St Chad's CofE Nursery and Infant School

# Grievance and Collective Grievance Policy

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| **School Leader:** | **K Leach** | |
| **Link Governor:** | **Rev. A Ward** | |
| **Policy Approved** | **Signed: Rev. A Ward** | **Date: 07.06.17** |
| Policy Reviewed | Signed: Rev. A Ward | Date: 07.06.21 |
| Policy Reviewed | Signed: Rev. A Ward | Date:19.06.20 |
| Policy Reviewed | Signed: Rev. A Ward | Date: 17.06.19 |
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DERBY CITY COUNCIL

# Grievance and Collective Grievance Policy

## Purpose

The Grievance and Collective Grievance Policy aims to protect the interests of employees and the School by ensuring that all grievances are considered promptly, fairly and consistently. It is designed to promote and maintain positive working relationships.

Document Control

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| Implementation date | March 2014 |
| Author | Sue Farmery & Linda Theakstone |
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| | |
| Revised/updated | |

## 1.0 Policy application

1.1 The Council, in consultation with recognised trade unions, has agreed this policy for adoption by those employed under the delegated powers of Governing Bodies of schools. Governing Bodies are strongly urged to adopt this policy for all employees within their delegated powers.

1.2 Where a complaint is raised after an employee has left the School's employment, this policy would not apply.

1.3 This policy is designed to cover work related concerns such as:

- interpretation of terms and conditions of employment
- health and safety
- new working practices
- working environment
- harassment, discrimination, victimisation and bullying on grounds of age, disability, gender or gender identity, race, religion, or belief or sexuality
- unacceptable behaviour by other employees.

## 2.0 Principles

2.1 All employees have the right to express a grievance relating to their employment. These may be raised by an individual, a couple of individuals or collective where a group or groups of employees are affected by the same work related issue.

2.2 If two or more employees have an identical grievance, they can use this policy to raise a collective grievance. Where a collective grievance is raised, the employees can either use their trade union representative to raise the grievance or nominate one person to act on their behalf. Employees using this procedure collectively cannot then raise an individual grievance on the same issue.

2.3 All grievances should be dealt with informally wherever possible. Head Teachers and Governing Bodies will deal with an employee(s) complaint reasonably and helpfully. Employees will not use the grievance procedure to challenge reasonable Head Teacher actions or requests.

2.4 Should an issue relate to a Chair of Governors or Governing Body in the school, complaints should be referred to the Strategic Director – Children and Young People at Derby City Council.

2.5 Head Teachers and Governing Bodies should aim to deal with informal grievances within 5 working days (pro-rata for part-time staff).

2.6 Mediation should be considered at all stages but particularly before progressing from the informal to formal stage of the process.

2.7 All parties will be expected to show what steps they have taken to achieve a reasonable solution to the problem prior to progression to the formal stage.

2.8 Employees have the right to be accompanied to any meetings by another employee of the School, or trade union representative of their choice, but this should not delay the process.

2.9 In exceptional circumstances, when it is mutually agreeable to both employee and employer, the process may continue during non-working days.

2.10 Reasonable adjustments will be made to support employees where needed.

2.11 In order to prevent delays, grievances that are submitted in relation to another school process will be heard as part of that case.

2.12 In the case of collective grievances the process can start at the formal stage subject to the agreement of the Head Teacher or Governors and the employee representative.

2.13 Outcomes of any grievance may include referral to the Disciplinary and Dismissals Policy.

2.14 Employees are expected to follow the School's Code of Conduct in any part of this process.

2.15 A summary of the grievance framework and process is:

2.15.1 **Informal stage**

- Employee raises issue with Head teacher or Chair of Governors if it relates to the Head teacher
- Head teacher/Chair of Governors considers grievance
- Head teacher/Chair of Governors responds verbally as soon as possible and confirms in writing
- Use mediation in appropriate cases.

2.14.2 **Formal Stage**

- Employee raises grievance in writing with Head Teacher or Chair of Governors if it relates to the Head Teacher. Other than in exceptional circumstances the grievance meeting must be held as soon as possible and giving the employee a minimum of five working days' notice of the grievance meeting date.
- Head Teacher/Chair of Governors holds meeting to consider grievance and possible use of mediation
- Head Teacher/Chair of Governors adjourns meeting for further fact-finding if required
- Head Teacher/Chair of Governors confirms the decision in writing to the employee within seven working days.

## 3.0 Appeal

3.1 The person(s) raising the complaint will have the right of appeal against the outcome of the grievance meeting (see Appeals Policy).

3.2 This is the final stage of the internal grievance process.

## 4.0 Support and guidance

4.1 A full description of the process including guidance, supportive information and documentation is available from the School Portal.

## 5.0 Roles and Responsibilities

5.1 The roles and responsibilities of key stakeholders are summarised in Appendix 1.

## Appendix 1 GRIEVANCE POLICY ROLES AND RESPONSIBILITIES OF KEY STAKEHOLDERS

| Governing Body | Governor's First Committee | Headteacher | Employee | HR |
|---|---|---|---|---|
| **INFORMAL STAGE** | | | | |
| **Fairness and equality** | | | | |
| To ensure this policy is implemented in a fair, consistent and non-discriminatory manner<br><br>To facilitate reasonable adjustments as required | To ensure this policy is implemented in a fair, consistent and non-discriminatory manner<br><br>To facilitate reasonable adjustments as required<br>. | To ensure this policy is implemented in a fair, consistent and non-discriminatory manner<br><br>To provide reasonable adjustments as required | | To ensure this policy is implemented in a fair, consistent and non-discriminatory manner.<br><br>Provide advice and guidance to managers and employees |
| **General Operation of the Scheme** | | | | |
| Ensure Head teachers and governors carry out their roles and responsibilities | Ensure Head teachers and Governors carry out their roles and responsibilities | | | Provide advice to Head teachers, Governing Bodies, Directors and employees. |
| **Raising a grievance informally** | | | | |
| Receive informal complaint<br><br>Follow the informal grievance procedure<br><br>Advise employee of outcome<br><br>Consider mediation | Receive informal complaint<br><br>Follow the informal grievance procedure<br><br>Advise employee of outcome<br><br>Consider mediation | Receive informal complaint<br><br>Follow the informal grievance procedure<br><br>Advise employee of outcome<br><br>Consider mediation | Raise issue informally with Head teacher, Chair of Governors or Director verbally or in writing<br><br>Consider mediation | Provide advice to Head teachers, Governing Bodies, Directors and employees |

| Governing Body | Governor's First Committee | Headteacher | Employee | HR |
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| **FORMAL STAGE** | | | | |
| Acknowledge and follow formal grievance stage if required<br><br>Follow or participate in formal grievance resolution process if directed<br><br>Consider using mediation at any stage<br><br>Attend grievance meeting if directed | Acknowledge and follow formal grievance stage if required<br><br>Follow or participate in formal grievance resolution process if directed.<br><br>Consider using mediation at any stage<br><br>Attend grievance meeting if directed | Acknowledge and follow formal grievance<br><br>Follow or participate in formal grievance resolution process if directed<br><br>Consider using mediation at any stage<br><br>Attend grievance meeting if directed | Participate in formal grievance resolution process<br><br>Consider mediation<br><br>Attend grievance meeting and arrange for companion and any witnesses to be present | Provide advice to Head teachers, Governing Bodies, Directors and employees as required. |
| **Document Retention** | | | | |
| Ensure documents are treated in confidence and in line with the School's and Council's data protection and IT policies.<br><br>Ensure information is processed through HR management system | Ensure documents are treated in confidence and in line with the School's and Council's data protection and IT policies.<br><br>Ensure information is processed through HR management system and | Ensure documents are treated in confidence and in line with the School's and Council's data protection and IT policies.<br><br>Ensure information is processed through HR management system and | Keep a copy of documents and decision letters. | Ensure documents are treated in confidence and in line with the School's and Council's data protection and IT policies.<br><br>Keep a copy of documents and decision letter in case file |

| Governing Body | Governor's First Committee | Headteacher | Employee | HR |
|---|---|---|---|---|
| and that key documents are scanned on the employee's personal file | that key documents are scanned on the employee's personal file | that key documents are scanned on the employee's personal file | | . |
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