


**Cambo First School**

**Resolving Grievances at Work**

**POLICY FRAMEWORK**

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| Date of Adoption by the Governing Body: | Spring 2025 |

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## Resolving Grievances at Work - Policy Statement

### Introduction

101 As the Governing Body of Cambo First School we adopted this policy statement and accompanying procedure on (insert date).

102 Any additional school policies and procedures referenced in this document can be accessed in School via **the school office/website** www.camboschool.com .

103 A flow chart identifying the key aspects of undertaking a grievance procedure can be found in Appendix A.

### Purpose and Scope

201 This policy and procedure aims to provide a fair process for individual employees to obtain a speedy resolution to problems relating to their employment. It has been developed with reference to ACAS guidance.

202 One of the key aims of the policy is to enable our School to provide a working environment in which all our employees feel comfortable and in which everyone is treated with respect and dignity, regardless to a person's race, age, disability, gender, sexual orientation, gender identity, religion, marital status, pregnancy / maternity, belief, or position within the school[1] or any other personal factor or quality[2].

203 Grievances can damage working relations and/or cause low morale or ill health, therefore both employees and managers **within our school** have a responsibility to raise and deal with grievances as speedily as possible. The information disclosed should be treated in strict confidence as far as it is possible to do so.

[1] A model EIA is enclosed at appendix C.
[2] Staff may wish to review the school dignity at work policy prior to issuing of any forma grievance where applicable.

204 This policy and procedure will apply to all employees at our school who work under a contract of employment, when dealing with:

- an employee's concerns about work, management, working conditions, working relationships with colleagues, health and safety, new working practices, organisational change, and equal opportunities.

- cases of alleged bullying and harassment, i.e. related to a protected characteristic, inclusive of sexual harassment where an employee feels that they have been subjected to unwelcome and unwarranted treatment thereby causing him/her a detrimental effect, or where an employee wishes to complain of behaviour directed at others that they find offensive and/or consider it to be sexual harassment.

205 The policy and procedure cannot be used to complain about the application of other school policies and procedures where there is a separate right of appeal, such as:

- matters of discipline or performance
- pay, allowances and grading
- matters related to the employee pension scheme
- redundancy selection
- job evaluation

**Principles of Resolution**

301 As the Governing Body, we recognise the importance of maintaining good working relationships, and seek to achieve a working environment in which problems can be discussed and informally resolved at an early stage through encouraging open and honest communication.

302 All employees have the right to raise concerns relating to their employment with our School and for those concerns to be heard. This policy statement and accompanying procedure will be followed to ensure that all grievances are dealt with in a fair, open and timely manner.

303 Where possible, concerns, problems or complaints should be raised at an early stage, informally with the immediate line manager, or if the complaint is against their line manager the Headteacher[3] in order to try to resolve the issue promptly. It is expected

[3] Where the grievance relates to the headteacher then concerns should be raised initially with the chair of governors

that those raising the grievance will come forward with a proposed solution to the concern.

304 It is implicit that in referring a matter through this policy & procedure there must be a genuine desire to find a reasonable solution. All parties will commit to and work towards resolution at all stages of the process. There is therefore an onus on both parties to bring about a resolution to the grievance and every effort should be made to achieve this in a timely, consistent, and equitable manner.

305 The employee raising a grievance and any other individuals involved in the investigation of the grievance will act in accordance with this policy and procedure and will maintain confidentiality and discretion.

306 The objective of all grievance meetings will be to understand and seek to resolve the issue. Meetings must be conducted in a manner that enables individuals to explain their views.

307 No one who may have a pecuniary or prejudicial interest in the outcome of decisions relating to the application of this policy and accompanying procedure should investigate or hear such matters.

308 The employee raising the grievance will have the right at every stage of this procedure to be accompanied by a work colleague or trade union/professional association representative. In addition, the employee will have a right to be represented by a work colleague or their trade union/professional association representative at any subsequent grievance hearing or appeal.

309 Support from our HR service provider may be sought by the manager when a grievance is received.

310 Mediation using a third party may, subject to agreement, be an option within each of the resolution stages.

311 Where it is not possible or appropriate to resolve matters on an informal basis the formal procedure for handling a grievance should be used. This formal procedure should only be used when other attempts have failed, and not as the first option.

312 Any investigation will ensure scrupulous attention to detail, careful documentation, and transparency, as well as being sensitive of the needs of employees at each and every stage of the Resolution process.

313 Sharing of information provided by the employee submitting the grievance, to facilitate any investigation, will not normally occur without their prior approval.

314 All individuals investigating and/or hearing grievances (inclusive of appeals) in accordance with this policy statement and accompanying procedure will be appropriately experienced and/or supported by our HR service provider throughout all stages of this procedure.

315 Individuals who are part of any Appeal Panel will not have been involved in an earlier stage.

**Confidentiality and Data Protection**

401 When attempting to resolve a grievance we will process personal data collected in accordance with our data protection policy. Data collected from the point at which an employee raises a concern will be held securely and accessed by, and disclosed to, individuals involved for the purposes of enacting this policy and procedure.

402 Where an outcome includes a referral to other school formal policies and/or procedures the member raising the grievance will be informed. However, the employee may not be informed of the outcome as disclosure of information will be subject to the confidentiality clause of the relevant procedure.

403 Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the school's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the school's disciplinary procedure.

**Provision of Support**

501 Raising a complaint or being subject to a complaint can be an upsetting experience. Everyone involved can expect to be treated fairly and with respect and anyone can seek support whilst going through the process. Individuals are encouraged to contact the Headteacher to discuss what support is available to them.

502 A range of support is also available to employees which could include coaching, counselling and/or a referral to the Occupational Health Service[4].

**Mediation**

601 Mediation involves an independent, impartial, and non-judgemental person working with both sides to find a solution and help restore and maintain the employment relationship, wherever possible. Who to engage as a mediator will be determined on a case-by-case basis, but could be a member of staff/manager, a governor within school, or through facilitating a professional external mediator. It has been proven to effectively resolve issues especially if utilised before conflict escalates and views become entrenched. Mediation should always be considered before invoking the formal procedure.

**Use of Statements & Witnesses**

701 Witnesses may be interviewed as part of the investigation process and from this should be advised that they may be required to attend an Appeal[5]. Where this is required, the relevant parties should be advised of this at least 5 working days prior to the appeal hearing. It is the responsibility of whomever is calling the witnesses to contact them and provide the details of their attendance to them[6].

702 As well as the initial statement of grievance the notes taken at the investigation meetings should be signed by the employee as being accurate. This also applies to any witness statements that have been obtained by either party.

**Group Disputes**

801 A Group (sometimes referred to as a collective) dispute exists where more than one member of staff within school wishes to pursue a matter of shared dissatisfaction, common to all, and relating to their employment. In many cases such a dispute may be raised indirectly through their trade union representative, and we will work constructively to seek resolution in such cases.

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[4] Absence from work should not normally stop the grievance process, but where necessary advice will be sought from Occupational health.

[5] Where there are logistical reasons for witnesses attending in person, consideration may be given remote attendance such as through teams or zoom.

[6] Any requests for witnesses to be called to a hearing/appeal must be reasonable. Advice on this may be obtained from our HR Service Provider. In addition any winessess should ensue they maintain confidentiallity during any greivance process.

802 We recognise that a group dispute can be a difficult time for staff concerned and as such it is expected that meetings, hearings, and appeals will be conducted in a manner that enables our staff to explain their views to encourage their resolution.

803 To facilitate this, as a group dispute may involve a number of staff and/or their trade union/professional association representatives, that they be requested to select spokespersons to represent them at any meetings, hearings, and appeals.

804 Where a group (collective) dispute takes place the principles within this Policy and accompanying procedure will be followed.

**Reporting Procedures**

801 Where specific concerns have been validated through the school's resolution procedure any action points will be forwarded on to our Staffing Committee to monitor compliance within agreed timescales.

802 As the Governing Body, we will receive an annual report on the number of formal grievances under this policy from our Headteacher.

## Resolving Grievances at Work – Resolution Procedure

**Informal Resolution**

101 If an employee has a grievance in connection to their work, they should be encouraged to raise this grievance by discussing it with the colleague with whom they have the grievance or their line manager who can signpost support available to them. However, in circumstances where they feel unable to do this it will be appropriate for them to discuss the problem with their Headteacher. Alternatively, an employee may wish to request a work colleague or a representative of their trade union/professional association to raise the matter on their behalf with the Headteacher[7].

[7] The employee raising the grievance will have the right at every stage of this procedure to be accompanied by a work colleague or trade union/professional association representative.

102 Where the Headteacher has issued a grievance, or is the subject of such a complaint, then the grievance should be raised with the Chair of the Governing Body to attempt resolution.

103 In attempting to resolve the grievance at this informal stage, advice may be sought from our HR service provider by the Headteacher/Chair of Governors relating to options available for resolution.

104 Where the employee's concerns have not been resolved through this informal process, they may wish to consider invoking the formal process. This formal process ensures appropriate time limits are set to ensure an early determination of an employee's concerns and may only be modified by the agreement of all parties concerned.

**Formal Process – Statement of Grievance**

201 The employee must complete a formal Statement of Grievance and forward this to the Headteacher[8] retaining a copy for their reference. This statement may be in written format (for example a letter/email), or the employee may choose to complete Section A of the "Grievance Recording Form" attached to this procedure.

202 Regardless of the format, the Statement of Grievance must include names of the persons involved; the nature of the grievance; a factual summary of what has occurred; any witnesses; steps already taken to resolve the grievance; together with what the employee would like to see as the outcome.

203 Where this detail is not received the statement will be returned to the employee or their representative for completion before being considered.

204 Upon receipt of the Statement of Grievance the Headteacher will, after seeking advice from our HR service provider, determine who is most appropriate to hear the case. Where they determine to appoint another individual to hear the grievance, they will forward the employee's statement to them without delay.

204 The Headteacher will also be required to nominate a clerk to support the individual appointed to hear the grievance and any subsequent appeal panel, undertaking administrative tasks as identified in this procedure.

[8] This should be referred to our Chair of Governors who will take ion this role in this procedure if the grievance is against the Headteacher.

**Formal Process – Stage 1: Hearing of Grievance**

301 The individual appointed to hear the grievance will arrange to meet the employee concerned after seeking advice and support from our HR service provider. They will inform the employee of the date/time/venue for such a meeting as soon as practicable and no later than 5 standard working days following submission of their Statement of Grievance to the Headteacher. A minute taker (if not the appointed clerk) will also be appointed for this meeting.

302 The purpose of the meeting will be to collate further information about the circumstances surrounding the grievance and confirm their expectations for resolution. The individual hearing the grievance will hear the employee's ideas/suggestions on how they see their concerns being resolved. Any appropriate outcomes will be discussed. The employee will have a right to be represented by a work colleague or trade union/professional association representative at this meeting.

303 Where a grievance is of a complex nature then it may be necessary to have a series of adjournments and meetings to allow for further investigation on points raised. Where the grievance is against another employee the investigation should include interviewing that person and any other witnesses.[9] In such circumstances, the individual appointed to hear the grievance will provide, wherever possible, a timeframe for likely completion of this exercise. Adjournments to seek further information should normally be no longer than 5 standard working days, but where this does take longer, they will inform the employee on a regular basis (at least every 5 standard working days) on how this task is proceeding.

304 The hearing will reconvene with the employee once the individual appointed to hear the grievance is satisfied sufficient information has been obtained to come to a determination on each of the points[10] raised in the Statement of Grievance.

305 Wherever possible the employee[11] will be verbally informed of the outcomes at the conclusion of this hearing, being confirmed in writing (on section B of the "Grievance Reporting Form" where this has been used by the employee) within 5 standard working days by the appointed clerk. This written correspondence will include, where appropriate, details relating to any right of appeal (and who this should be forwarded to).

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[9] Any information released as part of the investigative process will be with the prior permission of the individual making the grievance.

[10] It should be noted that with lack of witnesses it may not always be possible for an investigation to corroborate accounts, and this may be reflected within the determination.

[11] Other arrangements may be put in place for example in situations where an employee is not at work.

306 If, on investigation and following advice from our HR Service Provider, the grievance is found to be vexatious or trivial it may be dismissed without further consideration and the employee will be advised accordingly and provided with a rationale.

307 We may, with the agreement of the employee, vary this procedure as appropriate to a particular case. If it becomes impracticable to continue with the procedure, it may be discontinued. In such cases we will advise the aggrieved parties of the outcome of their grievance in writing.

308 Whilst every endeavour will be made to comply with timescales, due to the complexity and or specific circumstances of a case, timescales may be extended. In such circumstances the individuals concerned will be advised of the reasons for any delay. We cannot be held responsible for delays caused by individuals within the process due to their availability or for time lost due to school closure periods all of which are out of our control.

309 Where other parties are involved, or have been subject to a grievance, they will also be notified that the hearing has been concluded and any other detail as appropriate. We will ensure that our HR service provider is consulted on the content of such communication.

310 If the employee is satisfied with the response, then the formal resolution process will come to an end. However, where the employee is not satisfied with the outcome and wish to appeal, they will be required to request this in writing to the appointed clerk outlining their reasons, within 5 standard working days following receipt of the written outcome of the formal hearing stage.[12]

**Formal Process – Stage 2: Governor Appeal Panel**

401 The Chair of the Governing Body Appeal Panel will be informed of the requirement to meet to hear any appeal by the appointed clerk. This clerk will issue a formal notice within 5 standard working days following their receipt of the appeal request, outlining the date/time/venue of this appeal.

402 This correspondence will also include all information compiled as part of the investigation, any documentation presented at the earlier hearing, a list of witnesses, the reasons for the appeal as outlined by the employee, a copy of this resolution procedure and the format for the appeal meeting. It will also request from the

[12] Where the "Grievance Reporting Form" has been used section C should be completed at this stage of the process.

employee confirmation of their (and their work colleague/ representatives) attendance and if they wish to call any witnesses.

403 At least 10 standard working days notice of appeal will be provided, beginning from the dispatch of this letter by the appointed clerk to the employee who has submitted the appeal. The employee will have a right to be represented by a work colleague or trade union/professional association representative at this meeting.

404 The Appeal Panel, consisting of up to 3 Governors (with no pecuniary or prejudicial interest in the outcome) as outlined within our school standing orders and supported by our HR service provider, will meet with the individual member of staff and their Trade Union /Professional Association representative (where appropriate), together with the individual who investigated concerns at the earlier Hearing stage (supported by our HR Service Provider). A minute taker (if not the appointed clerk) will also be appointed for this appeal meeting.

405 The purpose of the appeal is to allow the employee to put forward reasons as to why the decision at the earlier hearing stage was unacceptable. The panel will then consider this information and review the original outcomes in an attempt to resolve the matter.

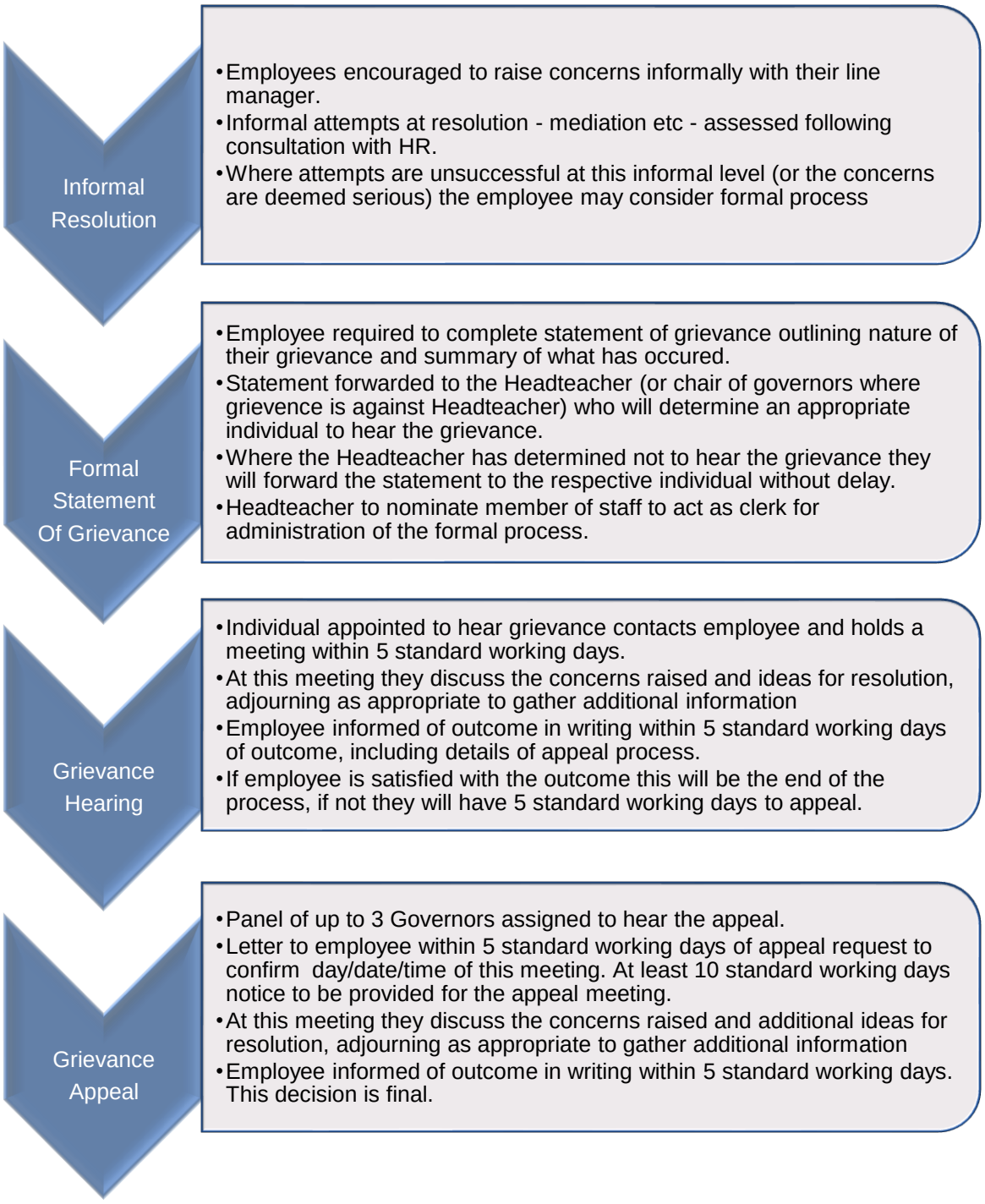
406 It may be necessary to adjourn to allow for further investigation on points raised and where this is the case the Chair of the Panel will provide a timeframe for likely completion of this exercise. Adjournments to seek further information should normally be no longer than 5 standard working days, but where this does take longer, they will inform the employee on a regular basis (at least every 5 standard working days) on how this task is proceeding.

407 The employee will be verbally informed of the outcomes at the conclusion of this Appeal, being confirmed in writing within 5 standard working days by the appointed clerk[13].

408 The decision at this stage is final and there is no further right of appeal.

[13] Where the “Grievance Reporting Form” is being used then section D should be completed.

## Appendix A: Overview of Procedure



## Appendix B: Grievance Recording Form

**Section A**

### Statement of Grievance

The Grievance Statement Form has been provided for ease of reference and to assist an employee in submitting their Grievance. Where an employee chooses not to use this form, they are asked to ensure that the detail requested within this form is included in their grievance submission.

The employee with the grievance should complete this section. Advice on completion of the form can be obtained from a work colleague or your trade union/professional association representative.

Please remember to include:

- the nature of the grievance;
- a concise factual summary of what has occurred/your concerns;
- when and where the cause of the grievance occurred;
- any witnesses to the grievance;
- what, if any, steps you have already been taken to resolve the grievance;
- what you would like to see as the outcome.

| First Name: | Surname: |
|---|---|
| Job Title: | School: |

I wish to raise a grievance on the following grounds:

Please complete on a separate sheet if necessary

Please note that if you do not provide the information/detail concerning your grievance the individual appointed to hear the grievance may at this stage return your grievance asking for further clarity. This may delay your grievance concerns being heard; therefore, it is important that you do your utmost to provide as sufficient information as possible when you submit your grievance.

**Signature (employee):** ……

**Date:** ……

**Print name:** ……

Once completed please forward this form to the individual appointed to hear the grievance.

**Section B**

**Notification of Grievance Hearing Outcome**

The individual appointed to hear the grievance should complete this section following the conclusion of the Hearing stage and ensure that this is forwarded to the employee within five working days of the hearing being held. The individual will already have been advised of the outcome of their grievance at the conclusion of the hearing – unless alternative arrangements were agreed. This document is intended to ensure that the information provided to the employee concerning the outcome of their grievance is formally recorded and advised.

Please give details of:

- the complaint that you have considered;
- the action taken so far to resolve the grievance;
- your decision and the reasons for reaching this decision.

| Response to the Grievance: |
| --- |
| Please complete on a separate sheet if necessary. |

**Signature:…….**

**Date:……**

**Print name:…….**

Once completed the appointed clerk is required to return the original form to the employee and ensure that a copy is placed onto the employee's personal file. All data held on an employee's file will be held in accordance with the School's Data Protection Policy.

**Section C**

## Request for Appeal

The employee who wishes to Appeal should complete this section. Advice on completion of this form can be obtained from a work colleague or your trade union/professional association representative.

Please remember that you are required to:

- outline your reasons for wishing to take the grievance forward;
- note why you feel the decision made at the earlier stage of the grievance process was inappropriate, and
- attach copies of your Step Statement 1 and the Step 2 response received.

| I wish to appeal against the decision of the Hearing stage because……. |
| --- |
| |

Please complete on a separate sheet if necessary.

Please remember to include your Step 1 Statement of Grievance and the Step 2 Response in your request for your grievance to be held at the Final Appeal Stage of the Resolution Procedure.

Please note that if you do not provide the information/detail concerning your grievance the Chair of the Appeal Panel may at this stage return your grievance asking for further clarity. This may delay your grievance concerns being heard; therefore, it is important that you do your utmost to provide as sufficient information as possible when you submit your grievance.

**Signature (employee):** …….

**Date:** ……

**Print name:** …….

Once completed please forward this form to the appointed Clerk who will ensure that the Appeal Panel receive copies.

**Section D**

**Notification of the Grievance Appeal Hearing Outcome**

The Chair of the Appeal Panel should complete this section following the conclusion of the Appeal and ensure that this is forwarded to the employee within five standard working days of the final Appeal Hearing being held. The employee will already have been advised of the outcome of their grievance at the conclusion of the Appeal – unless alternative arrangements were agreed. This document is intended to ensure that the information provided to the employee concerning the outcome of their grievance is formally recorded and advised.

Please give details of:

- the complaint that the Panel has considered;
- the action taken so far to resolve the grievance;
- your decision and the reasons for reaching this decision;
- that this is the final stage of the process, there is no further right of appeal and the matter is now concluded.

Response to the grievance:

Please complete on a separate sheet if necessary.

**Signature:…….**

**Date:……**

**Print name:…….**

Once completed the appointed clerk will return the original form to the employee and ensure that a copy is placed onto the employee's personal file.

All data held on an employee's file will be held in accordance with the School's Data Protection and retention policies.

**Appendix C: Equality Impact Assessment**

| | |
|---|---|
| **1.** Name of the change, strategy, project, or policy: | **Resolving Grievances at Work Policy Framework** |
| **2.** Name of person completing this form: | |

| |
|---|
| **3**. Has the policy/practice been assessed to consider any negative impact on the key groups? |
| |
| **4.** Where negative impact has been identified, please complete questions 5-9, if none is identified, please sign, and proceed to question 9. |

| Equality Target Group (circle): | Negative impact – it could disadvantage | Reason |
|---|---|---|
| Age<br>Disability<br>Gender Reassignment<br>Marriage/Civil Partnership<br>Pregnancy/Maternity<br>Race<br>Religion or Belief<br>Gender<br>Sexual orientation | | |

| |
|---|
| **5**(a) Is the impact legal/lawful? Seek advice from your School link HR Advisor if necessary. |
| There is no intended impact from these proposals |

| 5(b) Is the Impact Intended? |
|---|
| There is no intended impact from these proposals |
| **6** Could you minimise or improve any negative impact? Use the space below to detail how. |
| |
| **7 I**s it possible to consider a different policy/strategy/action, which still achieves your aim, but avoids any adverse impact on equality? |
| |
| **8**. Considering all the information detailed in this form; what practical actions would you take to reduce or remove any adverse / negative impact? |
| |

**PART B) To be completed when assessment and consultation has been carried out.**

| **9a)** As a result of the assessment and consultation completed in Part A above, state whether there will need to be any changes made to the policy, project or planned action. |
|---|
| |
| **9b)** As a result of this assessment and consultation, does the school need to commission specific research on this issue or carry out monitoring/data collection? |
| This policy and procedure will be subject to regular review and evaluation by the Governing Body. |

| | | | | |
|---|---|---|---|---|
| **9)** Have you set up a monitoring/evaluation/review process to check the successful implementation of the policy, project, or change? | Yes | | No | |

Signed: ..... Date: .....