



St Hilary's School

Staff Grievance Policy

This Procedure has been agreed by the Governing Body of St Hilary's. Our school is dedicated to preparing our children for their adult life beyond formal education and ensuring that it promotes and reinforces British Values to all our children. We actively promote democracy, the rule of the law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs. These are fundamental British Values which underpin all that we offer, as does our School Motto 'Not for oneself but for all.'

1. Purpose of the Policy

- 1.1 The purpose of this policy is to provide employees with a readily accessible procedure for addressing any problems or concerns they may have at work.
- 1.2 This procedure should not replace normal employee–Head of Department/Line Manager dialogue. However, where such informal dialogue has failed to resolve an issue of concern, then an employee may utilise this procedure in an effort to have an issue resolved to his/her satisfaction.
- 1.3 It is accepted that when people work together there will inevitably be situations where misunderstandings, problems or concerns need to be resolved. It is the policy of St Hilary's (the School) that a culture of good communication, openness and a willingness to co-operate and listen will exist. Therefore, it is envisaged that the majority of these issues or misunderstandings will be capable of being addressed informally in an efficient and effective manner.
- 1.4 However, where such issues are unresolved, they may become grievances. Employees are encouraged to seek resolution of an issue by utilising this procedure.
- 1.5 At each grievance meeting held under the formal procedure, the employee has a right to be accompanied by a colleague or a trade union official.
- 1.6 The grievance procedure should not be used to lodge appeals against disciplinary sanctions. The School's disciplinary procedure contains sufficient mechanism for dealing with an employee's dissatisfaction at a disciplinary sanction applied to them.
- 1.7 The School reserves the right to engage external third-party assistance at any stage of the grievance process.
- 1.8 This procedure does not constitute contractual terms and conditions. The School reserves the right to amend any provision of this procedure subsequent to appropriate consultation.

1.9 This policy fully incorporates the provisions of the ACAS Code of Practice for Disciplinary and Grievance Procedures.

2. Procedure

2.1 In order to provide an effective and timely resolution of employee concerns, the following procedure will be followed to ensure that employee complaints or problems receive full and careful attention.

2.2 Reasonable adjustments will be made to the procedure for disabled employees. Any employee who experiences difficulty with the procedure for any reason should seek assistance from the School's Office Manager.

3. Informal discussion

3.1 Employees are encouraged to approach their Head of Department/Line Manager in the first instance to discuss issues and attempt to informally resolve them. Informal discussion can frequently solve problems without the need for written record.

3.2 Employees will receive written confirmation of an outcome of informal discussions within 5 days of meeting informally with their Head of Department/Line Manager.

3.3 If an employee is dissatisfied with the outcome, they may invoke the formal grievance procedure.

Formal procedure – Stage One

3.4 The employee should raise the grievance formally, and in writing, with their Head of Department/Line Manager. This should explain the nature and extent of the grievance and indicate the outcome the employee is looking for.

3.5 If the employee's grievance relates to concerns regarding their Head of Department/Line Manager, the employee may enter the procedure directly at Stage 2.

3.6 If the nature of the employee's grievance is such that the employee would not feel comfortable raising it with their Head of Department/Line Manager due to the proximity in which they work, the employee may enter the procedure directly at Stage 2.

3.7 Stage 2 can also be used as the starting point where allegations of bullying or discrimination involve the employee's Head of Department/ Line Manager.

3.8 Concerns regarding any matter which would fall within the scope of legislation on public interest disclosures (otherwise known as whistleblowing) must be raised directly using stage three of the procedure.

3.9 Under Stage 1, a meeting will be arranged between the Head of Department/Line Manager and the employee. A minute taker will also be present (usually the Office Manager). The employee may be accompanied by a fellow colleague or trade union official.

- 3.10 The meeting will be held to discuss the grievance in detail and the employee should take any documents or evidence they have regarding the grievance to the meeting.
- 3.11 The Line Manager will complete a full investigation into the matter. This may involve holding investigation meetings with witnesses, requiring witness statements to be produced, and reviewing written evidence.
- 3.12 A decision will be taken by the Head of Department/Line Manager following the investigation, and the grievance will be responded to, in writing, within 5 working days of the meeting being held. The employee will be informed of actions to take if they wish to appeal the outcome.
- 3.13 Minutes of the meeting will be taken, and copies will be made available to the employee.

4. Formal Procedure - Stage Two

- 4.1 The matter will progress to be heard by a member of the Senior Leadership team, or appointed deputy, in place of the Head of Department/Line Manager if the employee is not satisfied with the outcome of Stage 1.
- 4.2 The following contacts within the Senior Leadership team should be contacted, in writing, by the employee at Stage 2:

Area	SLT Contact
Early Years' Practitioners, Learning Support Assistants, Teaching Assistants and Teachers	Gemma Mitchell, Deputy Head
Administrative Team, Site Team	Hannah Wynn, Business Manager

- 4.3 The employee should write to the Senior Leadership Team setting out the reasons for their dissatisfaction within 5 working days of receipt of the outcome of Stage 1, giving the reasons for the dissatisfaction.
- 4.4 Stage 2 will involve the same procedural steps as Stage 1. A meeting will be held by a member of the Senior Leadership Team as soon as possible for the employee to present their case.
- 4.5 The employee will receive written confirmation of the outcome of the meeting within 5 working days (if reasonably practicable). The employee will also be informed of actions to take if they wish to appeal the outcome.

5. Formal Procedure - Stage Three

- 5.1 Where the matter cannot be resolved at Stage 2 and the employee is still dissatisfied, or if the matter relates to a concern regarding the Pay Policy or its implementation the procedure will progress to be heard by the Headmistress in place of the member of the Senior Leadership team.

- 5.2 They must write to the Headmistress within 5 working days of receipt of the outcome of Stage 2, or within 10 days of receipt of written pay notification, giving the reasons for the dissatisfaction.
- 5.3 Stage 3 will involve the same procedural steps as Stage 2, and the Headmistress will arrange a meeting with the employee as soon as possible.
- 5.4 The outcome of the meeting will be provided to the employee, in writing, within 5 working days of the meeting. The meeting will be held by the Headmistress.
- 5.5 There will be no further appeal after Stage Three. The decision of the Headmistress on the grievance will be final.

6. Simultaneous grievance and disciplinary matters

- 6.1 The School will decide on how to progress matters when an employee raises a grievance about a disciplinary procedure involving them. ACAS guidance suggests that disciplinary hearings may be suspended for a short duration while the grievance is investigated.
- 6.2 The School will assess the exact nature of the grievance and will have the final say over suspension of a disciplinary procedure.

7. Extending timescales under the procedure

- 7.1 The timescales outlined in this procedure will be adhered to whenever this is reasonably practicable. There may be extenuating circumstances that are outside of either parties' control, for example, where a key witness is unavailable, or the grievance requires extensive investigation.
- 7.2 Where it is not reasonably practicable to adhere to the deadlines, both parties will discuss and agree any extension to the timelines.

8. Mediation

- 8.1 The School reserves the right to seek assistance from external mediators at any stage in the grievance procedure. Where both parties agree to undertake mediation, the grievance process will be suspended whilst this is ongoing.

9. Protection against detriment

- 9.1 Nothing in this procedure is intended to prevent the employee from raising any concerns they have. Employees who raise concerns under this procedure will not be subject to any detrimental or less favourable treatment as a result of doing so.
- 9.2 Where the grievance is made with malicious intent, the employee will be subject to the School's disciplinary procedure.

10. Right to Accompaniment

- 10.1 Employees may choose to be accompanied at a grievance hearing by a fellow worker (who is not connected to the grievance matter) and/or a trade union representative.
- 10.2 For the purposes of this policy, a trade union representative means either a full-time official employed by a trade union or a lay trade union official or workplace representative, i.e., employee representative, who can provide the School with a certificate from the trade union evidencing his/her competence to represent employees.
- 10.3 Only in exceptional circumstances may an employee be accompanied by any individual who does not work for the School (such circumstances including, for example, the need to accommodate an employee's disability or employees whose first language is not English).
- 10.4 Where an employee wishes to be accompanied at a hearing/meeting, he/she must make the request to the Business Manager, including details of the person who it is proposed will accompany him/her. The letter inviting the employee to a meeting will inform the employee of the timescale for any such requests.
- 10.5 The School reserve the right to refuse an employee's chosen representative where it determines the employee's choice is not reasonable. For example, where the employee's representative has a conflict of interest, or where his/her presence might prejudice the grievance hearing.
- 10.6 It is the employee's responsibility to secure the attendance of the fellow worker or trade union representative, who has the right to decline to attend. If an individual decides to be an employee's representative, the School confirm he/she will not suffer any detriment for acting in such a capacity.
- 10.7 If the employee's representative is unable to attend at the time proposed by the relevant School, the employee may propose an alternative time for the meeting provided that the alternative time is reasonable, and it falls within a period of 5 working days beginning with the first working day after the day on which the relevant School informed the employee of the time proposed for the meeting.
- 10.8 The companion should be allowed to address the hearing in order to:
- put the employee's case
 - sum up the employee's case
 - respond on the employee's behalf to any view expressed at the hearing.
- 10.9 The companion can also confer with the employee during the hearing. It is good practice to allow the companion to participate as fully as possible in the hearing, including asking witnesses questions. The companion has no right to answer questions on the employee's behalf, or to address the hearing if the worker does not wish it, or to prevent the employer from explaining their case.
- 10.10 Employee representatives are reminded of the confidential nature of the issues which may be discussed as a result of an employee raising a grievance under the grievance procedure. Matters should be kept confidential at all times. Failure to treat them as such may result in disciplinary action being taken against the employee representative (subject always to the provisions of the Public Interest Disclosure Act 1996).

Policy written: Jane Whittingham, September 2021

Next review date: June 2022

Person responsible: Mrs Jane Whittingham (Headmistress) and Mrs Hannah Wynn (Business Manager)