



# Cross Keys Learning

## Grievance Policy & Procedure

This is a core policy that forms part of the induction for all staff. It is a requirement that all members of staff have access to this policy and sign to say they have read and understood its contents.

Date written:	Sept. 2023
Date of last update:	
Date agreed and ratified by SLT:	Sept. 2023
Date agreed and ratified by board of governors	2024
Date of next full review	Sept. 2026

This policy will be reviewed at least annually and/or following any updates to national and local guidance and procedures

## Key Contacts

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This policy will be reviewed **at least** annually. It will also be revised following any concerns and/or updates to national and local guidance or procedures.

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## 1. Aims

This policy aims to enable employees to raise concerns about workplace issues without fear of victimisation and repercussion, and to ensure all grievances are dealt with fairly, fully, and objectively.

## 2. Legislation and guidance

We are required to set out grievance procedures under general employment law.

These grievance procedures are based on the Acas Code of Practice on disciplinary and grievance procedures. These procedures also comply with our funding agreement and articles of association.

## 3. Definitions and scope

A **grievance** is a concern, problem or complaint raised with the school by an employee. It can be caused by issues such as working conditions, health and safety concerns, bullying, discrimination or working relationships.

This policy **does not** apply to:

- › Issues raised by people who are not an employee of the school, for example volunteers or parents/carers, as this would instead fall under our complaint's procedure.
- › Redundancy dismissals
- › Non-renewal of fixed-term contracts
- › Collective grievances, raised on behalf of 2 or more employees by a representative of a recognised trade union or other appropriate workplace representative.

These are covered by separate policies and procedures:

The School Disciplinary Procedures.

Complaints Procedures

## 4. Roles and responsibilities

Being internal matters, grievances may involve a number of people in the school. There is an emphasis on dealing informally with grievances, and so it is not practicable to prescribe specific roles. However, the following guidelines may be useful.

### 4.1 The line manager

Provided they are not the subject of the grievance, the line manager will be the first point of contact for the employee raising a grievance. If the grievance is about the employee's line manager, the employee will raise the grievance with their line manager's manager.

### 4.2 The headteacher or a senior leader

Provided they are not the subject of the grievance, the headteacher or a nominated member of the senior leadership team (SLT) will consider the grievance at the formal stage (see 5.2).

### 4.3 Role of proprietors & Chair of governors

Where the headteacher is the subject of the grievance, where appropriate one of the proprietors will be responsible for investigating the grievance. If the proprietors are also subject of the grievance, then the chair of the board of governors will direct an appropriate governor who has not been directly involved in the grievance to oversee the procedure at the formal stage.

### 4.4 Investigating officer.

At the formal stage, the headteacher (or proprietor, if the headteacher is the subject of the grievance) will collect and present the facts of the grievance in an investigation report. The investigating officer will be someone who has not been directly involved in the grievance.

#### **4.6 Other members of staff or trade union staff**

A work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings may accompany the employee raising the grievance at a formal grievance meeting.

### **5. Grievance procedures**

We are committed to dealing with grievances fairly and objectively. Employees will be protected from discrimination or victimisation after raising a work-related grievance.

#### **5.1 Informal stage**

In the first instance, an employee will aim to resolve their grievance informally with their line manager. If the employee's concerns relate to their line manager, they should discuss the issue with the line manager's manager.

It may be necessary for the employee who has raised a grievance to attend a meeting to discuss the concerns in more detail. However, this will be determined on a case-by-case basis.

It's anticipated that several grievances will be resolved at this informal stage with no need to progress matters further. However, if the matter has not been resolved at the informal stage, it may then proceed to the formal stage of the procedure.

#### **5.2 Formal stage**

If it is not possible to resolve the matter informally, employees should set out their grievance in writing to their line manager, in accordance with the staff grievance notification form at Appendix 1. If the subject of the grievance is their line manager, the employee should submit the written grievance to an alternative, preferably senior, manager.

Upon receipt of a grievance, the headteacher (or proprietor if the headteacher is the subject of the grievance) will investigate the grievance.

The investigating officer will also arrange a formal meeting (to be held in person, or over video conferencing if appropriate) within 5 working days after the grievance has been raised. At the meeting, the employee will be given the opportunity to explain their grievance and how they think it should be resolved, to the investigating officer.

Employees have a statutory right to be accompanied by a companion at a grievance meeting. The companion must be a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The employee must let the investigating officer know that they request to be accompanied. If the chosen companion will not be available on the initial date and time proposed for the formal meeting, the investigating officer must move the meeting to an alternative time proposed by the employee, provided that the alternative time is both reasonable and no more than 5 working days after the date originally proposed.

The companion may put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the grievance investigation meeting.

#### **5.3 Deciding on appropriate action.**

The investigating officer will then need to arrange meeting(s) with any staff that maybe cited in the grievance and investigate the matter in more depth to gain all relevant facts and information prior to deciding on an outcome of the grievance.

The investigating office will communicate the decision to the employee in writing within 5 working days. The decision will set out the action that will be taken to resolve the grievance. It will also inform the employee that they can appeal if they are not satisfied with the outcome and explain how to do this.

## **5.4 Appeals**

If the employee is not satisfied with the outcome of the grievance, they have the right to appeal the decision.

The employee should set out their grounds of appeal in writing within 5 working days and submit this to Mr. Steve Fuller (If the grievance is about the Headteacher) – Director of Operations or the Headteacher – Mr Marvin Simpson (if the grievance is about the proprietors) If both the proprietor and Headteacher are subject of the appeal then the appeal should be addressed to the Chair of the board of Governors – Mr Keith Rumblo.

An appeal is not designed to re-hear the matter but to examine the grounds of appeal. The employee should therefore be specific about the grounds of the appeal.

However, a full re-hearing may be appropriate in exceptional circumstances.

Appeals will be heard without unreasonable delay and in any event within 7 working days of the date of the appeal notice. The headteacher/Proprietor (or appointed governor if the headteacher/Proprietor is the subject of the grievance) will tell the employees the time and place of the appeal meeting in advance (to be held in person, or over video conferencing if appropriate).

Employees have the same statutory right to be accompanied to the appeal meeting by a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The outcome of the appeal will be confirmed in writing by the chair of the appeal panel to the employee within 7 working days of the appeal. The decision of the appeal panel will be final.

## **6. Overlapping procedures**

If an employee raises a grievance after disciplinary proceedings have already started against them, the disciplinary proceedings may be temporarily suspended in order to consider the implications of the grievance on the disciplinary process.

If the grievance and disciplinary proceedings address related matters, it may be possible to deal with the issues simultaneously as part of disciplinary proceedings.

## **7. Record keeping**

Minutes will be kept of all meetings. Where possible, these will be confirmed as a record of what was discussed during the meeting.

Records of all materials relating to the grievance process will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy/record retention schedule.

## **8. Monitoring arrangements**

This policy will usually be reviewed every 3 years but can be revised as needed from time-to-time. It will be reviewed by the senior leadership team.

This policy will be approved by the full governing board.

## **9. Links with other policies**

This policy links with our policies on:

- Complaints procedure, which sets out how grievances will be raised by those not employed by the school

- Equality
- Privacy notice for the school workforce
- Records management policy
- Staff capability policy
- Staff codes of conduct
- Staff disciplinary procedure

Appendix 1

## Grievance Submission Form

Name:

Line Manager:

Job Title:

**What is your grievance?** *(A full description of your grievance. Relevant evidence, such as facts, dates and names of individuals involved)*

**What action has been taken so far to resolve the grievance, by whom, and what was the result?**

**What is the outcome that you require to resolve your grievance?**

Signed .....

Date .....

**Please submit this form to your manager, or if this concerns your manager, Headteacher.**