



Corpus Christi Catholic Primary School

Grievance Procedure for all staff

Governors have decided to adopt the Local Authority's model policy as its Grievance Procedure and Rules for all staff

The policy was first formally adopted by Governors in November 2007 and reviewed in November 2010

GRIEVANCE PROCEDURE FOR SCHOOLS

1.0 INTRODUCTION

- 1.1 It is recognised from time to time problems occur in the workplace that cause an individual to feel aggrieved. We have informal and formal procedures for resolving these difficulties which are designed to deal fairly, effectively and as speedily as possible with any grievance. It is not intended to replace or restrict the normal interchange between an employee and their supervisor about day to day issues or problems and, where possible, managers and staff are encouraged to make all attempts to resolve any issues informally and outside of the Grievance Procedure.
- 1.2 The Governing Body are responsible for establishing grievance procedures which must comply with the statutory provisions contained within the Dispute Resolution Regulations 2004. In accordance with the School Staffing (England) Regulations 2003, the Governing Body may delegate grievance procedures to one or more governors, to the Headteacher or to one or more Governors and the Headteacher together, but they must not allow any outside body or persons to take decisions for them.

2.0 SCOPE OF THIS DOCUMENT

- 2.1 Where this model Grievance Procedure is adopted by a school, it should apply to all staff currently employed within the School's complement and, with necessary modifications, to the Headteacher following consultation with the Headteacher and/or his/her trade union or other representative. The procedure shall be followed in respect of all grievances with the exception of the following:
- Certain disciplinary and dismissal decisions in regard to conduct and capability
 - Most cases of bullying and harassment where raised under the Prevention of Bullying and Harassment at Work Policy
 - Statutory deductions from pay about which the School/Council has no discretion, e.g. income tax, national insurance – queries should be raised with Payroll Services
- 2.2 The employee must be clear about which process they wish to follow as recourse to any other complaints procedure (under other policies) for the same issues, will not be possible.
- 2.3 In the case where an employee, whose employment has ended, raises a grievance, the 'modified' statutory grievance procedure will apply where both parties agree (see Section 9).

3.0 REPRESENTATION

- 3.1 An employee has a right to be accompanied only by a trade union representative or by a fellow employee of their choice at all stages in the procedure and must be advised of this.
- 3.2 An employee may decide that he/she wishes to be unaccompanied through the procedure.
- 3.3 A group of employees sharing a grievance may have access to the procedure as a group, whether or not a trade union representative accompanies them.

4.0 MODEL GRIEVANCE PROCEDURE**4.1 Informal - Stage 1**

- 4.1.1 Any employee with a grievance on matters related to his/her work, shall within 10 working days of the grievance occurring, discuss the matter with his/her immediate line manager. If the grievance is against the line manager, the aggrieved employee should discuss the matter with his/her line manager or next most senior manager.
- 4.1.2 In some cases, where a grievance lies between two or more members of staff, it may be appropriate for the line manager to meet with the staff involved and encourage all parties to talk out their differences. All parties must be in agreement to attend such a meeting and the meeting should be arranged at the earliest opportunity.
- 4.1.3 Where it has not been possible for the parties concerned to meet, the line manager should meet with each party separately. The manager will verbally reply to the employee who raised the grievance as soon as possible and in any case within 10 working days.

4.2 Formal - Stage 2

- 4.2.1 If the employee continues to be aggrieved, he/she should submit the grievance to their line manager, for transmission to the Headteacher (or other person nominated by the Headteacher), within 10 working days of receiving the verbal response to Stage 1. The grievance should be put in writing on a form (see Appendix 3) and the employee and his/her representative should keep a copy.
 - 4.2.2 The Headteacher shall arrange a hearing with the interested parties and their representatives. This hearing will be conducted in accordance with Appendix 2, chaired by the Headteacher and arranged within 20 working days of receipt of the form (or as soon as practicably thereafter). A representative from Personnel Services may also attend the hearing to advise the Headteacher. In the case where the Headteacher is the line manager, the hearing will be heard by one or more Governors appointed for this purpose.
 - 4.2.3 A verbal decision will be given at the end of the hearing and confirmed in writing within 5 working days of the hearing.
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4.2.4 If the employee continues to be aggrieved in respect of his/her grievance, he/she may appeal to one or more Governors, specifically appointed for the purpose.

4.2.5 The line manager and Headteacher/Governor(s) should complete a 'Response to Grievance' form (see Appendix 4).

5.0 APPEALS

5.1 The employee should notify the Headteacher of their request to appeal, in writing, within 10 working days of being informed of the outcome of Stage 2 and stating their reasons for appeal. The Headteacher, in conjunction with Personnel Services, will arrange for an Appeal Hearing to be held within 20 working days (or as soon as practicably thereafter) of receipt of the appeal request.

5.2 The appointed Governor(s) will normally hear the appeal and a representative from Personnel Services may attend the hearing and give advice to the Governor(s). No one who takes part in the initial decision, or has discussed the matter subsequently with the Governor(s), shall be eligible to hear the appeal.

5.3 The Appeal Hearing will be conducted in accordance with Appendix 2. The employee will be notified in writing of the arrangements.

5.4 A verbal decision will be given at the end of the hearing and confirmed in writing within 5 working days of the hearing.

5.5 There is no further right of appeal.

6.0 PROCEDURE FOR HEADTEACHERS

6.1 In the case of a Headteacher who has a grievance, he/she should raise the grievance with the Chair of Governors at Stage 1 and the hearing at Stage 2 will be heard by one or more Governors, appointed for this purpose.

6.2 An appeal shall be heard by one or more Governors who has not taken part in the initial decision and has not discussed the matter subsequently with the Governor(s) from the first hearing.

7.0 GRIEVANCES WITH THE GOVERNORS/LEA

7.1 Where an employee has a grievance with the Governors of the school, which does not involve any other member of staff, an approach should be made to the Chair of Governors to inform him/her of the grounds of the grievance. The Chair of Governors should then approach the Director of Education, who will arrange for a hearing to be held (see paragraph 7.3 below).

7.2 Where the matter is considered by the Chair of Governors to lie with the LEA, they should so advise the employee in writing within 10 working days of receipt of the written grievance. The Chair of Governors should then forward

the written grievance to the Director of Education, together with any observations the Governing Body wishes to make.

- 7.3 The Director of Education, or his/her representative, should arrange to meet with the employee and his/her representative, within 20 working days of receipt of the written grievance (or as soon as practicably thereafter). In the case of a grievance against the LEA, a copy of any observations made to the Director of Education by the Chair of Governors should be forwarded to the employee together with the details of the meeting arrangements. A verbal decision will be given at the end of the hearing and confirmed in writing within 5 working days of the hearing.
- 7.4 The employee will have the right to appeal against the outcome of the above meeting with the Director of Education. The appeal hearing will be heard by the Statutory Appeals Board and will be held within 20 working days (or as soon as practicably thereafter) of receipt of the appeal request. A representative from Personnel Services will also attend the hearing to advise the Statutory Appeals Board. The employee and his/her representative will be notified in writing of the arrangements. A verbal decision will be given at the end of the hearing and confirmed in writing within 5 working days of the hearing. There is no further right of appeal.

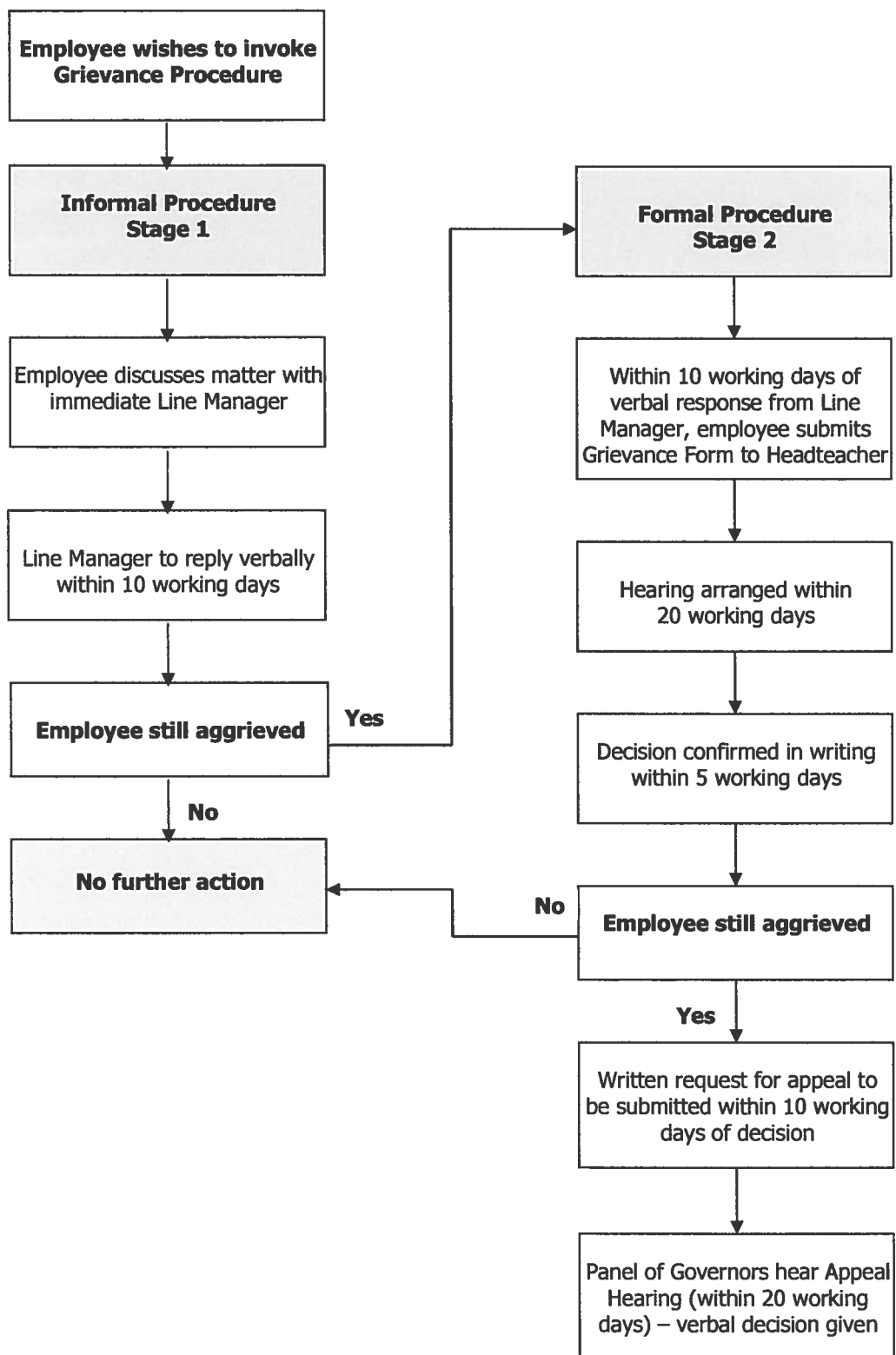
8.0 TIME LIMITS

- 8.1 The parties involved in a particular grievance may, on occasion, and by mutual agreement, modify the time limits referred to in this procedure.

9.0 GRIEVANCE'S RAISED BY EX-EMPLOYEES

- 9.1 In accordance with the Dispute Resolution Regulations 2004, a modified grievance procedure will apply where:
- an employee's employment has ended, and
 - the employer was not aware of the employee's grievance before the employee's employment ended, or
 - if the employer was aware of the grievance, the standard procedure had not been started or completed before the employee's employment ended.
- 9.2 The modified procedure is a two step process:
- Step 1 – The employee must set out the nature of the alleged grievance and the basis for it, in writing, and send this to the employer.
- Step 2 – The employer must respond in writing and send the response to the employee.
- 9.3 Where the employment has ended and it is no longer reasonably practicable for the employee to send the Step 1 letter to start the procedure, neither grievance procedure may apply at all where both parties agree.

APPENDIX 1

GRIEVANCE PROCEDURE FLOW CHART
(Excluding Grievances against the Governing Body or LEA)

APPENDIX 2

CONDUCT OF HEARINGS

At the hearing, the procedure will be as follows unless varied with the consent of all parties:

- A statement will be made by or on behalf of the aggrieved employee(s) providing details of the grievance.
- The Headteacher to have the opportunity to question the employee(s).
- The line manager will then present management's response detailing the decision made at Stage 1. If the grievance is against another employee, they too will have the opportunity to make a submission and to be accompanied by a representative.
- The aggrieved employee(s) or his/her representative to have the opportunity to questions the line manager/employee or his/her representative.
- The Headteacher may question either party at any stage in the proceedings.
- Both parties have the right to summarise their cases, the aggrieved employee(s) or his/her representative having the final say.
- Both parties will withdraw whilst the Headteacher considers their conclusions.
- If clarification is required, both parties will be called back.
- A verbal decision will be given at the end of the hearing and confirmed in writing within 5 working days of the hearing.

(In the case of an Appeal Hearing chaired by one of more Governors, references to the Headteacher should be replaced by the Governor(s). Likewise, references to line manager should be replaced by Headteacher).

APPENDIX 3

**GRIEVANCE FORM
For Employee's Use**

This form may be used to submit a grievance in accordance with Stage 2 of the Grievance Procedure for Schools.

You should complete this form and hand it to your line manager (additional sheets may be added if necessary).

Name(s): _____

Job Title(s): _____

What is your grievance?

(Please be as precise as possible)

What remedy are you seeking?

When did you first raise your grievance? _____

With whom? _____

Signed: _____ Date: _____

APPENDIX 4

RESPONSE TO GRIEVANCE
To be completed by Line Manager/Headteacher

STAGE ONE: Decision
To be completed by the Line Manager

Name(s): _____

Job Title(s): _____

Date: _____

Response:

STAGE TWO: Decision
To be completed by the Headteacher/Governor(s)

Name(s): _____

Job Title(s): _____

Date: _____

Response:
