

Grievance Policy



Version:	Date:	Policy Owner:	Amendments made by:	Details of amendments made:	Reviewed by:	Approved by:
V1.0	10.11.21	Marie Roe	Marie Roe	New policy	Board of Trustees	01.12.21
V2.0	25.01.23	Rachel Inchiliffe	Rachel Inchiliffe	Change of delegation schemes	Board of Trustees	
V2.1	09.03.23	Rachel Inchiliffe	Wendy Turpin	Final version following approval	FARRC	03.03.23
V3.0	29.02.24	Rachel Inchiliffe	Rachel Inchiliffe	Amendment to Grievance Hearing	FARRC	14.03.24

Monitoring and Review

This policy is reviewed **annually** by the Policy Owner: **R Inchiliffe**

The scheduled review date for this policy is **March 2025**

Values and Ethos

Our values and ethos are inclusive, and child centred. Our Trust is founded on the principles of inclusivity, diversity, and fairness, and they are fundamental to our delivery of exceptional learning experiences.

EVAT stands for:

- **Excellence** and high standards
 - a can-do culture and no-excuses ethos
- **Values driven** with a deep sense of purpose
 - putting children and young people first
 - behaving ethically
- **Ambition** and aspiration for all
 - irrespective of background or barriers – being truly inclusive
- **Teamwork**
 - we do more, better and faster, together

We are a village. We collaborate, with our learners, their families and our communities, to provide exceptional education so that all the children and young people we serve achieve the best possible outcomes.


Our Ethos is to:

- Create a nurturing and friendly atmosphere and provide an environment where everyone feels valued for who they are
- Bring out the best in every child and young person and meet the full range of their individual needs
- Provide different and unique experiences, challenges and activities
- Show tolerance and respect for each other
- Prepare our children and young people for lifelong learning
- Improve the life chances of every child and young person we serve.

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Note - Throughout this policy, the Chief Executive / Chief Operating Officer / Executive Principals / Principals / Head of School / Line Managers will be referred to by the term Manager.



1. Introduction / Legal Framework

- 1.1. This Grievance Policy sets out our procedures for raising a grievance and for the management of grievances in a fair, reasonable, and consistent way.
- 1.2. The Trust works to develop good, professional relationships between colleagues; however, it is understood that sometimes conflicts may arise. By maintaining open communication, staff members should feel able to raise any grievances so that appropriate and effective solutions can be put in place.
- 1.3. The People Team has overall responsibility for this policy, including keeping it under review.
- 1.4. Managers have a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues where applicable.
- 1.5. This policy applies to all employees regardless of length of service. It does not apply to agency workers, consultants, or self-employed contractors.
- 1.6. This policy does not form part of any employee's contract of employment.

2. Raising a Grievance

- 2.1. Grievances will be raised within 60 days of the incident that led to the grievance. If staff members raise a grievance outside of this timeframe, the Trust will take no further action. This is because, the longer the time that elapses between the incident that led to the grievance and the grievance being raised, the more difficult it will be to establish the facts. Only in exceptional circumstances will the timescale be varied.
- 2.2. Issues that could cause grievances may include:
 - *Terms and conditions of their employment*
 - *Health and safety*
 - *Work relations*
 - *Bullying or harassment*
 - *Working practices / working environment*
 - *Organisational change*
 - *Discrimination.*
- 2.3. The grievance procedure should not be used to complain about an outcome of disciplinary action. If an employee is dissatisfied with any disciplinary action, they should submit an appeal in line with the Trust's Disciplinary Policy.

- 2.4. Employees should be aware of the difference between this policy and the Trust's Whistleblowing Policy and ensure that they report concerns and grievances appropriately.
- 2.5. 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 process.
- 2.6. This policy does not apply to:
 - *Personal disagreements between employees that are not connected with their duties within the Trust*
 - *Restarting grievances that have since been closed unless the facts of the matter have changed.*
 - *Pay gradings – these are addressed by the Trust's Pay Policy*

3. Raising a Grievance – Informally

- 3.1. Most grievances can be resolved quickly and informally through discussion with the employee's line manager.
- 3.2. If an employee feels unable to speak to their line manager or senior manager, for example, because the complaint concerns them, then you should speak informally to the People Team who will provide further advice and guidance.
- 3.3. The purpose of the informal stage is to resolve the issue in an open, honest and positive way, to avoid escalation to the formal stage.
- 3.4. The informal meeting will take place within 5 working days of the grievance being raised. The line manager will arrange a time for an informal meeting and the employee will be informed of this in writing.
- 3.5. In the informal meeting, the manager will determine:
 - *What the employee is concerned about*
 - *What outcome the employee is seeking*
 - *Whether further meetings are required and if escalation to the formal stage is required*
- 3.6. If the working relationship between colleagues for which the grievance is concerned is breaking down, the manager will consider whether seeking support from the People Team or other managers.
- 3.7. If this does not resolve the issue, the employee should follow the formal procedure below

4. Raising a Grievance – Formally

- 4.1. If the grievance cannot be resolved informally, the employee should put their concerns in writing and submit to their manager and to the People Team, indicating that it is a formal grievance. If the grievance is regarding the Chief Executive this needs to be submitted to the Chair of the Board of Trustees.
- 4.2. The written grievance should contain a brief description of the nature of the complaint, including any relevant facts, dates and names of individuals involved, witnesses and the resolution which the employee is seeking. They should also include information of what they have already undertaken to resolve this issue.
- 4.3. Grievances will be looked at on a case-by-case basis.

5. Grievance Investigation

- 5.1. It may be necessary for the Trust to carry out an investigation into a grievance. The investigation will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the employee and any other witnesses, and/or reviewing relevant documents.
- 5.2. This investigation may be undertaken by your manager or someone else appointed by the Trust.
- 5.3. The employee must cooperate fully and promptly in any investigation. This may include providing names of any relevant witnesses, disclosing documentation (if applicable) and attending interviews as part of the investigation.
- 5.4. The Trust may initiate an investigation prior to holding a grievance meeting where we may consider this appropriate, In other cases, the Trust may hold a grievance meeting before deciding what investigation (if any) to carry out. In these cases, the Trust will hold a further grievance meeting with the employee after the investigation and before a conclusion is decided.

6. Right to be Accompanied

- 6.1. Employees have the right to be accompanied at all stages of a formal procedure and may choose to bring a companion to the information stages. The staff member's companion will be either a:
 - *Colleague (who does not have a conflict of interest)*
 - *Trade Union official*
- 6.2. Companions will not:

- *Answer questions on the employee's behalf*
- *Address the hearing if the employee does not want them to*
- *Pose a conflict of interest to the grievance being raised*
- *Prevent the employee from explaining their case.*

7. Grievance Meetings / Grievance Outcome

- 7.1. The Trust will arrange a grievance meeting as soon as is reasonably practicable after receipt of your written grievance (depending on school holidays).
- 7.2. The Employee and their companion (if any) should make every effort to attend grievance meetings. If the employee or the companion cannot attend at the time specified, they should inform the manager and/or the People Team immediately and within reason, an alternative date/time will be provided.
- 7.3. The purpose of a grievance meeting is to enable the employee to explain their grievance and how they think it should be resolved, and to assist the Trust in reaching a decision based on the available evidence and the representations made.
- 7.4. After an initial grievance meeting the Trust may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.
- 7.5. The Trust will write to the employee, to inform them of the outcome of the grievance and any further action that the Trust intend to take to resolve the grievance.
- 7.6. Outcomes of the grievance are that:
 - *The grievance is upheld in full*
 - *The grievance is rejected in full*
 - *The grievance is partially upheld e.g., there is validity to some of the grievance*
- 7.7. Employees will have the right to appeal the grievance outcome. Where the Trusts deems as appropriate, a meeting may be held to provide the employee with this information in person.

8. Right to Appeal / Appeal Hearing

- 8.1. If the grievance has not been resolved to the employee's satisfaction, they can appeal this outcome.

- 8.2. The employee will be required to put in writing to the named contact, their full grounds of appeal, within 5 working days of the date on which the decision was sent or given to you.
- 8.3. An appeal meeting will be arranged as soon as reasonably possible. This will be dealt with impartially by a more senior employee who has not previously been involved in the case (although they may ask anyone previously involved to be present).
- 8.4. The employee has the right to be accompanied to the appeal hearing.
- 8.5. The Trust will confirm their final decision on the appeal outcome in writing, usually within five working days of the appeal hearing. Note this may vary pending school holidays.
- 8.6. This is the end of the procedure and there is no further appeal.

9. Collective Grievances

- 9.1. Where a complaint is raised by a group of employees about a matter related to their employment, the case should be presented by one Trade Union representative.
- 9.2. Where several employees are not a member of a Trade Union and they wish to raise the same grievance, lodging their complaint as a group, they are required to submit individual statements about their grievance.
- 9.3. If each of the complaints is raised as a formal grievance, and as long as the issue is of a similar nature in each case, they will be dealt with in one hearing through the Trust's Grievance process.
- 9.4. Outcomes of collective complaints will be provided to each employee on an individual basis.

10. Public Sector Equality Duty (Equality Act 2010)

- 10.1. In preparing or amending this policy, the author has given due regard to the Public Sector Equality Duty; that is they have considered any potential impact on people who share certain protected characteristics. These protected characteristics are defined as: race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment.