

Title	Grievance Policy
Year	2017/2018
Updated by	K. Black
Date approved by Head of Education	01.02.18
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Review Date	January 2019

Grievance Policy

1. INTRODUCTION

1.1 This procedure has been adopted by the Head of Education and is designed to enable grievances to be resolved as efficiently and quickly as possible and to minimise the prospect of long term damage to relationships at the school.

1.2 Wherever possible, a grievance should be raised informally. Where the informal process fails or is inappropriate, the formal procedure should be invoked.

1.3 Grievance procedures are entirely separate from other procedures such as those relating to appraisal, capability, competency, discipline or harassment.

The rights of employees under the grievance procedures should not be overridden by actions taken or proposed to be taken under the other procedures.

1.4 A record of the outcome of any meetings involving the formal stages of these procedures should be placed on the employee's file, together with copies of the written evidence considered and correspondence involved.

2. INFORMAL STAGE – ALL STAFF

2.1 Where an employee has a grievance with a member of staff of the school (“the colleague”) other than a Head of Education, the employee should attempt to resolve the matter by a direct approach to the colleague. If a direct approach is not practicable or if a direct approach does not resolve the problem, then the employee should discuss the matter with a senior member of staff or the Head of Education who should endeavour to resolve the problem personally. Wherever the employee seeks a discussion with a senior member of staff or the Head of Education, the request should be met, wherever possible, within 5 working days.

2.2 Where an employee has a grievance with the Head of Education or the Directors, then the employee should seek a meeting with the Head of Education. This request should be granted whenever possible within 5 working days. At any meeting, the employee may be accompanied by a friend or a trade union representative and the Head of Education may invite a senior member of staff.

2.3 Where a Head of Education has a grievance with either a colleague or the Directors, (s)he should attempt to resolve the matter by a direct approach to the colleague or the Directors.

2.4 If the grievance is not resolved, the employee may invoke the formal procedure.

3. FORMAL STAGE

Grievance of staff other than the Head of Education

3.1 The employee should submit a written note of the grievance to the Head of Education and to the colleague if the colleague is not the Head of Education. The written notice should set out the details of the grievance and be accompanied by any supporting documents.

3.2 The Head of Education should then prepare a written report for the consideration by a sub-committee of the senior leaders, which should be made available to the Directors and the parties at the same time.

3.3 If the colleague is the Head of Education the report should comprise a response to the grievance and be accompanied by supporting documents or, if the grievance is with the Directors, should include a report on the action of the Directors.

3.4 If the colleague is not the Head of Education, the report should briefly outline any steps taken under the informal stage of the grievance procedure, and indicate that the Head of Education has asked the colleague to make available a written response to the notice of grievance, accompanied by supporting documents to the employee and the Head of Education.

3.5 The Head of Education should arrange for a meeting of Senior Leaders or the Directors to consider the matter within one month of receipt of the notice of grievance unless circumstances make this impractical. No less than 7 working days before the meeting, the Directors and the parties should be sent copies of the notice of grievance, the report, any response and any supporting documents.

3.6 At the meeting, the employee and the colleagues may be accompanied by a trade union representative or a friend. The parties may make submissions to the meeting and may call witnesses. Either party may cross examine witnesses for the other party and the Directors may ask questions. The employee shall present his or her case first.

3.7 The employee and colleague should, in that order, have the right to make a final statement to the Directors or Senior leadership team. The parties should withdraw to allow the Directors or Senior leadership team to consider the grievance and reach a decision. The Clerk to the Directors should remain with the Directors but other than providing, factual advice as to the procedure to be followed, and to record the decision, the Clerk to the Directors should take no part in the proceedings.

3.8 If, for any reason, the Directors or Senior leadership team decides that further questions need to be asked or clarification is required of one of the parties, the meeting should be resumed in the presence of the parties.

3.9 When the Directors or Senior leadership team have reached a decision, the parties should be summoned to the meeting, the Clerk to the Directors should read out the decision and as soon as practicable notify the decision in writing to the employee, the colleague and the Head of Education, and the Directors or Senior leadership team who heard the case, indicating the right of appeal by way of a rehearing.

4. FORMAL STAGE

Grievance of Head of Education

4.1 The Head of Education should submit a written notice of grievance to the Directors and to the colleague if the grievance is with a colleague rather than the Directors. This written notice should set out details of the grievance and should be accompanied by any supporting documents.

4.2 Legal advisers will be asked to prepare a written report for consideration by a subcommittee of the Directors. The report should briefly outline any steps taken under the informal stage of the grievance procedure and where the grievance is with a colleague, that the colleague has been asked to make available a written response to the notice of

grievance accompanied by any supporting documents to the Chairman. If the grievance is with the Directors the written report should comprise a report on the action of the Directors.

4.3 The Directors or Senior leadership team should ask the Clerk to the Directors to arrange for a meeting of a sub-committee of the Directors or Senior leadership team to consider the matter within one month of receipt of the notice of grievance unless circumstances make this impracticable. Not less than 7 working days before the meeting the Directors and the parties should be sent copies of the notice of grievance, the report, any response and any supporting documents.

4.4 At the meeting, the Head of Education and the colleague may be accompanied by a trade union representative or a friend. The parties may make submissions to the meeting and may call witnesses. Either party may cross examine witnesses for the other party and the Directors may ask questions. The Head of Education shall present his or her case first.

4.5 The Head of Education and the colleague should in that order, have the right to make a final statement to the Directors. The parties should withdraw to allow the Directors to consider the grievance and reach a decision. The Clerk to the Directors should remain with the Directors but other than providing at the request of the Chair factual advice as to the procedure to be followed and to record the decision, the Clerk to the Directors should take no part in the proceedings.

4.6 If, for any reason, the Directors or Senior leadership team decides that further questions need to be asked or clarification is required of one of the parties, the meeting should be resumed in the presence of the parties.

4.7 When the Directors or Senior leadership team have reached a decision, the parties should be summoned to the meeting, the Clerk to the Directors should read out the decision and as soon as practicable notify the decision in writing to the Head of Education, the colleague and the Directors or Senior leadership team who heard the case, indicating the right of appeal by the way of rehearing.

5. APPEALS

5.1 There should be a right of appeal against the decision of the sub-committee which should be heard by the Directors or Senior leadership team (which shall exclude any Directors previously involved in the case).

5.2 Notification of intention to appeal may be given by the employee, the Head of Education (if he or she was a party to the hearing before the sub-committee) and by the colleague. The notification of intention to appeal, setting out the grounds of appeal, should be sent, within 14 days of the receipt of the decision to the Clerk to the Directors who should arrange for the appeal to be heard as soon as possible.

5.3 The Clerk to the Directors should send a copy of the notification to appeal to the parties in the original hearing inviting them to make a written response to the grounds of appeal. A copy of the notification should also be sent to the Head of Education

5.4 Not less than 7 working days before the meeting, the Directors and the parties should be sent copies of the notification of appeal setting out the grounds, the original documents in the case and any further documents submitted by the parties.

5.5 At the meeting, the parties may be accompanied by a trade union representative or friend. The parties may make submissions and may call witnesses. Either party may cross examine witnesses for the other party and the Directors may ask questions.

5.6 The parties should have the right to make a final statement to the Directors or Senior leadership team, and the appellant should make his or her statement first. The parties should withdraw to allow the Directors to consider the grievance and make a decision. The Clerk to the Directors should remain with the Directors, but other than providing, at the request of the Chair, factual advice as to the procedure to be followed and to record the decision, should take no part in the proceedings.

5.7 When the Directors or Senior leadership team have reached a decision, the parties should be summoned to the meeting, the Clerk to the Directors should read out the decision and as soon as practicable notify the decision to the parties in writing. The decision of the Directors or Senior leadership team should be final.

Review

This policy will be reviewed annually by Directors and The Head of Education.

February 2018