apply to grievances submitted by former members of staff. The School reserves the right to deal with such grievances as it deems appropriate.

### **3. Roles and responsibilities**

By their nature, grievances are internal matters and may involve a number of people. It is not possible, nor desirable, given the emphasis upon dealing informally with grievances, to prescribe specific roles. However, the following broad guidelines may be helpful.

#### **3.1 The Headteacher or Senior Member of Staff**

The Headteacher or a nominated member of the Senior Leadership Team (SLT), provided they are not the subject of the grievance, will consider the grievance at the formal stage.

#### **3.2 Chair of Governing Board**

Where the Headteacher is the subject of the grievance, the Chair of Governors will assign an appropriate Governor who has not been directly involved in the matter to oversee the grievance procedure.

#### **3.3 Investigating Officer**

Where an investigation is deemed appropriate at the formal grievance stage (see Section 5.1), in some instances, an Investigating Officer may be appointed. The Investigating Officer will be responsible for collecting and presenting all the facts concerning the grievance in an Investigation Report. It is important that the Investigating Officer has not been directly involved in the matter.

### **4. Informal Resolution**

Most grievances can be resolved quickly and informally through discussion. If a member of staff has a grievance that involves another member(s) of staff, they should firstly endeavor to resolve the matter informally by approaching the person(s) involved and, if necessary, request the involvement of their line manager. If the grievance is about their line manager, they should speak informally to a more senior member of staff. This allows for problems to be resolved quickly and normal working relationships to resume.

Staff members should be able to demonstrate that they have made every effort to discuss the issue(s) informally before the formal procedure is invoked.

It may be appropriate to explore the use of mediation, depending on the nature of the grievance. This may involve the appointment of an impartial mediator. Mediation services are available via Herts for Learning.

### **5. Formal grievance procedure**

Where a member of staff's grievance remains unresolved after the informal stage, they should submit a written Notification of Grievance Form (see Appendix 1). The formal grievance will not proceed unless the staff member has submitted their grievance in writing, clearly stating the nature of their grievance.

When submitting a grievance, the member of staff should give as much detail as possible, including what outcome they are looking for. Evidence that the informal stage has been undertaken should also be submitted at this stage. Where this has not happened, the aggrieved party should explain clearly why they did not feel able to go through the informal stage.

Grievances concerning issues that are more than three months old will not usually be considered unless they

are related to a current issue or there are exceptional circumstances.

### **5.1 Formal Grievance Hearing**

The Headteacher, a nominated member of the SLT, or the appointed Governor (if the grievance concerns the Headteacher, will arrange a meeting within 5 school days of receiving the Notification of Grievance Form, to discuss the grievance with the member of staff. The purpose of the grievance meeting is for the member of staff to explain their grievance and to explain how the grievance may be resolved.

The person dealing with the grievance will then take all necessary steps to investigate the matter appropriately (which may include appointing an Investigating Officer – see 3.3). The timing and nature of any investigation will differ depending on the content of the grievance. It is at the discretion of the Headteacher, nominated SLT member or appointed Governor to decide what is appropriate in each case. Where the investigation takes longer than originally specified, the Headteacher, nominated SLT member or appointed Governor will keep the member of staff informed.

At the end of the investigation, a decision will be reached as soon as reasonably practicable and the staff member will be informed in writing by the Headteacher nominated SLT member, or appointed Governor (the “Outcome Letter”). This letter will detail the investigation undertaken, the decision and the reason(s) for the decision.

### **5.2 Appeal**

Members of staff have the right of appeal against the outcome of their grievance. At the discretion of the School, the appeal may be a complete re-hearing of the matter or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light.

Any member of staff who wishes to appeal the outcome of their grievance should do so in writing to the Headteacher (or the Chair of Governors, if the Headteacher is the subject of the grievance) within 5 school days of receipt of the Outcome Letter, clearly stating the grounds for appeal.

The Appeal will be heard by an appropriate individual, or panel of individuals, who have not been directly involved in the matter. New evidence will only be considered if relevant and there is a good reason why this had not been included as part of the original grievance meeting. No new grievance(s) may be added to the proceedings.

The Appeal hearing will take place without unreasonable delay. The decision of the Appeal hearing will be final. It will be confirmed to the member of staff in writing within 5 school days of the hearing or as soon as reasonably practical.

The decision at the Appeal is final. There are no further hearings.

## **6. Right to be accompanied**

A member of staff has the right to be accompanied and supported, at any formal stage of the procedure, by a work colleague or an accredited professional association/trade union representative.

The staff member should give advance notice if they are to be accompanied and advise the Headteacher or nominated SLT member or Appeal organiser by whom. If a professional association/trade union or work colleague is unavailable at the agreed time of any meeting,

the member of staff should contact the Appeal organiser immediately to rearrange for a time that is mutually convenient. Any postponement should not normally extend beyond 5 school days.

Repeated postponement of the Grievance meeting or Appeal hearing by the staff member will result in the grievance being considered vexatious and then dismissed.

### **7. Overlapping disciplinary and grievance issues**

If a staff member raises a grievance whilst subject to disciplinary and/or capability proceedings it will not prevent the School from continuing with or concluding these processes, other than in exceptional circumstances, and entirely at the School's discretion.

### **8. Collective grievances**

Where a group of members of staff raise a grievance regarding the same subject matter, this may be heard as a collective grievance at the School's discretion.

### **9. Vexatious, malicious and frivolous grievances**

All grievances will be taken seriously, but only those which raise a legitimate or genuine concern will be heard or investigated. The Headteacher or Chair of Governors will not consider any frivolous or vexatious grievances or any repeat grievances which have already been formally considered and upon which a decision has been made. Evidence of malicious grievances will result in formal disciplinary proceedings.

## Appendix 1 - Staff Member's Notification Of Grievance

This form should be used to submit a grievance in accordance with the formal grievance procedure, adopted by the Governing Board of your School.

You should complete the form and hand it to your line manager (or the Headteacher if your line manager is the subject of your grievance, or the Chair of Governors if the Headteacher is the subject of your grievance). You are advised to keep a copy.

|  |         |
|--|---------|
| Name:  | School: |
| Post Held:   |         |
| <b>Describe briefly:</b><br><br>a) The nature of your grievance (this should include a full description of the nature of your complaint including any relevant evidence: facts, dates and names of individuals involved, copies of correspondence, etc.)<br><br>b) On what date did you first raise your grievance, and with whom?<br><br>c) What action has been taken on your grievance at the informal stage?<br><br>d) What outcomes are you seeking? <i>(Please detail actions you would like taken to resolve the situation)</i> |         |

e) Are you interested in exploring a resolution through mediation?

Signed:

Dated:

## **Appendix 2 - guidance for members of staff on how to raise a grievance**

### **What is a grievance?**

Anyone working in a school may, at some time, have problems or concerns about their work, working conditions or relationships with colleagues that they wish to talk about with management. Examples of a grievance include: conditions of employment, health or safety, relationships at work and new working practices. If you are a member of a trade union or professional association you should seek advice from your representative at the earliest stage as some concerns are dealt with through different procedures.

### **What should I do if I have a grievance?**

Always try to resolve the grievance at source, if necessary, by talking it through with your line manager. This allows for problems to be resolved quickly and normal working relationships to resume.

### **What is the informal process for handling a grievance?**

Talk to your line manager at one of your regular one-to-one meetings or, if such a meeting is a long way off, by requesting a special meeting for this purpose.

### **What do I do if the grievance cannot be resolved informally?**

Provide a written Notification of Grievance (see Appendix 1)

### **What information should I include in the Notification of Grievance?**

- what the grievance is about. (Be clear and specific)
- any supporting evidence
- why the grievance has not been resolved at an earlier stage
- how you think the grievance can be resolved
- whether you will be interested in exploring a resolution through mediation.

### **What happens once I have submitted Notification of Grievance?**

You will meet with the Headteacher, a member of the SLT, or an appointed Governor to formally review your grievance. It is then likely that there will be an investigation into your grievance (although this is not always necessary). You will probably be interviewed, as will the subject of the grievance, and an Investigation Report produced. A decision will be communicated, by the Headteacher or member of SLT, with a description of the investigation and an explanation of the reason(s) for their decision.

### **What happens if I don't like the outcome of this meeting?**

If you feel that the outcome is not fair, then an Appeal meeting before an independent individual or Panel can be requested. You will have the opportunity to respond to any information or findings presented in the Investigation Report. The person against whom the grievance is directed will have the opportunity to do the same. All parties may be accompanied or represented by their professional association or trade union representative or by a work colleague. The Appeal individual or Panel will inform you of their decision in writing no more than 5 school days after the Appeal. The decision at the Appeal is final. There are no further hearings.