

Churchside Federation

Staff Grievance Procedure

Policy Type:	Trust Core Policy
Approved By:	DNEAT Board of Trustees
Approval Date:	14/12/2018
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Review Date:	December 2021
Person Responsible:	Academies Executive Officer

Summary of Changes

The model policy has been revised to reflect these changes to the statutory guidance as outlined below.

Page Ref.	Section	Amendment	Date of Change
6-9	Appendix A	Employee's notification of grievance	06/11/18

Roles and responsibilities

The Diocese of Norwich Education and Academies Trust is accountable for all policies across its Academies. All policies whether relating to an individual academy or the whole Trust will be written and implemented in line with our ethos and values as articulated in our prospectus. We are committed to the provision of high quality education in the context of the Christian values of service, thankfulness and humility where individuals are valued, aspirations are high, hope is nurtured and talents released.

A Scheme of Delegation for each academy sets out the responsibilities of the Local Governing Body and Principal / Head Teacher. The Principal / Head Teacher of each academy is responsible for the implementation of all policies of the Academy Trust.

All employees of the Academy Trust are subject to the Trust's policies.

1. Terms of Reference

- 1.1 For all employees employed by the Diocese of Norwich Education and Academies Trust (DNEAT) at Churchside Federation.
- 1.2 Definitions:
"Headteacher" also refers to any other title used to identify the head teacher, where appropriate, or other senior manager delegated to deal with the matter by the head teacher.

2. General Principles

- 2.1 The aim of this Grievance Procedure is to enable any employee to have his/her grievance heard and to seek redress as appropriate. The intention is that grievances should be settled quickly and fairly and should be first dealt with as close to the source as possible.
- 2.2 The procedure applies to all employees at Churchside Federation including the head teacher and members of the leadership team, full and part-time, permanent and temporary employees. If it is the head teacher who has a grievance then the Chair of Governors is the person to whom the head teacher refers to as his/her immediate line manager at Stage 2. If the head teacher's grievance is not resolved at that stage, the matter should be referred to Stage 3, the Appeal Committee of the Local Governing Body.
- 2.3 If individual governors are the subject of the grievance, such person(s) shall not sit with the Appeal Committee but may attend the Governors' hearing to present his/her case.
- 2.4 A grievance is a complaint by an employee about any aspect of his/her employment such as
 - a) terms and conditions of employment;
 - b) health and safety;
 - c) work relations;

- d) bullying and harassment; (except where dealt with under the Bullying and Harassment Procedure)
- e) new working practices;
- f) working environment;
- g) organisational change;
- h) discrimination
- i) pay (except where dealt with under the Pay Policy)

- 2.5 The grievance must be one that lies within the power of management and governors of Churchside Federation to resolve, e.g. it must not be a grievance about matters determined by legislation or collective agreements. Where another policy is used to address the grievance then the grievance procedure is not available in addition.
- 2.6 A grievance arising from dismissal or disciplinary action is to be resolved by appeal within the disciplinary procedure. The grievance procedure is **not** available in addition to, or in substitution for the disciplinary procedure unless the grievance is against the person(s) who are the decision makers of the disciplinary issue.
- 2.7 An employee who is a member of a trade union is strongly advised to consult that trade union's representative before invoking the grievance procedure. 2.8 Those responsible for dealing with employees' grievances will treat them seriously and attempt to resolve them as quickly as possible. There should be no attempt to block an employee's wish to raise the grievance at a higher level.
- 2.9 Employees should recognise that an investigation may be necessary which may delay the process beyond normal time limits.
- 2.10 At any stage of the procedure the head teacher and/or Governors may wish to refer to an adviser external to the academy or DNEAT for guidance to bring about a resolution of the grievance acceptable to both sides outside the formal hearing within the Grievance Procedure. Such conciliation is without prejudice to the position of both parties in the procedure.
- 2.11 The head teacher and/or Governors may wish to take advice from the Trust's HR Adviser before considering a grievance.
- 2.12 To get the most from the process all parties are strongly advised to maintain confidentiality and to only discuss the concerns with relevant parties. The use of social media to "air" grievances is inadvisable and could leave the individual vulnerable to disciplinary action if it is considered they have brought the Academy into disrepute.
- 2.13 This procedure has been implemented following consultation with employees and Trade Unions.

3. Stages of the Grievance Procedure

3.1 Stage 1: Raising Grievances Informally

The employee should raise the grievance with the person causing the grievance in the first instance. If the grievance cannot be resolved directly, or the employee feels unable to raise it directly then the employee should discuss the issue with his/her immediate line manager. The employee should indicate what they would see as a suitable

resolution. The line manager should give a reply as soon as possible, within a calendar week, even if it is only an interim reply. If the line manager sees the situation as being beyond their authority they should, with the employee's agreement refer the matter to the Headteacher. If the employee's grievance is against the line manager personally, the grievance may be referred direct to Stage 2 but it would be reasonable to let the line manager know this move is intended. If the immediate line manager is the head teacher then the employee may go direct to Stage 2 paragraph 3.4 but it would be reasonable to let the head teacher know this move is intended.

3.2 Stage 2: Formal Grievance Hearing

If the employee is not satisfied with the reply by his/her line manager (who is not the head teacher), the employee should submit the grievance in writing, indicating that it is a formal grievance, to the Headteacher. The written grievance should contain a brief description of the nature of the complaint, including any relevant facts, dates and names of individuals involved.

3.3 The head teacher will normally meet the employee to hear the grievance and then investigate as appropriate. They will reply as soon as possible, within two calendar weeks, even if it is only an interim reply pending further investigation. At this stage, the employee may be accompanied by a Trade Union representative or work place colleague at any meeting to discuss the grievance.

3.4 The head teacher may be accompanied by another employee, or the academy's HR Adviser. If it is necessary for the head teacher to attempt conciliation between two or more employees at this stage, each employee may be accompanied by a Trade Union representative or work place colleague at any meeting called by the head teacher.

3.5 Where it is appropriate, for example if it is proving difficult to find a resolution, all parties may agree to mediation through a suitably qualified mediator.

3.6 If the head teacher is unable to resolve the grievance and/or the employee raising the grievance is not satisfied with the outcome then the employee may appeal to the Appeal Committee of the governors at stage 3.

3.7 Where the grievance is against the head teacher Stage 2 shall be heard by a committee of governors in accordance with paragraphs 3.2 and 3.3 above.

3.8 Stage 3: Formal Appeal Hearing

Where a formal appeal is requested the reason for this must be clearly stated in writing to the Chair of Governors. This would normally be on the grounds that due process was not followed.

3.9 An Appeal Committee of 3 governors shall be convened by the Clerk to Governors. The Appeal Committee may have an adviser(s) to attend it at its meeting who may also be involved in its private deliberations. The adviser(s), who should not have had any previous involvement in dealing with the grievance, shall not have a vote in the decision of the Appeal Committee. The Appeal Committee shall decide the procedure by which it will hear the grievance which will allow all parties to present their cases. The Appeal Committee shall advise all parties, prior to the start of the hearing, of the

procedure it intends to follow. The Appeal Committee's decision is final.

Appendix A

Employee's Notification of Grievance

This form should be used to submit a grievance in accordance with Stage 2 of the formal Grievance Procedure, adopted by the Governing Body.

Send the completed Employee's Notification of Grievance Form (Appendix A) to your Line Manager. If your grievance relates to your Line Manager, send it to the Headteacher. If your grievance relates to your Headteacher then send it to the Chair of Governors (or other Governor if the grievance is against the Chair). You are advised to keep a copy. Please be aware that the information will, in normal circumstances, be shared with any person/s complained about. Please think carefully about what you write.

1. Name: _____

Post held: _____

2. Describe briefly:

2.1. The nature of your grievance. Please include all relevant facts, dates and names of people involved and any witnesses. (continue on a separate page if necessary)

2.2 When did you first raise your grievance, and with whom? Is this a one-off issue or part of a chain of events?

2.3 What action has been taken on your grievance at the informal stage (Stage 1)?

