
GRIEVANCE POLICY



RÆEDWALD
T · R · U · S · T

RATIFIED BY THE TRUST BOARD ON:
19TH JANUARY 2022

NEXT REVIEW DATE: JANUARY 2023

GRIEVANCE POLICY

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Policy author:	Angela Ransby
Date to Trust Board:	November 2021
Date Ratified:	19 th January 2022
Date to be Reviewed:	January 2023
Policy displayed on website:	Yes

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1. Introduction

1.1 Grievances are concerns, problems or complaints that employees raise with their employers. These may be about any aspect of their work, treatment that they have received, or relationships with colleagues. This policy is also used when dealing with complaints of bullying and/or harassment. The purpose of this policy is to ensure that grievances are dealt with swiftly, fairly and consistently.

2. Scope

2.1 This policy applies to all teaching and support staff in the Raedwald Trust.

2.2 An employee working within the Trust but employed on another organisation's terms and conditions of employment should have any grievance managed under their own organisation's appropriate policy/procedure.

3. Confidentiality

3.1 All grievance proceedings, including details of any investigation and statements relating to it, are confidential to the parties concerned, with the exception of official bodies which have a right to require disclosure of information.

3.2 The delegated committee of the Trust Board will be notified of the outcome of any formal process, once it has concluded.

3.3 Any breach of confidentiality may be considered under the disciplinary policy.

4. Exclusions

4.1 This policy does not apply to complaints of professional malpractice, wrongdoing or criminal activity. Such complaints should be raised immediately via the Whistleblowing Policy.

4.2 This policy should not be used to raise complaints where any other policy (such as the disciplinary policy) applies.

4.3 Pay and Grading Appeals will be considered under the specific arrangements in place for that purpose.

4.4 The grievance policy will not be used to deal with complaints made after employment has ended, for any reason. However, if a grievance has been raised and not concluded before an employee leaves, he or she will be invited to continue with the grievance process.

5. Roles and Responsibilities

5.1 Any complaint raised under this policy should be made in good faith. Any complaint found to have been made for malicious, false or similar reasons may give cause for disciplinary action.

5.2 All employees are expected to co-operate in the implementation of this policy and the accompanying Harassment and Bullying Policy (where applicable) both of which are intended to secure fair and reasonable treatment and equality of opportunity for all employees.

5.3 Whether raised at the informal or formal stages of this process (see below) it is important that the employee approaches the right person with his/her grievance.

6. Informal Stage

6.1 Many grievances can be resolved informally and quickly, and there is an expectation that employees will seek to do this, without unreasonable delay, before formal steps are considered.

6.2 If an employee's complaint is informal and involves another employee or employees, the employee may, if they feel comfortable doing so, directly approach the individual(s) concerned.

6.3 Alternatively, an informal grievance should be raised with the employee's Head Teacher or the CEO (who may wish subsequently to delegate this matter to a senior member of staff, as appropriate) in order to explore resolution of the matter. Where the grievance is about the Head Teacher, or the CEO, it should be referred to the CEO. Where the CEO has an informal grievance of his/her own, this should be referred to the Chair of the Raedwald Trust Board in the same way.

6.4 The relevant person receiving the complaint will try to resolve it informally with the party or parties concerned wherever possible. Where there is a dispute between employees, it may be appropriate to involve a trained mediator in these circumstances, with the various parties' agreement.

7. Formal Process

7.1 If a complaint has not been satisfactorily resolved via informal measures then the employee raising it should set the complaint down in writing, without unreasonable delay, and state what steps have already been taken to resolve the grievance, and what he/she believes to be the solution to it.

7.2 The formal written grievance should be given, together with any supporting documentation, to the employee's Head Teacher or the CEO. Where the grievance is about the Head Teacher, or the CEO, it should be referred to the Chair of the Raedwald Trust Board. Where the CEO has a formal grievance of his/her own, this should be referred to the Chair of the Raedwald Trust Board in the same way.

8. Investigation

8.1 In some cases it may be necessary to carry out an investigation into the grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the employee and any witnesses, and/or reviewing relevant documents. The investigation may be carried out by the relevant person or someone else appointed by the relevant person.

8.2 The employee must co-operate fully and promptly in any investigation. This may include disclosing the names of any relevant witnesses, disclosing any relevant documents and attending interviews, as part of the investigation.

8.3 The investigation may be instigated before holding a grievance hearing where this is considered appropriate. In other cases the grievance hearing may be held before deciding what investigation (if any) to carry out. In such cases a further grievance hearing may be held with the employee after the investigation and before any decision is reached.

9. Hearing

9.1 The relevant person in receipt of the grievance will arrange a hearing, usually within two working weeks of the employee's written grievance being received, although this may depend on what if any investigations are being carried out.

9.2 The hearing will be conducted in a manner which allows the employee to explain the grievance and how it might be resolved. The hearing will be held by the Headteacher, CEO or by the Hearings Committee of the Raedwald Trust Board, as applicable.

9.3 At the formal hearing the employee is entitled to be accompanied by a trade union representative or a workplace colleague. The person accompanying will be allowed to address the hearing, to help state the employee's case. This person does not have the right to answer questions on the employee's behalf.

9.4 A decision may be given at the end of the hearing, but in any case will be set out in a written response to the employee within two working weeks. This response may also contain what action is intended to resolve the grievance, if any part of it is upheld.

9.5 In some cases it may be necessary to adjourn the process to allow for further investigation to take place in order to allow a thorough consideration of the grievance, and to make recommendations for action. If so, the employee will be kept informed regarding the process and a further grievance hearing may be held following the further investigations.

10. Appeal

10.1 If the employee feels that his/her grievance has not been satisfactorily resolved, then he/she may appeal against the findings. A written notice of appeal should be submitted to the person who heard the grievance (the Headteacher, CEO or Chair of the Raedwald Trust Board, as applicable, stating the grounds for the appeal, within two working weeks of the date on which the decision was sent to them. An appeal hearing will be arranged, usually to take place within two working weeks.

10.2 New evidence will be admissible for an appeal, provided that it is submitted at least one week before the hearing.

10.3 The appeal hearing will usually take the same format as the formal grievance hearing, as at 9.2 above. The employee has the same right to be accompanied.

10.4 The Raedwald Trust Board Appeal Committee will be convened to hear the appeal. For CEO appeals, the appeal hearing will be conducted by the Raedwald Trust Board Committee.

10.4 A written response will be issued to the employee within two weeks of the date of the hearing, unless further investigation or similar is required. The decision made at the appeal is final. The employee will not be able to raise another grievance about the same matter.

11. Collective Grievances

11.1 A collective grievance occurs where a group of staff feel aggrieved about the same issue. Where this occurs, the employees will be asked if they wish to have the grievance considered collectively and if so, whether they want to nominate one employee as a spokesperson. If the grievance is dealt with in this way it cannot then be raised by the same employees individually.

11.2 A collective grievance procedure will follow the same timescales and process as one raised individually.