



STAFF GRIEVANCE POLICY AND PROCEDURE

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Reviewed by the SLT MAT Board

“The Trustees of the Southport Learning Trust are committed to safeguarding and promoting the welfare of children and young people at every opportunity and expect all staff and volunteers to share this commitment”

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1. Aim of this Policy and Procedure

This policy and procedure is to help settle problems, complaints, grievances or concerns an employee may have about a work-related issue fairly, quickly and as near as possible to the point of origin.

2. Scope

This policy covers all employees of the Trust and is incorporated into the contract of employment.

In cases where the employee has left employment, the procedures outlined in paragraph 6 below will apply.

These procedures may, by agreement of the parties concerned, be used where more than one individual has the same grievance, for settling a common grievance except where the grievance has been raised collectively by a trade union or other appropriate representative.

3. Matters dealt with under this policy and procedure

Issues that may cause grievances and dealt with under this policy and procedure include but are not limited to:

Terms and conditions of employment and how they are applied

- Health and safety
- Work relations
- Dignity at Work including Bullying, Harassment & Victimisation
- New working practices
- Working environment
- Organisational change
- Salary grading and equal pay

Where separate procedures exist for dealing with grievances on particular issues, those procedures should be used instead of this procedure. Examples of issues dealt with under separate procedures / arrangements include:

- Redundancy/redeployment;
- Standards of performance, including appraisal, capability etc.;
- Discipline and disciplinary appeals;
- Collective disputes – Statutory Procedure
- Matters concerning recruitment and selection

Please note grievances will not be registered if they are in these areas.

4. Principles

Employees have the right to be accompanied by a work colleague or trade union representative at all grievance meetings and hearings.

HR support may be present at any stages of the procedure.

Written records will be kept detailing the nature of the grievance, the employer's response, any action taken and the reasons for this action. These will be kept confidential and retained in accordance with the General

Data Protection Regulations (2018). All parties involved must maintain confidentiality (except where required by law).

Exceptionally, there may be circumstances where a member of staff believes it inappropriate to lodge a grievance with their line manager. In such circumstances, subject to HR advice, the grievance may be lodged with a different manager.

The timescales within the procedures will be adhered to wherever possible. However, where there are good reasons, each party may request that the other agrees to an extension of the permitted timescale. If at any stage in the procedure the matter has not been dealt with within the prescribed / agreed time limits, the employee will be entitled to continue to the next stage.

Malicious, vexatious or unreasonable complaints will be treated as a disciplinary matter.

The Trust will monitor grievance data at least annually to ensure the policy and procedure is operating fairly, consistently and effectively but will operate to ensure confidentiality.

It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of your grievance. This is an informal process which involves the appointment of a third-party mediator, who will discuss the issues raised by your grievance with all those involved and seek to facilitate a resolution. Mediation will be used where all parties involved in the grievance agree.

5. Confidentiality and data protection

It is the aim of the trust to deal with grievance matters sensitively and with due respect for the privacy of individuals involved. All employees must treat any information communicated to them in connection with grievance matters as confidential.

Employees, and anyone accompanying them (including witnesses) must not make electronic recordings of any meetings conducted under this procedure.

During any action, including any decisions taken under this procedure, the trust will collect, process and store personal data in accordance with our data protection policy. The data will be held securely and accessed by and disclosed to individuals only for the purpose of completing the grievance procedure. Records will be kept in accordance with our Workforce Privacy Notice, our Records Management Policy and in line with the requirements of *Data Protection Legislation* (being the UK General Data protection Regulation and the Data Protection Act 2018) and any implementing laws, regulations and secondary legislation, as amended or updated from time to time.

6. Standard Procedure

Informal Procedure

In the first instance any problem, complaint, grievance or concern should be discussed openly between the employee and line manager (or nominated manager) with a view to resolving the grievance without resort to the formal procedure. A written record should be made of the discussions by the manager, recording the issues raised and the proposed and / or agreed solution.

Formal Procedure

Step 1 – Statement of Grievance

Where the grievance cannot be resolved through informal discussions, the employee may raise a formal grievance by setting out the grievance in writing as fully as possible to the Headteacher (or member of Senior Leadership team if more appropriate).

The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates and names of individuals involved. In some situations, we may need you to provide further information. You should also state what your desired outcome would be to resolve the situation. You should note that where your grievance relates to another employee, for them to provide a response they will be given a copy of your grievance.

Step 2 – Meeting

The Headteacher will invite the employee in writing to attend a meeting to discuss the grievance. The meeting will be held at a convenient date that is within 10 working days of receipt of the written statement of grievance.

Any relevant witnesses may be asked to attend the meeting.

Within 5 days of the meeting the Headteacher will inform the employee in writing of their decision in response to the grievance, notifying the employee of their right of appeal against the decision if they are not satisfied with it.

Where the employee fails to attend the meeting, a second written invitation will be made for the meeting to be held within 5 working days of the day after the original scheduled meeting. Should the employee fail to attend the second meeting without good reason, the grievance will normally be considered closed and the procedure will cease at this point.

Step 3 – Appeal

If the employee wishes to appeal, they must do so in writing within 10 working days of receiving written notification of the Headteacher's decision. The notice of appeal must be submitted to the Local Governing Body and must state fully the ground(s) for appeal.

The Governors will write to the employee, inviting the employee to attend an appeal meeting which will be held on a convenient date that is within 15 working days of receipt of the written grounds of appeal.

Any relevant witnesses may be asked to attend the meeting.

After the meeting the manager hearing the appeal will inform the employee of their decision - in writing and within 5 working days of the meeting. This decision is final and there are no further stages to the School's grievance procedure.

7. Collective Grievances

If you and another employee (or more than two of you) have identical grievances and all wish them to be addressed in the same grievance process, you and your colleagues can raise a collective grievance via this grievance procedure. You and all your colleagues must agree (without any pressure being exerted on staff members to join the collective process) to do this.

8. Grievances Unresolved when Employment Ends

Wherever possible a grievance should be dealt with before an employee leaves the employment of the School and therefore the Trust. However, where an employee leaves and the School's standard grievance procedure has not been started or concluded then the procedures as detailed below will apply.

9. Post-Employment Grievance Procedure

Step 1

The employee sets out in writing their grievance and the basis for it and sends the statement or a copy of it to the employer. This would normally be within 3 months of the ending of employment.

Step 2

The employer sets out their response in writing and sends their statement or a copy of it to the employee.