

St Peter's R.C. Primary School

Schools Grievance Resolution Policy



Policy	Schools Grievance Resolution Policy
Date	October 2023
Date of review	October 2024
Signed Chair of Governors	<i>E McCarthy</i>
Signed Headteacher	<i>C Scott</i>

We the family of St Peter's, united by our faith in God, love, learn and grow together.

Contents

Item

1. Introduction

- 1.1 Council Policy for school based staff
- 1.2 Legal Context
- 1.3 Sources of grievances
- 1.4 Grievances – Definition
- 1.5 Bullying and Harassment – Definitions
- 1.6 Records
- 1.7 Advice and Support
- 1.8 Whistleblowing
- 1.9 Work colleagues not directly employed by the Council to work in Schools

2. Matters Considered Out of Scope

Informal Resolution

- 3.1 Grievances against another member of staff, excluding the headteacher
 - 3.1.1 Employees' Responsibility
 - 3.1.2 Headteachers' Responsibility
- 3.2 Grievances against the Governing Body
 - 3.2.1 Employee's Responsibility
 - 3.2.2 Chair of Governors/Vice Chair Responsibility
- 3.3 Grievances against the Local Authority
 - 3.3.1 Employee's Responsibility
 - 3.3.2 The Director/Nominated Officer's Responsibility
- 3.4 Grievances against the Headteacher

4. Formal Resolution

- 4.1 Grievance against a work colleague or the Headteacher
 - 4.1.1 Appeal
- 4.2 Grievance against the Governing Body
 - 4.2.1 Appeal
- 4.3 Grievance against the Local Authority
 - 4.3.1 Appeal

Appendix 1: Additional Advice and Support

Appendix 2: Grievance Pro-Forma – Informal/Formal Resolution

Appendix 3: Hearing Procedure

Appendix 4: Grievance Pro-Forma – Appeal

Appendix 5: Grievance Procedure - Flowchart

1. Introduction

1.1 Council Policy for School Based Staff

The Council and Schools are committed to providing a working environment where individuals are treated with fairness, dignity and respect. This policy allows employees to raise genuine workplace grievances and have them dealt with fairly, consistently, promptly, objectively and with a view of trying to achieve an agreed resolution.

The formal process is expected to be used, when informal methods of resolving a problem have been tried and have failed. The procedure is designed to deal with individual grievances or disputes only. It is not intended that it should be applied to collective disputes involving Trade Unions. The timescales are advised below, but **in exceptional circumstances the timescale may be varied**. All parties need to be kept informed of the situation regarding changes in timescales.

There is a need for guidance to Governing Bodies and Headteachers on a range of issues. One of these is a grievance policy for all staff in Schools. This policy is offered to Governing Bodies and Headteachers as an example of good practice for adoption across the borough. Uniform use of the policy will ensure fair and equitable treatment for all staff. The policy has been agreed with the Local Representatives of the Teachers and Support Staff Trade Unions.

The Schools HR Advisory Service will automatically update this policy to comply with any changes to legislation and / or ACAS guidance and notify employees of the amendments.

Adoption and operation of this policy should ensure that the Governing Body and the Headteacher operate in accordance with the following provisions:

1.2 Legal Context

The Framework for managing Grievances cases takes into consideration the provisions of the following:

- Employment Protection (Consolidation) Act 1978 and other relevant employment legislation including the Employment Rights Act 1996 and the Employment Relations Act 1999.
- Conditions of Service for School Teachers in England and Wales (Burgundy Book)
- Conditions of Service for Support Staff in England and Wales (Green Book)
- Conditions of Service issued to various school staff at the time of their employment and the letters which confirm their contract of employment
- The Education Act 2002 (Section 35 (8) and Section 36 (8))

- The School Staffing (England) Regulations 2009
- ACAS statutory Code of Practice for Disciplinary and Grievance Procedures,

Adoption of this policy will ensure that the Governing Body will have the full support of the Local Authority in progressing cases. If a Governing Body chooses to adopt an alternative policy, then a copy, together with the reason for their adoption, should be sent to the Commissioning Director Education who will advise the Secretaries of the Trade Unions.

Governors must ensure that the adopted policy is readily available to and understood by all staff members.

The Policy is not intended to punish employees, but to try and resolve any grievances as quickly and as fairly as possible, at the lowest appropriate level and to avoid minor issues developing into more serious matters. It is not to be used to pursue malicious or vexatious complaints and to do so will be considered a disciplinary matter that may lead to dismissal.

1.3 Sources of grievances

Grievances can arise from a variety of sources. They can arise among members of staff or with the Headteacher. They can involve the Governing Body of the School. To effectively handle these situations, it is desirable to set out, firstly a procedure which may enable a grievance to be resolved informally and, secondly a formal procedure for where the first procedure is not successful or has failed.

1.4 Grievances - Definition

The ACAS Code of Practice defines grievances as “concerns, problems or complaints that employees raise with their employer”.

Grievances may be concerned with a wide range of issues such as; the allocation of work, physical working environment, working hours, health and safety, working relationships or general treatment at work.

1.5 Bullying and Harassment - Definitions

The ACAS guide “Bullying and Harassment at Work” defines bullying and harassment as follows:

Bullying: “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient”.

Harassment: “unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, race, disability, religion, sexual orientation, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient”.

Bullying and Harassment cases should be dealt with using the Schools Bullying and Harassment Policy.

1.6 Records

Records should be confidential and kept in accordance with the requirements of the procedure and the General Data Protection Regulation and Data Protection Act 2018.

A record will be kept of employee grievances dealt with under the formal stages and details, along with the outcome and any papers produced during the investigation will be retained on their personnel file.

1.7 Advice and Support

Governing Bodies and Headteachers should seek the advice and assistance from the Schools HR Advisory Service (or their alternative HR Provider) at all stages of the policy. Staff should seek the advice and assistance of their Trade Unions at all stages. Every effort should be made by all parties to resolve a grievance informally before using the formal stage of the policy.

The Schools HR Advisory Service will support and advise Headteachers and Governors considering grievance matters raised through this policy. They will also monitor all formal grievances raised to ensure they are dealt with in accordance with this policy, employment and equalities legislation, and *best practice*.

Employees are entitled to be accompanied by a recognised trade union representative or a fellow work colleague at any meetings under the *Formal Resolution* process of the procedure. Further details of the additional advice and support available to employees are attached at **Appendix 1**.

1.8 Whistle-Blowing

The school has a Whistle-Blowing Policy for raising concerns about any alleged wrongdoing in the workplace e.g., fraud or corruption, unlawful acts or dangers to health and safety. Matters raised under the Whistle-Blowing policy may be dealt with as a grievance. Please refer to your schools Whistle-Blowing Policy for further information.

1.9 Work colleagues not directly employed by the Council to work in Schools

Headteachers and Governors are strongly advised to seek advice from the Schools HR Advisory Service on dealing with any grievance matter raised by agency workers or work colleagues not directly employed by the Council to work in schools.

2. Matters considered out of scope

This procedure is available to all employees directly employed by the Council to work in schools, except in the following circumstances: -

- Complaints about the Council's statutory responsibilities as an employer.
- In response to being subject to another formal investigation or hearing under the Disciplinary, Managing Performance, Grievance or Sickness Absence procedures etc.
- To restart the procedure within 12 months of the completion of action in respect of the same or a similar grievance, (unless agreed recommendations have been broken or ignored).
- Any issues for which there is a separate appeals procedure e.g., pay, disciplinary or redundancy.
- Any personal matter not directly related to the member of staff's employment or conditions of service over which the council has no control.
- Collective disputes or matters, which are the subject of collective bargaining between the Council and trade unions, e.g., pay issues.
- To pursue malicious or vexatious complaints, **(to do so could be considered a disciplinary matter, the matter will then be dealt with under the school's disciplinary policy and may lead to dismissal).**
- A matter that occurred more than 3 months ago.
- As a response to a grievance taken out by another member of staff.

People working in or with the school who are not direct employees of the school (agency staff / contractors) cannot use the Grievance Procedure to raise a complaint. They should use the school's complaints procedure or raise the matter with the person responsible for managing their company's contract with the school/Council.

Overlapping grievance and disciplinary cases

Where an employee raised a grievance during a disciplinary process, the disciplinary process **may** be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

Post end of service grievances

Employees can raise a grievance up to 3 months of leaving employment.

NB: The criteria for elements that are out of scope still apply.

NB: A grievance cannot be raised if an employee has been dismissed because it will be out of scope.

3. Informal Resolution

3.1 Grievances against another member of staff, excluding the Headteacher

Where an employee's grievance involves another employee, they should (where appropriate) first of all endeavour to resolve the matter by directly approaching the employee involved to discuss the matter, or by discussion with

an appropriate senior member of staff. ***(It is expected that the employee concerned should also be seeking a resolution)***. The employee may wish to contact their TU Rep at this stage.

If the approaches outlined above, do not resolve the issue or are inappropriate the employee should request a personal interview with the Headteacher to discuss the grievance. This meeting should be held with 5 working days (excluding schools closure periods) of the request being made.

If appropriate, the Headteacher should seek to resolve the problem by mutual agreement of the parties involved. The Headteacher may also seek advice from the officers of the Local Authority. The Headteacher may consult with Trade Union representatives as appropriate, provided the consent of the employee concerned has been obtained.

3.1.1 Employees' Responsibility

In seeking to resolve grievances informally, employees should:

- *Complete the grievance proforma (appendix 2) and explain the nature of their concern(s) and what action they feel should be taken to enable a resolution to be met*
- *agree, where possible, any appropriate action necessary to resolve their grievance*
- *To keep all information related to the process confidential*

3.1.2 Headteachers' Responsibility

Headteachers must arrange a confidential time and place to meet with the employee, as soon as possible, to discuss the matter. The Headteacher should:

- *ensure that the employee is given a full opportunity to explain the Employee's grievance*
- *ensure they have a full understanding of the Employee's grievance and how they think it should be resolved*
- *seek a means of resolving the grievance to the employee's satisfaction if this is possible, taking into account Schools policies, procedures, rules and the need for consistency and fairness*

Most issues should be resolved within 20 working days (excluding schools closure periods). Headteachers and employees should keep written notes of informal discussions.

3.2 Grievances against the Governing Body

If the grievance is against the Governing Body, the employee should request a personal interview with the Chair or the Vice-Chair of the Governing Body.

This meeting should be held within 5 working days (excluding schools closure periods) of the request being made. The Chair or Vice-Chair should seek to resolve the problem and may seek advice from the Headteacher or officers of the Local Authority as appropriate.

3.2.1 Employee's Responsibility

The employee should:

- *Complete the grievance proforma (**appendix 2**) and explain the nature of their concern(s) and what action they feel should be taken to enable a resolution to be met*
- *agree, where possible, any appropriate action necessary to resolve their grievance.*

3.2.2 Chair of Governors/Vice Chair Responsibility

The Chair or Vice Chair must arrange a confidential time and place to meet with the employee, as soon as possible, to discuss the matter. The Chair/Vice-Chair should:

- *ensure that the employee is given a full opportunity to explain their grievance;*
- *ensure they have a full understanding of the employee's grievance and how the employee thinks it should be resolved;*
- *seek a means of resolving the grievance to the employee's satisfaction if this is possible, taking into account Schools policies, procedures, rules and the need for consistency and fairness.*

Most issues should be resolved within 20 working days (excluding schools closure periods). Chair/Vice-Chair and employees should keep written notes of informal discussions.

3.3 Grievances against the Local Authority

If a grievance is against the Local Authority the employee should request a meeting with the Commissioning Director Education or their nominated officer, who will seek to resolve the problem. This meeting should take place within 5 working days (excluding schools closure periods) of the request being made.

3.3.1 Employee's Responsibility

The employee should:

- *Complete the grievance proforma (**appendix 2**) and explain the nature of their concern(s) and what action they feel should be taken to enable a resolution to be met*
- *agree, where possible, any appropriate action necessary to resolve their grievance*

3.3.2 The Director/Nominated Officer's Responsibility

The Director or Nominated Office should:

- *arrange a confidential time and place to meet with the employee, as soon as possible, to discuss the matter.*
- *ensure that the employee is given a full opportunity to explain their grievance;*

- *ensure they have a full understanding of the employee's grievance and how the employee thinks it should be resolved;*
- *seek a means of resolving the grievance to the employee's satisfaction if this is possible, taking into account Schools policies, procedures, rules and the need for consistency and fairness.*

Most issues should be resolved within 20 working days (excluding schools closure periods). The Director/Nominated Officer and employees should keep written notes of informal discussions.

3.4 Grievances against the Headteacher

The procedure above should be followed, except if the grievance is against the Head Teacher, then a personal interview should be held with the Chair of Governors.

4. Formal Resolution

This is only applicable once the *Informal Resolution* process as outlined above has been completed; employees cannot go directly to the *Formal Resolution* process without completing the informal process first.

Please ensure that you refer to section 2 above which details situations where a grievance may be considered “out of scope”.

4.1 Grievances against a work colleague or the Headteacher

i) Where the matter has not been resolved under the informal procedures referred to above, the employee concerned is advised to contact their Trade Union. If recourse to formal action is decided upon, the employee should write to the Chair of Governors, using the pro-forma at **Appendix 2**, normally within 10 working days (excluding schools closure periods) of the conclusion of the informal process.

ii) The employee should clearly outline the reason(s) for their grievance with details of any events/actions (including dates, times and any witnesses) that triggered the complaint and say how they would like it resolved. If the grievance or desired outcome is unclear, the employee may be asked to clarify their grievance before any meeting takes place. The Chair should then send a copy of the pro-forma to the Headteacher and a copy to the Schools HR Advisory Service.

iii) The Chair should acknowledge receipt within 5 working days (excluding schools closure periods). Each Governing Body will establish a committee to consider grievances on its behalf. Where possible the committee should consist of three Governors (but no less than two) and the committee will have delegated powers. The membership of this committee should be separate from any other relevant committee including appeals or disciplinary and should not have been previously involved in the substance of the grievance.

iv) The committee will meet with the employee to consider the grievance (see **appendix 3**) within 15 working days (excluding schools closure periods) of the date of receipt of the grievance by the Chair of Governors. If this is not possible, the Chair must write to the employee to explain the reason for the delay and give an indication of when the meeting can be expected; this should be within a maximum 20 working days (excluding schools closure periods) from the date the grievance was received.

v) The committee will notify the employee in writing of their decision and any action that is proposed to resolve the grievance, within 7 working days (excluding schools closure periods) of the grievance hearing. The timescale may be extended, (up to a further 10 working days (excluding schools closure periods) or in some cases longer with the employee's agreement) if further investigations with other parties are necessary.

4.1.1 Appeal

If the employee is dissatisfied with the outcome of the grievance as determined by the committee, they have the right of appeal.

i) The employee should write to the Chair of Governors within 10 working days (excluding schools closure periods) of receipt of the outcome decision letter, using the pro-forma at **Appendix 4**.

ii) An appeals committee will be nominated to hear the appeal. *In some cases, it may be necessary to set up an ad hoc panel consisting of three Governors with no connections to the school or the people concerned. (The Governing Body of each school in the Local Authority will be asked to nominate a Governor to serve on ad hoc panels).*

NB: Employees must register their appeal within this period otherwise they will be deemed to have accepted the decision at the Grievance Hearing; appeals will not be accepted after this period.

iii) The appeal pro-forma must be completed, stating clearly:

- why the employee is dissatisfied with the outcome decision;
- what alternative solution they are seeking to resolve their grievance.

iv) No new evidence, i.e., evidence that was not raised and submitted previously at the grievance hearing, by either party can be presented at the appeal.

v) On receipt of the appeal pro-forma, a Grievance Appeal Committee of the Governing Body will be convened to consider the matter further. A representative from the Schools HR Advisory Service (or an alternative HR provider) will be present to provide advice

vi) The Chair of Governors will contact the employee within 5 working days (excluding schools closure periods) to acknowledge receipt of the appeal. The meeting will then be arranged within 15 working days (excluding schools

closure periods). If this is not possible, they will write to the employee to explain the reason for the delay and give an indication of when the hearing will be held; this will be within a maximum 20 working days (excluding schools closure periods) from the date the appeal was received. 5 working days (excluding schools closure periods) notice of the meeting and any documentary evidence together with the names of witness should be given. The meeting should follow the procedure as set out in **Appendix 4**.

vii) The purpose of the appeal committee is to consider the grounds that have been put forward and to assess whether or not the conclusion reached at the grievance committee was appropriate. **The appeal is not a rehearing of the original grievance**, but rather a consideration of the specific areas of which the employee is dissatisfied in relation to the original grievance.

viii) Following the Appeal meeting, the Chair of Appeal Committee will notify the employee in writing of the committee's decision and any action that is proposed to resolve the grievance raised, within 5 working days (excluding schools closure periods) of the meeting. The timescale may be extended, (up to a further 10 working days (excluding schools closure periods) or in some cases longer with the employee's agreement), if further investigations are necessary.

This is the final stage; there is no further right of appeal.

4.2 Grievances against the Governing Body

i) If the grievance is against a member or members of the Governing Body and the matter has not been resolved following the informal stage, the employee should write to the Chair of Governors, using the pro-forma at **Appendix 2**, **normally** within 10 working days (excluding schools closure periods) of the conclusion of the informal process. The employee should clearly outline the reason(s) for their grievance with details of any events/actions (including dates, times and any witnesses), that triggered the complaint and how they would like it resolved. If the grievance or desired outcome is unclear, the employee may be asked to clarify their grievance before any meeting takes place. A copy of the pro-forma must be sent to the Commissioning Director Education and a copy to the Schools HR Advisory Service.

ii) The grievance would then be considered by the nominated grievance committee in accordance with paragraphs 4.1iii) to 4.1v) above. If the grievance is against an individual Governor that Governor should not take part as a member of the grievance committee.

iii) If the grievance is against the whole Governing Body the employee should write to the Commissioning Director Education, using the pro-forma at **Appendix 2**, normally within 10 working days (excluding schools closure periods) of the conclusion of the informal process. Clearly outline the reason(s) for their grievance with details of any events/actions (including dates, times and any witnesses), that triggered the complaint and how they would like it resolved. If the grievance or desired outcome is unclear, the employee may be asked to

clarify their grievance before any meeting takes place. A copy of the pro-forma must be sent to the Schools HR Advisory Service.

iv) The grievance will be heard by a panel of nominated senior LA Officers whose members who have no previous knowledge of the case (substituting the panel of Governors) in accordance with paragraphs 4.1iv to 4.1v above.

4.2.1 Appeal

i) If the employee is dissatisfied with the outcome of the Grievance Committee, they will have the right of appeal to a panel of nominated senior LA Officers (nominated by the Commissioning Director Education) whose members had not heard the grievance originally. The employee should write to the Commissioning Director Education within 10 working days (excluding schools closure periods) of receipt of the outcome decision letter, using the pro-forma at **Appendix 4**.

ii) The grievance should then be heard by the panel in accordance with paragraph 4.1v) and 4.1vi) above. The panel will substitute the role of the Governors.

iii) The purpose of the Appeal Committee hearing is to consider the grounds that have been put forward and to assess whether or not the conclusion reached at the grievance hearing was appropriate. The appeal is **not a rehearing** of the original grievance, but rather a consideration of the specific areas of which the employee is dissatisfied in relation to the original grievance.

iv) Following the Appeal Committee hearing, the panel will notify the employee in writing of their decision and any action that is proposed to resolve the grievance raised, within 5 working days (excluding schools closure periods) of the Appeal Committee. The timescale may be extended, (up to a further 10 working days (excluding schools closure periods) or in some cases longer with the employee's agreement) if further investigations are necessary.

This is the final stage; there is no further right of appeal.

4.3 Grievances against the Local Authority

i) If the grievance is against the Local Authority the employee should write to the Commissioning Director Education, using the pro-forma at **Appendix 2**, within 10 working days (excluding schools closure periods). Clearly outlining the reason(s) for their grievance with details of any events/actions (including dates, times and any witnesses), that triggered the complaint and how they would like it resolved. If the grievance or desired outcome is unclear, the employee may be asked to clarify their grievance before any meeting takes place. A copy of the pro-forma must be sent to the Schools HR Advisory Service.

ii) The grievance will be heard by a panel of nominated senior Local Authority Officers whose members have no previous knowledge of the case (substituting the panel of Governors) in accordance with paragraphs 4.1iv) and 4.1v) above.

4.3.1 Appeal

If the employee is dissatisfied with the outcome of the Grievance Committee hearing they have the right of appeal to a panel of nominated senior Local Authority Officers (Nominated by the Commissioning Director Education) whose members had not heard the grievance originally. The employee should write to the Commissioning Director Education within 10 working days (excluding schools closure periods) of receipt of the outcome decision letter, using the pro-forma at **Appendix 4**.

The grievance should then be heard by the panel in accordance with paragraph 4.1v) and 4.1vi) above. The panel will substitute the role of the Governors.

The purpose of the Appeal Committee hearing is to consider the grounds that have been put forward and to assess whether or not the conclusion reached at the grievance hearing was appropriate. The appeal is **not a rehearing** of the original grievance, but rather a consideration of the specific areas of which the employee is dissatisfied in relation to the original grievance.

Following the Appeal Committee hearing, the panel will notify the employee in writing of their decision and any action that is proposed to resolve the grievance raised, within 5 working days (excluding schools closure periods) of the Appeal Committee. The timescale may be extended, (up to a further 10 working days (excluding schools closure periods) or in some cases longer with the employee's agreement) if further investigations are necessary.

This is the final stage; there is no further right of appeal.

Appendix 1: Additional Advice and Support

Occupational Health – Any employee that is involved in a claim of bullying and/or harassment may find it helpful to talk to the Occupational Health Adviser and therefore will be given the option of a referral.

Counselling – The Council provides a confidential external service for staff through our Occupational Health Service.

EAP – Employee Assistance Programme - is a welfare initiative available by telephone to give counselling, information, signposting and support. Your School will be able to advise accordingly.

Trade Unions – The Council recognises the important role that trade unions have in resolving and supporting such issues and encourages employees to approach their TU Representatives for support in addressing unacceptable and inappropriate behaviours. The recognised trade unions are as follows:

Non-Teaching:

- APEX GMB
- GMB
- Unison
- Unite

Teaching:

- ASCL
- NAHT
- NASUWT
- NEU

Education Support – is a group of independent charities and a social enterprise that provide practical and emotional support to staff in the Education Sector and their families – They can be contacted on 08000 562 561.

Staff Support Networks - The Council has well established support networks that provide valuable support, including confidential advice, on both work related and personal matters. The staff support networks are as follows:

- New & Expectant Parents Network
- Employee Ability Support and Enablement (EASE) Network
- Early Careers Network

- LGBT+ (Lesbian, Gay, Bisexual and Transgender) staff network
- STARE (Standing Against Racism and Exclusion) staff network
- Women’s Network
- Menopause Support group

Appendix 2:

Grievance Pro-Forma – Informal/Formal Resolution

Section 1: Employee Details

Name:		Contact No:	
Post:		Location:	
Department:		School:	

Section 2: Employee Representative Details

Please detail the name of your representative. (You are entitled to be represented by a Trade Union Representative or a work colleague at any stage of the formal procedure).

Name:	
Contact No:	
Name of Trade Union (if applicable):	

Section 3: Grievance Details

Please detail your grievance overleaf giving full details of dates, incidents, parties involved, witnesses, circumstances, etc. Additionally, where possible, please ensure that you include or reference the following specific details:

- The date that this issue commenced
- Whether this is a one-off issue, or part of a sequence of events
- Which policies, procedures or employment terms do you believe have been breached
- What action/steps you have taken to resolve the issue informally, when and who with?
- Copies of any relevant documentary information
- What you are looking for as a satisfactory outcome

Please note that the procedure is not intended to punish staff, but to try and resolve any grievances as quickly and as fairly as possible, at the

lowest appropriate level in the organisation and to avoid minor issues developing into more serious matters. It is not to be used to pursue malicious or vexatious complaints and to do so will be considered a disciplinary matter that may lead to dismissal.

A) Please explain how you have tried to resolve this matter



B) Please state your grievance:

(Please continue onto a separate sheet if necessary)

C) Please state what you are seeking as a satisfactory outcome to your grievance

Signed:	
Print Name:	
Date:	

This form should be sent to The Headteacher for informal grievances or the Chair of Governors for formal grievances.

Appendix 3: Hearing Procedure

1. The employee will have the right to be accompanied by a fellow worker or Trade Union.

Worker - To exercise this right – a worker must first make a reasonable request. What is reasonable will depend on the circumstances of each individual case. However, it would not normally be reasonable for workers to insist on being accompanied by a companion whose presence would prejudice the hearing, nor would it be reasonable for a worker to ask to be accompanied by a companion from a remote geographical location if someone suitable and willing was available on site (taken from ACAS 2010).

2. The panel will be supported by the Schools HR Advisory Service Representative (or an alternative HR Provider) (HR) and a minute taker (provided by the school).
3. The employee will, in advance, inform the panel of any witnesses to be called at the meeting.

4. With the support, if necessary, from their representative the employee will put their case forward and may also refer to documentary evidence.
5. The employee and/or their representative will have the opportunity to ask questions of the panel and of any of the witnesses.
6. The members of the Governing Body with the support of HR will have the opportunity to ask questions at any stage to the employee and their representatives and witnesses.
7. Witnesses, once they have given their evidence, shall withdraw from the proceedings
8. Before summing up the Governing Body may recall and re-examine any witness.
9. The employee or their representative will be able to sum up but may not introduce any new evidence.
10. The employee and representative will withdraw while the governors consider the case. If there is a need to recall the employee to clarify points of uncertainty, then the employee will return.
11. Witnesses may be recalled and re-examined by the Governors in the presence of the employee.
12. HR will remain to advise on procedural matters.

(In some cases, it may be necessary to adjourn the meeting to allow for further investigations to take place).

13. The Governors if appropriate may notify the employee of their decision verbally after the meeting and shall subsequently confirm the decision in writing within 5 working days (excluding schools closure periods).

NB: Any person involved in an early stage of the decision making process shall not be involved at a later stage.

Confidentiality

All proceedings of the Governing Body and the Grievance Committee are confidential. Only the decision of the committee shall be reported as a confidential item to the next Governing Body meeting and shall not be further discussed.

Appendix 4:

Grievance Pro-Forma – Appeal

Section 1: Employee Details

Name:		Contact No:	
Post:		Location:	
Department:		School:	

Section 2: Employee Representative Details

Please detail the name of your representative. (You are entitled to be represented by a trade union representative or a work colleague at any stage of the formal procedure).

Name:	
Contact No:	
Name of Trade Union (if applicable):	

Section 3: Appeal

Where you are appealing against the outcome at the Grievance Hearing; ensure that you detail the specific reason(s) why you are dissatisfied with the Nominated Officer's decision.

A) Please state your reasons for appealing against the outcome at the Grievance Hearing:

(Please continue onto a separate sheet if necessary)

B) Please state what you are seeking as a satisfactory outcome to your grievance:

C) How the Nominated Officer's reasons for rejecting the alternative solution might be addressed (if applicable)

Signed:	
Print Name:	
Date:	

This form should be sent to the Chair of Governors

Appendix 5: Grievance Procedure – Flowchart

