

POLICY TYPE: PRESCRIBED
ACTION: FOR SCHOOL ADOPTION

Approval Body: SDBEMAT BOARD
Approval Date: SEPTEMBER 2021
Version: 4 (SEPTEMBER 2021)
Policy Ref: HRP07



**Southwark Diocesan
Board of Education
Multi-Academy Trust**
Developing Church of England Education

HR POLICY HANDBOOK

GRIEVANCE RESOLUTION POLICY

1. SCOPE OF GRIEVANCE RESOLUTION POLICY

- 1.1 This policy is aimed at providing you with a structure to promptly resolve current grievances which are not covered by other policies.
- 1.2 This Grievance Resolution policy cannot be used to:
 - (a) complain about the use of any other policy or process (e.g. disciplinary, capability, restructuring, appraisal etc.) in relation to you whilst that policy is being followed (for the avoidance of doubt such concern can be raised within those other policies or processes.
 - (b) appeal against any formal or informal disciplinary sanction;
 - (c) appeal against any decision to terminate your employment whether on grounds of ill-health, incapacity, redundancy, poor performance or other grounds;
 - (d) appeal against selection for redundancy;
 - (e) appeal against any decision made under any policy which contains its own appeal process;
 - (f) complain about or appeal against any decision relating to pay or grading. Such matters are covered by our Pay policies;
 - (g) complain about or appeal against any decision relating to your pension. Separate Dispute Resolution Procedures have been set up by the Teachers' Pension Scheme and the local fund of the Local Government Pension Scheme;
 - (h) complain about any matter that forms a collective grievance where the appropriate mechanism is for representations to be made by the appropriate trade union representatives;
 - (i) complain about any matter which is properly the subject of a statutory consultation process;
 - (j) complain about matters which have been or should have been brought under our **Public Interest Disclosure policy** ; or

- (k) complain about matters which are more than **three months** old (though this shall not prevent you referring to matters more than **three months** old in relation to a grievance which is otherwise live).
- 1.3 The primary purpose of this policy is not to make findings of fact on historical matters (though this may be required in resolving some grievances where an investigation may be appropriate).
- 1.4 Our focus is on the remedial steps required to resolve a grievance.
- 1.5 We do not speak of grievances being “against” any particular person but rather of grievances “relating” to a particular person.
- 1.6 We shall seek to resolve grievances raised by you during your notice period, using this policy.
- 1.7 We shall not seek to resolve grievances raised after you have ceased to be an employee, under this policy. Any grievance raised after you have ceased employment, may be dealt with by a written response from the Stage 1 Resolution Manager without any right of appeal.

2. INFORMAL RESOLUTION

- 2.1 Before raising a formal grievance under this policy, you should attempt to resolve the matter informally either through your line manager or, where possible, with the other party. This will require you to state clearly what resolution you wish to achieve.
- 2.2 If your line manager is the person to whom the grievance relates you may raise the matter informally with your line manager's line manager.
- 2.3 You may proceed to the formal process without attempting informal resolution but you will be asked to explain why you did not attempt informal resolution.
- 2.4 If there has been an informal resolution we may confirm it in writing.



3. RESOLUTION MANAGERS

The table below sets out the normal level of delegation for dealing with formal grievances. The Resolution Manager should where possible be someone not personally involved in the matter which is the subject of the grievance.

Your grievance relates to:	Stage 1 Resolution Manager (not previously involved)	Stage 2 Resolution Manager (not previously involved)
Pupils, parents or staff (other than the School's Headteacher)	The School's Headteacher or a member of the Senior Leadership Team appointed by the Headteacher	Chair of School's Governors or another non-staff Governor nominated by the Chair
The School's Headteacher or a Governor (other than the Chair of Governors)	Our Executive Team's nominee	A member of our Executive Team or their nominee
The Chair of School's Governors (or a group of Governors including the Chair of Governors) or the Whole Governing Body or Non-School Trust staff (other than our Executive Team)	A member of our Executive Team or their nominee	Trust Chair or their nominee
The Trust Chair	Trust Vice Chair's nominee	Trust Vice Chair or their nominee
Our Executive Team or the Trust Board	Trust Chair's nominee	Trust Chair or nominee

4 FORMAL GRIEVANCE

4.1 Stage 1

- (a) If you have not been able to resolve a problem informally, you must use Form GRP1 (attached to this policy) and submit it to the Headteacher (or to the Chair of Governors if you are the Headteacher).

- (b) A Resolution Manager will be appointed following (wherever possible) the guidance in Paragraph 3 above.
- (c) The Resolution Manager will arrange to meet with you as soon as possible, normally within **ten working days** of us receiving the Form GRP1 from you.
- (d) After this Resolution Meeting, the Resolution Manager will confirm a response in writing (the "Resolution Letter") and inform you of your right to appeal.

4.2 Stage 2

- (e) If you are not satisfied with the Stage 1 Resolution Manager's response, you can appeal by sending a completed Form GRP2 (attached to this policy) to the Resolution Manager within **five working days** of the response being sent to you.
- (f) A different Resolution Manager will be appointed following (wherever possible) the guidance in Paragraph 3 above.
- (g) The Stage 2 Resolution Manager will arrange for a meeting with you as soon as possible, but normally within **ten working days** of us receiving the Form GRP2 from you.
- (h) After this Resolution Meeting, the Stage 2 Resolution Manager will confirm a response in writing (the "Final Resolution Letter").
- (i) The decision of the Stage 2 Resolution Manager is final and there will be no further right of appeal and no fresh grievance may be issued in relation to the matter.

4. PERMITTED COMPANION

You may bring a Permitted Companion to any formal meetings under this policy (see pages 2-3).

5. CONFIDENTIALITY AND TRANSPARENCY

- 6.1 Proceedings and records of any grievance will be kept as confidential as possible but you must appreciate that circumstances can mean that grievances cannot always be dealt with on an entirely confidential basis as a fair investigation may require disclosure of the existence and content of the grievance.



- 6.2 A grievance you raise could result in the instigation of disciplinary action in respect of another employee and to protect the confidentiality of that process, we will not be able to inform you of the disciplinary action, if any, which has been taken as a result of your grievance.
- 6.3 You should not disclose the fact of or content of any grievance to any employee or third party without the express consent of the Resolution Manager (except that you are allowed to approach a prospective companion or your trade union representative).
- 6.4 At the conclusion of your grievance and after any related disciplinary or other processes have been completed, a report will be presented to our Board and your School's Local Governing Body (excluding staff governors) as a confidential item. This report will not identify you but will identify, on an anonymous basis, the content of your complaint so that directors and governors are aware of any concerns that are being raised by staff and are assured that processes to resolve concerns are operating effectively.

6. VENUE FOR RESOLUTION MEETINGS

If your complaint raises sensitive issues, the Resolution Manager may decide to hold the meeting away from your normal place of work.

7. INDEPENDENT MEDIATION

As part of a resolution of a grievance, a Resolution Manager may propose independent mediation particularly in situations where there are relationship difficulties and/or personality clashes between employees.

8. GUIDANCE TO RESOLUTION MANAGERS

The **ACAS Guide "Discipline and Grievances at Work"** contains the following guidelines:

"Preparing for the meeting, the [Resolution Manager] should:

- (a) "consider whether similar grievances have been raised before, how they have been resolved and any follow-up action that has been necessary*
- (b) consider arranging an interpreter where the employee has difficulty speaking English*
- (c) consider whether any reasonable adjustments are necessary for a person who is disabled and/or their companion*
- (d) consider whether to offer independent mediation.*

In conducting the meeting the [Resolution Manager] should:

- (a) remember that a grievance hearing is not the same as a disciplinary hearing and is an occasion when discussion and dialogue may lead to an amicable solution*
- (b) make introductions as necessary*
- (c) invite the employee to re-state their grievance and how they would like to see it resolved*
- (d) put care and thought into resolving grievances. They are not normally issues calling for snap decisions and the employee may have been holding onto the grievance for a long time. Make allowances for any reasonable "letting off steam" if the employee is under stress.*
- (e) consider adjourning the meeting if it is necessary to integrate new facts which arise*
- (f) sum up the main points*
- (g) tell the employee when they might reasonably expect a response if one cannot be made at that time."*

9. FALSE OR MALICIOUS ALLEGATIONS

Making a false or malicious allegation under this policy is a serious disciplinary offence which could result in dismissal for gross misconduct.

PUBLIC INTEREST DISCLOSURE

You should be aware that a grievance may, in certain limited cases, amount to a protected disclosure under the Employment Rights Act (please see our **Public Interest Disclosure (Whistleblowing) policy** for further details). You will not be allowed to raise the same matter under both this policy and the **Public Interest Disclosure (Whistleblowing) policy**.



PRIVATE & CONFIDENTIAL – FORM GRP1
NOTIFICATION OF FORMAL GRIEVANCE

Submitted by	Name:	
	Job Title:	

I wish to formally complain about the behaviour, conduct or decisions of:

- Parents
- Pupils
- Staff (other than the Headteacher/Principal)
- The Headteacher/Principal
- A Governor
- The Chair of Governors
- The Governors as a whole
- A Trust employee not in school
- The Trust Executive Team
- The Trust Chair
- The Trust Board

The details of my complaint are (where possible please identify dates, times and names):



EITHER I have attempted to resolve my grievance informally by (please detail your attempts at informal resolution) OR I have not attempted to resolve this matter informally because (delete where appropriate):

In considering my grievance, I ask you to consider speaking to the following:

In considering my grievance, I ask you to look at the following attached documents:

In considering my grievance, I ask you to look for the following documents:

The outcome I am seeking to resolve this grievance is:

During the period in which you investigate my grievance, I would like you to consider taking the following steps (if any):



My grievance does/does not* include a complaint that I am subject to discrimination, bullying or harassment.

My grievance does/does not* include a complaint that raises a child protection issue.

I will/will not* need special help at my Resolution Meeting.

My Permitted Companion at the Stage 1 Resolution Meeting will be:

My Permitted Companion cannot attend a Resolution Meeting on the following dates/times:

I have read the Trust's Grievance Resolution policy and am aware that false, malicious or vexatious grievances may result in disciplinary action against me for gross misconduct. I am aware that the GRP1 may be forwarded to the Designated Safeguarding Lead and the Local Authority Designated Officer. I am aware that a report on the outcome of this grievance will be submitted to the Governors. I acknowledge that I must not disclose the fact of or content of this Form GRP1 to any employee or third party without the express consent of the Resolution Manager.

Signed:

Print name:

Date:

OFFICE USE ONLY
Received on:
Stage 1 Resolution Manager:
Received by Stage 1 Resolution Manager:
Resolution Meeting held:
Refer to Designated Safeguarding Lead: YES/NO
Refer to LADO: YES/NO

* delete as appropriate

I wish to formally appeal against the Stage 1 Resolution Manager's decision.

I attach:

- A copy of my Form GRP1
- The Stage 1 Resolution Manager's Resolution Letter

I disagree with the Resolution Letter because:

I want the Stage 2 Resolution Manager to:

I will/will not* need special help at the Stage 2 Resolution Meeting.

My Permitted Companion at the Stage 2 Resolution Meeting will be:



My Permitted Companion cannot attend a Resolution Meeting on the following dates/times:

Signed:

Print name:

Date:

OFFICE USE ONLY
Received on:
Stage 2 Resolution Manager:
Received by Stage 2 Resolution Manager:
Resolution Meeting held:

* delete as appropriate

