CHILTERN LEARNING TRUST

GRIEVANCE RESOLUTION POLICY & PROCEDURE FOR SCHOOLS

Date Reviewed	Body	Review Date
Autumn Term 2023	Board of Trustees	Autumn 2025

The roles and responsibilities set out within this procedure should be read alongside the Trust's Scheme of Delegation.

1. Our policy

1.1 Chiltern Learning Trust and our school's seeks to provide a working environment that is open, supportive and fair and where employees feel able to talk to their manager about work-related problems or concerns.

1.2 The Trust readily accepts that employees may have concerns about their employment, and feels that raising them and dealing with them is vital to good employee relations.

1.3 A grievance that has not been raised within three months of the events which gave rise to it will normally be disregarded unless it is agreed that there are exceptional circumstances.

2. Purpose

2.1 This procedure is to help to resolve problems, concerns and complaints which employees may have about their employment promptly and fairly, and as near as possible to their point of origin.

2.2 This procedure may be used for a variety of issues an employee may have excluding:

- grading or pay appeals
- redundancy
- performance management
- discipline and disciplinary appeals
- public interest disclosure ('whistleblowing')
- collective processes with the School's trade unions (including redundancy and organisational change)
- Unfair Discrimination, Harassment and Bullying

Where an employee raises a concern in relation to any of the above matters and there is an alternative procedure under which their concern may be raised the employee will be advised of this.

If, in responding to a problem during this process, the manager considers that another procedure is more appropriate, the employee will be directed there, and the grievance resolution process discontinued.

2.3 Managers will take concerns raised by employees seriously, act promptly and seek to resolve the matter informally, where this is possible. Day-to-day issues should normally be resolved through dialogue between employees and their manager, without having recourse to a formal procedure. Most issues can be resolved in this way, sometimes by acknowledging that although a matter may have created annoyance, it can best be handled by simply talking it through. Managers and employees should consider mediation in appropriate cases.

2.4 The Trust's aim when any issue, problem or grievance arises is to resolve it informally. Prior to registering a grievance formally at the Stage One below, employees must make an attempt to resolve it informally, unless there are exceptional circumstances which prevented the employee from raising their concerns. Managers or governors who have taken steps to resolve the matter

informally may want to keep a note of this and feedback the agreed steps to the employee. This could include actions such as arranging a 'clear the air' meeting or reviewing a policy or process.

2.5 Where attempts to resolve matters informally have been exhausted by the employee, or circumstances make this route inappropriate, the formal grievance resolution procedure can be followed.

2.6 Employees will be required to state what steps they have taken to resolve the matter informally when completing the Stage One Grievance Form at Appendix One.

2.7 The School Staffing (England) Regulations 2003 and the Education Act give responsibilities to the governing body for the management of the school. The governing body, therefore, will need to establish sufficient members that, alongside the head teacher, will seek to resolve employee grievances at the formal stages.

2.8 At any stage the Head teacher or Directors may seek advice and guidance from the Luton HR schools HR team.

3. The formal procedure

Stage One

3.1 If the problem has not been resolved informally or if the problem is of a particularly sensitive nature to the employee raising the grievance and cannot be dealt with informally, then the employee must register the problem formally with the Headteacher using the Stage One Grievance Form at Appendix One, stating what they wish the remedy to be. If the grievance is against the Head teacher it should be registered with the Chair of Governors.

3.2 The employee will receive confirmation that their grievance has been received as soon as possible. This may be a brief written response with the date of receipt.

3.3 The employee will be given, in writing, the name of the person who will be responsible for considering their grievance. An independent investigation may be commissioned from the Luton HR Traded Services team.

3.4 The Head teacher, member of SLT, or Governor(s) delegated this authority:

- will investigate the grievance which may include taking statements from other parties, obtain other relevant information/data.
- may meet with the employee to take more details of the issue raised. This meeting should be arranged without unreasonable delay and usually within 10 working days (excluding school closure periods) of receiving the grievance.
- will decide if more information gathering is required before reaching a decision, this is particularly likely if the complaint is against another person, who must be given the opportunity to provide a response.
- inform the employee of the proposed next steps and the anticipated timescale. All efforts should be made to respond to the employee in a timely manner. Some issues may take longer to investigate than others. A timescale should be provided to the employee based on the available information.

3.5 The employee;

- has the right to be accompanied at the meeting by a trade union representative or work colleague.
- will be asked to explain the grievance and how they think it could be resolved. They should use this opportunity to make sure all the issues are raised and any supporting evidence is provided, along with the names of any potential witnesses.

3.6 Grievance investigations will be conducted fairly and without delay. In normal circumstances the investigation will be completed within a period of four working weeks, depending on the scale and complexity of the issues. If there are unavoidable delays the employee will be kept informed.

3.7 When the grievance investigation is complete written feedback on the findings from the investigation with a conclusion and decision will be provided to the employee.

3.8 The employee has a right of appeal, set out below, should they believe the outcome is unacceptable.

Stage Two/Appeal

3.9 If the employee considers that the action proposed or taken as a result of stage one does not resolve the problem, the employee has the right to appeal by submitting the Stage Two/Appeal Grievance Form at appendix 2 to the Chair of Governors.

3.10 The employee should include the full details of why they are dissatisfied with the response at stage one of the procedure; and what they think would be a satisfactory remedy. Where the grievance is against the headteacher, the appeal should be submitted to the Chair of Governors. The Chair of Governors will nominate a governor or the headteacher to action the appeal. The Stage Two/Appeal investigation may also be commissioned from the Luton HR Traded Services HR team.

3.11 The Stage two grievance must be submitted within two weeks of receipt of any reply from the decision maker at stage one, this will usually be the investigator who investigated the first stage. The form at appendix 2 may be used to submit this.

3.12 The person appointed to consider the appeal will:

- Review the first stage of this process and all supporting documentation;
- If required, investigate the issues further. This may include taking additional statements from those parties involved, obtaining new statements from new witnesses, obtaining data or other information.
- Convene a meeting with the employee to explore possible resolutions to the problem, notifying the employee of the date and of the right to be accompanied. It may be appropriate to also meet with the person who investigated the first stage. If it is deemed necessary to meet with the employee, wherever possible, the employee will be invited to a meeting within two weeks (excluding school closure periods) of the employee's stage two Grievance form being received.
- following thorough consideration of the appeal, reply to the employee describing the action which they propose to take and the timescale for these actions. This reply can be oral, in which case it will be confirmed in writing as soon as possible.

3.13 The reply at the end of stage two will be the final response by the School/Trust.

4. Special considerations

4.1 Confidentiality must be maintained by all parties. Only those who need to know about the grievance will be informed. However, if the grievance raises issues which require investigation under the disciplinary procedure it is likely that they will need to be disclosed during the course of that procedure.

4.2 Whether dealing with grievances formally or informally, it is advisable for all parties to keep a record of discussions and agreed actions. A note taker may be used by the school.

4.3 In exceptional circumstances, the identity of an individual/witness may be protected and not disclosed.

4.4 Where the Headteacher or Governors believe that an employee has abused the Grievance Resolution Procedure, disciplinary action against the employee may be taken.

4.5 This procedure is subject to any reasonable adjustments which may be required by employees who are considered to be a disabled person within the meaning of the Equality Act 2010.

APPENDIX ONE

STAGE ONE GRIEVANCE FORM:

NOTIFICATION OF FORMAL GRIEVANCE

To be completed by employee raising grievance:

Name: ……..

School:…….

To ; Headteacher / Chair of Governors (*delete as appropriate)

What is the nature of your grievance?

What action have you/management taken to address the grievance informally?

What remedy are you seeking to your grievance?

Signature: …… Date:……

APPENDIX TWO

STAGE TWO GRIEVANCE FORM: GRIEVANCE APPEAL

To be completed by employee raising grievance:

Name: ……..

School:…….

To ; Chair of Governors / Headteacher * (*delete as appropriate)

What is the nature of your grievance?
(Please attach a copy of the First Stage response letter)

What is the reason for your appeal?

What remedy are you seeking to your grievance?

Signature:
……. Date:…….