



# Tudor Grange Academies Trust

## Grievance Procedure

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## 1 Definitions

<b>“Board”</b>	The Multi-Academy Trust board which is made up of the Trustees who together are responsible for the delivery of the core functions and hold the Chief Executive Officer to account.
<b>“Chief Executive Officer”</b>	The person with the overall responsibility for the day to day running of the Trust.
<b>“Executive Principal”</b>	The person with the overall responsibility for the day to day running of a number of schools within the Trust. The Executive Principals are accountable to the Chief Executive Officer.
<b>“LGB”</b>	The Local Governing Body support the Principal in running the school and hold them to account.
<b>“Manager”</b>	Any member of staff delegated line management responsibility by the Principal.
<b>“Principal”</b>	The person responsible for the day to day running of a particular school within the Trust.
<b>“the Trust”</b>	Tudor Grange Academies Trust (company number: 07365748)
<b>“trade union”</b>	A trade Union being defined as a body appearing on the Certification Officer’s list of Trade Unions.

<b>“companion”</b>	refers to a person chosen by the employee to accompany him/her, who shall be a trade union representative or a workplace colleague.
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## 2 General principles

- 2.1 This Policy applies to all employees of Tudor Grange Academies Trust. It does not apply to contractor’s staff or those that are no longer employed by the Trust.
- 2.2 There are number of issues that can be the cause of grievances at work. Such as working conditions, application or non-application of policies and procedures, environment, relationships with management or colleagues, duties and responsibilities, work volume or organisational change. Grievances may relate to discrimination, harassment, bullying or victimisation.
- 2.3 The aim of this procedure is to enable any 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. Grievances should be raised within 25 working days of the alleged incident, omission or event or no later than 3 months after the first act or omission in a series of linked events, unless there is a good reason for the delay.
- 2.4 Where the grievance relates to a matter covered by another procedure for example pay, probation, redundancy, absence management or whistleblowing, then the matter will be dealt with in accordance with the relevant policy or procedure. This grievance procedure may not be used to complain about dismissal or disciplinary action. An employee who is dissatisfied with any formal warning should submit an appeal under the appropriate procedure.
- 2.5 Where an employee raises a grievance during any existing process or procedure, that process may be temporarily suspended in order to deal with the grievance. However, where the grievance and the existing process are related, it may be appropriate to deal with both issues concurrently. Management will have discretion to decide which option is appropriate, in all circumstances.
- 2.6 The Principal shall identify, on a case by case basis, who is to be responsible for hearing a grievance at Stage 2 of the formal procedure. The Principal will normally hear grievances at Stage 3 of the Procedure. Where the grievance is in relation to the Principal or to ensure impartiality, then an Executive Principal will hear the appeal under these procedures. Where the grievance is in relation to a member of the Executive Team then the Chief Executive Officer will take on the role of hearing the grievance. Where the grievance is in relation to the Chief Executive Officer then a Trustee from the Trust Board will take on the role of the Chief Executive Officer. This is to ensure that the person hearing the grievance is not the subject of the complaint. In addition, no person should hear a grievance where they have considered the case or represented either party at an earlier stage, or where their prior involvement prejudices objectivity.
- 2.7 The staff grievance procedure is intended to benefit employees in current employment. Where the contract is terminated with a grievance still outstanding, the grievance will only continue if it concerns matters that survive the termination of contract.
- 2.8 Those responsible for dealing with employees’ grievances will 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.

- 2.9 Employees should recognise that an investigation may be necessary which may delay the process beyond normal time limits.
- 2.10 At any stage of the procedure the Principal and/or Governors may 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 procedure. Such conciliation is without prejudice to the position of both parties in the procedure. With mutual consent the Principal may involve external agencies to mediate if required.
- 2.11 Advice should be sought from HR if there any queries in relation to this Procedure. This procedure does not form part of any employee's contract of employment and it may be amended at any time.
- 2.12 Collective grievance: Where two or more colleagues have identical grievances and want to raise the matter together under the same grievance procedure then the matter will be dealt with as a collective grievance. Colleagues raising a collective grievance must agree (without any pressure being exerted on employees to join the collective process) to engage in one process. Participating colleagues will only be entitled to one meeting at stages 1 and 2 of the procedure and one appeal, if applicable. If all colleagues do not voluntarily agree to this arrangement, or if the grievances are not identical, then the grievances will be dealt with on an individual basis.

### **3 Stages of the Grievance Procedure**

#### **3.1 Stage 1 - Raising Grievances Informally**

- 3.1.1 Most grievances can be resolved quickly and informally through discussion. If an employee feels unable to speak to the person causing the grievance, then the employee should speak informally to his/her immediate line manager. If this does not resolve the issue, the employee should follow the formal procedure below.
- 3.1.2 If the employee's grievance is against the line manager personally, the grievance may be referred directly to Stage 2 but it would normally be reasonable to inform the line manager of this intention.

#### **3.2 Stage 2 – Formal Grievances**

- 3.2.1 If the employee is not satisfied his/her concerns have been addressed informally, the employee should submit the grievance in writing, indicating that it is a formal grievance, to the Principal. The employee should use the Employee's Notification of Grievance Form (Annex A), to state the grounds of their grievance and the remedy that is being sought. Any member of staff who needs assistance in filling in the form can make contact with HR who will provide or nominate a scribe. The form must be completed in as much detail as possible using dates, times and indicating witnesses where applicable. It is not sufficient to make vague allegations or generalisations.
- 3.2.2 The Principal or nominated representative will normally meet the employee to hear the grievance and reply as soon as possible, normally within 10 working days, even if it is only an interim reply pending further investigation.
- 3.2.3 The Principal or nominated representative may be accompanied at a formal grievance meeting by another employee, or by an HR Adviser. An employee may bring a companion (see [definitions](#)) to any formal grievance meeting or appeal meeting under this Stage 2. An employee must tell the person holding the meeting who their chosen companion is, in good time before the meeting.

- 3.2.4 At any formal grievance meeting, an employee's companion may make representations and ask questions, but should not answer questions on the employee's behalf. The complainant and respondent should make their own arrangements to be accompanied. Where the chosen trade union representative or colleague is not available at the proposed time and date, they may propose an alternative time. If this suggestion is reasonable and falls within 5 working days of the original date, the meeting must be postponed to that time and date. It is good practice for a mutually agreed time to be arranged for meetings where possible, however if the delay is extensive then the employee may be asked to find another companion.
- 3.2.5 It may be necessary to carry out an investigation into the grievance. The amount of any investigation required will depend on the nature of the complaints and will vary from case to case. It may involve interviewing and taking statements from the employee, any witnesses, and/or reviewing relevant documents. The employee must co-operate fully and promptly in any investigation. This may include informing those handling the investigation of the names of any relevant witnesses, disclosing any relevant documents and attending interviews.
- 3.2.6 An investigation may be started before a grievance meeting is held where this is considered appropriate. In other cases a grievance meeting may be held to clarify points before deciding what investigation (if any) to carry out. If appropriate and/or necessary, in those cases further grievance meetings may be held with the employee after the investigation and before a decision is reached.
- 3.2.7 The Principal or their nominee will write to the employee, following the grievance meeting, to inform the employee of the outcome of the grievance and any further action that will be taken to resolve it if necessary.
- 3.2.8 If the employee raising the grievance is not satisfied with the outcome they may appeal in accordance with Stage 3 below.

### **3.3 Stage 3 - Grievance appeal**

- 3.3.1 If the grievance has not been resolved to the employee's satisfaction they may appeal in writing within 5 working days of receiving the written confirmation of the original decision. The employee must use the form found at Annex B and must detail how they consider the grievance procedure has not been correctly applied, and/or how the outcome was not reasonable or proportionate. The matter will then be considered at an appeal Hearing by the Principal or member of the executive as appropriate.
- 3.3.2 The final decision will be communicated in writing, as soon as reasonably possible after the appeal meeting. This is the end of the procedure and there is no further right of appeal.

## **4 Conducting staff grievance appeal hearings**

- 4.1 Grievance hearings should follow a systematic sequence, achieving a balance between structure and informality in order to ensure that the participants' views are fully explored. However, care should be taken to ensure that the format will not cause distress where possible. In many cases it is preferable to call the complainant and the respondent separately rather than have a potentially adversarial meeting.
- 4.2 In chairing the meeting, the person responsible for hearing the grievance should:
- check that everyone has the appropriate papers;

- explain the way that the meeting will be structured, including any time constraints;
- provide an opportunity for comments and clarification before commencement of the meeting;
- advise that should it become necessary to adjourn the meeting including for the purpose of gathering further evidence, a target timescale for this will be explained at the meeting.

The Chair of the hearing should also ensure that the following procedure is observed:

- the complainant should introduce their submission, explaining the reason for their complaint (at Stage 3, the complainant should also explain why they are dissatisfied with the Stage 2 outcome);
- the Chair may ask questions during or after the complainant's presentation;
- if present, the respondent to the grievance may ask questions at the end of the complainant's presentation;
- the complainant may present witnesses who may be questioned by the Chair and the respondent;
- the respondent should respond to the complaint;
- the Chair may ask questions during or after the respondent's presentation;
- If present the complainant may ask questions at the end of the respondent's presentation;
- both parties should be given the opportunity to sum up beginning with the complainant;
- the Chair has a final opportunity to clarify any points;
- the Chair should then adjourn the hearing to consider the complaint. All parties, except anyone advising the Chair, should withdraw.

## **5 Chair's deliberations**

- 5.1 The chair will consider what was said by all parties together with any written submissions.
- 5.2 If the chair is confident that there is sufficient information to reach a decision, then the decision may be given orally to both parties. The decision, with reasons, should be confirmed in writing within 5 working days.
- 5.3 The chair's decision will be final.

## **6 Record keeping**

- 6.1 It is important that accurate and contemporaneous records are kept throughout the process, including any initial informal process.
- 6.2 Records should be held in a secure and confidential manner. Often the issues raised are particularly sensitive and it is essential that the circulation of information be minimised to that which is necessary to ensure a fair investigation and hearing.

**Grievance Form**

**Employee’s Notification of Grievance**

This form should be used to submit a grievance in accordance with Stage 2 of the formal Grievance Procedure.

Send the completed Employee’s Notification of Grievance Form to your Line Manager. If your grievance relates to your Line Manager, send it to the Principal. If your grievance relates to your Principal then send it to an Executive Principal or the CEO. You are advised to keep a copy. Please be aware that the information will, in normal circumstances, be shared with any person/s complained about. Please think carefully about what you write.

1. Name: \_\_\_\_\_

Post held: \_\_\_\_\_

2. Describe briefly:

<p>2.1. The nature of your grievance. Please include all relevant facts, dates and names of people involved and any witnesses. (continue on a separate page if necessary).</p>
<p>2.2. When did you first raise your grievance, and with whom? Is this a one-off issue or part of a chain of events?</p>
<p>2.3. What action has been taken on your grievance at the informal stage (Stage 1)?</p>

2.4. What steps or action do you want to be taken as a remedy for your grievance?

3. If you are member, have you informed your trade union or professional association representative? YES/NO
- If yes: do you wish the representative to receive correspondence? YES/NO
- If yes: please identify the representative and provide email and postal addresses and telephone number. YES/NO

Printed Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_



