



Truro and Penwith
Academy Trust

Grievance Policy

Review Summary

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Truro and Penwith Academy Trust

Grievance Policy & Procedure

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Further administrative guidance and example letters & forms can be found on TPAT's Intranet Site under Central Services, HR & Payroll – Workplace Issues & Solutions Link - Workplace Issues & Solutions - TPAT ConnectED (ourhub.io)		

Staff Grievance Policy

1 Introduction

- 1.1 Truro and Penwith Academy Trust (TPAT) is referred to as 'the Trust' throughout the document. 'Board of Trustees' or 'Board' refers to the Trustees of Truro and Penwith Academy Trust. 'Local Monitoring Committee' refers to the local tier of governance at each member school of Truro and Penwith Academy Trust.
- 1.2 'Trust days' refers to days on which the school is open to pupils, however with the agreement of all parties these arrangements may be varied.
- 1.3 This Grievance Policy & Procedure is reviewed on a regular basis by the Board of Trustees of TPAT.
- 1.4 All employees have a responsibility to find ways to resolve disagreements, conflicts and concerns, in the workplace. If, despite attempts to find agreement, a dispute or disagreement leads to a grievance, employees are able to pursue the matter in accordance with the procedure set out below.
- 1.5 This procedure does not cover all circumstances regarding individual grievances and the Headteacher will take professional Trust HR Team advice before taking any action under this policy.

2 Purpose

- 2.1 To promote the early, effective and satisfactory resolution of individual employment related grievances, by providing a structured framework through which individual members of staff can seek redress.
- 2.2 Broadly, a grievance may be raised about any matter arising from employment, including grievances amongst members of staff, with the Headteacher. In the case of a grievance against the Headteacher, this should be raised with the Trust HR Team.
- 2.3 The sexual harassment and bullying policy is for dealing with any instances of alleged bullying or harassment in the workplace. This policy should not be used for this purpose.
- 2.4 The Headteacher has specific responsibilities to direct the work of members of staff and to manage performance. It is not the intention of this policy to affect the Headteacher from exercising these responsibilities appropriately and fairly. This includes issuing instructions, providing critical feedback to allow employees to improve their performance, taking action to control absence or to deal with misconduct, even whether employees feel that the action is unjustified or unfair.
- 2.5 If the headteacher or manager believe that the action or conduct described in the grievance is sufficiently serious to warrant disciplinary action, the Headteacher or Manager should consider implementing the Trust Disciplinary procedure to address the matter.
- 2.6 This procedure is not the appropriate recourse for the following employment matters:
 - any outcome of a disciplinary process (in such circumstances the appeals procedure established within the [Disciplinary Policy](#) applies – see [Trust set policies \(to be noted at school level\) - TPAT ConnectED \(ourhub.io\)](#));
 - any issue relating to the pay progression of a teacher;
 - whistleblowing (in such circumstances, the Trusts' [Whistleblowing Policy](#) applies – see [Trust set policies \(to be noted at school level\) - TPAT ConnectED \(ourhub.io\)](#));

- matters relating to the rules of the Local Government Pension Scheme or Teachers' Pension Scheme (such matters will be referred to the Scheme Administrators and ultimately Pensions' Ombudsman).

3 Scope

3.1 The procedure applies to all staff employed at TPAT.

4 Informal Approach and Mediation

- 4.1 Employees should endeavour to approach the person with whom they have a grievance, to see whether the grievance can be resolved by informal discussion, before approaching the head teacher/manager
- 4.2 If the grievance is about the head teacher/manager, the employee should still approach them to see whether the grievance can be resolved through informal discussion. It is important that the employee whom the grievance is against is given an opportunity to change their decision or resolve the complaint early on in the process. If employees do not feel able to approach the person they feel is responsible on their own, they may wish to ask a colleague or a trade union representative to accompany them.
- 4.3 If an employee is not able to resolve their grievance by approaching the person they feel is responsible or they do not feel able to do so, they should raise it with their Headteacher or manager, either orally or in writing. If the complaint relates to the Headteacher or manager, they should raise it with the TPAT HR Team.
- 4.4 The TPAT HR Team will consider the grievance and, in consultation with the employee will seek to resolve the issue at this informal stage and determine whether the matter can be resolved immediately or whether there is a need for it to be investigated further.
- 4.5 Where possible. TPAT HR should take appropriate steps to resolve the grievance informally within ten working days or as soon as reasonably practicable, including discussing with the employee their concerns and the possible resolution.
- 4.6 If the employee is not satisfied with the outcome, or if they believe that the informal resolution is not appropriate, they should follow the formal stages of the grievance procedure, as set out below.

5 Formal Procedure

- 5.1 An employee wishing to invoke the procedure should normally raise their concerns within **20 Trust days** of the event or the latest in a series of events that has resulted in the grievance. Early notification of a grievance will help ensure early resolution.
- 5.2 At all stages of the formal procedure, all members of staff involved in the grievance are entitled to take advice from and/or be accompanied or represented by a workplace colleague or trade union representative. Staff are encouraged to consult their trade union representatives or professional associations at the earliest opportunity.
- 5.3 Where a member of staff chooses not to be accompanied or represented by a trade union representative or workplace colleague it will be noted in the written summary that representation was offered and declined.
- 5.4 If it has not been possible to resolve the grievance through the informal process, the employee should set out in writing the details and nature of their grievance by completing the form at Appendix A and how they believe it could best be resolved. The formal grievance should be given to the head teacher or a senior Manager. If the grievance is about the head

teacher or if they have previously been involved in the case (including at the informal stage), the grievance form should be given to the TPAT HR Team.

- 5.5 Wherever possible, the form in the appendix should be used to submit the grievance. It is advisable to seek representation at this stage from a trade union representative or work colleague, if you have not already done so.
- 5.6 The head teacher or the senior manager will arrange for a meeting to take place within ten working days or as soon as reasonably practicable after receiving the formal grievance.
- 5.7 The head teacher or the senior manager will lead the meeting and will ensure the employee has the opportunity to explain their concerns and say how they think the matter can be resolved.
- 5.8 The head teacher or a senior manager should arrange for a note taker to be present to take a formal record of the meeting that will be provided to all parties. They may also arrange for an HR adviser to be present to provide advice; they should in any case seek advice from HR throughout the formal process.
- 5.9 The head teacher or senior manager will then consider the grievance and respond in writing within seven working days, setting out where appropriate what action is intended to be taken to resolve the grievance. The notes of the meeting should also be provided along with an explanation of the employee's right to appeal the decision and the timescales for doing so.

6 Appeals

- 6.1 If you are still dissatisfied with the outcome of the grievance you can appeal. This must be done in writing to the TPAT Director of People and Strategy, detailing the grounds of appeal, within ten working days of receiving the grievance decision.
- 6.2 The appeal hearing will be heard by an appeals panel of TPAT representatives who have not previously been involved with the grievance. These representatives may be senior managers in the Trust, Governance representatives or senior representatives from outside the Trust.
- 6.3 You will receive notice of the appeal hearing no less than seven working days in writing before the hearing. If the employee or his/her representative is unable to attend on the date given, a suitable alternative date should be agreed.
- 6.4 The trade union representative will be allowed to address the meeting to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the hearing. The representative does not have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.
- 6.5 The appeals panel should arrange for a note taker to be present to take a formal record of the hearing. This will be provided to all parties. They may also arrange for an HR adviser to be present to provide advice; they should in any case seek advice from HR throughout the formal process.
- 6.6 The employee may invite any appropriate witnesses to be present at the appeal hearing in support of their appeal. Equally, the appeals panel may arrange for any appropriate persons to be present as required, including the head teacher or other witnesses. Notice of who may

be present at the appeal hearing must be provided to the employee who is making the appeal, at least two days before the appeal hearing date.

- 6.7 The decision of the appeal hearing will be communicated in writing within ten working days of the hearing. The decision of the appeals panel will be final.

7. Collective grievances

- 7.1 Where a grievance is raised by more than one employee, and the nature of the grievance and the desired resolution are the same, the grievance will be treated as a collective grievance.
- 7.2 In all instances, the group of employees should formally lodge their grievance in writing to the head teacher or Manager by completing the form attached at appendix 1. One form should be submitted but must be signed by all employees who are party to the grievance. If the collective grievance is about the head teacher or if they have previously been involved in the case (including at the informal stage), the collective grievance should be given to the TPAT HR Team.
- 7.3 The arrangements for the grievance hearing will be made in accordance with the process for an individual grievance. The employees may nominate one person to represent the group – in some cases this might be a trade union representative, or trade union representatives where the employees involved are members of more than one trade union.
- 7.4 If the employees are dissatisfied with the outcome of the grievance hearing they can appeal. The arrangements for the appeal hearing will be made in accordance with the procedure above. The decision of the appeals panel will be final and represents the end of the process.

Strictly Private & Confidential – Statement of Grievance

to be completed by the employee to instigate a ‘formal grievance’

(the formal procedure should only be used when attempts at informal resolution have been tried and not succeeded)

Name:		Establishment:	
Job Title:		Your Email:	
Line Manager:		Line Manager Email:	
Name of Representative:		Representative Email:	

- 1 Brief outline of the nature and reason for the grievance:**

- 2 When did you first raise your grievance informally and with whom?**

- 3 What specific action would you like taken in order to resolve this issue?**

- 4 Please give names of any witnesses who may be able to offer further information:**

- 5 Has your trade union been informed Yes/No**

If yes, and you wish for your trade union representative to be copied into correspondence please provide the name and contact details

Signed:		Date:	
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