



Diocese of Norwich
St Benet's
Multi Academy Trust

Academy Name

Staff Grievance Procedure

Policy Type:	Trust Core Policy
Date issued by MAT:	20/02/2023
Approved By:	Board of Trustees (Human Resources Committee)
Approval Date:	14/11/2022
Review Date:	November 2023
Person Responsible:	Human Resources Manager

Summary of Changes

The model policy has been revised to reflect these changes to the statutory guidance as outlined below.

Page Ref.	Section	Amendment	Date of Change
6-9	Appendix A	Employee's notification of grievance	November 2018
5	2.11	Guidance to be gained from the school's designated HR Officer and/or Head of HR	March 2022
6	3.2	Headteacher to speak to the school's designated HR Officer and/or Head of HR	March 2022
5	3.6, 3.8	Grievance Appeals must be received within 5 days from the written outcome letter	June 2022
5	3.9	Head of HR to speak on behalf of Academy at Appeal Panel if the Headteacher is unavailable	June 2022
6	4	Links to other policies section added	November 2022

Our Christian Ethos and Values

All policies within the St Benet's Multi Academy Trust (hereafter referred to as "the Trust"), whether relating to an individual academy or the whole Trust, will be written and implemented in line with our Christian ethos and values.

Our academies are open to all and accepting of all regardless of faith. Our passion and ambition are to see children and young people in all our academies achieve excellent educational outcomes alongside developing and growing into their potential as individuals made in the image of God.

Our culture is one of high aspiration for all. This is rooted in our Christian values as demonstrated in the life and teachings of Jesus Christ. We have a desire to see our academies acknowledged as places of aspiration, high quality learning, achievement and hope making a significant contribution to the communities they serve.

Overall accountabilities and roles

The Trust has overall accountability for all its academies and staff. Through a Scheme of Delegation for each academy it sets out the responsibilities of the Trust, its Executive Officers, the Local Governance Committee and the Principal / Head Teacher. The Principal / Head Teacher of each academy is responsible for the implementation of all policies of the Trust.

All employees of the Trust are subject to the Trust's policies.

1. Terms of Reference

1.1 For all employees employed by the Trust.

Definitions: "Headteacher"

also refers to any other title used to identify the head teacher, where appropriate, or other senior manager delegated to deal with the matter by the head teacher.

2. General Principles

2.1 The aim of this Grievance Procedure is to enable any employee to have his/her grievance heard and to seek redress as appropriate. The intention is that grievances should be settled quickly and fairly and should be first dealt with as close to the source as possible.

2.2 The procedure applies to all employees including the head teacher and members of the leadership team, full and part-time, permanent and temporary employees. If it is the head teacher who has a grievance, then the Chair of Governors is the person to whom the head teacher refers to as his/her immediate line manager at Stage 2. If the head teacher's grievance is not resolved at that stage, the matter should be referred to Stage 3, the Appeal Committee of the Local Governing Body.

2.3 If individual governors are the subject of the grievance, such person(s) shall not sit with the Appeal Committee but may attend the Governors' hearing to present his/her case.

2.4 A grievance is a complaint by an employee about any aspect of his/her employment such as:

- a) terms and conditions of employment;
- b) health and safety;
- c) work relations;
- d) bullying and harassment; (except where dealt with under the Bullying and Harassment Procedure)
- e) new working practices;
- f) working environment;
- g) organizational change;
- h) discrimination
- i) pay (except where dealt with under the Pay Policy)

2.5 The grievance must be one that lies within the power of management and governors of **academy name** to resolve, e.g. it must not be a grievance about matters determined by legislation or collective agreements. Where another policy is used to address the grievance then the grievance procedure is not available in addition.

2.6 A grievance arising from dismissal or disciplinary action is to be resolved by appeal within the disciplinary procedure. The grievance procedure is **not** available in addition to, or in substitution for the disciplinary procedure unless the grievance is against the person(s) who are the decision makers of the disciplinary issue.

2.7 An employee who is a member of a trade union is strongly advised to consult that trade union's representative before invoking the grievance procedure.

2.8 Those responsible for dealing with employees' grievances will treat them seriously and attempt to resolve them as quickly as possible. There should be no attempt to block an employee's wish to raise the grievance at a higher level.

- 2.9 Employees should recognise that an investigation may be necessary which may delay the process beyond normal time limits.
- 2.10 At any stage of the procedure the headteacher and/or Governors may wish to refer to an adviser external to the academy or Trust for guidance to bring about a resolution of the grievance acceptable to both sides outside the formal hearing within the Grievance Procedure. Such conciliation is without prejudice to the position of both parties in the procedure.
- 2.11 The headteacher and/or Governors may wish to take advice from the school's designated HR Officer and/or HR Manager before considering a grievance.
- 2.12 To get the most from the process all parties are strongly advised to maintain confidentiality and to only discuss the concerns with relevant parties. The use of social media to "air" grievances is inadvisable and could leave the individual vulnerable to disciplinary action if it is considered they have brought the Academy into disrepute.
- 2.13 This procedure has been implemented following consultation with employees and Trade Unions.

3. Stages of the Grievance Procedure

3.1 Stage 1: Raising Grievances Informally

The employee should raise the grievance with the person causing the grievance in the first instance. If the grievance cannot be resolved directly, or the employee feels unable to raise it directly then the employee should discuss the issue with his/her immediate line manager. The employee should indicate what they would see as a suitable resolution. The line manager should give a reply as soon as possible, within a calendar week, even if it is only an interim reply. If the line manager sees the situation as being beyond their authority they should, with the employee's agreement refer the matter to the headteacher. If the employee's grievance is against the line manager personally, the grievance may be referred direct to Stage 2 but it would be reasonable to let the line manager know this move is intended. If the immediate line manager is the Headteacher then the employee may go direct to Stage 2 paragraph 3.4 but it would be reasonable to let the headteacher know this move is intended.

3.2 Stage 2: Formal Grievance Hearing

If the employee is not satisfied with the reply by his/her line manager (who is not the headteacher), the employee should submit the grievance in writing, indicating that it is a formal grievance, to the headteacher. The written grievance should contain a brief description of the nature of the complaint, including any relevant facts, dates and names of individuals involved. The Headteacher should discuss the grievance with the school's designated HR Officer and/or the Head of HR.

3.3 The headteacher will normally meet the employee to hear the grievance and then investigate as appropriate. They will reply as soon as possible, within two calendar weeks, even if it is only an interim reply pending further investigation. At this stage, the employee may be accompanied by a Trade Union representative or work place colleague at any meeting to discuss the grievance.

3.4 The headteacher may be accompanied by the school's HR Officer. If it is necessary

for the headteacher to attempt conciliation between two or more employees at this stage, each employee may be accompanied by a Trade Union representative or workplace colleague at any meeting called by the head teacher.

- 3.5 Where it is appropriate, for example if it is proving difficult to find a resolution, all parties may agree to mediation through the HR Officer/HR Manager.
- 3.6 If the Headteacher is unable to resolve the grievance and/or the employee raising the grievance is not satisfied with the outcome then the employee may appeal to the Appeal Committee of the governors at stage 3. All appeals must be received within five days from the date of the written outcome.
- 3.7 Where the grievance is against the Headteacher Stage 2 shall be heard by a committee of governors in accordance with paragraphs 3.2 and 3.3 above.
- 3.8 Stage 3: Formal Appeal Hearing
Where a formal appeal is requested the reason for this must be clearly stated in writing to the Chair of Governors, and within five days from the date of the written outcome. This would normally be on the grounds that due process was not followed.
- 3.9 An Appeal Committee of 3 governors shall be convened by the Clerk to Governors. An HR Officer will be present to advise the panel. The adviser(s), who should not have had any previous involvement in dealing with the grievance, shall not have a vote in the decision of the Appeal Committee. If the Headteacher is not able to attend, the Head of HR will represent the school. The Appeal Committee shall advise all parties, prior to the start of the hearing, of the procedure it intends to follow. The Appeal Committee's decision is final.

4. Links to other policies

- HR01 Staff Induction Policy
- HR02 Discretionary Leave of Absence Policy
- HR03 Continuous Professional Development (CPD) Policy
- HR04 Staff Well Being Policy
- HR05 Recruitment and Safer Selection Policy
- HR06 Staff Probation Policy
- HR07 Whistleblowing Policy
- HR08 Management of Sickness Absence Policy
- HR10 Ex Offenders Statement
- HR11 Bullying and Harassment Policy
- HR19 Staffing Adjustment Policy
- NS02 Online Policy
- S05 Health and Safety Policy
- S10 Complaints Procedure
- S12 Disciplinary Procedures for All Staff
- S16 Safeguarding Policy
- S25 Staff Appraisal Policy

Appendix A

Employee's Notification of Grievance

This form should be used to submit a grievance in accordance with Stage 2 of the formal Grievance Procedure, adopted by the Governing Body.

Send the completed Employee's Notification of Grievance Form (Appendix A) to your Line Manager. If your grievance relates to your Line Manager, send it to the Headteacher. If your grievance relates to your Headteacher then send it to the Chair of Governors (or other Governor if the grievance is against the Chair). You are advised to keep a copy. Please be aware that the information will, in normal circumstances, be shared with any person/s complained about. Please think carefully about what you write.

1. Name: _____

Post held: _____

2. Describe briefly:

2.1. The nature of your grievance. Please include all relevant facts, dates and names of people involved and any witnesses. (continue on a separate page if necessary)

2.2 When did you first raise your grievance, and with whom? Is this a one-off issue or part of a chain of events?

2.3 What action has been taken on your grievance at the informal stage (Stage 1)?

2.4 What steps or action do you want to be taken as a remedy for your grievance?

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3. If you are member, have you informed your trade union or professional association representative? YES/NO

If yes: do you wish the representative to receive correspondence? YES/NO

If yes: please identify the representative and provide email and postal addresses and telephone number YES/NO

Printed Name: _____

Signed: _____

Date: _____