****St** Andrew’s School

A school with Quaker values

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**The St Andrew’s School Trust is a Registered Charity No. 1129232**

Grievance

Policy & Procedure

Last reviewed date: Summer Term 2023

Adopted by Trustees date: 17th July 2023

Next review date: Summer Term 2025

1. **PURPOSE**

At St Andrew’s School we share a Quaker ethos and as such we look for in ourselves, and each other, acceptable standards of performance which enable the school to achieve its aims for the students and wider community that we serve.

Grievances are concerns, problems or complaints that individual employees may have and can arise out of a perceived unfairness concerning some aspect of employment or treatment at work. The subject matter can vary from complaints about terms and conditions of employment, work relations, work practices, organisational change and so on. The school has a separate policy for raising serious concerns at work (Whistleblowing).

Grievances can arise from a variety of sources. They can arise between members of the staff, with line management, the Headteacher or with Trustees.

This procedure is designed to foster good employee relations within the school by:

* Discouraging the harbouring of grievances;
* Assisting the resolution of individual grievances in an atmosphere of trust and confidentiality;
* Conducting appropriate investigations where necessary
* Enabling grievances to be settled as near as possible to their point of origin;
* Ensuring that grievances are dealt with fully, promptly, fairly and consistently.

The procedure sets out:

* An informal stage (see 4) at which most grievances may be resolved without recourse to any subsequent stage;
* A formal stage (see 5) which can be invoked when the first stage has failed or is inappropriate;
* An appeal stage (see 6) to be initiated when the outcome of the formal stage has not satisfactorily resolved the problem.

This procedure is intended to be in line with the Advisory Conciliation and Arbitration Service (ACAS) Code of Practice 1.

1. **SCOPE**

This procedure applies to all staff employed by St Andrew’s School.

1. **REPRESENTATION**

At the formal and appeal stages the employee is entitled to be accompanied either by a work colleague of St Andrew’s School staff, who may be an accredited workplace trade union representative, or by an official of a trade union to which they belong. In the case of a trade union representative who is not an employed official, confirmation will be required from the union that the representative is certified as competent to accompany a worker. The companion is allowed to address the hearing, put and sum up the complainant’s case but may not answer questions on the colleague’s behalf. The companion should not be someone who could be prejudicial to the hearing. During the formal procedure, witnesses may be called and questioned by either side.

1. **INFORMAL STAGE**

4.1 In the first instance the employee should raise the concern informally with his/her line manager wherever possible. If the complaint is about the line manager and cannot be raised directly with him/her then the matter should be raised informally with the Headteacher or an appropriate member of the Senior Management Team (SMT). If a member of SMT or the Headteacher has a grievance they should raise this with the Chair of Trustees.

4.2 Where the employee has a grievance which involves another member (or members) of staff, the employee should first of all endeavour to resolve it by direct approach to the person(s) concerned.

1. **FORMAL STAGE**

5.1 Where the matter has not been resolved informally, the employee should raise the matter formally and without unreasonable delay with the Headteacher/SMT. This should be done in writing and should include:

* full details of the grievance, together with any supporting documents;
* the steps already taken to resolve the issue; and
* the resolution now requested.

5.2 The Headteacher/SMT will arrange a formal meeting to discuss the matter, ideally within 5 working days and by 10 working days of receiving the formal written grievance. The meeting will be arranged where there is privacy, and details will be confirmed in writing including the employee’s right to be accompanied (Appendix 1). The employee must confirm whether or not they will be accompanied and by whom in advance of the meeting. The meeting will also be attended by a note taker. The employee should make every effort to attend the meeting. If they are unfit to attend due to illness a medical certificate may be requested.

5.3 In the meeting the Headteacher/SMT will:

* invite the employee (or companion) to restate the grievance as clearly as possible along with the remedy they seek;
* listen and ask relevant questions so that the complaint is fully understood;
* present and discuss any information which might be relevant to the complaint;
* adjourn the meeting if further points emerge which require to be investigated.

5.4 Once the discussion has been completed the Headteacher/SMT will adjourn the meeting to consider the issues. He/she may then resume the meeting in order to give a decision there and then, which must subsequently be confirmed in writing (Appendix 2), or end the meeting and advise that a written decision will be given later.

5.5 The outcome decision will be communicated in writing within 5 working days of the meeting and provide the opportunity to appeal to the next level.

5.6 The note taker will prepare a minute of the grievance hearing and distribute this to both Headteacher/SMT and complainant within 10 working days of the hearing.

1. **APPEAL STAGE**

6.1 Where an employee feels the formal grievance has not been satisfactorily resolved he/she can appeal to the next level. This will be to either the Headteacher or to the Chair of Trustees, if the grievance is with the Headteacher, who will convene a panel of 2 SMT or members of the board as appropriate. The employee should set down the grounds for appeal in writing within 10 working days of receipt of the written decision from the formal grievance hearing.

6.2 The appeal hearing should be convened wherever possible within 10 working days of receipt of the appeal letter and the meeting should be confirmed in writing and the letter should include the employee’s right to be accompanied (Appendix 3). The employee should confirm attendance and the details of any companion, and provide the appeal manager (Headteacher or Chair of Trustees as appropriate) with any supporting documentation in advance of the meeting. The employee must make every effort to attend. In exceptional circumstances where the employee is not fit to attend the school may request a medical certificate to confirm this. The appeal meeting should include someone to solely act as note-taker who should prepare a minute of the meeting.

6.3 At the appeal meeting the employee should be invited to restate and explain the grounds for appeal and to present any supporting details. The appeal manager should ask questions so that they fully understand the grounds for appeal. Once heard the meeting should be adjourned if appropriate in order to consider the employee’s case. The meeting should then be reconvened and a decision announced. If further investigation is needed the appeal hearing should be adjourned and either re-convened at a later date or a decision conveyed in writing following the further investigation.

6.4 The outcome must be communicated in writing and the letter should advise that the decision is final and represents the end of the Grievance Procedure (Appendix 4).

1. **COLLECTIVE GRIEVANCES**

7.1 Where the grievance is from a group of more than one member of staff this will normally involve the staff’s union or employee representative and may eventually involve an official of the relevant trade union if appropriate. The procedure would involve up to four stages:

**Stage 1:** Informal stage: the complaint is raised informally by the union/staff representative(s) with the relevant member of staff.

**Stage 2:** If the matter is not resolved within 10 working days the complaint is raised formally in writing with the relevant line manager by the union/staff representative(s) on behalf of the staff concerned. A meeting will be held to explore the complaint and determine a resolution if possible.

**Stage 3:** If the matter is not resolved after 10 days of the Stage 2 meeting the complaint should be formally raised with the Headteacher/SMT or, if the grievance concerns the Headteacher/SMT, with the Chair of Trustees. A meeting will be convened and may involve the relevant full-time union official to explore the issue and whether a resolution can be found.

**Stage 4:** If no satisfactory resolution has been found 10 days after the Stage 3 meeting the parties may agree to enlist the help of an external mediator or an ACAS conciliation officer to attempt to find a mutually acceptable resolution.

Regardless of whether a mutually acceptable resolution is found or not this would bring to an end

the school’s internal disputes process.

**APPENDIX 1. Letter of Invite to Grievance Hearing**

**Private and Confidential**

Name XXXXXXX

Address XXXXXX

Date XXXX

Dear XXXXXX,

**Formal Grievance Hearing**

Following your recent letter/email note to me I am writing to advise you that a meeting has been arranged on (date) at (time) in (location), in accordance with the formal stage of the St Andrew’s School staff grievance procedure. A copy of this can be found within Employment Procedures or on the computer staff share area.

The hearing is being convened to consider the following grievance:

That XXXXXXXXXX, XXXXXXXXXXXXXXXXX

At the hearing you will be invited to present your grievance and any supporting documentation. If you have any documentation which you would like me to read over prior to the meeting please pass a copy to me. Please also let me know if you intend to call any witnesses.

You may choose to be accompanied at the hearing by either a work colleague who may be an accredited workplace trade union representative, or by an official of a trade union of which you are a member.

Please confirm that you are able to attend at the date and time given above and whether you intend to be accompanied and with whom.

For your information I will chair the hearing and I have asked ‘Y’ to be in attendance and to act as note-taker.

Please confirm that these arrangements are acceptable to you and contact me if you have any queries.

Yours sincerely,

**APPENDIX 2 Outcome Letter following Grievance Hearing**

**Private and Confidential**

Name XXXXXXXX

Address XXXXXXX

Date XXXXXX

Dear XXXXXX,

**Formal Grievance**

I refer to our meeting on (date) in (location) when you presented your formal grievance which was that XXXXXXXXXX (details of the complaint).

Your grievance was heard by ‘X’ and ‘Y’ who acted as note-taker, and you were accompanied at the meeting by ‘A’ (delete if not relevant).

Having considered your grievance I have decided not to uphold your complaint because XXXXXXXXXXX/ or I have decided on the following course of action.

You have the right to appeal against this outcome. Should you wish to do so you should write to Z within 10 working days setting down your grounds for appeal.

Yours sincerely,

**APPENDIX 3. Letter of Invite to Appeal Hearing**

**Private and Confidential**

Name XXXXXXXX

Address XXXXXX

Date XXXXXX

Dear XXXXXXX,

**Appeal Hearing**

Following your recent letter/email note to me I am writing to advise you that a meeting has been arranged on (date) at (time) in (location), in accordance with the appeal stage of the St Andrew’s School staff grievance procedure.

The hearing is being convened to consider the following grounds for appeal following the outcome of your recent grievance hearing:

‘That XXXXXXXXXXX’

At the hearing you will be invited to present your grounds for appeal and any supporting documentation. If you have any documentation which you would like the appeal panel to consider prior to the meeting please pass a copy to me. Please also advise if you intend to call any witnesses.

You may choose to be accompanied at the hearing by either a work colleague who may be an accredited workplace trade union representative, or by an official of a trade union of which you are a member. Please confirm that you are able to attend at the date and time given above and whether you intend to be accompanied and by whom.

For your information your appeal will be heard by a panel comprising ‘X’, ‘Y’ and ‘Z’ who will also act as note-taker.

Please confirm that these arrangements are acceptable to you and contact me if you have any queries.

Yours sincerely,

**APPENDIX 4 Outcome Letter following Appeal Hearing**

**Private and Confidential**

Name XXXXXXXX

Address XXXXXX

Date XXXXXX

Dear XXXXXXX,

**Appeal Hearing**

I refer to our meeting on (date) in (location) when you presented your grounds for appeal against the outcome of your recent formal grievance hearing. Your appeal was heard by (names of appeal panel members). You were accompanied at the appeal hearing by (name of companion- if relevant)

Your grounds for appeal were that XXXXXXXXXXXX….etc (details of the grounds for appeal)

Having considered your grounds for appeal the panel decided not to uphold your complaint because XXXXXXXXXXX etc…/ or decided on the following course of action (details i.e. what, when, how etc).

The decision of the appeal panel is final and binding and represents the end of the St Andrew’s School internal staff grievance procedure.

Yours sincerely,