



GRIEVANCE POLICY AND PROCEDURE

Reviewed by:	Full Trust Board
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1. Introduction

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.

We are required to set out grievance procedures under general employment law. These procedures also comply with our funding agreement and articles of association.

- 1.1 This document sets out the Grievance Policy followed by Campfire Education Trust and provides a structured 3 Stage procedure comprising of:
 - Informal
 - Formal – Stage 1
 - Formal Appeal - Stage 2 (conclusion of the formal grievance process)
- 1.2 This policy enables employees to raise concerns related to their employment. Its aim is to resolve grievances as quickly and as close to the point of origin as possible in an equitable way, which does not hinder the effective and efficient operation of the school.
- 1.3 An expectation of this policy is that before employees invoke the formal stage of this procedure, they first of all attempt to resolve their complaint through implementation of the informal process. Managers are strongly encouraged to try to resolve grievances informally, which may include the use of mediation.
- 1.4 A grievance may be considered to be a complaint by an employee about the action which their employer (or another employee) has taken or is contemplating taking in relation to them. A

grievance could be regarded as any one of the following:

- Terms and conditions of employment
- Working hours
- Unfair treatment
- Health and safety
- Working relationships
- Harassment or bullying
- Discrimination

N.B. This list is not exhaustive nor is it an attempt to give a definition of a grievance.

1.5 This policy does not apply to the following categories:

- a. Employees appealing against a dismissal/disciplinary decision. This is dealt with through the appropriate appeals procedure.
- b. Whistleblowing Complaints. These are dealt with under the CET's Whistle Blowing Policy and Procedure.
- c. Issues raised by people who are not an employee of the school as this would fall under our complaints policy.

1.6 This policy is not intended for employees to raise a grievance about CET or school policy, although it may be used to make a complaint about the way the CET or school's policies and procedures may have been applied.

2. Scope

2.1 The policy and procedure set out in this document applies to all teachers on teachers' pay and conditions and all other employees of Campfire Education Trust.

2.2 Where a grievance concerns a head teacher, the employee should raise their concern with the chair of governors.

2.3 Where a grievance concerns an officer of the trust, the employee should raise their concern with the board of trustees.

2.3 If a grievance is raised by an employee against the chair of governors, any other member of the local governing board or a trustee, this should be dealt with through the Grievance Policy and will be heard by an Employee Grievance Committee.

3. Roles and responsibilities

3.1 Both managers and employees have a responsibility within this procedure. Participants in this process shall be respectful of one another and refrain from using language that could be perceived as insulting, offensive or abusive or intimidating. Any person found to have breached the terms of this policy may be subject to action under the CET's Conduct and Discipline procedures.

3.2 Managers will:

- a. Ensure that teachers and employees are made aware of the Grievance Policy and how to access it.
- b. Work with the employee to genuinely seek resolution.
- c. Try to resolve all issues informally before they become formal grievances.
- d. Respond promptly and without unreasonable delay to try to resolve any informal and formal grievances.
- e. Ensure the grievance procedures are followed correctly, seeking advice from the CET's HR provider (EPM) when they are unsure.
- f. Treat all grievances seriously, dealing with each one consistently and sensitively ensuring fairness and equality whilst maintaining confidentiality at all times.
- g. Ensure that the aggrieved employee is aware of the option to use mediation before they invoke the formal process.
- h. Maintain confidentiality throughout and on conclusion of the process.

3.3 Employees will:

- a. Work with the manager to genuinely seek resolution.
- b. Try to resolve all issues informally, before implementing the formal procedure under Stage 1.
- c. Co-operate fully with any investigation.
- d. Comply with all reasonable management instructions whilst their grievance is being progressed.
- e. Not raise a grievance maliciously.
- f. Maintain confidentiality throughout and on conclusion of the process.

3.4 The local governing board will:

- a. Set up an Employee Grievance Committee which would normally comprise of 3 governors.

4. Principles

4.1 The policy and procedure contained within this document is founded on the following principles:

- a. To enable genuine grievances to be resolved quickly and consistently across the school in order to maintain good working relationships.
- b. To resolve grievances informally before implementing the formal process.
- c. To ensure that the issues raised by an employee in their grievance are investigated fairly, thoroughly and promptly, and that the outcome is confirmed in writing without unreasonable delay.
- d. To ensure that the employee does not suffer any detriment in the form of victimisation by asserting their statutory right to raise a grievance.
- e. All genuine grievances raised will be treated seriously. However, employees should be aware that they must not use the policy to raise concerns without just cause and with the intent of causing distress to others. Inappropriate use of the policy may result in the employee who has raised the grievance being subject to disciplinary action.
- f. A grievance can be closed at any point during the process if the aggrieved employee is in agreement.
- g. Grievances will be dealt with on a case-by-case basis, and where the aggrieved employee is

agreeable, it may be beneficial to deviate from the process to achieve a satisfactory resolution to the grievance.

- h. Not to discriminate against any individual in the application of this policy and procedure on the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, maternity and pregnancy, race, religion or belief, sex, sexual orientation, or other grounds protected in law (e.g., part-time worker status, trade union membership or HIV positive status).

5. Right to be accompanied

- 5.1 The aggrieved employee has the right to be accompanied. 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. Representatives from the media are not permitted to attend.
- 5.2 The manager may at their discretion allow the employee to bring a companion who is not a colleague or trade union representative (for example, a member of the employee's family) where this will help overcome a particular difficulty caused by disability, or where the employee has a difficulty understanding English.
- 5.3 In certain circumstances where it is requested, it may be appropriate for the person against whom the allegation has been made to be accompanied by a trade union representative or work colleague at any formal grievance meetings. This should be considered on a case-by-case basis and the manager should seek advice from HR before making a decision.
- 5.4 Employees should be aware that their personal information including possible sensitive information will be shared with their nominated representative unless their permission to do so is formally withheld.
- 5.5 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.

6. Mediation

- 6.1 There may be situations where, with mutual agreement, mediation may be considered to be appropriate. The manager considering the grievance may recommend the use of a mediator to the head teacher who shall make the final decision on whether funding for mediation can be provided.

7. Collective grievances

- 7.1 If a collective grievance arises, involving a group of employees within the same school, relating to the same issue, this may be dealt with through this policy and the group of staff may nominate up to 2 spokespersons to represent their case. The spokespersons have the right to be accompanied by a trade union representative or work colleague.
- 7.2 Even though this will be dealt with as a collective grievance, the grievance statements must be submitted independently, with each person giving details of their grievance. A joint letter or letters

that are identical will not be accepted.

- 7.3 As long as the issue is the same in each case, it will be necessary to hold only one meeting at each stage with the spokesperson(s).

8. Informal approaches to resolving grievances

- 8.1 In the first instance employees are encouraged to discuss the issue with their line manager to see if the matter can be resolved informally and without invoking the formal grievance procedure. Where the grievance concerns the headteacher, the employee should raise their concern with the chair of governors. Where the grievance concerns the chair of governors, the employee should initially raise their concern with the vice chair of governors.
- 8.2 If an employee believes they are being harassed or bullied then they should refer to the DFE guidance: <https://www.gov.uk/workplace-bullying-and-harassment> and the guide for employees: <http://www.acas.org.uk/media/pdf/r/l/Bullying-and-harassment-at-work-a-guide-for-employees.pdf>
- 8.3 Managers should be aware of, and be prepared to explore, alternative methods of resolving complaints that arise by discussing the issue and considering possible solutions with the employee. For instance, it may be appropriate to consider mediation as part of the informal process.
- 8.4 If the employee is dissatisfied with the outcome of the informal process, they may opt to raise it formally under Stage 1 of the Formal Grievance Procedure in accordance with paragraph 9 below.

9. Formal grievance procedure – Stage 1

- 9.1 The aggrieved employee should write to their manager/headteacher (or chair of governors if the grievance concerns the headteacher) to register a formal grievance. (see template in appendix 1)
- 9.2 On receipt of a formal grievance, the manager/headteacher (or chair of governors if the grievance is by or against the headteacher or other appropriate officer as advised at 8.1) will meet with the employee to investigate and clarify the details of the grievance, gather any relevant documentation and to clarify the outcome the employee is seeking.
- 9.3 The purpose of this/these meeting(s) and those referred to below will be for the manager/headteacher, chair of governors or Chair of Trustees to consider the facts and make their determination concerning the grievance. A notetaker will also attend these meetings. The Trust may choose to appoint an Internal Investigator where necessary.
- 9.4 The meeting may be adjourned and the grievance panel will reflect on it before coming to a decision. The chair of the panel will communicate the decision to the employee in writing. 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.

10. Appointment of an investigating officer

- 10.1 In some cases it may be necessary for the manager to appoint an Investigating Officer. This will depend upon the nature and complexity of the grievance. Where an Investigating Officer is

appointed they are responsible for investigating the complaints made, including the events surrounding or leading up to submission of the complaint. The Investigating Officer will compile a report containing a written summary of their findings and details of any witnesses interviewed, including, where appropriate, interview notes.

- 10.2 If further allegations or information come to light during the course of the investigation, the manager must be informed.

11. Formal grievance appeal hearing stage and conclusion of the grievance process – Stage 2

- 11.1 If the employee is dissatisfied with the decision resulting from Stage 1 of the formal grievance procedure then they may appeal the grievance decision. The employee should set out their grounds of appeal in writing and submit this to the headteacher.
- 11.2 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.
- 11.3 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.
- 11.4 Appeals under Stage 2 should be heard by the Employee Grievance Committee - a panel of 3 governors. This will be a group of people independent from any previous stage of the grievance procedure, and the panel will be chaired by an independent individual.
- 11.5 Where appropriate, an Investigating Officer may be commissioned by the chair of the Employee Grievance Committee, to carry out the investigation and submit a report prior to the appeal meeting. Guidance on this may be found at 10. above. The Investigating Officer should have had no prior direct involvement with the case.
- 11.6 The purpose of the Appeal Hearing will be to consider the reasons why the employee is dissatisfied with the outcome of the formal Stage 1 process and to hear the case. The employee will have the opportunity to explain their appeal grounds and submit information to support their claim. The appeal must relate to the original grievance and only matters included at Stage 1 can be included in the appeal.
- 11.7 The decision will be conveyed to the employee in writing by the chair of the Employee Grievance Committee promptly and without unreasonable delay. **The grievance appeal decision is final**, the employee has no further right of appeal and will not be permitted to submit a further grievance on the same facts upon which a decision has been taken.

12. 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

and record retention schedule.

13. Further guidance

Further advice and guidance is available from our HR providers, epm, or from employees' own unions/professional organisations.

14. Monitoring and review

This policy will be reviewed by the CET Board of Trustees every year, or in response to any changes to guidance or legislation.

Appendix 1: staff grievance notification form



Name:	School:
Post held:	Department:
Describe the nature of your grievance, including: • A full description of your grievance • Relevant evidence, such as facts, dates and names of individuals involved	
Please state the following:	
The date on which you first raised your grievance, and with whom	
The action taken in respect of your grievance at the informal stage	
The outcomes you are seeking and the actions you would like taken to resolve the situation	

Whether you would like to explore a resolution through mediation	
Whether you would like accompaniment at a grievance meeting by a work colleague, trade union official, or trade union representative - and if so, their name and position	
Signed:	Dated: