



Redborne Upper School

Staff Grievance Policy

This policy will be evaluated and reviewed every three years by the Deputy Headteacher:
Quality of Education (Chris Graves)

This policy is available on the school website, on request to parents and carers, the LA and Ofsted through the Headteacher.

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School acknowledgement

Governors believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Safety Representatives and Safety Committees Regulations 1977
- Health and Safety at Work Act 1974
- Trade Union and Labour Relations (Consolidation) Act 1992
- Employment Rights Act 1996
- Health and Safety (Consultation with Employees) Regulations 1996
- Data Protection Act 2018
- Public Interest Disclosure Act 1998
- Working Time Regulations 1998
- Employment Relations Act 1999
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Sex Discrimination) Regulations 2005
- Employment Equality (Age) Regulations 2006
- Employment Act 2008
- School Staffing (England) Regulations 2009
- Equality Act 2010

The following documentation is also related to this policy:

- Acas/AL04 Advice Leaflet: Bullying and Harassment at Work: A Guide for Managers and Employers (2009-5)
- Acas/CP01 Code of Practice on Disciplinary and Grievance Procedures (2209)
- Discipline and Grievances at Work - The Acas Guide (Acas)
- Equality Act 2010: Advice for Schools (DfE)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)

Staff Grievance Policy

1. Guidelines

1.1 We believe that a grievance is a concern, problem or complaint that an employee brings to the attention of his/her employers.

1.2 The grievance may be regarding bullying and harassment, discrimination, health and safety, new working practices, terms and conditions of employment, the workplace environment and working relationships with colleagues.

1.3 We will at all times follow the Acas code of practice on disciplinary and grievance procedures.

1.4 The purpose of this policy is to enable all grievances to be settled fairly and consistently and quickly as possible.

1.5 The procedure complies with legislation and affords the opportunity to resolve the issues informally, through discussion with the employee's manager, or formally through the appropriate panel of the Governing Body.

1.6 The procedure is designed to reflect the following principles:

- Employees with a grievance about their employment have a right to raise the grievance.
- All proceedings that follow will remain confidential within the parties concerned.
- Whenever possible, grievances should be dealt with at the informal stages of the procedure.

1.7 We understand that raising a grievance can be stressful to all parties involved. Therefore, we aim to deal with the grievance as quickly as possible.

1.8 We recognise that at all stages of the procedure employees are entitled to representation from either a work colleague or trade union representative.

1.9 We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that are connected with this policy.

2. Responsibility for the Policy

2.1 The Governing Body has:

- delegated powers and responsibilities to the Headteacher to ensure all school personnel and stakeholders are aware of and comply with this policy;
- responsibility to ensure that appropriate action will be taken to deal with all prejudice

- related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available as necessary;
- responsibility for the effective implementation, monitoring and evaluation of this policy.

2.2 The Headteacher will:

- seek advice if need be;
- try to resolve the grievance informally by coming to a fair decision;
- give a clear decision of the outcome of the investigation that hopefully will resolve the grievance;
- work in conjunction with the Senior Leadership Team to ensure all school personnel, pupils and parents are aware of and comply with this policy;

2.3 The designated senior member of staff will:

- in the first instance meet with the employee informally to listen to the grievance;
- investigate the issue in question impartially;
- listen to all concerned;
- ask open questions;
- seek advice if need be;
- try to resolve the grievance informally by coming to a fair decision;

2.4 School personnel will:

- comply with all aspects of this policy in the event of a workplace grievance;
- try to resolve all grievances informally;
- be aware that they have the right to be accompanied by a companion (a work colleague or an accredited trade union representative) at a formal grievance hearing;

2.5 The companion:

- may assist in preparing and presenting the case
- may accompany the employee to the hearing
- may speak on behalf of the employee at the beginning and end of the hearing
- may provide support for the employee during the hearing
- may not answer questions on behalf of the employee
- may consult with the employee during the hearing
- will ensure the correct procedures are followed during the hearing
- offer advice based on past experiences

3. Procedure for dealing with a grievance at the informal stage

3.1 The employee can raise the grievance with their line manager, senior link or the headteacher. At this stage this can be done verbally or in writing.

3.2 If raised with the Headteacher, they will nominate a designated senior member of staff to investigate and seek a resolution.

3.3 At this stage:

- informal discussions will be held with all parties concerned;
- the employee can be accompanied by a colleague (companion) , the staff representative or their trade union official;
- every effort will be made by all parties to resolve the grievance

3.4 If the grievance is not resolved at the informal stage, then the employee must follow the formal procedure.

4. Procedure for dealing with a grievance at the formal stage

Presenting the Grievance

4.1 Employees should raise their grievance by:

- writing to the Headteacher outlining full details of the grievance;
- give a copy of the letter to the Chair of the Governing Body if the grievance is against the Headteacher with a copy to the Headteacher

4.2 An investigation into the circumstances of the grievance will begin led by either the Headteacher, a designated senior member of staff or the Chair of the Governing Body. Once this has been completed then a meeting will be arranged with the employee.

Invitation to the Meeting

4.3 The employee will receive a written invitation to the meeting within five working days (during term time) of them receiving the employee's letter of grievance.

4.4 The invitation will outline that:

- the employee may be accompanied by a person of their choice;
- the Headteacher or Chair of the Governing Body may also be accompanied;
- a deferment of the meeting may be requested if either companion is unable to attend on the date or time specified;
- all relevant papers will be circulated in advance of the meeting.

The Meeting

4.5 The meeting will be:

- clerked;
- chaired by the Headteacher or nominated member of SLT or another person nominated by the Chair of the Governing Body if the grievance is against the Headteacher or is named as a witness.

4.6 The employee will:

- present his or her case;
- call any witnesses if necessary;
- answer any questions

4.7 An investigation will then follow and, if the grievance is against another employee, a copy of the grievance shared and discussed.

4.8 Within seven days both parties will receive the decision in writing, along with possible further actions such as disciplinary proceedings starting.

4.9 The employee has a right of appeal if he or she is unhappy with the decision. The letter will outline the appeals process.

The Appeal Process

4.12 If the employee wishes to appeal then they must write to the clerk of the governing body within ten days requesting an appeal hearing. The decision of the Appeals Panel is final.

4.13 Within three weeks of receiving the letter a meeting of the Appeals Panel will be convened. The meeting will take place at a time convenient for all parties and both parties have the right to be accompanied.

4.14 The meeting will be clerked and the Panel may decide to have professional advice at hand. The employee will be heard first followed by the other party. Questions will be asked by either party and by the Panel of each party. Each side will sum up. Both parties then withdraw and a decision should be announced before the end of the meeting.

4.15 Within seven days both parties will receive the final binding decision of the Appeals Panel in writing.

5. Record keeping

51 All records of grievances will:

- be kept secure;
- not be disclosed or accessed by any unauthorised person or persons without the permission of the employee.