

GRIEVANCE POLICY

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REVIEW

Last reviewed: September 2019
To be reviewed: Every 3 years, or as the need arises.

Policies may be subject to review and revision at any time, notwithstanding that the next review date has not been reached. Review dates are for guidance only; all policies will remain in force until a review has taken place and been formally approved by the Trust.

1 General Principles

- 1.1 It is the Trust's policy to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. The Trust aims to investigate any formal grievance raised by employees, hold a meeting to discuss it, inform them in writing of the outcome, and give them a right of appeal if they are not satisfied with the outcome.
- 1.2 Issues that may cause grievances include:
- terms and conditions of employment;
 - health and safety;
 - work relations;
 - bullying and harassment;
 - new working practices;
 - working environment;
 - organisational change; and
 - discrimination.
- 1.3 This policy does not form part of an employee's contract of employment. It may be amended at any time, and departed from depending on the circumstances of any case. The procedure may also be discontinued if it becomes impracticable for either party to continue with it.
- 1.4 Any steps under this policy should be taken promptly unless there is a good reason for delay. Time limits may be extended if it is reasonable to do so.
- 1.5 Where appropriate, the Trust will have regard to the ACAS (Advisory, Conciliation and Arbitration Service) Code of Conduct on Disciplinary and Grievance Procedures (refer to www.acas.org.uk).

2 Who is covered by this Policy?

- 2.1 This policy applies to all employees regardless of length of service.

3 Definitions

- 3.1 The term 'Trust' means the Girls' Learning Trust ('GLT'), and encompasses any schools forming part of this multi-academy trust. It should be noted that in a multi-academy trust, the Trust (and not the school) is the employer.
- 3.2 In this policy, the term 'Designated Person' may mean any of the following:
- GLT Chief Executive Officer
 - Headteacher
 - Deputy Headteacher / Assistant Headteacher
 - GLT Chair of Trustees
 - GLT Director of Finance and Operations ('DFO'), and
 - such other person(s) that the Chief Executive Officer or Chair Trustees of shall direct.

4 Using this Policy

- 4.1 This Grievance Policy should not be used to complain about dismissal or disciplinary action. Any employee who is dissatisfied with any disciplinary action should submit an appeal under the Disciplinary Policy.
- 4.2 The Trust's Whistleblowing Policy enables employees to report illegal activities, wrongdoing or malpractice. However, where an employee considers that they have been victimised for an act of whistleblowing, a grievance may be raised under this policy.
- 4.3 Written grievances will be placed on the employee's personnel file along with a record of any decisions taken and any notes or other documents compiled during the grievance process.
- 4.4 The Trust will make reasonable adjustments for a disabled person where particular workplace arrangements put them at a disadvantage under the Equality Act 2010.
- 4.5 Any employee who raises a grievance with good reason, including to complain of bullying and harassment, is entitled to do so in confidence that they will not be victimised for doing so. Any victimisation will in itself constitute a disciplinary matter.
- 4.6 Any employee who raises a grievance or makes an allegation of bullying and harassment maliciously and/or without good reason will be subject to disciplinary action.

5 Raising Grievances Informally

- 5.1 Most grievances can be resolved quickly and informally by an employee raising the matter with their line manager. If an employee feels unable to speak to their line manager, for example, because the complaint concerns the line manager, the employee should speak informally to one of the people listed as a Designated Person (paragraph 3.1). Similarly, if the complaint is about a member of the Trust's executive team, such as the Chief Executive Officer, a Headteacher, or the Director of Finance & Operations, a request can be made for an informal discussion with the Chief Executive Officer or Chair of Trustees (as applicable).
- 5.2 Where possible, an informal meeting requested by an employee to discuss a grievance should be held as soon as possible and without unreasonable delay.
- 5.3 If the informal grievance procedure does not resolve the problem, the formal procedure set out below should be followed. The informal grievance procedure is not normally appropriate for grievances that have been submitted in writing. Written grievances will normally be dealt with under the formal procedures set out below unless both the employee and the Trust agree otherwise.

6 Formal Written Grievances

- 6.1 If informal attempts to resolve a grievance have not been successful, an employee should set out their grievance in writing and submit it to one of the people listed as a Designated Person (paragraph 3.1). This will normally be the Headteacher in the first instance. However, a formal grievance raised by, or about, the Headteacher shall be submitted to the Chief Executive Officer or Chair of Trustees.

- 6.2 The written grievance should state that the employee is invoking this grievance policy and set out details of the grievance including any relevant facts, dates, and names of individuals involved. The employee should also enclose any documents that are relevant to the grievance.
- 6.3 The Chief Executive Officer, or the Chair of Trustees, will appoint a Designated Person to investigate and resolve the grievance. The Designated Person may be supported by HR as appropriate.

7 Investigation

- 7.1 An investigation will involve a meeting with the employee who has made the grievance, together with any other relevant witnesses and reviewing relevant documents. Notes shall be taken of all meetings conducted as part of the investigation and, where appropriate, formal witness statements may also be taken.
- 7.2 The amount of any investigation required will depend on the nature of the allegations and will vary from case to case.

8 Employees duties and right to be accompanied

- 8.1 The employee raising the grievance has a duty to comply with the investigation, including providing names of witnesses, disclosing all relevant information and attending the interview
- 8.2 The employee may bring a companion to any grievance meeting or appeal meeting under this policy. The choice of companion may be either a trade union representative or a work colleague. The employee must inform the Designated Person conducting the grievance meeting who the chosen companion is in good time before the meeting.
- 8.3 At the meeting, the employee's companion may make representations and ask questions, but should not answer questions on the employee's behalf. An employee may talk privately to his/her companion at any time during the meeting.
- 8.4 Acting as a companion is voluntary and colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.
- 8.5 If the choice of companion is unreasonable, the employee may be asked to choose someone else, for example:
- if, in the Trust's opinion, the companion may have a conflict of interest or may prejudice the meeting; or
 - if the companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards.
- 8.6 Employees are not permitted to make any electronic recordings of any investigative meetings, grievance or appeal hearings. Representatives, companions and witnesses are also not permitted to make electronic recordings.
- 8.7 The Trust reserves the right to electronically record any meetings or hearings. In these circumstances, employees will be informed that a recording is to be made and given a copy of the recording upon request.

9 Grievance Meetings

- 9.1 A grievance meeting will be arranged without unreasonable delay following the receipt of a written grievance. The grievance meeting will be conducted by the Designated Person. Employees must make every effort to attend the grievance meeting and must advise the Designated Person at the earliest opportunity if they are unable to attend for any reason.
- 9.2 The purpose of a grievance meeting is to enable an employee to explain his/her grievance and how she/he thinks it should be resolved. The Designated Person hearing the grievance will reach a decision based on the available evidence and the representations made.
- 9.3 After an initial grievance meeting, further investigations may be conducted and further grievance meetings held where considered appropriate. Such meetings will be arranged without unreasonable delay.
- 9.4 The Designated Person will prepare a decision letter following the final grievance meeting, to inform the employee of the outcome of their grievance, any further action that needs to be taken, and their right of appeal. The Designated Person may decide to uphold the grievance in full, uphold parts of the grievance and reject others, or reject the grievance in full.
- 9.5 Any appropriate actions available to resolve the issue will be identified in the decision letter. Mediation may be suggested to both parties as an appropriate course of action.

10 Appeals

- 10.1 If the grievance has not been resolved to the employee's satisfaction she/he may appeal in writing within 5 working days of the decision letter stating in full the grounds of appeal. The person(s) to whom an appeal should be made will be given in the decision letter, and will normally be someone not previously involved in the case. If appropriate, an appeal hearing may be held, or further investigations undertaken.
- 10.2 The decision of the appeal will be confirmed in writing and will be final, with no further opportunity for appeal.