



Staff Grievance Policy and Procedures

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1. Aims

This policy aims to enable employees of The Cherry Tree Trust to raise concerns about workplace issues without fear of victimisation and repercussion, and to ensure all grievances are dealt with fairly and objectively.

2. Legislation and guidance

We are required to set out grievance procedures under [general employment law](#).

These grievance procedures are based on [The Acas Code of Practice on disciplinary and grievance](#).

3. Definitions and scope

A **grievance** is a concern, problem or complaint raised within the trust, or within one of our schools, by an employee. It can be caused by issues such as working conditions, health and safety concerns, bullying, discrimination or working relationships.

This policy does not apply to:

- › Issues raised by people who are not employed by the trust, as this would fall under our complaints procedure
- › Redundancy dismissals
- › Non-renewal of fixed-term contracts
- › Collective grievances, raised on behalf of 2 or more employees by a representative of a recognised trade union or other appropriate workplace representative

4. Roles and responsibilities

Being internal matters, grievances may involve a number of people in the trust. There is an emphasis on dealing informally with grievances, and so it is not practicable to prescribe specific roles. However, the following guidelines may be useful.

4.1 The line manager

Provided they are not the subject of the grievance, the line manager will be the first point of contact for the employee raising a grievance. If the grievance is about the employee's line manager, the employee will raise the grievance with their line manager's manager.

4.2 The Head of School or Senior Leadership Team Member and CEO

If the grievance is raised within one of our schools, provided they are not the subject of the grievance, the Head of School or Senior Leadership Team Member will consider the grievance at the formal stage (see 5.2).

If the grievance is raised within the central trust, provided they are not the subject of the grievance, the CEO will consider the grievance at the formal stage.

4.3 Chair of local governing body and trust board

Where the Head of School or Senior Leadership Team Member is the subject of the grievance, the chair of the local governing body will be responsible for appointing an appropriate governor who has not been directly involved in the grievance to oversee the procedure.

Where the CEO is the subject of the grievance, the chair of the trust board will be responsible for appointing an appropriate trustee who has not been directly involved in the grievance to oversee the procedure.

4.4 Investigating officer

At the formal stage, the Head of School or Senior Leadership Team Member /CEO (or appointed governor/trustee if the Head of School or Senior Leadership Team Member /CEO is the subject of the grievance) may appoint an investigating officer to collect and present the facts of the grievance in an investigation report. The investigating officer will be someone who has not been directly involved in the grievance.

4.5 Grievance/Appeal panel

The Head of School or Senior Leadership Team Member /CEO (or appointed governor/trustee if the Head of School or Senior Leadership Team Member /CEO is the subject of the grievance) may appoint a grievance or appeal panel consisting of three people with no prior knowledge of the grievance. The members of the panel will have had no prior involvement in the grievance process and one individual will be appointed chair.

4.6 Other members of staff or trade union staff

A work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings may accompany the employee raising the grievance at a formal grievance meeting.

5. Grievance procedures

We are committed to dealing with grievances fairly and objectively. Employees will be protected from discrimination or victimisation after raising a work-related grievance.

5.1 Informal stage

In the first instance, an employee will aim to resolve their grievance informally with their line manager. If the employee's concerns relate to their line manager, they should discuss the issue with the line manager's manager.

It may be necessary for the employee who has raised a grievance to attend a meeting to discuss the concerns in more detail. However, this will be determined on a case-by-case basis.

It's anticipated that the majority of grievances will be resolved at this informal stage with no need to progress matters further. However, if the matter has not been resolved at the informal stage, it may then proceed to the formal stage of the procedure.

5.2 Formal stage

If it is not possible to resolve the matter informally, employees should set out their grievance in writing to their line manager, in accordance with the staff grievance notification form at Appendix 1. If the subject of the grievance is their line manager, the employee should submit the written grievance to an alternative, preferably senior, manager.

Upon receipt of a grievance, the Head of School or Senior Leadership Team Member /CEO (or appointed governor/trustee if the Head of School or Senior Leadership Team Member /CEO is the subject of the

grievance) may appoint an investigating officer. This will be an independent individual with no prior knowledge of the grievance.

A grievance meeting will be arranged at which the employee will be given the opportunity to explain their grievance and how they think it should be resolved, to the Head of School or Senior Leadership Team Member or Grievance Panel.

Employees have a statutory right to be accompanied by a companion at a grievance meeting. The companion must be a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The employee must request to be accompanied. If their chosen companion will not be available on the initial date and time proposed for the formal meeting, the meeting to an alternative time proposed by the employee, provided that the alternative time is both reasonable and no more than 5 working days after the date originally proposed.

5.3 Deciding on appropriate action

The outcome of the grievance meeting will be communicated to the employee in writing. The decision will set out the action that will be taken to resolve the grievance. It will also inform the employee that they can appeal if they are not satisfied with the outcome and explain how to do this.

5.4 Appeals

If the employee is not satisfied with the outcome of the formal grievance investigation, they have the right to appeal the decision.

The employee should set out their grounds of appeal in writing within seven working days of receiving the grievance outcome.

School-based staff should submit a request for appeal to the Chair of the Local Governing Body.

Central trust staff should submit a request for appeal to the Chair of the Board of Trustees.

An appeal is not designed to re-hear the matter but to examine the grounds of appeal. The employee should therefore be specific about the grounds of the appeal.

However, a full re-hearing may be appropriate in exceptional circumstances.

The Head of School or Senior Leadership Team Member (or appointed governor if the Head of School or Senior Leadership Team Member is the subject of the grievance) will appoint a grievance appeal panel consisting of three people. This will be a group of people independent from any previous stage of the grievance procedure, and the panel will be chaired by an independent individual.

The appeals panel may include:

Amend the following list in line with your scheme of delegation:

- The executive headteacher
- Members of the local governing body
- Members of the board of trustees
- Senior school leaders, such as the deputy head
- Senior trust leaders

Appeals will be heard without unreasonable delay and in any event within seven working days of the date of the appeal notice. The Head of School or Senior Leadership Team Member /CEO (or appointed governor/trustee if the Head of School or Senior Leadership Team Member /CEO is the subject of the grievance) will tell the employees the time and place of the appeal meeting in advance (to be held in person, or over video conferencing if appropriate).

Employees have the same statutory right to be accompanied to the appeal meeting by a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The outcome of the appeal will be confirmed in writing by the chair of the appeal panel to the employee within seven working days of the appeal. The decision of the appeal panel will be final.

6. Overlapping procedures

If an employee raises a grievance after disciplinary proceedings have already started against them, the disciplinary proceedings may be temporarily suspended in order to consider the implications of the grievance on the disciplinary process.

If the grievance and disciplinary proceedings address related matters, it may be possible to deal with the issues simultaneously as part of disciplinary proceedings.

7. Record-keeping

Minutes will be kept of all meetings. Where possible, these will be confirmed as a record of what was discussed during the meeting.

The trust will store and retain all records relating to grievance procedures for no longer than is necessary, in line with data protection legislation.

8. Monitoring arrangements

This policy will reviewed every year, but can be revised as needed from time-to-time. It will be reviewed by the Business Manager.

The policy will be approved by the board of trustees.

9. Links with other policies

This policy links with our policies on:

- Staff disciplinary procedures
- Staff codes of conduct
- Complaints procedure
- Equality
- Privacy notice
- Staff capability policy

Appendix 1: staff grievance notification form

Name:	School:
Post held:	Department:

<p>Describe the nature of your grievance, including:</p> <ul style="list-style-type: none"> • A full description of your grievance • Relevant evidence, such as facts, dates and names of individuals involved 	
<p>Please state the following:</p>	
<p>The date on which you first raised your grievance, and with whom</p>	
<p>The action taken in respect of your grievance at the informal stage</p>	
<p>The outcomes you are seeking and the actions you would like taken to resolve the situation</p>	
<p>Whether you would like to explore a resolution through mediation</p>	

Whether you would like accompaniment at a grievance meeting by a work colleague, trade union official, or trade union representative - and if so, their name and position	
Signed:	Dated: