



# CANNOCK CHASE HIGH SCHOOL

A C H I E V E M E N T F O R A L L

## GRIEVANCE POLICY

### 1. Introduction

As an organisation, we believe that it is important that colleagues have the facility to raise any grievances relating to their employment and that these are dealt with promptly, fairly, consistently and without delay. The purpose of this policy and procedure is to give you the opportunity to raise grievances either informally or formally.

Cannock Chase High School is committed to achieving this through:

- setting high standards of expectation consistent with the school community expectations of our organisation and relevant professional standards;
- the application of consistent and fair procedures in accordance with good practice and equal opportunities;
- adhering to the employment legislation and guidance in relation to dispute and conduct.

### 2 Scope

This policy applies to all employees including temporary, fixed term, apprentices, casual workers and volunteers regardless of length of service. This procedure does not form part of your contract of employment and may be varied from time to time. The procedure does not apply once you have left the organisation.

You can use this procedure either on your own or collectively with colleagues, otherwise known as a collective grievance.

This procedure cannot be used as an additional means of appeal against a decision or sanction under another policy.

### 3 Mediation

Mediation is a confidential process that seeks to help colleagues resolve disputes in the workplace. Mediation is an informal process where colleagues involved in a dispute, or whose relationship is under strain, have the opportunity to air their differences in a voluntary, safe and confidential meeting with the other party, in the presence of a mediator.

Mediation can be used at any point in the procedures, for example where other informal approaches have been unsuccessful, or if you do not feel that the formal procedure is the right option, you may want to consider mediation as an alternative to the formal procedure. Mediation is a voluntary option, and it can only be used when both parties agree to take part. There is no penalty or detriment if you choose not to participate in a mediation process.

If both parties agree to engage in the mediation process as a way of resolving their issues, then the manager will arrange for mediation to take place as soon as possible. Your manager will provide you the details of the mediation process. If you go through mediation and it is not successful, you can then go through the formal grievance procedure.

If you have raised a grievance and decide to pursue mediation, the grievance may be paused while the mediation is taking place. If the issue is resolved informally or through mediation, the formal grievance will be closed.

## **4 The Grievance Stages**

### **Stage 1 – Informal Procedure**

Many issues or concerns can be dealt with on an informal basis, outside of the formal grievance procedure, through discussion with your line manager and we would encourage this. Grievances are best resolved at an early stage and you should make your manager aware of concerns in a timely manner making it clear that you are raising your grievance informally and you should clarify what outcome you are seeking. You must give your manager reasonable time to deal with your complaint informally.

The aim of this procedure is to resolve grievances and achieve an appropriate outcome to complaints quickly. Dealing with the matter informally in no way diminishes the seriousness of the matter nor does it weaken the outcome.

If your complaint is about your line manager then you can discuss the matter with your manager's manager in the first instance. No action will normally be taken unless agreed with you first.

Your manager should arrange a meeting with you within five working days, or sooner where the grievance is related to harassment or bullying. After allowing reasonable time for your manager to deal with your complaint, the manager will write to you with the outcome.

### **Stage 2 – Formal Procedure**

If your grievance has not been resolved informally or you feel that the informal process is not appropriate, then you can raise the matter formally. To do this, you (or your representative) must put your complaint in writing to your line manager making it clear that you wish to raise the matter as a grievance. If the grievance concerns your line manager, then you should send your grievance to your manager's manager.

Your complaint should explain the basis of your grievance, and it will be helpful to include any relevant dates, facts and any thoughts you may have on the outcome you are seeking.

On receipt of a formal grievance your line manager will:

- invite you in writing to attend a meeting to discuss the grievance with the Investigating Manager;
- ensure the meeting is in private;
- respect your confidentiality;

- have notes taken of your grievance at the meeting;
- carefully consider all the points raised and agree with you any steps or actions to try and resolve the grievance.

Where reasonably practicable, the meeting will be held within **ten working days** of receipt of the written grievance and sooner where the grievance is related to harassment or bullying.

Depending on your grievance, your complaint may need to be investigated by an appropriate manager or external investigator, as appointed by the Headteacher/Chair of Governors and the meeting may need to be adjourned. You will be kept informed of the progress of the investigation and a further meeting will be arranged with you following the investigation with the Deciding Manager, to discuss the investigation and the outcome.

Investigations will be dealt with as confidentially and sensitively as possible. Parties may request that relevant witness(es) are interviewed as part of the investigation. Only staff who are directly involved or who have information relating to the grievance will be interviewed as part of an investigation. The investigating manager may decide not to interview witnesses where it is established that the witness will corroborate facts which have already been established.

Once your grievance has been considered, the Deciding Manager will write to you with the outcome within **five working days**. You will also be advised of your right of appeal should you be dissatisfied with the decision and to whom your appeal should be made.

If you are the subject of a grievance investigation, on conclusion you will be informed in writing of the outcome and of any findings that relate to you. You will also be notified if there is any further action to be taken, for example if the matter is to be referred to a disciplinary hearing. If the grievance investigation will form part of a disciplinary investigation, then any documentation generated during the grievance investigation may be used as part of the disciplinary in accordance with the Disciplinary Policy.

## **5 Right to be Accompanied**

Employees have the right to be accompanied by a trade union representative or work colleague at all formal meetings. If an employee's chosen companion is not available at the time proposed for the meeting or hearing, a mutually convenient time should be arranged within five working days of the original date. Employees do not have the right to be accompanied by anyone else such as a spouse, partner, other family member or legal representative.

It is advised to consider allowing employees to be represented at all meetings to ensure appropriate external advice is available. This supports the employee's understanding of the process and enables them to fully participate and engage with the employer.

The representative is allowed to address the meeting, to put and sum up the case, respond to any views expressed at the meeting and confer with their member/colleague during the meeting.

The representative does not have the right to answer questions on behalf of their member/colleague.

## 6 Appeal

If you are dissatisfied with a formal decision, you can appeal. Your appeal must be in writing and set out the grounds of your appeal and include all the information you wish to rely on at the appeal hearing. You must send your appeal to the Headteacher’s PA within five working days of the date you received the outcome letter confirming the decision.

You must be appealing against either:

- the finding that your grievance was not upheld where the evidence does not support this finding;
- the fact that you don’t feel the correct procedure was followed;
- the fact that new evidence has come to light that would change the outcome;
- the outcome is inconsistent with how others have been treated.

You will be invited to the Appeal Hearing in writing and you will be given at least five working days’ notice of the appeal hearing. You have the right to be accompanied at the Appeal Hearing by your trade union representative or work colleague, consistent with the right to be accompanied set out in this policy. The appeal panel may be supported by an internal or external specialist adviser.

You must provide copies of any relevant evidence you intend to refer to, at least two working days before the Appeal Hearing.

You will be advised of the appeal outcome, which will be confirmed in writing within five working days of the Appeal Hearing. There is no further right of appeal.

You are not entitled to raise a further complaint under any other of the organisation’s complaints procedures in relation to the same grounds of appeal.

## 7 Data Protection

The organisation will comply with the provisions of UK data protection law. Employee data will be processed in accordance with the principles of that legislation, as necessary for the performance of the contract of employment and as set out in the organisation’s privacy notice. Personal information about employees, including information in personnel files, will be held securely and privately in accordance with the organisation’s Data Protection Policies and Procedures.

Minutes of formal meetings will be given to the employee for information and copies of notes, letters and other relevant documentation should be retained on file.

<b>Implementation date:</b>	January 2023
<b>Last review date:</b>	February 2025
<b>Next Review date:</b>	February 2026
<b>Statutory Policy:</b>	Yes

## Organisation Decision Making Structure

The organisation has determined that the following Decision-Making Structure will apply to any formal action taken in relation to staffing matters with effect from January 2023.

Role	Personnel Level	Responsibility
Investigating Officer	Line Manager, Senior Manager or External Investigator	Conduct fact finding and information gathering investigation. Present facts of matter in unbiased report. May be required to present findings at meeting. No decision-making powers.
Deciding Manager/ Panel	Senior Manager Panel of Governing Body Members Dependent upon organisation's scheme of delegation	Consider grievance and findings of any investigation. Determine suitable outcome and next steps.
Appeal Presenting Manager	Deciding Manager or member of Deciding Panel at previous stage	Present information to the Appeal Panel relating to the original decision.
Appeal Panel	Panel of Governing Body Members – must not have been involved in grievance investigation and/or the original Deciding Panel	Consider grounds for appeal and original decision to determine whether appeal is upheld or not.
Specialist Adviser	Appropriate internal or external specialist adviser	Advise Deciding Manager/Panel/Appeal Panel on process and technical points. No decision-making powers.