



Grievance Procedure Policy

1. Terms of Reference

1.1 For all employees, employed by the Governing Body of a Community, Voluntary Controlled or Community Special school under the Education Act 2002.

1.2 Definitions:

“Headteacher” also refers to any other title used to identify the Headteacher, where appropriate.

“School” also refers to the groups run by the school where appropriate.

“Friend” refers to any person chosen by the employee to accompany him/her, and may include a trade union representative or a solicitor.

1.3 **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 1. If the grievance is not resolved at that stage, the matter should be referred to the Conciliation Committee of the Governing Body. If individual governors are the subject of the grievance, such person(s) shall not sit with the Conciliation Committee but may attend the Governors’ hearing to present his/her case. The Headteacher has right of appeal to the Appeals Committee of the Governing Body.**

2. Guidance

2.1 The aim of this grievance procedure is to enable any member of staff or ex-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. The procedure applies to all employees at the school including the Headteacher and deputies, full and part-time, permanent and temporary employees and ex-employees in accordance with the Employment Act 2002 (Dispute Resolution) Regulations 2004.

2.2 A grievance is a complaint by an employee about any aspect of his/her employment e.g. the nature or range of duties, individual pay and conditions of service, relationships with supervisors. The grievance must be one that lies within the power of the management of the establishment to resolve, e.g. it must not be a grievance about matters determined by legislation or collective agreements. (Grievances about pay will be dealt with under the appeal procedure in the School’s Pay Policy).

2.3 A grievance arising from 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.

2.4 An employee who is a member of a trade union may consult that trade union’s representative before invoking the grievance procedure, but the employee should normally raise the problem personally with the immediate supervisor before involving his/her trade union representative.

2.5 It may be appropriate to refer to any separate written procedures that the school may have for raising complaints about sexual or racial harassment.

2.6 Those responsible for dealing with employees’ grievances should 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.

2.7 Employees should recognise that answers to some complaints may be obtainable only by reference to others outside the establishment and that answers may be delayed beyond normal time limits.

2. Guidance (Cont/d)

- 2.8 At any stage of the procedure the Headteacher and/or Governors may wish to refer to an adviser external to the school 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.
- 2.9 The Headteacher and or Governors should be aware of the model grievance procedure for **teachers** contained in the “**Conditions of Service for School Teachers in England and Wales**” - (**Burgundy Book**) of which this guidance has taken account. The “National Agreement on Pay and Conditions of Service” for support staff (the Green Book) says: *The employing authority should ensure that all employees are aware of the person to whom they should apply in the event of their having a grievance and of the procedure to be followed in that Instance. These procedures should accord with ACAS guidance.*
- 2.10 The Headteacher and/or Governors may wish to take advice from the school’s Personnel Adviser before considering a grievance.

3. Stages of the Grievance Procedure

3.1 Stage 1

The employee should personally present the grievance, either orally or in writing, to his/her immediate line manager. 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 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 and the matter is not resolved with the Headteacher, then the employee shall go direct to Stage 3.

3.2 Stage 2

If the employee is not satisfied with the reply and the reply is not from or on behalf of the Headteacher, the employee should refer the grievance to the Headteacher. The Headteacher should normally meet the employee to hear the grievance and reply as soon as possible, within two calendar weeks, even if it is only an interim reply. At this stage, the employee may be accompanied by a “friend” at any meeting to discuss the grievance.

- 3.3 The Headteacher may be accompanied by another member of staff, or the school’s Personnel Adviser or an officer of the LEA. If it is necessary for the Headteacher to attempt conciliation between two or more members of the staff at this stage, each member of staff may be accompanied by a “friend” at any meeting called by the Head.

3.4 Stage 3

If the employee is still not satisfied with the reply, or if the reply at Stage 1 had been from or on behalf of the Headteacher, the employee should refer the grievance to the Governing Body (via the Clerk). The Governing Body should normally invite the employee (and his/her “friend”) to a hearing of the appropriate committee of the Governing Body. Such an invitation, with a suitable date, should be given as soon as possible. The Governing Body should also invite to the hearing any party against whom the grievance is made.

3. Stages of the Grievance Procedure (Cont/d)

- 3.5 A standing committee of 3 governors shall be set up, to be referred to as the “Conciliation Committee”, of which at least 3 Governors shall meet to hear any grievance. The Committee may have 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 Committee. The Committee shall decide the procedure by which it will hear the grievance which will allow all parties to present their cases. The Committee shall advise all parties, prior to the start of the hearing, of the procedure it intends to follow.

3.6 If the grievance is not resolved to the employee's satisfaction at this stage, there is right of appeal to the Appeals Committee of the Governing Body. The Appeals Committee decision is final.

4. Review

Wyton on the Hill Primary School will review this Policy in line with EPM reference documents on their Web site on an Annual basis.