



# Grievance Policy & Procedure

## Policies approved by the Board of Trustees


Signed: 

Name: Barry Wratten

Date: 1<sup>st</sup> September 2020

## Chair of Board of Trustees

## Authorised for Issue

Signed: 

Name: Neville Coles

Date: 1<sup>st</sup> September 2020

## Chief Executive Officer

## History of Policy Changes

Date	Version	Author	Origin of Change e.g. TU request, change in legislation	Changed by
September 2017	1	FRL	Creation of policy	
May 2018	2		Review of policy	DL
February 2019	3		Following consultation with Somerset Unions	DL
June 2019	4		Annual review	DL
May 2020	5		Review of policy	PC

This policy applies to The Priory Learning Trust and all its academies.

Date policy adopted	September 2020
Review cycle	Annual
Review date	May 2021

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## **1. Policy statement**

- 1.1 It is the Priory Learning Trust's (the Trust) policy to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. Where you make us aware that you have a complaint we will investigate any formal grievance that you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied.
- 1.2 Issues that may cause grievances include:
- (a) terms and conditions of employment;
  - (b) health and safety;
  - (c) work relations;
  - (d) new working practices;
  - (e) working environment;
  - (f) organisational change; and
  - (g) discrimination or equal opportunities.
- 1.3 This procedure does not form part of an employee's contract of employment and it may be amended at any time to ensure it remains compliant with best practice. The employer may also vary application of this procedure, including any time scales for action, as appropriate.

## **2. Who is covered by the procedure**

- 2.1 This procedure applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors.

## **3. Using this procedure**

- 3.1 Complaints that amount to an allegation of misconduct on the part of another employee will be investigated and dealt with under the Trust's Disciplinary Policy & Procedure and you will be informed if this is the case.
- 3.2 This Grievance Policy & Procedure should not be used to complain about dismissal or disciplinary action or the outcomes of other procedures. If you are dissatisfied with any disciplinary action, you should submit an appeal under the Disciplinary Policy & Procedure.
- 3.3 Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.
- 3.4 There is a separate Anti-Harassment and Bullying Policy that may be useful if you believe you have been the victim of bullying or harassment or wish to report an incident of bullying or harassment involving other people.

- 3.5 The employer operates a separate Whistleblowing Policy to enable employees to report illegal activities, wrongdoing or malpractice. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of whistleblowing, you may raise the matter under this grievance procedure.
- 3.6 This procedure does not apply to grievances concerning two or more employees (collective grievances) raised by a representative of a trade union or other representative body. These will be dealt with as appropriate to the facts of the case.
- 3.7 Written grievances will be placed on your personnel file along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed in accordance with our Data Protection Policy. This will not be shared or disclosed in any future prospective employer references.
- 3.8 It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of your grievance. This involves the appointment of a third-party mediator, who will discuss the issues raised by your grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.
- 3.9 At no point throughout the Grievance process is it permitted to record any meetings either visually or via audio.

#### **4. Raising grievances informally – Step 1**

- 4.1 We believe that most grievances can be resolved quickly and informally through open communication and discussion with your line manager, Leadership Team or the Principal. We would always aim to resolve your grievance informally where possible. If you feel unable to speak to your manager, for example, because the complaint concerns them, then you should speak informally to the Principal or member of Leadership Team. If this does not resolve the issue, you should follow the formal procedure below.

#### **5. Formal written grievances – Step 2**

- 5.1 If your grievance cannot be resolved informally you should put it in writing and submit it to the Principal for Academy staff. If the matter involves the Principal, Academy Operations Manager or member of the Central Team then the grievance should be put in writing to the Chief Executive Officer or Chief Operations Officer. If the matter involves the Chief Executive Officer or Chief Operations Officer, it will need to be submitted to the Trustees indicating that it is a formal grievance.
- 5.2 The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations, we may need to ask you to provide further information. You should also state what your desired outcome would be to resolve the situation. Appendix 1, Notification of Grievance form, should be completed.

## **6. Investigations**

- 6.1 In some cases, it may be necessary for us to carry out an investigation into your grievance. The amount of investigation required will depend on the nature of the complaint and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents. The investigation will usually be carried out by an impartial senior member of staff nominated by the Principal/Chief Executive Officer/Trustees.
- 6.2 You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.
- 6.3 The employer may initiate an investigation before holding a grievance meeting where the employer considers this appropriate. In other cases, we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases, we will hold a further grievance meeting with you after our investigation and before we reach a decision.

## **7. Right to be accompanied**

- 7.1 An employee may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either a trade union representative or a colleague. You must tell the person holding the grievance meeting who your chosen companion is, in good time before the meeting.
- 7.2 At the meeting, your companion may make representations and ask questions, but should not answer questions on your behalf. You may request an adjournment to speak to them privately at any time during the meeting.
- 7.3 Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.
- 7.4 If your choice of companion is unreasonable we may ask you to choose someone else, for example:
- (a) if in our opinion your companion may have a conflict of interest or may prejudice the meeting; or
  - (b) if your companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards.
- 7.5 We may, at our discretion, allow you to bring a companion who is not a colleague or trade union representative (for example, a member of your family) as a reasonable adjustment if you have a disability, or if you have difficulty understanding English.

## **8. Grievance meeting**

- 8.1 The Trust will arrange a grievance meeting, normally within 10 working days of receiving your written grievance.

- 8.2 You and your companion (if applicable) should make every effort to attend the grievance meeting. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.
- 8.3 The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made. Everyone involved in the process is entitled to be treated in a calm manner and with respect. The Trust will not tolerate abusive or insulting behaviour from anyone taking part in grievance procedures and will treat any such behaviour as misconduct under the Trust's Disciplinary Policy & Procedure.
- 8.4 After an initial grievance meeting we may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.
- 8.5 We will write to you, usually within 5 working days of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal. Where appropriate we may hold a meeting to give you this information in person.

## **9. Appeals – Step 3**

- 9.1 If the grievance has not been resolved to your satisfaction, you may appeal. Please address your appeal to the HR Team, stating your full grounds of appeal, within 10 working days of the date on which the decision was sent or given to you.
- 9.2 We will hold an appeal meeting without unreasonable delay, and normally within 10 working days of receiving your written appeal. The appeal panel will be made up of at least three members as identified within the Scheme of Delegation. We will ensure the appeal is dealt with impartially by a panel who has not previously been involved in the case (although they may ask anyone previously involved to be present). You have a right to bring a companion to the meeting (see paragraph 7).
- 9.3 The panel will confirm their decision in writing, usually within 5 working days of the appeal hearing. This is the end of the procedure and there is no further right of appeal.

## **10. Review of policy**

- 10.1 This policy is reviewed annually by the Trust and where materially amended is consulted on, where necessary. We will monitor the application and outcomes of this policy to ensure it is working effectively.

**Appendix 1**

**Notification of Grievance Form**

To:

I wish to register a formal grievance under the Trust's Grievance Policy & Procedure.

**The cause of my grievance is: (This should set out clearly the nature and extent of the problem and include any relevant details)**

**I have taken the following steps to resolve the problem or grievance before invoking the formal grievance procedure:**

**I believe that my grievance could be resolved in the following way:**

Signed.....

Print Name:.....

Job Title:.....

Line Manager:.....