



**Symphony Learning**  
TRUST

# Grievance Policy

## 2016-2019

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Policy developed by



Leicestershire  
County Council

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This policy applies to all staff employed by the Symphony Learning Trust. Throughout this policy, unless indicated otherwise, all references to 'Head Teacher' include the Executive Head Teacher.

The purpose of the Grievance is to provide a framework to assist employees to raise individual or collective complaints and to have those complaints resolved quickly, fairly and where appropriate as informally as possible. Wherever possible, the primary aim of the policy is to facilitate the repair of working relationships.

## **Grievance**

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A grievance is a concern, problem or complaint raised by an employee or group of staff relating to **their** employment. Examples of grievances include issues about terms and conditions of employment, changes to working practices, organisational changes, actions not being carried out in line with policies etc.

This policy does not apply to complaints which relate to bullying or harassment. Such cases will be dealt with under the Dignity at Work Policy. However, in the absence of a Dignity at Work Policy these cases should be dealt with through the Grievance Policy and Procedure.

## **Application of the Policy**

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For teaching and support staff the grievance policy will be managed by either the Head Teacher or another manager. Where the grievance involves or is against the Head Teacher, the Chair of Governors or another nominated Governor will be responsible for overseeing this policy. Whilst the grievance is being considered the status quo will apply.

### **Mediation**

Mediation is an informal, voluntary process which can be used to resolve disagreements between staff in the workplace.

### **Stage 1**

All grievances should be raised either verbally, or in writing, with the employee's immediate line manager who will attempt to resolve the grievance informally if appropriate. The employee should state how they would like their grievance to be resolved.

If the grievance relates to the line manager, it should be referred to the line manager's manager. Where a grievance involves or is against the Head Teacher/Principal, the matter should be raised with the Chair of Governors who will appoint a member of the Governing Body to act on behalf of the school.

In all cases the line manager or nominated member of the Governing Body will discuss the grievance with the complainant and gather information to obtain the facts. The employee has the right to be accompanied by a work colleague or Trade Union representative should they wish. The outcome of the grievance will be confirmed in writing to the employee.

### **Stage 2**

Where the employee feels that their grievance has not been resolved at Stage 1, the grievance should be put in writing to the next level of manager, or to the Chair of Governors if a nominated member of the Governing Body heard the grievance at Stage 1. The letter should specify the exact

nature of the grievance, the rationale for the escalation to Stage 2, the outcome/resolution that the employee wishes to see whilst attaching any relevant evidence.

An acknowledgement of receipt of the grievance should be sent to the employee and a hearing will be arranged.

## **Investigation**

The manager receiving the written complaint will ascertain whether an investigation is necessary and either nominate an investigating officer or themselves carry out an investigation into the concerns raised by the complainant. This will involve gathering information to obtain the facts.

The Investigating Officer will meet with the complainant who has the right to be accompanied by a work colleague or Trade Union representative should they wish.

The investigation is complete once the Investigating Officer has interviewed the employee / any witnesses and has obtained sufficient evidence on which to base a decision as to whether or not there is a case to be answered.

The Investigating Officer should produce a report outlining their findings and recommendations. The report should be provided to the panel hearing the grievance and a copy should be included in any hearing paperwork.

## **Grievance Hearing**

At least ten working days' written notice will be given to attend the hearing and the employee is entitled to be accompanied by a work colleague or Trade Union representative.

The line manager will send the investigation report to the complainant, providing at least ten working days notice, containing all documentation that will be used during the hearing. The employee will be given the opportunity to provide further evidence and this should be sent to the Chair of the Hearing no later than five working days prior to the hearing date.

If the employee or their representative is unable to attend the hearing then another date should be scheduled within five working days of the original hearing date.

During the hearing, both parties will have the opportunity to present their evidence.

The potential outcomes of the hearing are:

- That the grievance is upheld
- That the grievance is partially upheld
- That the grievance is unsubstantiated.
- That further evidence/information is required so hearing is adjourned until a later date.

Where the grievance is upheld or partially upheld, the panel will consider the employee's desired outcome and if appropriate this will be implemented. If the desired outcome is not possible or deemed inappropriate then the panel may make alternative recommendations.

The decision and any remedy or recommendations will normally be conveyed verbally to the employee at the end of the meeting but will always be put in writing following the hearing. In all cases the employee will be informed of their right of appeal. Notes of the meeting should be provided after the hearing.

## **Delegation of Authority**

The person or panel responsible for hearing the case will depend on who has been given the delegated authority. This will either be the governing body (i.e. a panel of Governors) or the Head

Teacher. If it is the Head Teacher, then they may be supported by another member of the senior management team or a Governor. It would not be appropriate for the Head Teacher to make the decision if they have been involved in the case.

The Academy Trust has the right to be represented at the hearing. A member of Leicestershire County Council HR Services, appointed HR advisors to The Trust, may therefore be in attendance to support / advise the panel or delegated person.

### **Rebuilding Relationships**

Following any grievance, there will be a meeting between the employees involved, convened by the line manager. The purpose of the meeting will be to clarify expectations of the working relationships moving forward.

### **Right of Appeal**

The appeal will be held in line with the Appeal Policy.

### **Withdrawing the Grievance**

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If at any point the employee who has instigated the grievance procedure wishes to withdraw his/her grievance, they should confirm this in writing and submit this to the same individual they originally submitted the complaint letter to.



## Appendix A – Grievance Registration Form

This form should be completed by an employee registering a grievance at Stage 2 of the procedure, and forwarded to the individual with whom the complaint was originally raised.

### Part 1

Employee's Name:		
Date:		
Job title:		
Stage 1:	Investigated by (name):	
	Investigated on (date):	

### Part 2

<p>What is the grievance about? (List each complaint, continuing on a separate sheet if necessary)</p> <p>1.</p> <p>2.</p> <p>3.</p> <p>4.</p>
<p>Background to the grievance: what was the outcome to stage 1?</p>
<p>Who is involved? (names, job titles, etc)</p>
<p>When did the above take place? Was it a one-off incident, several occasions, or continuous?</p>
<p>How can the situation be resolved?</p>
<p>Should you wish to attach any documents, please list them below and explain, for each, the relevance to the grievance.</p>

 **Appendix B – Grievance Process Flow-Chart**

