

[Academy Name]

Staff Grievance Procedure

Policy Type:	Trust Core Policy
Approved By:	St Benet's MAT Board of Trustees (Finance, Audit and resources Committee)
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Date Adopted by LGB:	dd/mm/yyyy
Review Date:	February 2024
Person Responsible:	Chief Executive Officer

Summary of Changes

The model policy has been revised to reflect these changes to the local information and statutory guidance as outlined below.

Page Ref.	Section	Amendment	Date of Change
		New	

Roles and responsibilities

The Diocese of Norwich St Benet's Multi Academy Trust is accountable for all policies across its Academies. All policies whether relating to an individual academy or the whole Trust will be written and implemented in line with our ethos and values as articulated on our website (www.stbenets.org). We are committed to the provision of high-quality education in the context of the Christian values of responsibility, respect and dignity where individuals are valued, aspirations are high, hope is nurtured and talents released.

A Scheme of Delegation for each academy sets out the responsibilities of the Local Governing Body and Principal/Head Teacher. The Principal/Head Teacher of each academy is responsible for the implementation of all policies of the Academy Trust.

All employees of the Academy Trust are subject to the Trust's policies.

1. Terms of Reference

- 1.1 For all employees employed by the Diocese of Norwich St Benet's Multi Academy Trust at **insert academy name**.
- 1.2 Definitions:
"Headteacher" also refers to any other title used to identify the Headteacher, where appropriate, or other senior manager delegated to deal with the matter by the Headteacher.

2. General Principles

- 2.1 The aim of this Grievance Procedure is to enable any employee to have his/her grievance heard and to seek redress as appropriate. The intention is that grievances should be settled quickly and fairly and should be first dealt with as close to the source as possible.
- 2.2 The procedure applies to all employees at **insert academy name** including the Headteacher and members of the leadership team, full and part-time, permanent and temporary employees. If it is the Headteacher who has a grievance, then the Chair of Governors is the person to whom the Headteacher refers to as his/her immediate line manager at Stage 2. If the Headteacher's grievance is not resolved at that stage, the matter should be referred to Stage 3, the Appeal Committee of the Local Governing Body.
- 2.3 If individual governors are the subject of the grievance, such person(s) shall not sit with the Appeal Committee but may attend the Governors' hearing to present his/her case.
- 2.4 A grievance is a complaint by an employee about any aspect of his/her employment such as
 - 2.4.1 terms and conditions of employment
 - 2.4.2 health and safety
 - 2.4.3 work relations
 - 2.4.4 bullying and harassment (except where dealt with under the Bullying and Harassment Procedure)
 - 2.4.5 new working practices
 - 2.4.6 working environment
 - 2.4.7 organisational change
 - 2.4.8 discrimination
 - 2.4.9 pay (except where dealt with under the Pay Policy)

- 2.5 The grievance must be one that lies within the power of management and governors of **insert name of academy** to resolve, e.g. it must not be a grievance about matters determined by legislation or collective agreements. Where another policy is used to address the grievance then the grievance procedure is not available in addition.
- 2.6 A grievance arising from dismissal or disciplinary action is to be resolved by appeal within the disciplinary procedure. The grievance procedure is **not** available in addition to, or in substitution for the disciplinary procedure unless the grievance is against the person(s) who are the decision makers of the disciplinary issue.
- 2.7 An employee who is a member of a trade union is strongly advised to consult that trade union's representative before invoking the grievance procedure.
- 2.8 Those responsible for dealing with employees' grievances will treat them seriously and attempt to resolve them as quickly as possible. There should be no attempt to block an employee's wish to raise the grievance at a higher level.
- 2.9 Employees should recognise that an investigation may be necessary which may delay the process beyond normal time limits.
- 2.10 At any stage of the procedure the head teacher and/or Governors may wish to refer to an adviser external to the academy or St Benet's MAT for guidance to bring about a resolution of the grievance acceptable to both sides outside the formal hearing within the Grievance Procedure. Such conciliation is without prejudice to the position of both parties in the procedure.
- 2.11 The head teacher and/or Governors may wish to take advice from the Trust's HR Adviser before considering a grievance.
- 2.12 To get the most from the process all parties are strongly advised to maintain confidentiality and to only discuss the concerns with relevant parties. The use of social media to "air" grievances is inadvisable and could leave the individual vulnerable to disciplinary action if it is considered they have brought the Academy into disrepute.
- 2.13 This procedure has been implemented following consultation with employees and Trade Unions.

3. Stages of the Grievance Procedure

3.1 Stage 1: Raising Grievances Informally

The employee should raise the grievance with the person causing the grievance in the first instance. If the grievance cannot be resolved directly, or the employee feels unable to raise it directly then the employee should discuss the issue with his/her immediate line manager. The employee should indicate what they would see as a suitable resolution. The line manager should give a reply as soon as possible, within a calendar week, even if it is only an interim reply. If the line manager sees the situation as being beyond their authority they should, with the employee's agreement refer the matter to the Headteacher.

If the employee's grievance is against the line manager personally, the grievance may be referred direct to Stage 2 but it would be reasonable to let the line manager know this move is intended. If the immediate line manager is the Headteacher then the employee may go direct to Stage 2 paragraph 3.4 but it would be reasonable to let the Headteacher know this move is intended.

- 3.2 Stage 2: Formal Grievance Hearing
If the employee is not satisfied with the reply by his/her line manager (who is not the Headteacher), the employee should submit the grievance in writing, indicating that it is a formal grievance, to the Headteacher. The written grievance should contain a brief description of the nature of the complaint, including any relevant facts, dates and names of individuals involved.
- 3.3 The Headteacher will normally meet the employee to hear the grievance and then investigate as appropriate. They will reply as soon as possible, within two calendar weeks, even if it is only an interim reply pending further investigation. At this stage, the employee may be accompanied by a Trade Union representative or workplace colleague at any meeting to discuss the grievance.
- 3.4 The Headteacher may be accompanied by another employee, or the academy's HR Adviser. If it is necessary for the head teacher to attempt conciliation between two or more employees at this stage, each employee may be accompanied by a Trade Union representative or workplace colleague at any meeting called by the Headteacher.
- 3.5 Where it is appropriate, for example if it is proving difficult to find a resolution, all parties may agree to mediation through a suitably qualified mediator.
- 3.6 If the Headteacher is unable to resolve the grievance and/or the employee raising the grievance is not satisfied with the outcome then the employee may appeal to the Appeal Committee of the governors at stage 3.
- 3.7 Where the grievance is against the Headteacher Stage 2 shall be heard by a committee of governors in accordance with paragraphs 3.2 and 3.3 above.
- 3.8 Stage 3: Formal Appeal Hearing
Where a formal appeal is requested the reason for this must be clearly stated in writing to the Chair of Governors. This would normally be on the grounds that due process was not followed.
- 3.9 An Appeal Committee of 3 governors shall be convened by the Clerk to Governors. The Appeal Committee may have an adviser(s) to attend it at its meeting who may also be involved in its private deliberations. The adviser(s), who should not have had any previous involvement in dealing with the grievance, shall not have a vote in the decision of the Appeal Committee. The Appeal Committee shall decide the procedure by which it will hear the grievance which will allow all parties to present their cases. The Appeal Committee shall advise all parties, prior to the start of the hearing, of the procedure it intends to follow. The Appeal Committee's decision is final.