



HARBORNE
ACADEMY
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Staff Grievance Policy

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1 Policy

1.1 The Academy believes that all employees should be treated fairly and with respect. If you are unhappy about the treatment that you have received or about any aspect of your work, you should discuss this with your line manager, who will attempt to resolve the situation on an informal basis. If you feel unable to approach your line manager, you should approach a member of the Senior Leadership Team, who will discuss ways of dealing with the matter with you.

1.2 Where attempts to resolve the matter informally do not work, it may be appropriate for you to raise a formal grievance under this procedure. A formal grievance should be concerned with the way in which you have been treated by the Academy or managers acting on its behalf. Complaints that amount to an allegation of misconduct on the part of another employee will be investigated and dealt with under the disciplinary procedure and you will be informed of the outcome.

1.3 Grievances may be concerned with a wide range of issues, including the allocation of work, your working environment or conditions or the way in which you have been managed. However, issues that are the subject of collective consultation or negotiation with the trade unions will not be considered under the grievance procedure.

1.4 Complaints that you may have about a disciplinary sanction should be dealt with as an appeal under the disciplinary procedure. However, depending on the circumstances of the case, where a grievance is raised during the disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

Initial assessment of grievance

1.5 The Academy, through the Head Teacher, will make an initial assessment of the cogency and potential seriousness of any grievance when it is submitted before significant resources are allocated to deal with the grievance through the formal procedure. The Academy reserves the right not to allow the pursuit of grievances that are frivolous or vexatious, or that merely repeat complaints that have already been made.

1.6 Where the Academy's initial assessment of your grievance shows it to be essentially concerned with a trivial issue, the Head Teacher will discuss the matter informally with you to determine whether or not there is a real need to pursue the matter through the formal grievance procedure.

Mediation

1.7 It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of your grievance. This involves the appointment of a third-

party mediator, who will discuss the issues raised by your grievance with all those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

The right to be accompanied

1.8 You have the right to be accompanied by a fellow worker or trade union representative at any grievance meeting or appeal arranged under this procedure.

1.9 The choice of companion is a matter for you and it is your responsibility to make arrangements for representation. Please note that individual workers are not obliged to agree to accompany you.

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

1.11 Where your 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. Unless there are special circumstances mitigating against it, if you are unable to attend the rearranged hearing, the rearranged hearing may take place in your absence and a decision reached in relation to your grievance.

2 Scope

2.1 This procedure applies to all staff employed by the Academy, with the exception of the Headteacher, where appropriate arrangements will be made by the Governing Body.

2.2 The procedure is compliant with the ACAS Code of Practice on Disciplinary and Grievance Procedures.

2.3 Save as required by law, the procedure is a statement of policy only and is non-contractual.

2.4 Where time limits are referred to in the course of this procedure, they may be varied by consent between the employee and the Academy.

3 Procedure

Step 1 – Statement of grievance

3.1 You must set out your grievance in writing and send the statement to your Line Manager (provided he/she is not the subject of your grievance). You must also send

a copy to the Headteacher so that they can act to ensure that the procedure is followed correctly and reasonably, especially where the situation described at 4.3 below arises.

3.2 The statement of grievance should set out in sufficient detail the circumstances about which you are aggrieved. Please note the Academy will not be obliged to hold a grievance meeting (see step 2 below) if you have not provided written details of the grievance. You should also forward copies of any documents that you wish to rely on as part of your grievance to the manager in preparation for the grievance meeting. This will provide the manager with a reasonable opportunity to consider his/her response to that information.

Step 2 – Grievance meeting

3.3 The Head Teacher's PA will write to you inviting you to attend a meeting to discuss the grievance and present your case to the hearing manager. (Please refer to paragraph 3.1). You will be advised that you have the right to be accompanied to the meeting.

3.4 The Academy will endeavour to agree with you a time for the meeting which will be within 2 calendar weeks' of the submission of your written grievance. You will be given at least 1 calendar week's notice of the meeting and must take all reasonable steps to attend.

3.5 If you fail to attend without proper reason, the Academy may proceed with the hearing in your absence, and draw such inferences as are appropriate from the material in its possession and from the absence.

3.6 A representative from the HR department will attend the grievance meeting.

3.7 At the grievance meeting, you will be provided with the opportunity to explain your grievance and propose how you think it should be settled.

3.8 The hearing manager will have the discretion to adjourn the meeting for a reasonable period of time if he/she feels that further investigation is necessary.

3.9 After the grievance meeting is concluded, the hearing manager will inform you of his/her decision in response to the grievance in writing and advise you of your right of appeal against the decision if you are not satisfied.

3.10 Normally, you will be informed of the hearing manager's decision within 1 calendar week of the grievance meeting. If it is not possible to respond within 1 calendar week you will be provided with an explanation for the delay and told when a response can be expected.

Step 3 – Appeal

3.11 If you are unhappy with the decision of the hearing manager you must write to the Head Teacher within 1 calendar week from the date of the letter confirming the

outcome of the grievance. You must set out in writing, in sufficient detail, the grounds on which you wish to appeal.

3.12 The Head Teacher's PA will arrange an appeal meeting with a more senior manager than the one who dealt with the original grievance at Step 2. The appeal manager will not have previously been involved in the case. You will be advised that you have the right to be accompanied to the appeal meeting.

3.13 The Head Teacher's PA will endeavour to agree with you a time for the meeting which will be within 2 calendar weeks of the submission of the written grounds for appeal. You will be given at least 1 calendar week's notice of the meeting and must take all reasonable steps to attend the appeal hearing. If you fail to attend without proper reason, the Academy may proceed with the hearing in your absence and draw such inferences as are appropriate from the material in its possession and from the absence.

3.14 The conduct of the appeal shall be a matter for the appeal manager who may consider such documents as he/she feels appropriate. A representative of the HR Department will attend the appeal meeting. At the appeal meeting you will be provided with the opportunity to explain your grounds for appeal and propose how you think that the grievance could be settled.

3.15 The appeal manager will have the discretion to adjourn the appeal for a reasonable period of time if he/she feels that further investigation is necessary.

3.16 After the appeal meeting is concluded, the appeal manager will inform you of his/her decision in response to the appeal in writing and advise you that the appeal is the final stage of the grievance procedure and there is no further right to appeal.

3.17 Normally, you will be informed of the appeal manager's decision within 1 calendar week of the appeal meeting. If it is not possible to respond within 1 calendar week you will be given an explanation for the delay and told when a response can be expected.

4 Notes

4.1 The manager hearing the grievance at Step 2 will always be at least a member of the senior leadership team.

4.2 The manager hearing your appeal at Step 3 will always be at least the Deputy Head Teacher.

4.3 In a situation where your grievance is against your manager (i.e. the person who would normally deal with the grievance) then, the Head Teacher's PA will make arrangements for your grievance to be heard by another independent manager of appropriate status.

4.4 The Academy reserves the right to reasonably vary the timescales detailed in this procedure in the event of a particularly sensitive and/or complex grievance investigation, e.g. grievances relating to harassment or bullying. This would be done in full consultation with you