



Twyford
C of E
Academies Trust

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| Document Title | Grievance Procedure |
| Committee Responsible for Policy | Resources Committee |
| Review Frequency | Every 3 years |
| Last Reviewed | January 2023 |
| Next Review Due | January 2026 |
| Policy Author | Director of Finance & Operations |

Assessment of the Impact of a Policy on Equality & Diversity

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| Policy: Grievance Procedure | |
| Impact assessed by: R Lane | Date: 13/1/2023 |
| 1. What is the potential for this policy impacting a person or group with a protected characteristic differently (favourably or unfavourably) from everyone else? Grievances from staff from protected groups could receive harsher treatment under the procedure than staff in general. | |
| 2. How would this be evidenced? Through appeals or reviews of the handling of grievances cases. | |
| 3. Is there evidence that the operation of the current policy might impact a person or group with a protected characteristic differently from everyone else? No. | |
| 4. If the answer to 3 is 'Yes', please provide details and evidence. | |
| 5. How might the new policy change this? | |
| 6. Are there any other changes to the policy which might impact a group with a protected characteristic differently from everyone else? No. | |
| 7. If the answer to 6 is 'Yes', please provide details and evidence. | |
| 8. Policies are required to reduce or eliminate inequality and disadvantage and promote diversity. Does this assessment indicate that the Policy passes or fails this test? PASS | |

Grievance Procedure

1. Introduction

- 1.1. This document is based, with permission, on a model document published by the London Diocesan Board for Schools who have asserted their rights under copyright law.
- 1.2. Attached to the document are model letters to be used when applying this procedure.
- 1.3. References to Executive Headteacher in this document shall include the CEO. References to Associate Headteacher shall include school Headteacher. Specific duties of the Executive Headteacher or an Associate Headteacher may be delegated to another appropriate senior manager with the approval of the Board of Directors.

2. Policy Statement

- 2.1. Grievances can arise from a variety of sources. They can arise among individual members of staff or be directed towards Trust or school management and the governing body or the Board of Directors. They can be of a relatively simple nature or of fundamental importance.
- 2.2. This procedure is designed to enable Trust and school leaders, staff, governing bodies and the Board of Directors to foster good relations by:
 - Discouraging the harbouring of grievances;
 - Assisting the resolution of individual grievances in an atmosphere of trust and confidentiality;
 - Enabling grievances to be settled as closely as possible to their point of origin;
 - Ensuring that grievances are dealt with fully, promptly and fairly.
- 2.3. The procedure sets out:
 - An informal process through which most grievances may be resolved without recourse to any subsequent stage;
 - A formal procedure to be invoked when the first stage has failed or is inappropriate;
 - A right to appeal the outcome of any stage of the procedure.
- 2.4. This policy does not form part of any employee's contract of employment. The policy will be reviewed every three years and may be amended from time to time.

3. Representation

- 3.1. At all stages any staff involved in the procedure are entitled to be accompanied by a work colleague or trade union representative. At formal meetings, the companion may make representations and ask questions but should not answer questions on the employee's behalf. During the formal procedure, witnesses may be called and questioned on either side.

4. Equal Opportunities

- 4.1. This Grievance procedure will always be applied fairly and in accordance with the Equality Act 2010.

5. Data Protection

- 5.1. The policy will be implemented in adherence to GDPR regulations in relation to the distribution, sharing and storage of information pertaining to any individuals involved in this procedure.

6. Informal Stage

- 6.1. Where a member of staff has a grievance which involves another member (or members) of staff, they should make every effort to resolve it by approaching the person(s) concerned directly.
- 6.2. If a direct approach fails to resolve the grievance, the employee should then request in writing a personal interview, in writing with their line manager, the Associate Headteacher, or Executive Headteacher (as appropriate) . This request should be in writing and should briefly state the employee's concerns.
- 6.3. If the complaint is against the Associate Headteacher or Executive Headteacher, the employee should contact the Chair of the Governing Body or Chair of Directors, who will nominate a suitable governor or Director to look into the matter.
- 6.4. The interview should take place within five working days of the request and seek to resolve the problem personally in consultation with any other member (s) of staff involved. The parties may, by mutual agreement, seek consultation with the Executive Headteacher, Associate Headteacher, the Chair of Governors, Chair of Directors or representatives of trade unions, as appropriate.
- 6.5. Depending on the nature of the complaint, the manager concerned may find it helpful to conduct a preliminary assessment of the facts of the case and the people involved, to help determine how best it is dealt. Where the complaint involves another member of staff, they should be informed.
- 6.6. The aim of the meeting is to resolve matters informally, and this may result in a mediation or facilitated meeting between parties or lead to a more formal investigation by the Executive Headteacher or Associate Headteacher, or other nominated person.

7. Formal stage

- 7.1. Where the matter has not been resolved informally as above (or it has not been appropriate to raise the matter informally), the employee should submit a formal written notice of the grievance to the Executive Headteacher, Associate Headteacher, Chair of Governors or Chair of Directors. The written notice should:
 - Include full details of the grievance, together with any supporting documents;
 - Set out steps already taken to resolve the issue;
 - State the resolution now requested.
- 7.2. The Executive Headteacher, Associate Headteacher Chair of Governors or Chair of Directors will advise any other parties concerned as to the nature of the grievance, and they may make a formal written response (together with any supporting documents). This response should normally be submitted within ten working days of receipt of the written notice of grievance unless not practicable.
- 7.3. A hearing will then be arranged before either a Staffing Procedures Committee or the Executive Headteacher depending on the seriousness of the complaint to consider the grievance. The hearing will normally take place within twenty working days of receipt of the formal notice of grievance.
- 7.4. At least five working days' notice of the hearing will be given to the employee, who may be accompanied by a trade union representative or work colleague. The above time limits may be altered by agreement of the parties concerned.
- 7.5. The Committee or person hearing the grievance, in seeking to resolve the matter, may adjourn the meeting or defer making a decision if this is considered appropriate to promote conciliation or obtain further information on relevant factors.

- 7.6. The HR Manager may be in attendance at the meeting to advise the Executive Headteacher/Committee on the basis of legal advice if required. The meeting should be minuted.
- 7.7. The decision of the Executive Headteacher or the Committee hearing the case and the reasons for it will be confirmed to the parties within five working days.

8. Appeal

- 8.1. The aggrieved employee may appeal in writing to the Chair of Governors or Chair of Directors within ten working days of receiving the written decision. The notice of appeal should set out the reasons, and a copy should be submitted to the Clerk to the Trust, who will provide copies to any other persons concerned.
- 8.2. The appeal will be heard by a Staffing Appeals Committee. All documents already submitted will be made available to the Committee. This hearing will normally take place within fifteen working days of receipt of the notice of appeal.
- 8.3. The HR Manager may be in attendance at the meeting to advise the Executive Headteacher/Committee on the basis of legal advice if required. The meeting should be minuted.
- 8.4. At least ten working days' notice will be given to the parties concerned, who may attend in person and be accompanied by a work colleague or trade union representative.
- 8.5. The decision of the Staffing Appeals Committee will be final.
- 8.6. This process may run concurrently with any other procedure being implemented involving the complainant.

Appendix A: Model Letters

1. Invitation to Grievance Interview Meeting Letter (Informal or Formal Interview)

STRICTLY PRIVATE & CONFIDENTIAL

NAME
ADDRESS
ADDRESS
ADDRESS
POST CODE

Date

Dear

Re: Your Recent Grievance Letter

Following receipt of your letter [ENTER DATE HERE] in which you outlined to me your grievance(s) against [ENTER DETAILS HERE], I am writing to invite you to an interview with me to discuss your grievance.

The interview will take place on the [ENTER DATE 5 DAYS FROM THE DATE OF THE GRIEVANCE LETTER] at [ENTER TIME], and will be held in [ENTER VENUE] at [SCHOOL NAME]. You may be accompanied by a work colleague or trade union representative. Please let me know who will be accompanying you by [ENTER DATE].

Once we have had a chance to discuss your grievance, I will be inviting [ENTER DETAILS OF INVOLVED PARTIES] to join us to try and resolve the issues informally, and agree a way forward.

If you are unclear about anything in this letter, please do contact me as soon as possible.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy.

Yours sincerely

(typed name)

Executive Headteacher/Associate Headteacher/Chair of Governors/Chair of Directors

2. Notification of Formal Grievance Letter to the Other Party

STRICTLY PRIVATE & CONFIDENTIAL

NAME
ADDRESS
POST CODE

Date

Dear

Re: Grievance Investigation Meeting

I am writing to inform you that following receipt of a formal grievance under the Trust's Grievance Procedure (enclosed), I am asking you to respond to the following complaints that have been against yourself;

[LIST DETAILS HERE]

and that in carrying out the above actions you breached the following school policies;

[ENTER POLICIES HERE].

I would ask that you review the information above, and prepare a written response to the above complaint(s). Please prepare this as fully as possible, and please do supply any supporting evidence or documentation that you think may be useful or pertinent. Please supply this to me by [ENTER DATE 10 DAYS FROM DATE OF GRIEVANCE LETTER].

Once this information has been received it will be reviewed and a meeting will be will be arranged to hear the grievance.

If there is any aspect of this letter, or of the Grievance Procedure, to the extent that it applies to you that you do not understand, please contact me.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy.

Yours sincerely

(typed name)

Executive Headteacher/Associate Headteacher/Chair of Governors/Chair of Directors

3. Invitation to Formal Grievance Hearing Letter

STRICTLY PRIVATE & CONFIDENTIAL

NAME
ADDRESS
POST CODE

Date

Dear

Re: Formal Grievance Hearing

I am writing to advise you that following the receipt of [EITHER] your grievance [OR] the grievance and your response to it, you are required to attend a formal grievance hearing.

The hearing will take place on [DATE – AT LEAST 5 DAYS FROM THE DATE OF THE LETTER, WITHIN 20 DAYS FROM THE DATE OF THE FORMAL GRIEVANCE] at [PLACE] at [TIME]. It will be conducted by me /a Staffing Procedures Committee [DELETE AS APPROPRIATE]. The members of the Committee are [NAMES OF GOVERNORS/DIRECTORS HERE], and they shall be supported by [NAME/DETAILS/ROLE HERE]. The records of the meeting shall be taken by [NAME/DETAILS/ROLE HERE].

You have the right to be accompanied by a companion, who may be another employee, or a representative of your trade union. If your representative is unable to attend the hearing at the time given above, you may propose another date and time for the meeting to take place. Any alternative date must be on or before (date of the fifth working day after the (PROPOSED MEETING DATE)). Only one postponement will be permitted.

I enclose an indexed bundle of statements and other documents which have been relying at the hearing, along with a copy of the school's grievance procedure.

If there is any aspect of this letter, or of the Grievance Procedure, to the extent that it applies to you that you do not understand, please contact me.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy.

Yours sincerely

(typed name)

Executive Headteacher/Associate Headteacher/Chair of Governors/Chair of Directors

4. Formal Grievance Outcome Letter – To the person raising the grievance

STRICTLY PRIVATE & CONFIDENTIAL

NAME
ADDRESS
ADDRESS
ADDRESS
POST CODE

Date

Dear

Re: Outcome of the Grievance Hearing on [DATE HERE]

Following the formal grievance hearing held on [DATE HERE] I am now writing to you to formally inform you of the outcome of the hearing. I / The Staffing Procedures Committee [DELETE AS APPROPRIATE] have determined that the grievances you have made, namely that [DETAILS OF GRIEVANCE HERE] have/not been substantiated.

[ENTER COMMITTEE FINDINGS HERE]

As a consequence of the Committee's findings they have reached the decision that the following actions will take place;

[ENTER REMEDY(IES) HERE]

You have the right to appeal against this decision. If you wish to appeal you must submit the grounds of your appeal to the Clerk to Governors by the [ENTER DATE HERE – 10 school days from the date of the letter] by either email to [ENTER ADDRESS HERE] or by post to [ENTER DETAILS HERE]. Any appeal will be heard by a Staffing Appeals Committee.

If there is any aspect of this letter, or of the Grievance Procedure, to the extent that it applies to you that you do not understand, please contact me.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy.

Yours sincerely

(typed name)

Executive Headteacher/Associate Headteacher/Chair of Governors/Chair of Directors/ Clerk to the Governing Body

[DELETE AS APPROPRIATE]

5. Formal Grievance Outcome Letter to the Other Party

STRICTLY PRIVATE & CONFIDENTIAL

NAME
ADDRESS
POST CODE

Date

Dear

Re: Outcome of the Grievance Hearing on [DATE HERE]

Following the formal grievance hearing held on [DATE HERE] I am now writing to you to formally inform you of the outcome of the hearing. I / The Staffing Procedures Committee [DELETE AS APPROPRIATE] have determined that the grievances made against you, namely that [DETAILS OF GRIEVANCE HERE] have/not been substantiated.

[ENTER COMMITTEE FINDINGS HERE]

As a consequence of the Committee's findings they have reached the decision that the following actions will take place;

[ENTER REMEDY(IES) HERE]

If there is any aspect of this letter, or of the Grievance Procedure, to the extent that it applies to you that you do not understand, please contact me.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy.

Yours sincerely

(typed name)

Executive Headteacher/Associate Headteacher/Chair of Governors/Chair of Directors / Clerk
to the Governing Body

[DELETE AS APPROPRIATE]

6. Formal Grievance Appeal Hearing Notification Letter

STRICTLY PRIVATE & CONFIDENTIAL

NAME
ADDRESS
POST CODE

Date

Dear

Re: Formal Grievance Appeal Hearing

I am writing in response to your communication dated [ENTER DATE HERE] stating that you wish to appeal the decision of the grievance hearing that took place on the [ENTER DATE HERE] and the grounds for that appeal. I can now advise you that the hearing will take place on [DATE – AT LEAST 15 DAYS FROM THE DATE OF THE LETTER] at [PLACE] at [TIME]. It will be conducted by a Staffing Appeals Committee. The members of the Committee are [NAMES OF GOVERNORS/DIRECTORS HERE], and they shall be supported by [NAME/DETAILS/ROLE HERE].

You have the right to be accompanied by a companion, who may be another employee, or a representative of your trade union. If your representative is unable to attend the hearing at the time given above, you may propose another date and time for the meeting to take place. Any alternative date must be on or before (date of the fifth working day after the (PROPOSED MEETING DATE)). Only one postponement will be permitted.

An indexed bundle of statements and other documents that have already been submitted during the grievance process, along with a copy of the Trust's grievance procedure will be distributed 5 days before the hearing to give all parties time to review the appeal documentation.

The Executive Headteacher/Chair of the Staffing Procedures Committee will be in attendance at the meeting, supported by [NAME/DETAILS/ROLE HERE]. A record of the meeting shall be taken by myself.

If there is any aspect of this letter, or of the Grievance Procedure, to the extent that it applies to you that you do not understand, please contact me.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy.

Yours sincerely

(typed name) Clerk to the Governing Body

7. Formal Grievance Appeal Outcome Letter

STRICTLY PRIVATE & CONFIDENTIAL

NAME
ADDRESS
ADDRESS
ADDRESS
POST CODE

Date

Dear

Re: Outcome of the Grievance Appeal Hearing on [DATE HERE]

Following the formal grievance appeal hearing held on [DATE HERE] I am now writing to you to formally inform you of the outcome of the hearing. The grounds of your appeal were that [DETAIL GROUNDS OF APPEAL HERE].

On the evidence presented to the Staffing Appeals Committee [DELETE AS APPROPRIATE] it was found that [ENTER COMMITTEE FINDINGS HERE].

As a consequence of the Committee's findings it was decided:
[ENTER DECISION HERE]

The decision of the Appeal Committee is final.

Yours sincerely

(typed name)

Chair of the Staffing Appeals Committee/ Clerk to the Trust [DELETE AS APPROPRIATE]