

# **Greenshaw Learning Trust**

## **Staff Grievance Resolution Procedure**

**May 2018**

This Greenshaw Learning Trust Procedure applies to the Greenshaw Learning Trust as a whole and to all the schools and service units in the Trust, in accordance with and pursuant to the GLT Human Resources Policy. The Greenshaw Learning Trust, including all the schools and services within the Trust, their Trustees, governors and staff, must abide by this GLT Procedure.

The Greenshaw Learning Trust is the single employer of all staff within the Trust's schools and in its central services.

Any employee of the Trust may, at some time, have problems or concerns about their work, working conditions or relationships with colleagues that they wish to talk about with management. Where an employee raises a grievance the Trust will deal with the matter promptly and sensitively, and in accordance with this Procedure and ACAS good practice.

It is the responsibility of the local governing body and Headteacher of each school, and the Board of Trustees and Executive Headteacher for Trust central services, to ensure that their school/service and its staff adhere to this Procedure; in implementing this Procedure the local governing body, Headteacher and Trust staff must take account of any advice given to them by the GLT Head of HR the Executive Headteacher and/or Board of Trustees.

This Procedure is subject to the Scheme of Delegation approved for the school or service. If there is any ambiguity or conflict then the Scheme of Delegation and any specific Scheme or alteration or restriction to the Scheme approved by the Board of Trustees takes precedence.

If there is any question or doubt about the interpretation or implementation of this Procedure, the GLT Head of HR should be consulted.

### **Approval and review:**

This Procedure is the responsibility of the GLT Head of HR.

This Procedure was approved by the Board of Trustees on: 23 May 2018

This Procedure is due for review by: May 2021.

This Procedure was approved following consultation with Trade Unions. It will be reviewed from time to time in full consultation with Trade Unions.

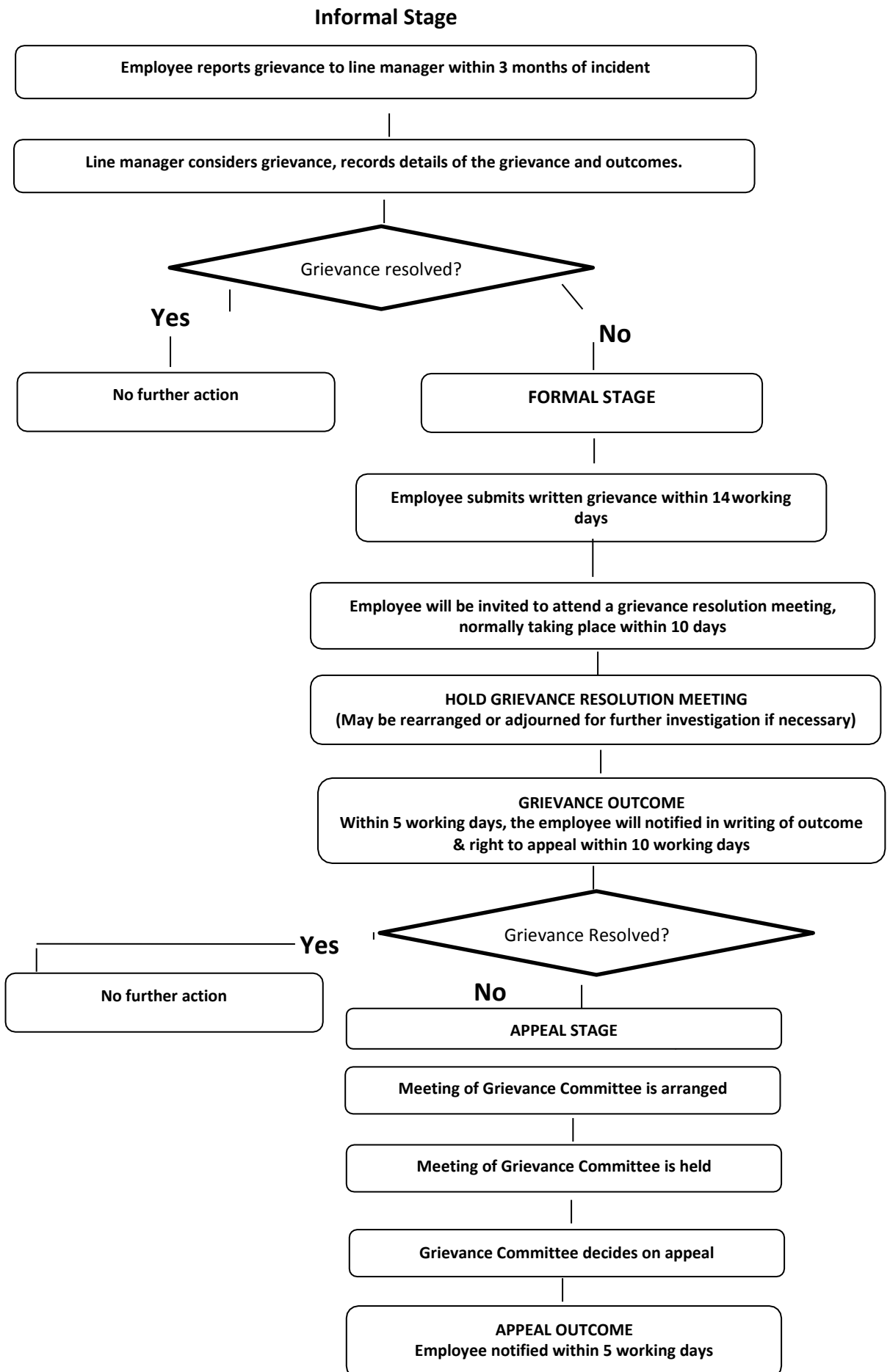
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# GRIEVANCE RESOLUTION PROCEDURE

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**Part A - Grievance Procedure – Outline Flowchart**



## 1. Introduction

**1.1** This Procedure applies to all Greenshaw Learning Trust employees and is based on the ACAS Code of Conduct.

**1.2** Grievances are concerns, problems or complaints that employees raise with their employers.

**1.3** All parties should aim to resolve any grievance as quickly as possible.

**1.4** Where Headteachers/Managers have a management style that allows for communication and consultation, problems are often raised and settled as a matter of course. In some cases it may be useful to use an independent mediator.

Employees are advised to discuss the situation with their trade union prior to making a complaint under the grievance procedure

**1.5** There are three stages to the Procedure;

- i. Informal: An employee should in the first instance raise a grievance with their line manager, who will deal with the matter under the informal stage of the procedure.
- ii. Formal: Where the grievance is not resolved at the informal stage the formal procedure will be undertaken.
- iii. Appeal: Where the grievance is not resolved at the formal stage, an appeal will be heard by a meeting of the appropriate Grievance Committee.

**1.6** In addition to the specific requirements set out in this Procedure, it is recommended that the advice of the GLT Head of HR is sought at all stages of the Procedure. The GLT Head of HR can provide advice on matters of employment law, particularly where there is a possibility of a case being referred to an Employment Tribunal.

**1.7** If there is any question or doubt about the interpretation or implementation of this Procedure, the GLT Head of HR should be consulted.

### 1.8 Designated persons

🔍 **GLT Head of HR:**

Jenny Cain Email: [jcain@greenshaw.co.uk](mailto:jcain@greenshaw.co.uk) telephone: 020 8715 1078

🔍 **GLT legal Advisors:**

Stone King. Email: [lisasaggers@stoneking.co.uk](mailto:lisasaggers@stoneking.co.uk) telephone: 020 7324 3327

🔍 **Clerk to the Trust:**

Susanne Wicks. Email: [swicks@greenshawlearningtrust.co.uk](mailto:swicks@greenshawlearningtrust.co.uk) telephone: 020 8715 1078

Other appropriate persons in the Trust central service should be contacted via the GLT Head of HR and the Chair of the Board of Trustees should be contacted via the Clerk to the Trust. Each school within the Trust will have a designated School HR Manager and will have their own designated Clerk to the LGB (please refer to the School Headteacher or School Business Manager for further information).

## **2. Application of the Procedure**

**2.1** This procedure is drafted to make it directly applicable to a grievance that is raised by an employee in a school (except the Headteacher), and the responsible persons carrying out the key stages are shown as:

- The informal stage will be carried out by the employee's line manager.
- ☐ The formal stage will be carried out by the Headteacher, supported by the School HR Manager, who should inform and seek advice from the GLT Head of HR.
- ☐ The Investigating Officer will be appointed by the Headteacher.
- ☐ An Appeal will be heard by a Grievance Committee of the Local Governing Body; administered by the Clerk to the Local Governing Body, supported by the School HR Manager, who should inform and seek advice from the GLT Head of HR.

### **Exceptions and Modifications to the Procedure**

Where the subject of the Procedure is a person other than an employee in a school, this Procedure will be followed except that the responsible persons shall be read as specified below.

**2.2** Where a grievance is raised by a Headteacher, in this Procedure:

- 'Employee' will be read as 'Headteacher'.
- 'Line manager' will be read as 'appropriate GLT Director of Education'.
- 'Headteacher' will be read as 'Chair of the LGB'.
- 'School HR Manager' will be read as 'GLT Head of HR'.
- 'GLT Head of HR' will be read as 'Executive Headteacher'.
- An appeal will be heard by a Grievance Committee of the Local Governing Body made up of persons other than the Chair of the Local Governing Body.
- When arranging a Grievance Committee for an appeal, the Clerk must advise the Chair of the Board of Trustees and Trustees must be represented on the Committee if the Chair so decides.

**2.3** Where a grievance is raised by the Executive Headteacher, in this Procedure:

- 'Employee' will be read as 'Executive Headteacher'.
- 'Line manager' and 'Headteacher' will be read as 'Chair of the Board of Trustees'.
- 'School HR Manager' will be read as 'GLT Head of HR'.
- 'GLT Head of HR' will be read as 'GLT HR Advisors'.
- 'Grievance Committee of the LGB' will be read as 'Grievance Committee of the Board of Trustees' made up of persons other than the Chair of the Board.
- 'Clerk of the Local Governing Body' will be read as 'Clerk of the Trust'.

**2.4** Where a grievance is raised by an employee of the Trust central service, in this Procedure:

- 'Headteacher' will be read as 'Executive Headteacher'.
- 'School HR Manager' will be read as 'GLT Head of HR'.
- 'Grievance Committee of the LGB' will be read as 'Grievance Committee of the Board of Trustees'.
- 'Clerk of the Local Governing Body' will be read as 'Clerk of the Trust'.

**2.5** Where a grievance is raised by a School HR Manager, in this Procedure:

- 'Employee' will be read as 'School HR Manager'.
- 'School HR Manager' will be read as 'GLT Head of HR'.

**2.6** Where a grievance is raised by the GLT Head of HR, in this Procedure:

- 'Employee' will be read as 'GLT Head of HR'.
- 'Line manager' and 'Headteacher' will be read as 'Executive Headteacher'.
- 'School HR Manager' and 'GLT Head of HR' will be read as 'GLT HR Advisors'.
- 'Grievance Committee of the LGB' will be read as 'Grievance Committee of the Board of Trustees'.
- 'Clerk of the Local Governing Body' will be read as 'Clerk of the Trust'.

**2.7** Where an employee raises a grievance against their line manager, in this Procedure the role of line manager will be taken by an appropriate senior manager.

**2.8** Where an employee raises a grievance against the Headteacher, in this Procedure the role of Headteacher will be taken by the appropriate GLT Director of Education.

**2.9** Where an employee raises a grievance against the Executive Headteacher, in this Procedure the role of Executive Headteacher will be taken by the Chair of the Board of Trustees.

**2.10** Where an employee raises a grievance against the GLT Head of HR, in this Procedure the role of GLT Head of HR will be taken by the GLT HR Advisors.

**2.11** Where an employee raises a grievance against a governor, local governing body, trustee or board of trustees, at the Appeal Stage of this Procedure the matter will be dealt with as a complaint against the governor / LGB / trustee / Board under the Trust Complaints Policy.

**2.12** If an employee has a concern which involves their line manager, or the grievance is of a sensitive nature and the employee does not feel comfortable to discuss it with their line manager, the employee should take their concern to an appropriate senior manager or the School HR Manager, who will either meet with the employee in order to resolve the matter or identify another suitable person to address the grievance.

In which case, reference in this Procedure to 'line manager' should be taken to mean that 'next most senior manager'.

**2.13** Where a number of employees raise the same grievance, it will be dealt with as a single grievance and by following the Procedure as if the grievance had been raised by a single employee. For practical reasons, the employees may be asked to appoint a spokesperson from amongst themselves to act on their behalf and speak at meetings. In these circumstances, it is usually appropriate for a Trade Union representative or official to be the point of contact/spokesperson.

**2.14** Depending on the complexity of the grievance, it may be necessary to modify these arrangements by agreement, e.g. by extending the timescales within the Procedure.

**2.15** Modified Procedure: A modified version of this Procedure may be used in certain cases, for example where a grievance is raised by an ex-employee.

**2.16** Where a modified Procedure is to be followed, the modified arrangements should be agreed by the person(s) raising the grievance and their line manager / Headteacher with advice from the GLT Head of HR.

**2.17** Overlapping Grievance/Disciplinary/capability/sickness absence Cases: Where an employee raises a grievance during another process the other process can be temporarily suspended to allow for the grievance to be dealt with. However where the grievance and the other case are similar it may be appropriate to deal with both issues concurrently.

Mediation is appropriate in some cases, and can be applied at any stage of this policy. If the mediation is successful, the grievance process will cease. Further details can be obtained from the Schools HR Manager.

### **Timescales and Definition of a Working day**

**2.18** For the purposes of the operation of this Procedure, timescales are expressed in working days. For employees who are contracted to work term time only, a working day should be reckoned as a school day. Where an employee raising a grievance just before a school holiday, arrangements to resolve the matter speedily should be discussed between the parties. An intervening school holiday should not of itself be a cause for an undue delay in resolving the matter.

For employees contracted to work all year round, a working day is defined as Monday to Friday calendar days, except bank holidays.

## **3. Stage One - Resolving Grievances Informally**

**3.1** Employees should always aim to settle most grievances informally with their line manager, or, wherever possible, directly with the other person. Many problems can be raised and settled during the course of everyday working relationships.

**3.2** Grievances should normally be raised within 3 months of the last related incident. If the employee wants to raise a grievance outside of this timescale they must first show good

reasons for their delay. A delay in raising the grievance without satisfactory reason could result in the grievance not being heard.

**3.3** When an employee reports a grievance to the Schools HR Manager, an appropriate senior manager should meet with the employee as soon as possible. Depending on the circumstances it may be necessary to hold more than one meeting.

**3.4** The grievance should be discussed in private. The appropriate senior manager should ask the employee the exact nature of their grievance and what outcome is being sought, listening carefully to all of the points raised.

**3.5** Issues may be raised that mean that it is necessary to adjourn the meeting to obtain further information or interview other parties.

**3.6** The line manager should consider whether the use of an independent mediator would be helpful. Mediation may be more effective at earlier stages of this Procedure e.g. the informal stage or early parts of the formal stage.

**3.7** Brief notes should be kept of any informal action that has taken place including the grievance, outcome and any action and review timescales agreed. The employee should be given a copy of the notes.

**3.8** Where informal action does not resolve the matter the employee may feel that a move to Stage Two, the formal procedure, is necessary. A delay in raising the grievance formally without satisfactory reason could result in the grievance not being heard.

#### **4. Stage Two - Raising a Grievance Formally**

**4.1** Where it has not been possible to resolve the grievance informally, the employee should raise the grievance formally within 15 working days of being notified of the outcome of the informal stage of the Procedure, by setting out in writing to the Headteacher the details of the grievance and how they would like to see it resolved.

**4.2** The formal written grievance should include a summary of the informal stage, who dealt with it, why the outcome was not considered satisfactory and what resolution is being sought. It is not essential, but may be helpful for the employee to include any additional evidence that was not presented at the informal stage such as letters or emails.

**4.3** When stating their grievance, employees should stick to the facts and avoid language which could be considered insulting or abusive.

**4.4** Employees who have difficulties in expressing themselves because of language, literacy or other difficulties may like to seek help from a work colleague or trade union representative. Employees who, because of a disability, have difficulty in submitting a written grievance should make this known to the School HR Manager at the earliest opportunity who will consider what reasonable adjustment can be made to assist the employee.



**4.5** On receipt of a formal grievance the Headteacher must notify the GLT Head of HR and take account of their advice.

**4.6** A suitably trained Investigating Officer who has had no prior involvement in the issues will be appointed by the Headteacher to carry out an investigation into the grievance.

**4.7** Although some facts may have been established during the informal stage, a full investigation must be carried out once a move to the formal stage has been made.

**4.8** On receipt of the formal written grievance the Headteacher will arrange a Grievance Resolution Meeting with the employee. This meeting should normally take place within 10 working days of receiving the written grievance. If for any reason the meeting cannot take place within this timescale, for example where it is anticipated the investigation may cause a delay, the meeting should be arranged as soon as possible and the employee notified of the delay and the reasons for it.

**4.9** Employees have the right to be accompanied by a work colleague or trade union representative at a formal grievance resolution meeting (see Guidance section 10).

(For guidance on preparing and conducting a grievance resolution meeting, see section 11)

**4.10** The possible outcomes of a Grievance Resolution Meeting are to:

- Explore options for resolution, in agreement with all parties.
- Respond to the grievance after conducting any further investigation that may be deemed necessary.
- Refer the matter for consideration under another Trust procedure, for example the disciplinary procedure.
- Offer mediation.

*Template letters are available from the GLT Head of HR*

## **5. Stage 3 – Appeal**

**5.1** Where the employee is not satisfied with the outcome of the formal stage they may appeal; the appeal must be submitted in writing to the Headteacher within 10 working days, setting out the grounds for the appeal. The Headteacher will immediately inform the GLT Head of HR and the Clerk to the LGB.

**5.2** The appeal will be heard by a meeting of the Grievance Committee of the Local Governing Body.

**5.3** On receipt of an appeal from an employee, the Clerk to the LGB will arrange a meeting of the Grievance Committee of the Local Governing Body without unreasonable delay and ideally within 15 working days of the receipt of the letter of appeal.

**5.4** The Clerk of the LGB will establish a Grievance Committee of the Local Governing Body

by drawing members from the appropriate panel and avoiding conflict of interest.

**5.5** The Clerk to the LGB will notify the employee and Headteacher of the arrangements for the meeting and provide them with copies of all relevant documentation prior to the meeting.

**5.6** The Grievance Committee will select a chair for the meeting from amongst its members.

**5.7** The employee will attend the meeting to present the case, together with their companions. Employees have the right to be accompanied by a work colleague or trade union representative or official at a Grievance Committee meeting.

**5.8** The employee, Headteacher and their companions will leave the meeting and the Grievance Committee will consider the facts and reach their decision.

**5.9** The possible outcomes of the Grievance Committee meeting are:

- To uphold each of the grounds for appeal.
- To fully or partially uphold the appeal.
- Dismiss the appeal.

**5.10** The employee and the Headteacher will be notified of the outcome of the appeal in writing within 5 working days.

**5.11** There is no further right of appeal.

(For guidance on the arrangements for an appeal meeting, see section 12)

## **Part B - GRIEVANCE RESOLUTION-GUIDANCE**

### **1. What is a Grievance?**

Any employee of the Trust may, at some time, have problems or concerns about their work, working conditions or relationships with colleagues that they wish to talk about with management. They want their grievance to be addressed, and if possible resolved. It is advisable to try to resolve problems before they can develop into major difficulties for all involved.

Grievances can occur at all levels and this procedure applies equally to all levels of employee.

Issues that may cause grievances include:

- Terms and conditions of employment.
- Health and safety.
- Work relations.
- Bullying and harassment (refer to the Bullying and Harassment Policy)
- New working practices.
- Working environment.
- Organisational change.
- Discrimination.

Employees may raise issues about matters not entirely within the control of the Trust / School, such as client or customer relationships. These should be treated in the same way as a grievance within the school / service, and it should be made clear to any third party that grievances are taken seriously and action will be taken to protect employees.

Grievances about fellow employees can be made easier by following the Grievance Resolution Procedure. An employee can be the cause of grievances amongst their colleagues perhaps on the grounds of personal hygiene, attitude or capability for the job. These cases must be dealt with carefully. A private discussion with the individual about the concerns of colleagues although they must ensure that any discussion with the individual does not turn into a meeting where they are entitled to be accompanied. This may resolve the grievance. Alternatively, if those involved are willing, an independent mediator may be able to help.

An employee may have been feeling aggrieved for some time and it can be a seemingly minor occurrence that will bring things to a head. We should be mindful of this when an employee comes to them with a problem or concern. Concerns raised by employees must be treated seriously and Managers should allocate time and priority to such matters in order to secure a speedy resolution.

### **2. Using Mediation**

An independent third party or mediator can sometimes help to resolve grievance issues. Mediation is a voluntary process where the mediator helps two or more people in dispute

to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator. The mediator is not there to judge, to say one person is right and the other is wrong, or to tell those involved in the mediation what they should do. The mediator is in charge of the process of seeking to resolve the problem but not the outcome.

Mediators may be employees trained and accredited by an external mediation service who act as internal mediators in addition to their day jobs. Where schools make arrangements for mediation this may involve a cost to the school.

Where it is agreed that mediation is likely to resolve the grievance a programme and timetable should be agreed at the outset.

There are no set rules for when mediation is appropriate but some examples of when it may be used are when:

- Conflict involves colleagues of a similar job or grade.
- Conflict is between a line manager and a member of staff.
- Conflict is at any stage of the procedure.
- Mediation is included as a stage in the process.
- It may help rebuild relationships after a dispute.
- There are a range of issues to address, such as relationship breakdown, personality clashes, communication problems, bullying or harassment.

Mediation may not be suitable if:

- Used as a first resort because employees should be encouraged to speak to each other and to their line manager first.
- It is used by a line manager to avoid their managerial responsibilities.
- A decision about right or wrong is needed, for example where there is possible criminal activity.
- The individual with the grievance wants it investigated.
- The parties do not have the power to settle the issue.
- One party is intransigent and using mediation will only raise unrealistic expectations of a positive outcome.

Mediation can be particularly useful where the same grievance has been raised by a number of employees. Mediation is particularly effective during the initial stages of a grievance for example during the informal stage and the early stages of the formal stage.

### **3. Establishing the Facts**

When a grievance is raised an investigation must be carried out to establish the facts of the case but the point at which this happens in the procedure may vary. There may be circumstances when facts emerge during the procedure which require further investigation and this could result in it being decided to adjourn a meeting to allow this to happen. A further meeting would then be arranged. It is essential that a final decision is not made without the matter being investigated.

At the informal stage it may be necessary for the line manager to verify certain issues and

carry out a fact finding exercise and in doing so enable a quick resolution of the grievance.

At the formal stage an Investigating Officer will be appointed by the Headteacher to carry out a full investigation, including interviewing witnesses where necessary.

The GLT Head of HR will provide details on conducting investigations and preparing investigation reports.

The Investigating Officer must give priority to the investigation taking note of the timescales in the procedure.

As part of the investigation the Investigating Officer will interview the employee as well as any other employees where their input may have a bearing on the matter.

It is good practice to allow the employee to be accompanied at an investigation meeting by a trade union representative or work colleague.

The Investigating Officer may ask someone to be present to take notes at investigation meetings and thought should be given to the appropriateness of the person carrying out this role. Confidentiality must be maintained.

The Investigating Officer's role is to establish the facts not to make a decision about the grievance resolution.

The Investigating Officer's report will be passed to the Headteacher.

#### **4. Record Keeping / Confidentiality**

All information relating to grievances will be treated with sensitivity and strict confidence and all documentary records should be stored in a secure environment and kept in accordance with the relevant data protection legislation. Managers, employees and others involved with grievances should be reminded not to discuss the case with anyone who is not involved in the case. This would include discussing the case electronically, for example on social networking sites.

Copies of meeting records should be given to the employee, including copies of any formal minutes that may have been taken. In certain circumstances it may be possible to withhold certain information, for example to protect a witness.

A written record of grievance cases will be kept on file. Records should include:

- The nature of the grievance.
- What was decided and the action taken.
- The reason for the action.
- Whether an appeal was lodged.
- The outcome of the appeal.
- Any subsequent developments.

## **5. Right to be Accompanied – Formal and Appeal Stage**

Employees have the right to be accompanied by a work colleague or trade union representative or official at a Formal Grievance Resolution Meeting or Appeal Meeting. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany a worker. The employee is responsible for arranging such attendance.

To exercise their right to be accompanied the employee must first make a reasonable request. It would not normally be reasonable for an employee to be accompanied by a companion whose presence would prejudice the hearing or who might have a conflict of interest. The request does not have to be in writing.

The trade union representative or work colleague may address the meeting to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting, ask witnesses questions and confer with the worker during the meeting. However the companion does not have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it or prevent the employer from explaining the case.

Where a work colleague has agreed to accompany the employee they are entitled to take a reasonable amount of paid time off to fulfil that responsibility. A reasonable amount of time would be to allow them to familiarise themselves with the case, confer with the employee before and after the hearing and attend the meeting.

If the trade union representative or work colleague is unable to attend on the date set the employee can suggest an alternative date as long as it is reasonable and not more than 5 working days after the original date.

The employee should notify the person arranging the meeting who their companion will be.

## **6. Preparing for a formal Grievance Resolution Meeting**

When preparing for the Grievance Resolution Meeting the Headteacher will:

- Arrange for the meeting to be in private where there will not be interruptions.
- Inform the employee of their right to be accompanied.
- Ensure that copies of any relevant papers, including the investigation report are made available to the employee in advance of the meeting.
- Consider arranging for someone who is not involved in the case to take a note of the meeting and act as a witness to what was said. Thought should be given to the appropriateness of the person carrying out this role. Confidentiality must be maintained.
- Consider arranging for an interpreter where the employee has difficulty speaking in English. It may be that this person is in addition to the companion but ideally the same person should carry out both roles.
- Consider whether adjustments are necessary for a person who has a disability and/or their companion who has a disability. Reasonable adjustment may be needed for an

employee with a disability (and possibly for their companion if they are disabled) for example the provision of a support worker or advocate with knowledge of the disability and its effects. It may be that this person is in addition to the companion but ideally the same person should carry out both roles.

- Consider whether to offer mediation.
- Look at whether similar grievances have been raised before, how they were resolved and any follow up action that has been taken. This ensures consistency of treatment.

*Template letters are available from the GLT Head of HR*

## **7. Conducting a Grievance Resolution Meeting**

When conducting the Grievance Resolution Meeting the Headteacher will:

- Remember that a grievance resolution hearing is not the same as a disciplinary hearing and is an occasion when discussion and dialogue may lead to an amicable solution.
- Make introductions as necessary.
- Invite the employee to re-state their grievance and how they would like to see it resolved.
- Put care and thought into resolving grievances. They are not normally issues calling for snap decisions and the employee may have been holding the grievance for a long time. Allowance should be made for the employee to let off steam if they are under stress.
- Be calm and fair and follow the procedure. Grievances can sometimes be taken as personal criticism but they should be heard in a calm and objective manner being as fair as possible in the resolution of the problem.
- Consider adjourning the meeting if it is necessary to investigate any new facts which arise or to seek advice.\*\*
- Sum up the main points.
- Tell the employee when they will receive a response.

### **After a Grievance Resolution Meeting**

After the Grievance Resolution Meeting the Headteacher should:

- where necessary investigate any further matters that were raised and, if this is necessary, consider holding a second meeting once this further investigation is complete.\*\*
- Decide and agree on how to deal with the employee's grievance after reflecting on and giving proper consideration to the evidence presented.
- Consider whether any action to be taken to resolve the grievance may have an impact on other employees who may themselves feel aggrieved.
- Consider whether the grievance highlights any issues concerning school policies, procedures or conduct.
- Write to the employee setting out the decision, any action to be taken and their right of appeal. Where the grievance is not upheld ensure that the reasons are fully explained. The decision letter should be sent to the employee within 5 working days of the meeting.  
\*\*
- Monitor and review any action taken to ensure that the issues are dealt with effectively.

\*\* where it has been decided to adjourn the meeting to carry out further investigation the employee should be informed of this, in writing, and given a date for a second meeting. This letter should be sent to the employee within 5 working days of the meeting.

*Template letters are available from the GLT Head of HR.*

## **8. Conducting an appeal**

When preparing for a meeting of the Grievance Committee it is important that the Clerk to the Local Governing Body ensures that:

- A meeting is arranged to hear the appeal without unreasonable delay and ideally within 15 working days of the receipt of the letter of appeal.
- Arrange a venue and separate waiting areas for both parties and any witnesses.
- Inform both parties that they must provide the names of any witnesses to be called at least five days before the date of the meeting. This information will be shared with all parties in advance of the meeting.
- Consider arranging for an interpreter where the employee has difficulty speaking in English. It may be that this person is in addition to the companion but ideally the same person should carry out both roles.\*
- Consider whether adjustments are necessary for a person who is disabled and/or their companion is disabled. Reasonable adjustment may be needed for an employee with a disability (and possibly for their companion if they are disabled) for example the provision of a support worker or advocate with knowledge of the disability and its effects. It may be that this person is in addition to the companion but ideally the same person should carry out the same role.\*
- Write to the employee to invite them to the meeting giving the time, date and venue and informing them of their right to be accompanied.
- Prepare an agenda for the meeting.
- Send copies of all relevant paperwork to all parties including the relevant records and notes from the original grievance meeting/s.
- Be responsible for ensuring that all parties have copies of all appropriate paperwork and a copy of the grievance resolution procedure prior to the hearing.
- Arrange for minutes of the meeting to be taken and ensure that both parties are invited to join the hearing together. Thought should be given to the appropriateness of the person carrying out this role. Confidentiality must be maintained.
- Send the written decision letter to the employee within 5 working days of the decision being made including the notification that there is no further right of appeal.

\*the employee should make known any special arrangements as soon as possible so that appropriate arrangements can be made.

*Template letters are available from the GLT Head of HR.*

The employee will attend the Grievance Committee meeting to present the case, together with their companions.

When conducting the Grievance Committee meeting the Chair of the meeting will:



- Remember that a grievance resolution appeal hearing is not the same as a disciplinary appeal hearing and is an occasion when discussion and dialogue may lead to an amicable solution.
- Make introductions as necessary.
- Invite the employee to re-state the reasons for their appeal and how they would like to see their grievance resolved.
- Put care and thought into resolving grievances. They are not normally issues calling for snap decisions and the employee may have been holding the grievance for a long time. Allowances should be made for the employee to let off steam if they are under stress.
- Be calm and fair and follow the procedure. Grievances can sometimes be taken as personal criticism but they should be heard in a calm and objective manner being as fair as possible in the resolution of the problem.
- Give all parties the opportunity to present their case and ask questions.
- Allow both parties to summarise their views on the grievance.
- Sum up the main points.
- Tell the employee when they will receive a response.

At the end of the Grievance Committee meeting both parties will leave together and be told that the decision on the appeal will be given in writing within 5 working days.

There is no further right of appeal.

## **9. Grievances Raised by More than One Employee**

Occasionally a number of employees may raise the same grievance. Where this happens it will be dealt with as a single grievance and by following the same procedure as if the grievance was raised by a single employee.

For practical reasons it is suggested that the employees appoint a spokesperson from amongst themselves to speak at the meetings.

Depending on the complexity of the grievance it may be necessary to change the timescales within the procedure and where this is the case the revised timescales should be agreed by both parties.

