



Grievance Procedures for Staff Policy

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Grievance Procedures for all staff

The Grievance Procedure adopted by Prospect Education (Technology) Trust Ltd (the Trust) provides for individual employees to raise grievances with the Trust's management about situations that impact detrimentally upon their employment. The key aim is to settle grievances both fairly and promptly. Most routine complaints and grievances are successfully resolved informally through open discussion with the employee's immediate line manager or other colleague with whom the matter concerns without the need for recourse to formal action. This is often the most appropriate way to lead to a quick resolution of the problem.

This grievance procedure applies to all staff employed to work for the Trust. It does not include contractors' employees, visitors or other persons who may be present from time to time at the Academy.

The grievance procedure aims to deal with staff complaints, including matters of alleged discrimination or victimisation of employees. A separate policy exists for dealing with issues of harassment and/or bullying. The procedure is not to be used for disciplinary or capability issues, including appeals as separate procedures exist for these situations.

In dealing with staff grievances, there are two types of procedure that may be required:

- i) Informal procedure, without necessary recourse to any subsequent stage,
- and
- ii) Formal procedure, where (i) has failed or is deemed inappropriate.

1 Informal Procedure

- a) When an employee has a grievance he/she should first of all endeavour to resolve the matter by a direct informal approach to the other employee(s) concerned with the grievance, if appropriate consulting with their line manager. Every effort should be made to resolve the grievance at this stage.
- b) If the grievance remains unresolved following discussion at stage 1(a) above, the employee may request a personal interview with his/her next level of line management for informal discussion of the circumstances with the aim of identifying other informal means by which to rectify the difficulty.
- c) In all cases, even where the complainant submits a formal grievance without first raising the complaint with their line manager, managers should attempt to resolve the underlying problem informally as part of good management practice and not default to formal procedural arrangements without such consideration.
- d) In certain circumstances it may, subject to mutual agreement, be beneficial to seek external advice or assistance to attempt to resolve matters informally.

2 Formal Procedure

Where the grievance has not been resolved under any of the procedures set out in Section 1 above, and the employee wishes to proceed with a formal grievance the following three stage process will be followed.

Stage 1(a)

The employee must set out in writing (see Appendix 1) the details of his/her grievance with the Trust and submit this to their line manager (or more senior management if the grievance is in respect of their line manager). If neither of these is deemed appropriate, the Principal shall nominate who is to be responsible for hearing a stage 1(b) grievance. A copy of this formal notice should at the time be submitted to the other employee(s) concerned. The other employee(s) will also be required to submit written responses to the point(s) outlined in the grievance against them. A meeting with the line manager or other appropriate senior manager will be held not less than 5 and not more than 10 working days* after the receipt of the formal notice of grievance where all parties are able to do so. Should one party be unable to attend other than by refusal, the meeting should be held as soon as reasonably practicable.

Stage 1(b)

Each of the parties concerned will be asked to attend the meeting upon request at a mutually agreeable time, and may be accompanied by a fellow worker or union official. In addition or as an alternative, an employee under 18 years of age may request one or both parents or guardians to be present. Any accompanying individual(s), may address the meeting and confer with the employee, but may not answer questions on their behalf. They may ask questions of the chair, the other party and any witnesses. Refusal by either party to attend will not invalidate the proceedings.

The line manager will review the written submission(s) and observations and will hear any additional verbal comments, which will be recorded in the minutes of the meeting. Depending upon the nature of the grievance it may be necessary to hold separate meetings with each of the parties. The line manager or other individual hearing the grievance will then either give a ruling (on completion of the hearing or in writing within 2 working days of the hearing) (see Appendix II and III and Stage 2), or if in his/her judgement the matter requires consideration at higher level, will refer the matter on. Should the latter occur, a statement summarising the main details of the grievance and the reasons for failure to agree, must be prepared by the line manager undertaking the grievance hearing and signed by both parties.

Stage 2

Should the complainant be dissatisfied with the response at Stage 1 and wishes to appeal the decision or it is felt by the line manager undertaking the grievance that the matter requires consideration at a higher level, then this should be communicated to the Principal within 5 working days of receipt of the outcome from Stage 1.

Stage 3

There exists a right of appeal to the Principal (or in his/her involvement or incapacity) to the Chairman of the Executive Board or in the event of his/her earlier involvement or incapacity, to a representative/representatives of the Board of Trustees. An appeal should be lodged within 5 working days of notification of the grievance outcome. In the case of appeal, all relevant documents shall be submitted to the Principal or other representative(s), and a request may be made for a fellow worker or union official to be present at the appeal hearing. The appeal will normally be heard within 10 working days* of the receipt of the notice of appeal. The person(s) hearing the appeal will give their decision in writing within 5 working days* of the hearing.

*For the purposes of this document, working days are defined as being all term and staff training days, but excluding Academy holidays, bank holidays and weekends.

NOTES

The appendices accompanying this policy are guidance documents only and are useful in highlighting both how a grievance should be structured and how it should be responded to.

These documents may be used as they stand. If alternate documents are used the accompanying forms must not be deviated from to any significant extent.

Record Keeping

Records should be kept detailing the nature of the grievance raised; the response; any actions taken; reasons behind any action taken; whether the outcome was subject to appeal, and if so, any further outcome.

All records should be treated as confidential and kept in accordance with the Data Protection Act 1998, which provides individuals with the right to request and have access to certain data.

Prospect Education (Technology) Trust Ltd

Formal Grievance

This form is not to be completed by employees unless the grievance has been informally discussed with the other employee(s) involved (Stage 1a) and has not been resolved at that stage.

Name: **Job Title:**

Section:

Nature of grievance

Please briefly state your grievance on the form attached (Appendix I(a)):

What steps have you taken to resolve the grievance?

What steps do you think the Academy should take to rectify this grievance?

Have you discussed the matter with the other employee(s) involved?

What was the result of this discussion?

I apply for my grievance to be formally investigated under Stage 1 of the Academy's grievance procedure.

My representative will be :

Signed : _____ Date: _____

(Please pass this form to your Line Manager)

Line Manager's comments

Name:

What do you understand the employee's grievance to be?

How valid is it?

What are your comments on the employee's complaint?

How should this matter be resolved?

Signed: _____ Date: _____

Name of complainant:

Description of the grievance

Please continue on a separate sheet, if necessary. Once completed, forward this form to your line manager (or next line of management if in respect of the line manager).

Appendix II

Report on Investigation of Grievance

Prospect Education (Technology) Trust Ltd

Report on Formal Grievance

Name of employee: _____ Date: _____

Department: _____

Job Title: _____

Name of representative: _____

Date of grievance: _____

Summary of grievance

Line Manager's comments

Action taken to resolve grievance (include relevant names and dates):

Result of investigation:

Proposals (if any) for resolving the grievance:

Other action to be taken:

Signed: _____ (Line Manager)

Prospect Education (Technology) Trust Ltd

Statement of Outcome of Formal Grievance

To: _____ Date: _____

Department: _____

Your formal grievance dated has now been fully investigated in accordance with the Academy's grievance procedure and the outcome is as follows:

- Following discussion with yourself and others concerned, it was agreed that the matter could be satisfactorily resolved by :

All necessary steps are now being taken to implement this decision.

- It has not been possible to resolve your grievance and it will therefore be referred in accordance with the agreed grievance procedure to :

.....

- The decision, reached is that your grievance has not been found to be valid and as a result no action will be taken on your grievance.

(In line with the grievance procedure, you have the right to appeal this decision should you be dissatisfied with the outcome.)

Signed: _____ (Line Manager hearing the grievance)

•Delete as appropriate