



Subject: Staff Grievance	Number: POL00104
Approved by:	Type: Policy
Managing Director	Effective: February 2021
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1. Objectives

The Robert Holme Academy is committed to the highest standards of quality, openness, accountability and integrity. This policy aims to ensure that all staff of Robert Holme Academy with an issue that relates to their employment have access to an effective procedure to resolve grievances as quickly and fairly as possible.

In the first instance, the Robert Holme Academy encourages all staff to find ways to resolve conflicts, concerns or disagreements in the workplace in an informal manner. Staff are encouraged to express any concerns they have about the operation of the school or issues they have regarding decisions that affect their employment. Wherever possible, all staff are encouraged to deal with disagreements and grievances in an open and professional manner while showing mutual respect for all those involved.

The member of staff should pursue the matter in accordance with this policy and procedure if attempts to resolve issues or concerns have been unsuccessful, or a dispute leads to a complaint regarding the behaviour or conduct of another staff member.

The Robert Holme Academy makes every effort to ensure:

- issues are dealt with promptly and there are no unreasonable delays in reporting decisions;
- staff are treated fairly and consistently;
- impartial investigations are undertaken to determine the facts of the grievance;
- staff are informed regarding the conclusion of any investigations and are given adequate opportunity to express their response prior to a final decision;
- all grievances are resolved in a timely manner.

Staff can be accompanied by another member of staff or Union representative to any formal grievance hearing. However, notice of their attendance must be requested, in writing, at least one working day prior to the meeting.

2. Scope and Applicability

This policy applies to staff members at the Robert Holme Academy. References to staff in this policy includes staff that are employed on a temporary, fixed term, permanent or sessional basis. This includes staff that are engaged as agency workers or self-employed contractors.

The Robert Holme Academy is aware that grievances can come from a variety of sources and from any member of staff. Grievances may arise from the personal circumstances of member of staff or decisions that affect their employment.

Issues or complaints regarding suspected malpractice, fraud, wrongdoing or criminal behaviour in relation to the school operations are dealt with through the Whistleblowing Procedure.

This policy is intended primarily for individual grievances. Collective grievances can be raised by an employee or Union Representative on behalf of the member of staff. In this case all members of staff raising the grievance are identified and named as part of the formal submission.



3. Procedure

3.1 Responsibilities

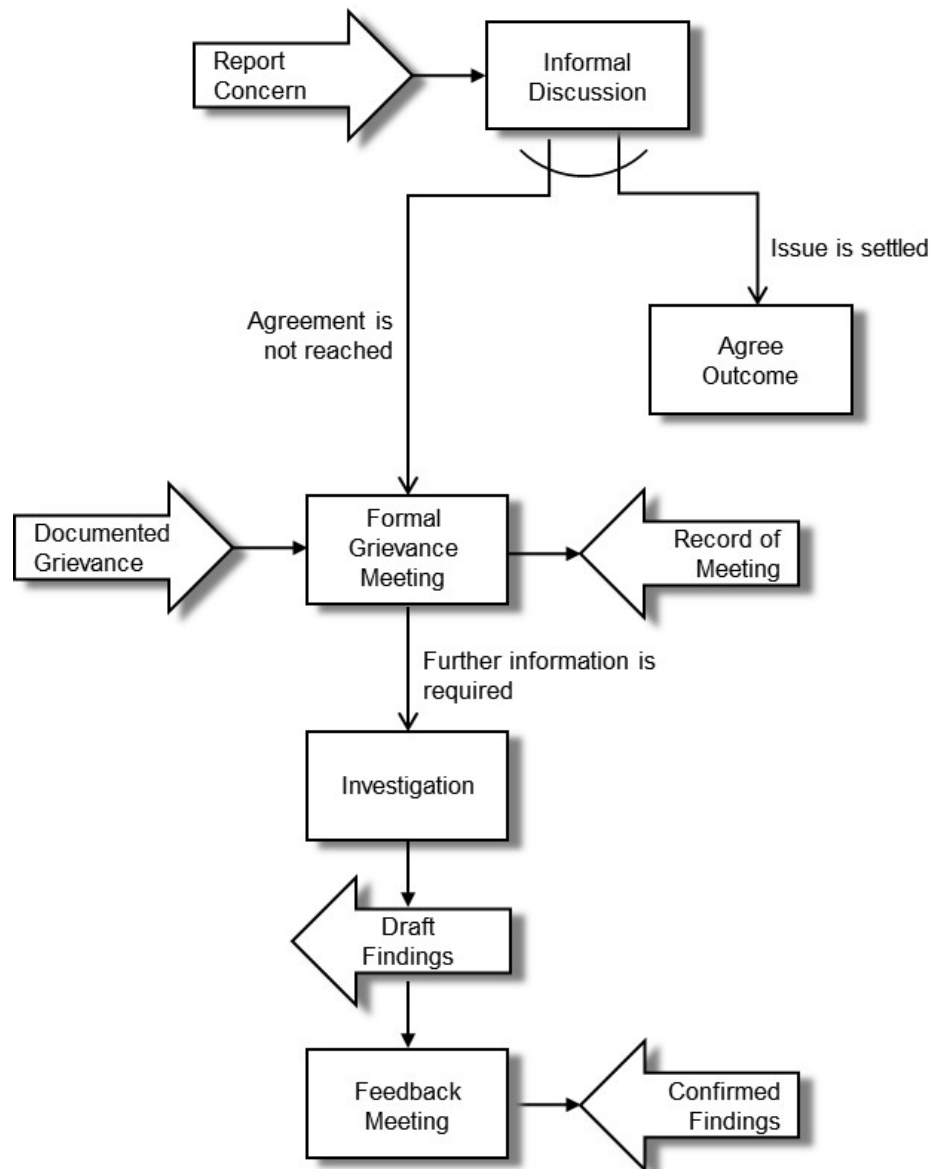
The Managing Director and Head Teachers are responsible for reviewing, documenting and dealing with any grievances that are formally raised by staff.

The Managing Director and Head Teachers are also responsible for identifying and implementing appropriate corrective actions arising from a grievance.

Staff are responsible for reporting the issues that impact on the safe, efficient and effective operation of the school.

A grievance must be raised within three months of the event leading to the disagreement. Grievances raised outside of this time will be disregarded unless there are justifiable reasons why the issue could not be raised earlier.

3.2 Process





3.3 *Informal Discussions*

Where possible, staff should seek to resolve any issues or concerns informally prior to raising a formal grievance. However, serious issues or misconduct can be raised immediately using the grievance procedure. If agreement can be reached informally, then no further action is necessary. If informal agreement cannot be reached, the issue is documented as a formal grievance and is reported to a Head Teacher.

3.4 *Submitting a Formal Grievance*

Formal grievances are set out in writing to a Head Teacher. Any complaints that relate to a Head Teacher are directed to the Managing Director.

Staff submit details of a grievance in writing, either paper or email, with as much background information as possible, including:

- what occurred or is reported to have occurred;
- the individuals involved;
- any supporting evidence;
- any witnesses.

The grievance submission also includes details of any attempts to resolve the issue, along with how the complainant feels it could be best resolved. If the staff member feels they need for further support, they should consult with a trade union representative or consult ACAS for guidance (below).

The Head Teacher arranges a meeting within 5 working days of receipt of a formal grievance. The staff member(s) can bring a trade union representative or work colleague to the meeting if required, provided at least 24 hours of notice is given, along with details of the attendee. Family members or friends from outside the school are not permitted to attend the grievance meeting.

Staff may request a reasonable deferment of the meeting of not more than five working days if they or their supporting representative are unable to attend.

3.5 *Grievance Meeting*

A Headteacher or Managing Director chairs the formal grievance meeting.

Staff are invited to raise and explain their concerns in detail. They are also asked to suggest how they feel the matter can be resolved.

A formal record of the meeting is taken by the chair and is agreed, in principle, by attendees prior to concluding of grievance meeting. The meeting record includes any actions agreed during the meeting, along with expected completion dates. Copies of the meeting record are distributed to all attendees after the meeting.

A colleague or trade union representative is permitted to participate fully in the discussions and is free to take notes and confer with the employee during the grievance meeting. However, the colleague or trade union representative is not expected to answer questions on the member of staff's behalf or address the meeting against the member of staff's wishes.

No further investigation is necessary if agreement can be reached during the grievance meeting.

The chair may decide to undertake further investigation if it is deemed necessary to gather further information or verify specific details regarding the grievance.

The chair distributes copies of the meeting record to all attendees within seven working days of the grievance meeting.



3.6 *Further Investigations*

Where necessary, follow-up investigations are undertaken. This may be necessary to ascertain further information supporting the grievance or to confirm statements made regarding complaints. Investigations may require, but are not limited to:

- reviews of documentation, reports, etc.;
- reviews of emails and correspondence;
- interviews with other members of staff.

Wherever possible, the investigation is completed within 20 working days of the formal grievance meeting. If this deadline is not met, staff raising the grievance are kept informed of the delay, including the reason for the delay.

A draft report of the findings is prepared on completion of the investigation.

A meeting is then held with the staff to explain the findings of the investigation and the conclusions within 5 working days of the completion of the investigation. Staff are informed explicitly if their grievance(s) are upheld or rejected, along with the reasons why this decision has been made. Any actions arising from upheld decisions are also documented along with expected completion timescales. Actions arising are tracked to closure.

The staff member(s) can bring a trade union representative or work colleague to the meeting if required, provided at least 24 hours of notice is given, along with details of the attendee. Family members or friends from outside the school are not permitted to attend the feedback meeting.

Staff may request a reasonable deferment of the meeting of not more than five working days if they are unable to attend.

Given further investigations have taken place at this point, the feedback meeting is intended to explain the position, rather than gain additional information about the case. However, the findings may be adjusted if a member of staff is able to demonstrate that evidence supporting a conclusion is incorrect. Any objections should be noted during the meeting.

A final report is produced within five working days of the feedback meeting. Copies of the final report are circulated to the attendees.

3.7 *Appeals*

Staff may appeal against the outcome of grievance. If this is necessary, staff must submit their appeal application, in writing, to the Managing Director within ten working days of the feedback meeting. The Managing Director will review the appeal application and will conduct further investigation to determine if the grounds for appeal are valid. As far as possible, the Managing Director will provide a decision regarding the appeal within a further ten working days.

3.8 *Untrue Allegations*

If a grievance is considered to be untrue, as long as the grievance was raised in good faith, no action will be taken against the staff member raising concerns. However, allegations that are found to be malicious, frivolous or inappropriate may result in disciplinary action.

3.9 *Anonymity and Confidentiality*

The Head Teacher(s) and Managing Director will respect and make every reasonable effort to protect the identity of any member of staff who raises concerns. The staff member will be informed if their identity needs to be disclosed to gather further evidence, along with the rationale for doing so.



4 References

Further information can be found in:

1. ACAS Code of Practice on disciplinary and grievance procedures. Available at:
<https://www.acas.org.uk/acas-code-of-practice-on-disciplinary-and-grievance-procedures>
2. Whistleblowing guidance for employers. Available at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf
3. Advice to employees is available at: <https://protect-advice.org.uk> or on the Protect Adviceline on 020 3117 2520.