



Schools Grievance Policy

This Policy has been agreed by the following professional associations and Trade Unions representing Teachers, Headteachers and Support Staff:

GMB, Unison, NASUWT, NUT, NAHT, Voice, UCAC

This policy has been adopted by the governing body of (INSERT SCHOOL NAME HERE) on (INSERT DATE HERE).

This policy covers all school-based employees.

Cyngor Sir Powys County Council
Powys Schools Grievance Policy

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Policy History

Policy Date	Summary of change	Contact	Version/ Implementation Date	Review Date
September 2023	New policy	HR	1	September 2028

1. Policy Statement

This policy and the procedures contained within apply to all employees employed at this School. Employees employed by Powys County Council directly, such as Catering and Cleaning employees, will be covered by Powys County Council's Grievance policy.

The Governing Body have adopted the procedure set out in this document and have recorded the adoption in the minutes. The Governing Body will ensure the Policy is readily available to management and staff at the school.

The school promotes a positive working environment and has developed policies and procedures to support this. However, it is recognised that from time to time, employees will have concerns, problems, or complaints about an aspect of their employment. A grievance could, for example, include concerns about the work the employee is doing or a problem in their working environment. This policy has been developed to support employees who feel that they have a grievance.

Grievance procedures are necessary for promoting fairness and dignity at work and harmony within staff relations. Every employee has the right to raise a grievance over an issue related to their employment. Most routine complaints and grievances are, however, best resolved informally wherever possible.

This policy provides employees with a clear and specific mechanism for resolving their grievances quickly, fairly and consistently, to help to maintain effective working relationships. Employees will not be treated any less favourably or suffer any detriment in their employment, as a result of raising a grievance under this procedure.

In developing this policy and procedure consideration has been given to the ACAS Statutory Code of Practice on grievance, which is designed to help employers, employees, and their representative's deal with grievance situations in the workplace.

2. What is a grievance?

Definition: A grievance is a concern, problem, or complaint that an employee raises with their employer. Grievances, for example, may be about an employee's work, terms and conditions of employment, work relationships, working environment, etc.

3. Purpose of Policy

The purpose of this Policy is to:

- support Governors/Headteachers, managers and employees to resolve grievance matters promptly and effectively.
- encourage open communication between Headteachers/ managers and employees to aid the early and where possible, informal resolution of grievance matters.
- to ensure a fair, reasonable, and consistent procedure is adopted for all grievances.

4. Policy and Procedure Scope

- 4.1 The Grievance Policy and Procedure applies to all employees of the school.
- 4.2 Where an employee does not have a grievance but wishes to raise a concern, it may be more appropriate to raise it under the Whistleblowing Policy or the Anti-Fraud Policy.
- 4.3 The Schools Grievance Policy is not intended to be used to raise issues in respect of pay and grading, these matters should be raised with the employees Line Manager and the schools' pay policy should be referred to.
- 4.4.1 Discrimination, harassment, victimisation or bullying amount to misconduct which may be gross misconduct depending on the nature and extent of the behaviour. Such misconduct will be dealt with under the School's Disciplinary Policy. If an employee has an issue with such matters within the school, then a conversation should be had with the line manager, or another appropriate person, in the first instance. Another appropriate person could be your line managers' manager such as the Chair of Governors or a Wellbeing Governor. HR can support you with identifying who is most appropriate person if you have an issue with your direct line manager.
- 4.4.2 This Grievance Policy does not provide a further mechanism to appeal issues already being dealt with by other more appropriate policies, such as the Disciplinary Policy, Performance Capability Policy or Management of Change and Redundancy Policy.

5. Roles and Responsibilities

5.1 The Governing Body

- 5.1.1 The Governing Body is responsible for approving this employment policy for the school.
- 5.1.2 The Governing Body will establish a Grievance Committee to deal with Headteacher grievances and a Grievance Appeals Committee to deal with grievances which have already been heard by the Headteacher or another nominated individual. No committee member may sit on a committee where they have had previous involvement in the matter. There

must be a minimum of three Governors on a committee and should not include staff representatives.

- 5.1.3 The Governing Body is responsible for overseeing the fair and consistent application of this policy and ensuring that local procedures are in place to manage grievance matters.

5.2 Headteachers/Managers

- 5.2.1 Headteachers/Managers are responsible for ensuring the fair and consistent application of this policy and ensuring that local procedures are in place to manage grievance matters.
- 5.2.2 Encourage open and effective communication with employees, thereby enabling employees to voice any concerns or problems which may impact on work.
- 5.2.3 Ensure all employees are aware of, have access to and understand the Grievance Policy.
- 5.2.4 Address issues informally, in the first instance, wherever possible.
- 5.2.5 Adopt a fair and consistent approach when dealing with grievance matters.
- 5.2.6 Maintain accurate written records of any grievances matters/cases and ensure confidentiality is maintained.

5.3 Employees

- 5.3.1 Communicate any concerns or problems which may impact on work to their line manager/Headteacher without delay.
- 5.3.2 Ensure that they are aware of and understand the Grievance Policy.
- 5.3.3 Actively participate in the grievance process.

6. General Principles

The following principles should be maintained throughout the grievance process:

- 6.1 Governors, Headteachers/managers and employees should always seek to resolve grievances informally prior to invoking the formal Schools Grievance Policy.
- 6.2 It is imperative that basic principles of fairness and dignity are followed when dealing with grievance cases which must be dealt with in a reasonable manner.
- 6.3 Headteachers/managers, Governors and employees should act consistently and with integrity throughout the grievance process.
- 6.4 Headteachers/managers, Governors and employees should raise and deal with grievance issues promptly and should not unreasonably delay meetings, decisions or confirmation of decisions. All employees involved should be kept updated of how the process is progressing in a timely manner.

- 6.5 Employees should be allowed to be accompanied at any formal grievance meeting. This may be a trade union representative, an official employed by a trade union or a work colleague, subject to that colleague not having any involvement in the grievance.
- 6.6 All meetings should be held confidentially and at a time and place that is reasonable for the employee and any person accompanying them. If anyone attending the meeting has any special requirements, they should inform the meeting organiser prior to the meeting and, where appropriate, reasonable adjustments will be made.
- 6.7 The purpose of each meeting throughout the grievance process is to try to resolve the grievance satisfactorily. Everyone involved in dealing with the grievance should ensure that discussions are open and constructive.
- 6.8 Any necessary fact-finding exercises should be carried out to establish the facts of the case.
- 6.9 An employee should be allowed to appeal against any formal decision made.
- 6.10 Headteachers/managers and Governors should keep a written record of any grievance cases they deal with. Such records should be treated as confidential and retained in accordance with GDPR.
- 6.11 Where a specific grievance has been dealt with under the formal Grievance policy, the same grievance cannot be raised again at a later date. This provision stands even where an employee feels the grievance has not been resolved to their satisfaction.
- 6.12 Where it is not appropriate to hold a face-to-face meeting under this procedure, the process will be conducted remotely, and the procedure will remain fair and reasonable.
- 6.13 A written record of all meetings conducted under this policy will be made, either by the person holding the meeting or by an additional person arranged to take notes or transcribe the meeting. In certain limited circumstances, it may be agreed for a meeting to be recorded electronically, for example where it is a reasonable adjustment for an employee with a disability.
- 6.14 This policy should be used in conjunction with the Grievance Toolkit.

7. Mediation

- 7.1 Headteachers/managers, Governors and employees should always seek to resolve grievance issues in the workplace. Where this is not possible, they should consider using an independent third party who is ideally a trained mediator to help resolve the problem, and it may be helpful to consider mediation at any stage during the grievance process. The independent third party mediator must be agreed by both parties before the process commences.
- 7.2 Mediation by an independent third party is voluntary and aims to provide support where two people have reached an impasse or cannot appreciate one another's point of view to arrive at a solution. Mediation may be appropriate at any point in the informal or formal grievance process.

- 7.3 It may be appropriate that informal mediation is used at an early stage and may be carried out by a neutral colleague at the direction of the Headteacher or Grievance Committee in a grievance involving the Headteacher.
- 7.4 If the issue is one of disagreement or conflict with colleagues/line managers, normally, the individuals concerned would be expected to have attempted to resolve the issue between themselves, or with the help of their manager/neutral colleague. Where this has not happened or been successful, they may be encouraged to involve an independent mediator.
- 7.5 The role of mediation is to help people in dispute to find a mutually acceptable solution to the problem. The mediator will help the two parties to come up with their own solutions to move forward by facilitating a discussion between them. The mediator will manage this process, but it is down to the individuals involved to work together and take the responsibility of seeking a resolution to the situation.
- 7.6 The principles of mediation are:
- the parties must be in agreement to use this method to resolve the situation.
 - collaborative problem solving to reach a workable solution acceptable to both parties.
 - focus on the future, emphasising a positive working relationship in the future, rather than apportioning blame for the past.
 - a belief that communication is often the key to resolving workplace disputes.

Mediation is confidential, which means that anything said during mediation cannot be relied upon if the matter is progressed to formal proceedings in the future. Representation is not appropriate during mediation, as it is up to the parties concerned to have an open and honest discussion without the distraction of other parties being present.

- 7.7 There will be no written record of the discussions which take place during mediation, other than notes taken by mediators for their own use during mediation.

The mediator will however:

- write to the parties concerned, setting out the main areas of concern and what they have agreed to, and will require them to sign this and return it to the mediator.
- inform the referring manager once the mediation has been concluded.
- where one of the parties refuses to continue to participate in mediation or the mediation is not concluded for any reason, the mediator will inform the referring manager, who will then put forward their final decisions and actions for resolution.

8. Grievance Procedure

Before using this procedure, employees should raise their concerns directly with the relevant person, if appropriate, and possibly with support from their Line Manager.

Whilst informal resolution of grievances is encouraged it is recognised that this is not always possible or appropriate, for example if the grievance relates to a serious issue such as

discrimination. Therefore, if the informal process does not resolve matters or is not appropriate, a formal grievance should be raised under this procedure.

8.1 Informal Stage

8.1.1 If following the initial discussion with a colleague the matter remains unresolved then the employee can access the informal grievance procedure.

8.1.2 A summary of informal discussions will be kept following any informal meeting.

8.1.3 The informal grievance should be made using the form Appendix 3 within the Grievance Policy.

8.1.4 Once a matter has been brought to the attention of the Line Manager/Headteacher they will arrange for the informal grievance to be allocated to an appropriate person. The appropriate person will not usually be the Headteacher at this stage.

The appropriate person will meet with the employee who has raised the grievance as soon as possible in order to:

- establish what the problem is.
- establish what steps, if any, have already been taken to resolve matters.
- establish what the employee's suggested solution to the problem is (without agreeing that this will be the final outcome).
- consider appropriate actions to resolve the matter.
- agree timescales and review.
- discuss and agree timescales in which to carry out any background fact-finding and/or feedback to the individual about decisions or outcomes reached.
- consider if mediation would be appropriate to resolve the grievance.
- where the grievance involves allegations against a colleague a meeting must take place with the colleague to inform them of the allegations and document their point of view.
- where the grievance involves allegations against a colleague any counter-allegations should also be fact-checked and if necessary, a separate grievance or other process may be appropriate.

8.1.5 When the above steps have been completed the appointed person may then discuss their findings and deliver the outcome to the employee who raised the grievance.

8.1.6 The appointed person should ensure that any agreed solutions are documented, implemented, and monitored, and that regular reviews are conducted where appropriate.

8.1.7 Outcomes should be confirmed in writing to the parties concerned within 14 days, copies of which should be kept on the individual's personal file.

8.1.8 All parties, including the complainant, will be reminded that the grievance must be dealt with in confidence. Failure to comply with this may result in disciplinary action being taken against any employee who breaches confidentiality.

8.1.9 During any of the grievance stages there may be occasions where any party involved in the process is unwell or absent from work for other reasons and is not able to attend any

meeting. If this is the case alternative arrangements should be made for the employee to submit information and evidence, for example in writing or via MS Teams.

8.2 Formal Stage

- 8.2.1 When it is not possible or appropriate to resolve a grievance informally, employees should raise the matter formally and the formal Grievance Procedure detailed below should be followed:
- 8.2.2 To raise a formal grievance an employee must submit a written statement to their line manager/ Headteacher without unreasonable delay, (as long as their Headteacher/ manager is not the subject of the grievance). Wherever possible the grievance should be made using the form attached at Appendix 3 within the Grievance Policy. The written statement must set out the nature of the grievance and detail how the employee would like the grievance to be resolved.
- 8.2.3 Where it is unclear if the written statement received is intended to be treated as a grievance, the recipient of the written statement shall seek to clarify this without unreasonable delay.
- 8.2.4 The line manager/Headteacher or other appointed grievance investigation officer should arrange for a formal grievance meeting to be held without unreasonable delay, after a grievance has been received.
- 8.2.5 Employees should be notified of their right to be accompanied by a 'companion' at the formal grievance meeting. The chosen companion may be a work colleague, a trade union representative or an official employed by a trade union.
- 8.2.6 Grievance investigation officers, employees and their companions should make every effort to attend the grievance meeting.
- 8.2.7 At the meeting the grievance investigation officer will seek to:
- establish what the problem is.
 - establish what steps, if any, have already been taken to resolve matters.
 - establish what the employee's suggested solution to the problem is (without agreeing that this will be the final outcome).
 - consider appropriate actions to resolve the matter.
 - agree timescales and review.
 - discuss and agree timescales in which to carry out any background fact-finding and/or feedback to the individual about decisions or outcomes reached.
 - consider if mediation would be appropriate to resolve the grievance.
 - where the grievance involves allegations against a colleague a meeting must take place with the colleague to inform them of the allegations and document their point of view.
 - where the grievance involves allegations against a colleague any counter-allegations should also be fully investigated and responded to as part of the grievance response.
- 8.2.8 Consideration should be given to adjourning the grievance meeting for any fact-finding that may be necessary, and the fact-finding should be carried out without unreasonable delay.

The meeting should then be rearranged without unreasonable delay and within a timescale agreed with the employee.

- 8.2.9 During the formal stage the complainant and responder should inform the investigating officer of names of any witnesses they would like to put forward and provide a reason why they would like the investigating officer to speak to these individuals. At the formal stage the investigator should interview relevant witnesses as part of the process, the investigating officer has the authority to decide who they interview as part of their fact-finding exercise. The school should release witnesses for this purpose and witnesses are protected from suffering any detriment as a result of engaging with the process.
- 8.2.10 Once the fact-finding is completed, the grievance investigation officer may meet with the employee to confirm the findings and outcome. This will be followed up in writing and include the right of appeal. The letter will be sent within 7 days of the outcome meeting.
- 8.2.11 Where the issue is one of conflict with colleagues/line managers, it may be a recommendation of the formal process that the parties should be requested to attend or may benefit from mediation.
- 8.2.12 All parties, including the complainant, will be reminded that the grievance must be dealt with in confidence. Failure to comply with this may result in disciplinary action being taken against any employee who breaches confidentiality.
- 8.2.13 During any of the grievance stages there may be occasions where any party involved in the process is unwell or absent from work for other reasons and is not able to attend any meeting. If this is the case alternative arrangements should be made for the employee to submit information and evidence, for example in writing or via MS Teams.

8.3 Appeal Stage

- 8.3.1 If an employee does not accept the outcome/decision of the grievance fact-finding, they have the right of appeal and are required to do so in writing to the Clerk of Governors within 14 days of receipt of the outcome letter.

The grounds for appeal are as follows:

- Failure to adhere to the procedure.
- Extenuating circumstances that were not considered.
- Bias by the person carrying out the fact-finding investigation.
- New and substantive evidence subsequently coming to light which was not available at the time of the original fact-finding exercise and would have affected the decision.
- The outcome isn't proportionate to the grievance raised.

The letter should contain the following:

- Summary of what has happened.
- Statement of why they are not able to accept the outcome of the formal stage.
- Statement what they feel the solution should be and why.

8.3.2 The Clerk to Governors will make arrangements for the appeal hearing. Every attempt will be made to hear the appeal as quickly as possible and wherever possible, within 28 days of the Clerk receiving the employee's letter. Where appropriate HR will assist the Clerk with co-ordinating the collation of the documentation required for the Appeal.

This will include:

- A copied set of all the previous letters and notes of meetings.
- The employee's letter of appeal.

8.3.3 Employees have the right to be accompanied by a trade union representative or work colleague.

8.3.4 All documentation should be provided to the Grievance Appeals Committee at least 5 school days before the appeal hearing takes place. Failure to comply with this may result in the Committee not taking the information into account in their deliberations.

8.3.5 The Grievance Appeals Committee will consist of at least three governors, up to a maximum of five. The Committee will take into account the circumstances, validity and practicality of any proposed resolution, and decide whether or not the appeal should be upheld. It is recommended that the Committee seek HR advice prior to arriving at a decision.

8.3.6 The Grievance Appeals Committee may wish to call parties interviewed as part of any formal grievance fact-finding.

8.3.7 The employee will be notified in writing of the decision by the Chair of the Grievance Appeals Committee within 7 days of the appeal meeting.

8.3.8 The appeal hearing is the final stage in the grievance procedure and the Grievance Appeals Committee's decision is final.

8.4 Raising a Grievance against a Headteacher

8.4.1 In the event that the Headteacher/line manager is the subject of the grievance, the written statement should be submitted to the Chair of the Governing Body of the school. The Chair of the Governing Body will investigate the grievance, if appropriate, otherwise they should appoint an appropriate investigator. The grievance fact-finding report will be presented to the Grievance Committee of the Governing Body who will consider the grievance.

8.4.2 The grievance fact-finding report should be considered without unreasonable delay and the employee should be informed in advance.

8.4.3 The Grievance Committee will consist of at least three governors, up to a maximum of five. The Committee will take into account the circumstances, validity and practicality of any proposed resolution, and decide whether or not the grievance should be upheld. It is recommended that the Committee seek HR advice prior to arriving at a decision.

8.4.4 The Grievance Committee may wish to call parties interviewed as part of any formal grievance fact-finding.

- 8.4.5 Employees have the right to be accompanied by a trade union representative or work colleague.
- 8.4.6 The outcome of this meeting should be communicated to the employee, in writing within 7 days of the of the Grievance meeting. This letter should also inform the employee of their right of appeal.
- 8.4.7 If the employee wishes to appeal the decision, they must follow the procedure documented under section 8.3.

8.5 Raising a Grievance against a Committee of the Governing Body

- 8.5.1 If the grievance is against a committee of the Governing Body, the employee should submit their grievance in writing to the Chair of the Governing Body via the Clerk to the Governing Body (or their nominated independent representative) who will arrange for the matter to be investigated without unreasonable delay. Should the Chair of the Governing Body be a member of the committee which is the subject of the grievance they should nominate an alternative Governing Body representative to handle the grievance.
- 8.5.2 The grievance fact-finding exercise should follow the process as outlined in section 8.2.
- 8.5.3 The grievance findings report should be considered by the grievance committee without unreasonable delay.
- 8.5.4 The outcome of this meeting should be communicated to the committee, in writing within 5 school days of the of the Grievance meeting. This letter should also inform the committee of their right of appeal.
- 8.5.5 If the committee wishes to appeal the decision, they must submit a written statement within 5 school days of receiving the notification of the decision.
- 8.5.6 To appeal the decision of the Chair of the Governing Body (in cases where the grievance was submitted against a committee of the Governing Body) the committee should submit the appeal to the Appeals Committee of the Governing Body via the Clerk to the Governing Body within 5 school days of receiving the written outcome of the grievance hearing.
- 8.5.7 A hearing with the Appeals Committee will take place without unreasonable delay.
- 8.5.8 Employees have the right to be accompanied by a trade union representative or work colleague.
- 8.5.9 The outcome of the hearing should be communicated to the committee, in writing, within 5 school days. The decision of the Appeals Committee is final.

8.6 Raising a grievance against the full Governing Body/ Chair of the Governing Body

- 8.6.1 Should a grievance be received against the Full Governing Body of a school or a Chair of a Governing Body the school in conjunction with HR advice will look at the appropriate

method of looking into and potentially hearing the grievance according to the individual circumstances of the case.

- 8.6.2 The appeal mechanism will also be considered according to the circumstances of each grievance at the time of submission.

8.7 Grievance raised by a Headteacher

- 8.7.1 To raise a formal grievance a Headteacher must submit a written statement to the Chair of Governors without unreasonable delay, (as long as the Chair of Governors is not the subject of the grievance). Wherever possible the grievance should be made using the form attached at Appendix 3 within the Grievance Policy. The written statement must set out the nature of the grievance and detail how the employee would like the grievance to be resolved.
- 8.7.2 In the event that the Chair of the Governing Body is the subject of the grievance, the written statement should be submitted to the Vice Chair of the Governing Body or an alternative Governor.
- 8.7.3 The Chair of the Governing Body should arrange for the grievance to be investigated without unreasonable delay, after a grievance has been received. A meeting of the Grievance Committee will be convened to consider the grievance. At this meeting the Chair of the Governing Body will present the report of the fact-finding. (In the event that the Chair of the Governing Body is the subject of the grievance, the report should be presented by the Vice Chair of the Governing Body or an alternative Governor).
- 8.7.4 Headteachers have the right to be accompanied by a trade union representative or work colleague.
- 8.7.5 Following the grievance meeting the Grievance Committee should decide on what action to take, if any.
- 8.7.6 The Grievance Committee via the Clerk to the Governing Body should notify the Headteacher of the decision, in writing, within 5 school days. The letter, where appropriate, should set out what action the Grievance Committee intends to take to resolve the grievance. The Headteacher should also be informed that they can appeal if they are not content with the decision and any action taken.
- 8.7.7 If the Headteacher wishes to appeal the decision they must submit a written statement within 5 school days of receiving the notification of the decision. The appeal should be submitted to the Clerk to the Governing Body.
- 8.7.8 A hearing with the Appeals Committee will take place without unreasonable delay.
- 8.7.9 The outcome of the hearing should be communicated to the employee, in writing, within 5 school days. The decision of the Appeals Committee is final.
- 8.7.10 In exceptional cases, where no Governor is able to give an objective view the policy allows for a formal collaboration to be made with another Governing Body to hear the grievance.

9. Overlapping of Grievance and Disciplinary Cases

- 9.1 Where an employee raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the disciplinary and grievance matters are related, it may be appropriate to deal with both issues concurrently. In line with the School's Disciplinary policy, in situations where a grievance has been investigated but is subject to appeal by the employee, it may be appropriate to conclude any grievance appeal before continuing with or concluding the disciplinary process.
- 9.2 If it becomes apparent that an employee subject to disciplinary action is raising grievances that are reasonably considered to be in bad faith, repetitive, frivolous, malicious and/or vexatious, or are raised with the intention of delaying the conclusion of a serious disciplinary matter, the School may consider closing the matter without further investigation. Any such decision must be carefully considered and be fully justified in writing. For example, in cases where an employee raises a grievance that is slightly different from an earlier grievance, a decision will be made as to whether the matter raised is sufficiently different to justify it being considered as a new complaint.

10. Grievances raised by ex-employees

- 10.1 We would rather that you told us about your concerns before you leave, as then we would have had the opportunity to resolve them for you. You can also use your Leavers Exit Interview to raise any concerns however, if you choose to write to us after you've left, we'll consider your concerns and decide whether to investigate them and which policy is most suitable.
- 10.2 If the complainant resigns during the grievance process, then a decision would be made by the school with advice from the Local Authority as to if the grievance process should continue.

11. Collective Grievances

- 11.1 If you have an identical or similar grievance to other colleagues and raise this together, we will facilitate a sensible way of dealing with the collective grievance, and where each individual agrees, this can be addressed as one grievance hearing.
- 11.2 If you have a related or similar grievance to another colleague, we may ask for your written permission for the grievances to be handled collectively.

- 11.3 If you and your colleagues are members of the same Trade Union, your Trade Union representative can raise the grievance on your behalf. Alternatively, you can agree for one of you to represent the collective group.
- 11.4 Each individual's name should be listed on the grievance form or letter, and we would notify the outcome of every stage to each individual. While we would always look to resolve matters as quickly as reasonably possible, due to the potential number of people involved, it may take longer than usual, and we will agree this with you.

12. Grievances and Whistleblowing

- 12.1 If you are aggrieved about your personal position in work, please use this, the School's Grievance Policy.
- 12.2 The Whistleblowing Policy is intended to cover concerns that fall outside the scope of other existing procedures and policies of the School. It is primarily for concerns where the interests of others, the School/Schools or Powys County Council are at risk.

APPENDIX 1 – Guidance notes for Headteachers / Line Managers

This guidance should be read in conjunction with the School's Grievance Policy

Why have a grievance procedure?

In any organisation, employees may have problems or concerns about their work, working environment, or working relationships, that they wish to raise and have addressed. A grievance procedure provides a mechanism for these to be dealt with fairly and speedily before they develop into major problems and potentially collective disputes. It is good employment relations practice to provide employees with a reasonable and prompt opportunity to redress any grievance.

It is in everyone's best interest to ensure that employees' grievances are dealt with quickly and fairly and at the lowest possible level at which the matter can be resolved. Grievance proceedings and records must be kept confidential.

In certain circumstances it may, with mutual agreement, be helpful to seek external advice and assistance during the grievance procedure. For instance, where relationships have broken down and an external facilitator might be able to help resolve the problem, e.g. HR, or a Headteacher from another school, or where the Headteacher dealing with the grievance is new and may need mentoring by a more experienced Headteacher. It is the Headteacher's responsibility to inform the employee about the support that is available to them such as counselling, mediation or occupational health.

Preparation and Research

Checklist for fact-finding:

- Focus on gathering objective information in a thorough and organised manner;
- Inform an employee who has had allegations made against them at an early stage;
- Have meetings with all relevant people;
- Obtain written statements which are signed and dated;
- Remain impartial and avoid reaching a decision until all information has been collated and the meeting has taken place;
- Do not express any views or opinions prior to reaching a decision;
- Ensure all matters raised by all parties are considered and responded to, particularly counter-allegations made;
- Ensure that comprehensive records are maintained of all relevant action taken;

Role of the Representative / Supporter

Throughout the grievance procedure all parties have the right to be accompanied by a work colleague or a union representative at all meetings/hearings. The representative may speak on behalf of the employee and ask questions on their behalf. The representative should not answer

questions asked of the employee. The representative may request adjournments to discuss issues separately with the employee. If the employee or the representative cannot attend a meeting, the employee can request an alternative time and date. All reasonable steps should be taken to accommodate requests within 7 days of the original meeting date.

Conducting a Grievance Interview

The nature and process of the grievance procedure should be restated. It should be made clear that the employee can stop the process at any time if they feel that just talking about their problem is sufficient. They should also be assured that invoking the grievance procedure will not be held against them, it is, after all, an employment right. They need to be reassured that every attempt will be made to resolve their grievance but should also be made aware that things may remain as they are if that is considered to be the most appropriate action.

Checklist for the initial interview:

- The employee should state their case. The interviewer's role at this point is to listen and say nothing.
- The interviewer must not interrupt, justify or sympathise.
- The employee should be encouraged to say as much as they wish of their own accord before being asked to clarify or give examples. If they can cite only feelings and perceptions, they should be asked to try to be as factual as they can so that their claims can be substantiated properly and assessed objectively.
- The interviewer should summarise and clarify their understanding of the issues. They should not suggest solutions or reject the problem.
- The interviewer should carefully question and probe to ensure that the problem really is the one being expressed.
- Ask the employee specific questions to elicit relevant facts and feelings. It may be helpful to prepare a framework of the questions you intend to ask.
- Ask the employee what outcome they desire.
- The interviewer should summarise the problem back to the employee from time to time to ensure that understanding is quite clear.
- The interviewer must ensure that proceedings remain calm at all times. If there are any emotional outbursts, it is better to suggest that the meeting be postponed to another time.
- If there are any misunderstandings which have initiated the grievance, then these should be cleared up immediately.
- A second member person may need to take notes. The notes should be signed by both parties.

If it transpires that the grievance is completely without foundation this must be discussed fully and factually with the employee and agreement to end the matter must be sought. If the employee does not agree that the complaint was unjustified, then he/she has the right to progress to the next stage of the grievance procedure.

If the grievance is justified, careful consideration must be given to the possible solutions. Wherever practicable, the employee should be involved as much as possible and given the opportunity to express their requirements. But they should be made aware of any constraints. The only promise that can be made is that the matter will receive the fullest consideration.

Reiterate at this point that any employees interviewed should be treated equally and fairly and that any counter-allegations should also be fully investigated.

The meeting should be adjourned before any final decision is made. Once the decision is made, the solution should be communicated back to the employee. Some background as to how the decision was reached should also be given. If the outcome is not what they had hoped for, they should be reminded of their right to take the grievance to the next stage. They should not be discouraged from doing so and should be told that they will not be thought any less of if they decide to appeal.

Appeal

If the employee is unhappy with the outcome at any stage, they have the right to appeal against that decision until the stages of the grievance procedure are exhausted.

Follow Up

If the grievance is resolved quickly and easily it is still important to see the employee at some point to ensure that the solution is still working out as planned. If the outcome has disappointed the employee, they should be seen again quite quickly to ensure they are not harbouring ill-feeling.

It is important to provide an open and fair way for employees to make their problems known and give them an opportunity to resolve them before they become major issues.

Checklist for Grievance Procedure:

- Read through the procedure and guidance notes thoroughly.
- Check that all activity to try and resolve the grievance informally has been taken.
- Identify the problem and try to define the exact nature of the complaint.
- Identify the key issues and those involved.
- Where appropriate inform any employee of allegations made against them at an early stage.
- Listen carefully to what all parties have to say – investigate all allegations raised by any parties.
- Interview any witnesses to alleged incidents.
- Decide whether any disciplinary action may be necessary.
- Examine employee work records – if appropriate.
- Collect information and analyse data gathered.
- Where there is conflicting evidence demonstrate a balance of probability as to whether you believe the concerns are justified.
- Carefully consider evidence that there is no case to answer?
- Consider if there are any mitigating circumstances to take into account?

- Consider if there are any organisational precedents that have taken place in similar situations/cases?
- Summarise findings.
- Decide if allegation/grievance is substantiated.
- Make a decision on the action to be taken.
- Where relevant, notify both sides of the outcome.
- Ensure copies of all notes are placed on employee files.

APPENDIX 2 – Guidance notes for employees

This guidance should be read in conjunction with the School's Grievance Policy

Introduction

Grievances are concerns, problems, or complaints that you wish to raise with your employer. Wherever possible, you should aim to settle your grievances informally with your headteacher or another senior manager. But where this is not possible, formal grievance procedures allow for issues to be resolved fairly, consistently, and speedily.

What is a grievance?

From time to time, you may have problems or concerns about your work, working conditions or relationships with colleagues that you wish to talk about. You will want the grievance to be addressed and, if possible, resolved. You should aim to settle most grievances informally. This is helpful as it encourages problems to be settled quickly. It is in everyone's interest to resolve problems before they develop into major issues for all concerned, so the emphasis should be on encouraging open communication.

In some cases, it may be decided to use a neutral mediator to help resolve grievances. This can be very helpful in maintaining working relationships.

Why have a procedure?

If a grievance cannot be settled informally you should raise a grievance formally with your Headteacher or line manager. This should be done in writing. A meeting will be arranged to discuss the grievance. You have the right to be accompanied by a work colleague or union representative. You should take all reasonable steps to attend meetings. Any decision will be confirmed in writing, and you will have a right of appeal.

If you think you have reasonable grounds for appeal, you should put this in writing to the Clerk of Governors, your appeal will then be heard by a Grievance Appeals Committee. This Committee will consist of Governors at the School.

How will the grievance meeting/hearing be conducted?

You will have provided an outline of your grievance in writing. The grievance investigation officer dealing with your grievance may seek advice and/ or support from HR.

The meeting/hearing will be held in private and without interruption from outside. The grievance investigation officer will normally arrange for someone to be present to take notes of the meeting. The person(s) conducting the grievance will explore the details of your grievance with open discussion of the issues you have raised. The meeting may need to be adjourned if further information or advice needs to be sought. Possible solutions will be discussed at the meeting where appropriate. You will need to be clear about the outcome you are seeking to your grievance.

The grievance investigation officer will advise you when you might reasonably expect to receive a response and update you if these timescales cannot be met for any reasons.

Role of the Representative / Supporter

Throughout the grievance procedure you will have the right to be accompanied by a work colleague or a union representative at all meetings. Your representative may speak on your behalf and ask questions on your behalf. The representative must not answer questions asked of you. The representative may request adjournments to discuss issues separately with you, where appropriate. If your representative cannot attend the meeting, you can request an alternative time and date not more than 7 days after the suggested meeting date.

APPENDIX 3 – Grievance Form



GRIEVANCE FORM

(All sections must be completed, as far as reasonably possible)

You and your job			
Your Full Name		Job Title	
School		Direct Line Manager name	
Phone Number		Preferred Email Address	

Your representative (if you have one)			
Full Name		Union	
Phone Number		Email Address	

Please summarise your complaint
<p data-bbox="154 1319 783 1350">What is it that you wish to raise? What is your complaint?</p>

Issues and people involved

I feel I have been treated unfairly or wrongly as a result of: -

(Please tick any appropriate box)

- ☐ the conduct of one or more people.
- ☐ a management decision which is wrong or unfair.
- ☐ the operation of a Council procedure or practice which is unfair.
- ☐ some other substantial reason.

Note that in terms of the Grievance Policy and Procedure, you cannot raise a grievance:

- Where it relates to proposed changes under the Management of Change/ Redundancy policy – these should be raised with manager leading the change.
- As a means of appeal against a decision reached as the outcome of a disciplinary and/or performance/capability process.
- As a trade union-led collective grievance – such collective grievances raised by a group of employees by a recognised workplace representative should be raised at the Service area's Joint Consultative Committee (JCC).

Please give the following information (if you have it) about any people directly involved: -

Full Name	Job Title	Department

Action already taken

Briefly describe what you have already done to raise and resolve the issue:

Other options for resolving the grievance

How do you think the remedy you have outlined above can be achieved?

☐ Mediation

☐ Some other plan of action (please say what below)

Signature and Declaration	
<p>1 I declare that I am raising this matter in good faith and that the details I have given are accurate to the best of my knowledge.</p> <p>2 The matter can be properly dealt with under the Grievance procedure and is not about:</p> <ul style="list-style-type: none"> – a decision taken under a procedure which offers a right of appeal. – work issues over which the Council has no discretion or authority. 	
Signature	Date