



St Edward's

CHEL TENHAM

STAFF GRIEVANCE POLICY

This previous Policy was approved by the Proprietor:	Summer 2022
The implementation of this policy will be monitored by the:	<i>Headmaster and Directors</i>
Monitoring will take place:	<i>Every three years or as required</i>
This Policy will be reviewed annually, or more regularly in the light of any significant new developments. The next anticipated review date will be:	Summer 2025

Introduction

1. For the purposes of this policy, a grievance is defined as a serious written complaint, dispute or disagreement by a member of staff regarding their employment. Where a member of staff wishes to raise a complaint about minor or day-to-day issues, the Trust expects that he or she will seek a genuine resolution of the issue(s) through informal discussions with their line manager, without the need to invoke the formal grievance procedure.
2. Where attempts to resolve the matter informally do not work, it may be appropriate for you to raise a formal grievance under this procedure. A formal grievance should be concerned with the way in which you believe you have been treated by the organisation or managers acting on its behalf, colleagues or about any aspect of your work. If your complaint relates to bullying or harassment on the part of a colleague, the matter should be dealt with under the bullying and harassment procedure. Complaints that amount to an allegation of misconduct on the part of another employee will also be investigated and dealt with under the disciplinary procedure.
3. Grievances may be concerned with a wide range of issues, including the allocation of work, your working environment or conditions, the opportunities that you have been given for career development or the way in which you have been managed. However, issues that are the subject of collective negotiation or consultation with the trade union/staff committee will not be considered under the grievance procedure.
4. Complaints that you may have about any disciplinary action taken against you should be dealt with as an appeal under the disciplinary procedure.
5. Grievances raised while you are subject to disciplinary proceedings will usually be heard only when the disciplinary process has been completed. Insofar as a grievance has any bearing on the disciplinary proceedings, it can be raised as a relevant issue in the course of those proceedings.

6. The aims of the Policy are:
 - a. To establish a framework for handling grievances and to provide informal and formal routes for the management of grievances.
 - b. To ensure that grievances are addressed in a fair, sensitive, timely and consistent manner.

7. The Directors agree that staff who have any grievance relating to any aspect of their employment must endeavour to have it settled in accordance with the procedures explained below. The School will follow fair and effective procedures in the event of a grievance being raised. The School encourages employees to raise informally any grievance as a first step and promotes communication between the School and the employee. This procedure does not form part of the contract of employment and there may be occasions when the School considers it appropriate to modify parts of a procedure. All stages of this process are dealt without unreasonable delay.

8. The School also has a separate Whistleblowing Policy, which enables employees to report illegal activities, wrongdoing or malpractice. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of whistleblowing, you may raise the matter under this Grievance Procedure.

Implementation and Procedures

9. **Raising a Grievance – Informal** School problems should be resolved fairly, promptly and as near as possible to the point of origin i.e. between the persons involved. Therefore, in the first instance a grievance should be raised orally and informally with any other person involved. If this is not appropriate or does not resolve the grievance, it should be raised informally in discussion with the Head of Faculty, or member of the SLT (but not the Headmaster). A note of such an informal meeting should be kept by both the manager and the employee.

10. **Raising a Grievance – Formal** If the grievance cannot be resolved informally, it may be raised formally with the SLT (but not the Headmaster)*. The grievance must be put in writing, in order for it to constitute a formal grievance. The written grievance should contain a brief description of the nature of the employee's complaint, including any relevant facts, dates, and names of individuals involved.

If the grievance is against the SLT member and it cannot be raised with them, then it should be raised in writing with the Headmaster of School.*

***If the grievance is against the Headmaster and it cannot be resolved informally it should be raised formally, in writing, with the Proprietor.*

11. **Dealing with the Grievance** Following receipt of a formal grievance, a meeting will be convened as soon practicably possible (usually within 10 working days) to discuss the grievance, with a view to obtaining a resolution. The grievance must be treated as confidential by all those involved (as far as is necessary to properly investigate the

complaint). The purpose of the grievance meeting is for the employee to explain their case, any evidence which may help the School make a decision, and any desired resolution.

12. **Right to be Accompanied** The person raising the grievance may be accompanied to any meeting held to discuss the grievance by a colleague or trade union official of their choice who may advise them and make a statement at the meeting. The employee should advise the School of the name of the individual accompanying them.
13. **Investigation** Depending on the circumstances, the meeting may be adjourned, in order for an investigation to take place.
14. **Outcome of Grievance** The person raising the grievance will be informed in writing of the outcome of the grievance and the reasons for the decision. If any action is to be taken as a result of the grievance, they will, where possible, be informed. Any decision will be issued as soon as possible following the conclusion of the meeting. Where the matter needs to be investigated and/or the meeting adjourned, an indication of the likely timescale for receiving a response will be given. Collective grievances raised through a relevant Trade Union will not be considered under the Grievance Policy.
15. **Initiating an Appeal** If dissatisfied with the outcome, the person raising the grievance may appeal by notifying the member of SLT in writing within 5 working days giving full details of the grounds of the appeal. Notification of intention to appeal must be logged with the designated person named in the written decision letter within five working days of receipt of the decision letter. Where possible, the appeal meeting will take place within ten working days of receipt of the notice to appeal.
16. **Appeal Procedure** The appeal will, as far as reasonably practicable, be heard by a more senior manager than the original decision maker as long as they have not previously been involved in any significant way in the grievance procedures. An appeal against a decision made originally by the Headmaster will usually be heard by one or more members of the Directors.
17. The arrangements for the appeal meeting will be notified to the employee, together with the statutory right to be accompanied by a colleague or a trade union representative.
18. Where new evidence arises during the appeal meeting the employee or their representative will be given the opportunity to comment before any action is taken. It may be deemed appropriate to adjourn the appeal meeting in order to investigate or consider such points. The appeal process must be treated as confidential by all those involved (as far as is necessary to properly investigate the complaint).
19. **Appeal Decision** The employee will be informed in writing of the result of the appeal and the reasons for the decision as soon as possible. Such decision will be final and there will be no further right of appeal.
20. Where a member of staff raises a grievance in good faith, and the grievance is not upheld by a subsequent investigation, no action will be taken against them. However, if a line

manager considers that a member of staff has raised or persists in raising malicious or vexatious grievances, the line manager may initiate the discipline policy.

21. **Mediation** It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of the grievance. This involves the appointment of a third-party mediator, who will discuss the issues raised by the grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.
22. **Records** will be kept detailing the nature of any grievance, the action taken and the reason for it, and any subsequent developments. Such records will be kept confidential and retained on the staff file.
23. **Data protection** The organisation processes personal data collected during informal complaints and the formal grievance procedure in accordance with its data protection policy. In particular, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation's disciplinary procedure.