



GRIEVANCE PROCEDURE

The CEO will review this policy on a yearly cycle

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SUPPORTIVE, EMPOWERING, ASPIRATIONAL, VISIONARY, INCLUSIVE, ETHICAL, WELCOMING

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1. INTRODUCTION

1.1. Responsibility for the Application of the Policy

It is the responsibility of the Governing Board, the Headteacher/Principal and the CEO to ensure that school* based staff are provided with a fair, effective and consistent means for a complaint against a work colleague and/or complaints about their work and/or working conditions to be raised.

The Governing Board** and Headteacher/Principal are responsible for ensuring that the timeframes detailed in this Policy are adhered to and considered.

*Reference to school made throughout the policy also refers to Academy settings.

** In the case of Academies, Governing Board refers to the Academy Trust or the local Governing Board where responsibility for handling grievances has been delegated to it in accordance with their Scheme of Delegation.

1.2. Consultation

This Policy is provided, following consultation with Trade Unions/Professional Associations, for the Governing Board to consider for adoption. Should the Governing Board wish to make changes to this model Policy, additional consultation must be undertaken with the staff and Trade Unions/Professional Associations representatives.

1.3. Legislative Base

This Policy is in line with the provisions of the ACAS Code of Practice for Disciplinary and Grievance Procedures introduced following the enactment of the Employment Act 2008 on 6th April 2009. This Policy supersedes the Schools' Model Grievance Policy & Procedure updated on July 2007.

1.4. Aim of this Policy

The Governing Board, the Headteacher/Principal and the CEO encourage open communication between all employees with the purpose of ensuring a harmonious workplace, maintaining constructive working relationships and finding mutually acceptable solutions to workplace problems and issues.

This Policy is to facilitate the resolution of an employee's grievance and to have it considered fairly and without delay.

This Policy is not for use by a manager who has concerns and/or complaints about staff s/he manages. These concerns should be dealt with through the application of the appropriate Trust HR policies e.g. conduct, capability.

1.5. Coverage

This Policy is applied to all staff within the Trust and will be made available to every member of staff through the School's internal systems.

This Policy is for use by employees in the Trust to raise grievances about their work, working conditions and/or colleagues also employed by the Trust. This Policy does not cover complaints from parents or about governors, volunteers and/or Local Authority Officers, where separate complaints policies exist.

For ease of reference, where the term CEO is stated in brackets following the word 'Headteacher/Principal', the CEO will deal with the issue if it is in relation to complaints concerning the Headteacher/Principal or Central Team. For complaints regarding the CEO, the matter will be addressed by the Trust Board.

2. POLICY

2.1. Application of the Policy

This Policy:

- Is non-discriminatory and in accordance with the Schools'/Trust's Equality Policies;
- Will be consistently and fairly applied across the Trust;
- Will be conducted with respect for the confidentiality of individuals and in accordance with the General Data Protection Regulations ;
- Is based on open communication between members of staff and their managers;
- Is explicit about the responsibilities for all involved.

Employees should bring to the attention of management any complaints that arise in the course of their work regarding a colleague that s/he is unable to resolve by appropriate communication and have these complaints/issues resolved fairly and promptly.

This Policy is for use for other complaints a staff member has regarding his/her work and/or working conditions, apart from certain exceptions identified in the Policy.

Day to day issues should normally be resolved through dialogue between the employee and line manager. **The formal procedure should only be started when the employee has not been able to resolve the issue(s) informally.**

2.2. Exclusions

The Grievance procedure **cannot be used** for the following:

- To challenge disciplinary or capability procedures whilst they are on-going (see separate procedures).
- To appeal against job grading.
- To appeal against being selected for redundancy.
- For any matter concerning the terms of a collective agreement.
- To raise a grievance about a matter over which the employer has no control or where management is acting in accordance with School policy, which has been through an appropriate consultation process
- To challenge decisions taken outside of the school, such as tax and national insurance matters or changes in the law.
- Where an employee has serious concerns about an aspect of the School's work or those who work for the School. In such circumstances the Whistleblowing Policy would apply to enable employees to raise concerns about workplace malpractices, suspicions of criminal acts, miscarriages of justice and dangers to health and safety.

2.3. Access to Other Policies / Services Mentioned in this Policy

Staff members can access the above policies/guidance and others mentioned in this policy through the school intranet or via the school administrator

2.4. Designated Investigator

The Headteacher/Principal, CEO or Chair of Trust will nominate an appropriate person to carry out an investigation at the applicable stage of the process. The nominated individual is referred to as the Designated Investigator in this Policy. The Designated Investigator should be either a member of the senior leadership team of the school or a member of the Governing Board. In the case of the complaint being against the Headteacher/Principal/ Central Team, the CEO will investigate; in the case of the complaint being against the CEO, the Chair of the Trust Board will investigate, this role may be delegated to another Trustee).

The Designated Investigator should have had no previous involvement in the complaint, no close relationship with either party or a vested interest.

2.5. Authorising Recommendations

The Designated Investigator will have the authority to make recommendations on behalf of the School or Trust in working towards the satisfactory conclusion of the complaint.

2.6. Complainant

For ease of reference, the employee with a grievance will be referred to as the 'Complainant'.

2.7. Responder

For ease of reference, the employee or the body being complained about will be referred to as the 'Responder'.

3. CONFIDENTIALITY

The Designated Investigator will ensure there is a full, comprehensive case-file of the process which should include all statements, records and evidence and should be stored confidentially. If the grievance has progressed to the hearing stage, the Clerk to Governors will be responsible for collating and storing all papers to be considered by the panel confidentially.

The Complainant and the Responder will be expected to maintain confidentiality of the matter.

If other employees of the school or Trust become involved in the application of this Policy they will be advised and be expected to maintain confidentiality.

Breaches of confidentiality will be taken seriously, especially if they hinder resolution of a complaint. Failure to maintain confidentiality may result in disciplinary action being taken.

If any employee is uncertain who they can talk to about the case, they should seek advice from their line manager or their trade union/professional association.

4. EQUAL OPPORTUNITIES

This Policy is based on best practice and is designed to promote a consistent and effective approach. The Trust Board has a particular responsibility to ensure that the processes are managed fairly, equitably, objectively and must not discriminate either directly or indirectly on the grounds of a person's race, colour, ethnic origin, nationality, gender, sexual orientation, religion, marital status, disability or age.

All employees will be treated equally regardless of their position in the Trust.

5. GENERAL PRINCIPLES

5.1. Being Accompanied at Meetings

At any stage of the process, a representative from a recognised Trade Union/Professional Association or a work colleague may accompany the Complainant and/or the Responder. The Designated Investigator is advised to make this provision known. It should be noted that where a representative is as part of the investigation called as a witness then the chosen representative for either the Complainant and/or the Responder will need to be reconsidered and replaced.

5.2. Human Resources Advice

The Schools' Human Resources Service (where the school has a service level agreement in place) can provide advice and support to any school manager/governor/designated investigator throughout the process.

5.3. Support During the Application of this Policy

Consideration must be given to any assistance or steps that should be taken to support both the Complainant and the Responder, particularly where a grievance is not upheld, recognising that the effect of the grievance can be significant.

It is important to consider how to help the individuals affected by the raising of a grievance to work together after the grievance has been looked into; this might be by way of professional dialogue between individuals, formal mediation (see section 10) or using the services such as the Employees Assistance Programme (EAP) where applicable. The Employee Assistance Programme service is an independent organisation that provides completely confidential help and assistance including counselling for employees and their immediate families¹ for any personal or work related problems. It is available 24 hours a day, 7 days a week, 365 days a year. They can be contacted on (0800 030 5182 (or 0044 161 836 9498 to call from outside UK and calls will be charged). Counselling Advice - CounsellingAdvice@healthassured.co.uk.

Access to **Mincom** is arranged via scheduling a consultation using the Counselling Advice mailbox. To access the service online, please go to online health portal – www.healthassuredeap.co.uk. Using the generic **Username:** Blackpool and **Password:** Council.

Employees are advised to contact their Trade Union/Professional Association, for advice and support at the earliest stage.

5.4. Recording of Information

Appropriate written records of any interviews, meetings and action, together with copies of any other relevant documentation taken under this Policy should be compiled and retained.

All records will be kept confidentially and retained in accordance with the General Data Protection Regulations.

5.5. Complaints Against the Headteacher /Principal/ CEO/ Central Team

If the Complainant has a grievance against the Headteacher/Principal/ Central Team which cannot be resolved by professional dialogue directly with the Headteacher/Principal/ Central Team then the grievance should be raised with the CEO at the formal stage of this Policy. The CEO will be responsible for identifying a suitable person to undertake the role of Designated Investigator.

If the Complainant has a grievance against the CEO which cannot be resolved by professional dialogue directly with the CEO then the grievance should be raised with the Chair of Trustees at the formal stage of this Policy. The Chair of Trustees will be responsible for identifying a suitable person to undertake the role of Designated Investigator.

5.6. Notification to the Responder Cited in the Complaint

When a grievance is raised by an employee at the school, the Headteacher/ CEO/ Chair of Trustees will advise the Responder of the grievance in a sensitive manner and at the earliest opportunity so that s/he/they can respond to the grievance raised. The Responder will be offered support and reassured that the matter will be treated confidentially. The responder should be advised to contact their trade union/professional association. All attempts should be made to resolve the grievance informally between the parties concerned. The outcome of the grievance must be relayed to the Responder as soon as is practicable.

5.7. Multiple Complaints

If a Complainant raises multiple grievance issues relating to different issues, to avoid duplication of the procedure and to aid a prompt resolution, the issues will be dealt with together at each stage of the Policy.

¹ Due to HRMC rules and regulations EAP is only offered to employees, partners of employees, retirees for up to three months after they have left the organisation and dependants who are between the ages of 16-24 years old in full education living at the same house hold address as the employee.

5.8. Implicit Complaints

Managers should be alert to the possibility that an employee may trigger a formal grievance by including details of their concerns within written correspondence, such as an e-mail or resignation letter. Where this is the case, the Headteacher/ CEO/ Chair of Trustees who receives the communication must clarify with the employee whether it is their intention to raise a grievance under this Policy or not.

Headteachers/Principals/School Managers/ Trust Leaders are encouraged to seek support from the Schools' Human Resources Department (where appropriate) if they receive such correspondence.

5.9. Subsequent Formal Action

Where it is considered that the grievance, if proven, could result in action being taken against the Responder under the Trust's Disciplinary Policy, the grievance should initially be investigated in accordance with the relevant Policy. Once the Designated Investigator is able to confirm that the outcome of the Grievance investigation will require further action to be taken against the Respondent, the Responder will then be notified in writing and subsequent action will be taken under the Disciplinary Policy.

5.10. Vexatious or Malicious Allegations / Complaints

Any employee raising a reasonable and genuine grievance shall suffer no detriment as a result of raising the grievance. However, false or vexatious grievances will be taken very seriously. The School's Disciplinary Policy may be invoked where, on the balance of probabilities, it is reasonable to find that an employee has made a false, vexatious and/or malicious grievance and/or deliberately made a grievance to cause distress, harm and/or to discredit a colleague and/or the Governing Board and/or the School. The application of the School's Disciplinary Policy may result in the employee making the vexatious allegations/grievance being dismissed from employment.

5.11. Participation in the Process

This Policy should be used to resolve reasonable and genuine grievances from an employee. It is expected therefore, that the Complainant will fully co-operate with any investigation and/or any process that seeks to remedy the complaint(s). Should a Complainant be obstructive and/or un-cooperative during the application of this Policy and/or behave in such a way as to aggravate or exacerbate the situation, the circumstances will be considered by the Headteacher/ CEO/ Chair of Trustees who may consider the complaint remedied and any on-going investigation ceased. This will be communicated to the Complainant by the Headteacher/Principal (Chair of Trustees).

The Responder is also required to participate in the process of grievance resolution in an appropriate and conciliatory manner.

Appropriate professional standards of conduct are expected from all parties and any inappropriate behaviour will be dealt with accordingly.

5.12. Maintaining the Status Quo

Depending on the circumstances, it may be appropriate for any proposed changes to be postponed and/or deferred by the Headteacher/ CEO and the status quo to remain until an investigation into any complaint takes place.

6. TIME LIMITS

The time limits included in this Policy should be observed in order to try and resolve the issue as quickly as possible. However, they may be varied by mutual agreement.

7. PERIODS OF SCHOOL CLOSURE

The School will seek to resolve the grievance in accordance with the timeframes specified in the Policy, unless amended by mutual agreement. In the event of a grievance being raised during a period of school closure the timeframes indicated in the Policy will commence from the first day of the school being open.

In the event of a grievance being raised immediately prior to a period of school closure, the availability of any persons who may need to be interviewed as part of any investigation will be taken into consideration by both parties, when mutually agreeing any required extension to the timeframes.

8. RAISING A GRIEVANCE DURING THE APPLICATION OF ANY OTHER TRUST HUMAN RESOURCE POLICY – RELATED ISSUES

Where an employee has a complaint related to either the person applying and/or the application of another HR Policy, this policy will not be used and the complaint will be dealt with under the other Trust HR Policy.

9. RAISING A GRIEVANCE DURING THE APPLICATION OF ANY OTHER TRUST HUMAN RESOURCE POLICY – UNRELATED ISSUES

If the employee is currently being managed under any other Trust HR Policy and has an unrelated complaint, then this Grievance Policy should be used to deal with the employee's complaint. As the matter is unrelated there will be no need to put any other process on hold as the application of any other policy can be dealt with in parallel.

10. MEDIATION

Mediation is a process by which a neutral third party helps disputing parties work out an agreement. The Complainant and the Responder, not the Mediator, decide the terms of this agreement.

Mediation should be considered at the informal stage of all grievances (and agreed by all parties), acknowledging that it may not be suitable in all circumstances. Blackpool Council Human Resources Department is able to assist in accessing an in-house Mediation Service; which is able to provide access to qualified mediators; this is available to assist employees in resolving issues informally. Mediation is a process by which an impartial third party helps employees in a dispute to work out an agreement, focusing on the future rather than the past behaviour. Referral to the Mediation Service should be made via the Headteacher. It must be noted that accessing this service will be at an additional cost to the school.

11. GOOD PROFESSIONAL RELATIONSHIPS / PRACTICES

It is the responsibility of all employees to take all reasonable steps to develop and maintain good working relationships with colleagues and to deal with workplace issues in a professional, practical and constructive manner. Employees should try to resolve any difficulties at the earliest opportunity without having to use a formal process and in such a way as to have the minimum impact on the school, other work colleagues and the education of the children. The Professional Standards for Teachers describes the expectation for collaborative working and the relationships between colleagues in schools. There are similar expectations on support staff in schools.

Resolving issues in a sensible and sensitive way will require all parties to recognise their part in the issue/difficulty and how their behaviour may be contributing to the circumstances. Employees should be willing and open to looking at ways of resolving issues without resorting to formal processes, for example by using:

- An informal setting to discuss the matter with the colleague
- The line manager as a facilitator
- Another colleague as a facilitator
- Formal Mediation
- An external facilitator

Employees should be able to resolve issues professionally and respectfully by agreeing that when discussions take place there should be:

- **Effective listening** – so that each person fully understands the issues at hand and each other’s view;
- **Effective understanding** – so that each person is able to respond, knowing what the issues are;
- **A calm environment** – no raised voices, offensive language or inappropriate body language;
- **Common ground** – identifying and agreeing common understanding;
- **The taking of responsibility** – each person should recognise the impact of their actions, and take steps to make professional relationships work;
- **Resolving** – saying sorry if appropriate, agreeing the way forward; agreeing to meet again, if appropriate.

Every attempt should be made to resolve the grievance informally between the staff members involved and only if the matter cannot be resolved by way of professional dialogue should this policy and the formal procedure for resolving grievances need to be used.

Where it is unsuccessful or impossible to resolve grievances by professional dialogue then the Complainant should raise his/her grievance formally with the Headteacher/Principal/CEO (Chair of Trustees where applicable) by completing form FC1 (at Appendix 1).

The parties may still agree to resolve the issue by means other than following this Policy e.g. mediation. This must be agreed in writing by the Complainant and does not exclude the Complainant from using this Policy at a later stage if the other means do not bring a resolution.

12. THE PROCEDURE FOR RESOLVING GRIEVANCES

12.1. Formal Grievance

COMPLAINANT’S RESPONSIBILITIES - FORMAL GRIEVANCE	
12.1.1.	Ensure you read the ‘Good Professional Relationships’ section above.
12.1.2.	You must have tried to resolve your grievance at the informal ‘Good Professional Relationships/ Practices’ stage before lodging a formal grievance unless the circumstances are so serious and/ or complex that informal resolution would be impossible. You must evidence why this is so. The Headteacher/ Principal/ CEO (Chair of Trustees) may consider the evidence and reach a view on whether your grievance could have been dealt with by professional dialogue and recommend this is attempted before a formal process is considered.
12.1.3.	Complete form FC1 (annexed to this policy) Provide a detailed account of the reason you are aggrieved, why you cannot resolve your grievance by professional dialogue and the remedy you seek. This should be a balanced, fact-based submission including where appropriate, dates and times of events and the names of any witnesses, You may wish to involve your professional association/trade union at this stage, if necessary or appropriate. You should submit the FC1 to the Headteacher/ Principal/ CEO (Chair of Trustees)

12.1.4.	Meet with the Designated Investigator within ten working days of lodging your FC1. This timescale can be changed by mutual agreement to allow enough time for the Designated Investigator to gather all the necessary information.
12.1.5.	All information that you have, relevant to your grievance, should be provided to the Designated Investigator at least three working days in advance of the meeting.
12.1.6.	Co-operate with the Designated Investigator to seek a swift remedy to your complaint.
12.1.7.	Ensure you comply with the provisions detailed within this policy

HEADTEACHER'S/PRINCIPAL'S/CEO'S (CHAIR OF THE BOARD'S) RESPONSIBILITIES – FORMAL GRIEVANCE	
12.1.8.	Confirm receipt of the FC1 and any accompanying evidence or documentation within five working days .
12.1.9.	Reviews the information provided on the FC1 form and decides whether it is reasonable that an attempt is made to resolve the issues by professional dialogue under informal arrangements. If it is considered appropriate, advise the Complainant and refer to the section 'Good Professional Relationships/Practices'. Continue as detailed below for a Formal Grievance only.
12.1.10.	Where it is not appropriate for the Headteacher/ CEO (Chair of Trustees) to act as the Designated Investigator, the Headteacher/ CEO (Chair of Trustees) will normally nominate a member of the senior leadership team or a member of the Governing Board to act as the Designated Investigator and carry out an investigation. In exceptional circumstances an independent third party will be appointed.
12.1.11.	Where a complaint is particularly complex, the Headteacher/ CEO (Chair of Trustees) may arrange for a suitable person(s), (Designated Investigator) as agreed by all parties, who is not necessarily a member of the SLT or Governing Board, to be assigned to gather all the details and facts of the complaint on their behalf. The Headteacher/ CEO (Chair of Trustees) will confirm with the suitable person(s) the extent to which they will gather the facts and suggest the names of any staff who they should speak to.
12.1.12.	Advise the Complainant who will be the Designated Investigator(s) and proposed timescale for meeting. Clarify with the Complainant any appropriate support that may be helpful.
12.1.13.	The Complainant should be advised that s/he may be accompanied by a representative from their professional association/trade union or a work colleague
12.1.14.	Inform the Responder of the grievance and provide a copy of this policy. Advise the Responder of the timescales and ensure support is available through an appropriate source. The Responder should be advised that s/he may be accompanied by a representative from their professional association/trade union or a work colleague
12.1.15.	Record all meetings and correspondence entered into in the course of dealing with the complaint, including dates and those present.
12.1.16.	Ensure compliance with the provisions detailed within this policy

DESIGNATED INVESTIGATOR'S RESPONSIBILITIES – FORMAL GRIEVANCE	
12.1.17.	Reviews the information provided on the FC1 form and arranges to meet the Complainant within 10 working days of receiving the FC1. The Complainant may be accompanied by a representative from their professional association/trade union or a work colleague if they wish. This timescale can be changed by mutual agreement to allow enough time for the Designated Investigator to gather any necessary information
12.1.18.	Meet the Complainant and his/her representative, if accompanied, in a calm, uninterrupted setting. Arrange for appropriate note-taking.
12.1.19.	Explain his/her role within the Policy and the Complainant's recourse if s/he is dissatisfied with the outcome of this stage of the Policy.
12.1.20.	Record all meetings and correspondence entered into in the course of dealing with the complaint, including dates and those present.
12.1.21.	Listen carefully, clarify facts and the resolution or remedy the Complainant seeks.
12.1.22.	Meet with the Responder to the grievance and provide a copy of this policy. Advise the Responder of the timescales and ensure support is available through an appropriate source.

12.1.23.	Consider all the facts carefully; this may involve the questioning of witnesses where appropriate. Ensure that any witnesses are aware of the confidentiality clause contained in this policy. If necessary seek advice from the Schools' Human Resources Service before responding. The Designated Investigator will resolve the complaint without recourse to the HT/SLT or Governors, providing an outcome for both the Complainant and the Responder.
12.1.24.	Arrange to meet with the Complainant to provide the findings to the investigation into his/her grievance. All relevant information gathered in the course of the investigation should be provided to the Complainant and their representative at least three working days in advance of the meeting.
12.1.25.	Meet with the Complainant and give the outcome of the investigation and whether the requested remedy can be achieved. Confirm in writing, within five working days of the meeting, the facts and the reason for the decision. Reiterate in the letter the Complainant's right to appeal if s/he is dissatisfied with the response. If it is not possible to respond within the specified time period, the Complainant should be given an explanation for the delay and told when a response can be expected.
12.1.26.	Meet with the Responder and provide feedback. In all but exceptional circumstances where the Designated Investigator believes it may be detrimental to do so, a copy of the Designated Investigator's report will be provided to the Responder.
12.1.27.	Ensure compliance with the provisions detailed within this policy.

Should the Complainant accept the outcome then the matter ends at this point. However, should the Complainant not accept the outcome at the Formal Stage, they have the right of appeal against the decision to a Governor's Appeal Committee.

12.2. Appeal Against the Outcome of Formal Grievance

COMPLAINANT'S RESPONSIBILITIES – APPEAL STAGE	
12.2.1.	If you are still aggrieved regarding your original complaint, you can lodge an appeal against the decision made at the formal stage. You should put in writing to the Clerk to Governors, within 10 working days of receipt of a letter confirming the final decision made by the Designated Investigator, why you are unsatisfied with the decision from the Formal process and why you believe your grievance has not been resolved. You should explain the full reasons for continuing your complaint, why the decision was not acceptable, the remedy being sought and the grounds for appealing, which could be that: <ul style="list-style-type: none"> • you believe the findings at the Formal Stage were unfair and why; • new evidence has come to light • you consider this policy was not applied correctly.
12.2.2.	Provide a copy of any documentation you wish the Appeal Committee to consider to the Clerk to Governors at least 10 days before the meeting.
12.2.3.	Attend the Appeal hearing and present your case, arranging any witnesses where appropriate. You may be accompanied by a representative from your professional association/trade union or a work colleague.
12.2.4.	Ensure you comply with the provisions detailed within this policy.

CLERK TO GOVERNORS' RESPONSIBILITIES – APPEAL STAGE	
12.2.5.	On receipt of the Appeal letter, inform the Chair of the Board, so that an Appeal Committee can be convened. Send an acknowledgement letter to the complainant within 10 working days of receipt, informing them of the next steps.
12.2.6.	Provide a copy of the Appeal letter to the Designated Investigator.
12.2.7.	Arrange a meeting between the Complainant and/or representative, Designated Investigator and Appeal Committee within a maximum of six weeks of receipt of the written appeal from the Complainant. Confirm with the Chair of the Board whether an HR Adviser should attend to give advice to the Appeal Committee.

12.2.8.	Record issues discussed at the meeting and the decision reached. Provide the record to the Chair of the Committee and the HR Adviser.
12.2.9.	Liaise with the Chair of the Appeal Committee so that confirmation of the decision is conveyed to the Complainant and his/her representative in writing within 5 working days of this meeting. This letter should address all the issues raised by the complaint.
12.2.10.	After the meeting, ensure all papers are filed confidentially and appropriately.

DESIGNATED INVESTIGATOR'S RESPONSIBILITIES – APPEAL STAGE

12.2.11.	On receipt of the Appeal Letter from the Clerk to Governors, advise the Responder and any witnesses that the Complainant has appealed.
12.2.12.	Provide a copy of any documentation that the Appeal Committee should consider to the Clerk to Governors at least 10 working days before the meeting.
12.2.13.	Attend the Appeal hearing and present the findings of the Formal Grievance investigation, arranging any witnesses where appropriate.

CHAIR OF APPEAL COMMITTEE RESPONSIBILITIES

12.2.14.	Chair the meeting in accordance with good practice ensuring everyone can contribute appropriately.
12.2.15.	Where it has been agreed by the Panel that the decision will be announced on the day, feedback the outcome to the Complainant. Liaise with the Clerk to Governors to ensure that written confirmation of the Committee's decision (signed by the Chair of the Appeal Committee/Clerk to Governors) is sent to the Complainant within five working days of the meeting. Advise that the decision of the Appeal meeting is the final stage in the grievance process.
12.2.16.	After the conclusion of the Appeal process, meet with the Responder and provide feedback on the outcome of the hearing unless the Committee believes it is detrimental to do so.
12.2.17.	Review and approve the accuracy of the record of the meeting prepared by the Clerk to Governors.

13. INABILITY TO ATTEND A FORMAL GRIEVANCE HEARING

If an employee, or his/her representative, has a justifiable reason for being unable to attend a Grievance Hearing, it will be rearranged (In-line with the Employment Relations Act 1999, section 10- subsection 5). If the employee is unable to attend the rearranged hearing it will proceed in his/her absence but with his/her representative being provided with an opportunity to make representations on the employee's behalf. A Grievance Hearing cannot be unduly delayed pending the availability of a Trade Union official. If the employee, or his or her representative, does not attend the re-arranged hearing the grievance would be heard in their absence and a decision made on the basis of the originating grievance pro-forma and management's response.

APPENDIX 1 – FC1 (FORMAL COMPLAINT FORM)

Stage 2 – Formal Complaint Form

PART A: To be completed by the Complainant raising the Grievance.

Complainant's Name:

Job Title:

School/Central Team:

Headteacher / if relevant:

Employee contact details:
(Address for correspondence):

Tel. no:
Mobile:
Email address:

Name of Supervisor / Line Manager:

Name of Representative from Professional Association / Trade Union (if applicable):
.....

Address for correspondence:

Tel. no:
Mobile:

NAME OF COLLEAGUE THAT IS BEING COMPLAINED ABOUT:

Or

PRIMARY COMPLAINT ABOUT WORK OR WORKING CONDITIONS:

DETAILS OF COMPLAINT
Outline the nature and reason for your complaint. Give specific details, such as dates, times and witnesses where necessary. Attach any relevant supporting evidence if necessary.

Good Professional Relationships / Practices

Detail what you have done to resolve this matter by professional dialogue and explain why this has not resolved the situation to your satisfaction. Alternatively, state why the circumstances are so serious and/or complex that informal resolution by professional dialogue cannot be attempted or would be unsuccessful.

REMEDY YOU ARE SEEKING

State what REMEDY you are seeking and specifically what action or actions, in your view, are needed to resolve your complaint satisfactorily.

Complaint's Signature:

Date:

You should now give this form to your Headteacher / Principal/ CEO (Chair of Trustees) - keep a copy for your records.

Please retain a copy of this pro-forma, along with any written response you receive for your reference.

PART B: To be completed by the Designated Investigator dealing with the complaint.

<p>Name of Designated Investigator:</p> <p>Job title/Governor:</p> <p>Academy/Central Team:</p> <p>Contact details: Telephone: Mobile: Email address:</p> <p>Date complaint received:</p>

<p>Details of action taken and outcome of complaint: This should be confirmed in writing to the employee. Attach any Report/notes made during the complaint investigation.</p>

Designated Investigator's Signature:

Date:

APPENDIX 2 – OVERVIEW: HANDLING A GRIEVANCE

Resolve grievances **informally** – often a quiet word is all that is needed



Use your grievance procedure when it is not possible or appropriate to resolve the matter informally move to the **formal** Grievance (Section 12)



- Employee to let the employer know the grievance in writing (FC1 form)
- Meeting to discuss the grievance
- Allow the employee to be accompanied at the meeting
- Decide on appropriate action
- Allow the employee to appeal if not satisfied (Section 12)



- It may be helpful to consider mediation at any stage of a dispute. For more information (see section 10)
- Train SLT/Governors and employee representatives to handle grievances effectively



Deal with appeal impartially and where possible by a SLT/Governor not previously involved.

APPENDIX 3 – PROCEDURE AT FORMAL APPEAL HEARINGS

The procedure to be followed at a Grievance Panel is as follows:

- The agreed paperwork will be circulated to Panel Members five working days in advance of the hearing.
- The Chair will clarify the issues to be considered and the remedies being sought. Should any unrelated issues be introduced that did not form part of the original grievance or management's response they would not form part of the Panel's considerations but could be referred back to an earlier stage of the Grievance Procedure or be raised as a separate grievance as appropriate.
- The individual(s) or his/her representative put the case in the presence of the Headteacher/Principal/ CEO (Chair of the Board), appropriate designated person and/or their representative and call witnesses named in the original pro-forma as he/she wishes.
- The Headteacher/Principal/CEO (Chair of the Board), appropriate designated person and/or their representative have the opportunity to ask questions of the complainant(s) and his/her witnesses.
- The Panel may ask questions of the complainant(s) and his/her witness.
- The Headteacher/Principal/CEO (Chair of the Board), appropriate designated person and/or their representative shall put the case, in the presence of the complainant(s) and his/her representative and may call any necessary witnesses to give evidence.
- The complainant(s) or his/her representative will then have the opportunity to ask questions of the Headteacher/Principal/CEO (Chair of the Board), appropriate designated person and/or their representative on the evidence given by him/her and any witnesses whom he/she has called.
- The members of the Panel may ask questions of the Headteacher/Principal/CEO (Chair of the Board), appropriate designated person and/or their representative and any witnesses called.
- The Headteacher/Principal/CEO appropriate designated person and/or their representative and the complainant(s) or his/her representative, have the opportunity to sum up their case if they so wish.
- The Headteacher/Principal/CEO (Chair of the Board), appropriate designated person and/or their representative and the complainant(s) and his/her representative, together with any witnesses, will then withdraw.

The Panel will then consider their decision. If it is necessary to recall one or other of the parties to clarify a piece of evidence already given, both parties are to return notwithstanding that only one is concerned with the point giving rise to doubt.

The Panel will announce their decision either orally on the day, (and follow this up in writing), or within 5 working days of the Panel hearing. The decision of the Appeals Panel will be final.

NB: *The Chair of the Panel may adjourn the proceedings at any stage if it is requested by either side or if the Chair believes this is necessary or desirable. If the adjournment is for the purpose of enabling further information to be obtained or clarity of information is required from witnesses the Chair will specify the nature of the information required.*

Any adjournment will be for a stated period determined by the Panel. Witnesses will be required to be on-call throughout the proceedings but will not usually be present for all the hearing.