

Introduction

This Procedure has been drawn up with reference to the current ACAS Code of Practice 1 – Disciplinary and Grievance Procedures April 2009.

This procedure is to enable employees to raise a grievance or serious complaints about practices, policies or people which cannot be dealt with in normal management routines. The following procedure should be used where an employee has a grievance arising from their employment, except where the matter constitutes an appeal against a disciplinary decision (see Disciplinary Appeals Procedure). The aim of the procedure is to deal fairly, consistently and speedily with any grievance.

Grievances raised while you are subject to disciplinary proceedings will usually be heard only when the disciplinary process has been completed. However, depending upon the gravity and relevance to the disciplinary proceedings, we reserve the right to suspend any impending disciplinary investigation or action until the grievance you raise has been properly dealt with informally or formally through this procedure.

Statement

If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your line manager (see Organisation Chart). You may be able to agree a solution informally.

If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your line manager. You should state only the facts of the case and avoid language that is insulting or abusive.

Where your grievance is against your line manager and you feel unable to approach him or her you should talk to the Head of Admin & HR.

It may be deemed appropriate to use mediation to effect resolution of the issue, depending on the nature of your grievance. This could involve the appointment of a third-party mediator, who will discuss the issues raised by your grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

It is expected that in most cases the informal approach will quickly resolve most difficulties.

The Right to be accompanied

You have the right to be accompanied by a fellow worker or trade union official at any grievance meeting or subsequent appeal. The trade union official need not be a fellow worker or employee, but if the person is not a fellow worker or employee, we may insist on them being certified by the trade union as being experienced or trained in accompanying employees to grievance hearings.

If your companion is one of our employees, he or she will be given appropriate paid time off to allow them to accompany you at a grievance hearing or appeal hearing.

At any hearing or appeal hearing, your chosen companion will be allowed to address the meeting, respond on your behalf to any view expressed in the hearing, and sum up the case on your behalf.

However, both the hearing and appeal hearing are essentially meetings between you and us, so any questions put directly to you should be dealt with by you and not by your companion.

Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting will be rescheduled, provided that you can propose an alternative time within five working days of the scheduled date.

Accessibility

If any aspect of the grievance procedure causes you difficulty on account of disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with the Head of Admin & HR and the appropriate arrangements will be made.

Conducting the Grievance Procedure

We recognise that a formal grievance procedure can be stressful and an upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated calmly and with respect.

We will not tolerate any abusive or insulting behaviour from any party during the conduct of our grievance procedures and we will treat any such behaviour from staff as misconduct under our Disciplinary and Dismissal Procedure.

Actions

1. The employee informs their line manager that they have a grievance/complaint.
2. The line manager will invite the employee to a meeting as soon as possible, normally within 5 working days, reminding them of their right to be accompanied, if they wish, by a colleague or other advisor, e.g. union representative.
3. The employee will have the opportunity to state their complaint and say how they think it could be settled.
4. After the meeting the manager will inform the employee of the outcome in writing, normally within 5 working days, which will detail any action they propose to take as a result of the complaint.
5. In the event that the grievance requires investigation by the line manager, the meeting will be adjourned and a date and time agreed for the findings to be deliberated.
6. If an employee is not happy with the decision/outcome, the employee has the right to appeal.
7. The appeal will be a reconsideration of the specific areas with which the employee was dissatisfied in relation to the original grievance. Following the appeal meeting, the employee will be informed of the outcome within 5 working days. The senior manager hearing the appeal should write to the employee with a decision on the grievance as soon as possible after the appeal meeting.
8. If the decision is again contested, the employee may appeal in writing to the Principal. An appeal hearing will then be arranged. This will take the same form as the first appeal hearing, whose decision will be final. The outcome will be notified to the employee in writing within 5 working days. This decision will be final.
9. The Chair of the Governing Body will deal with any issues of grievance relating to the Principal.

Post-employment Grievances

Should you wish to raise a grievance after your employment has ended, you should submit your grievance in writing to your line manager.

By agreement, the need for a grievance hearing may be dispensed with and we may deal with the matters raised in your grievance letter in writing.

A formal outcome in response to your grievance will be confirmed in writing and sent to you in due course.

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