



# **DURANTS SCHOOL – POLICY DOCUMENT**

## **Grievance Policy**

**2025**

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## **1. Introduction**

A grievance is a complaint or concern raised by an employee, or group of employees, related to a workplace issue, decision, or condition that affects their employment.

We recognise that from time-to-time employees may wish to seek redress for grievances relating to their employment.

Our policy is to encourage open communication between employees and their managers to ensure that any queries and issues that may arise during employment can be raised and, where possible, resolved quickly and to the mutual satisfaction of all parties.

We believe that most grievances can be resolved informally, and we encourage the use of the informal stages of this process where possible. We do recognise that where informal resolution is not possible that a formal procedure is required to resolve concerns.

This policy outlines our commitment to preventing, addressing, and resolving instances of bullying and harassment. It sets clear expectations for conduct, reporting procedures, and the steps we will take to ensure accountability and support for those affected. This grievance policy and procedure sets out the steps to be followed to initiate and resolve grievances in the workplace. It does not form part of any employees' contract of employment, and it may be amended at any time.

## **2. Scope**

This policy applies to our employees. It does not apply to agency workers, however we encourage such workers to raise any concerns they may have with us in the spirit of this policy.

This policy and process may be used to raise grievances related to employment such as, but not limited to:

- Terms and conditions
- Working environment
- Working conditions and practices
- New working practices
- Organisational change (unless this involves reorganisation/redundancy where other procedures will apply)
- Health and safety
- Working relationships

The policy may not be used to raise a grievance where forms of redress are set out in other policies, including:

- Disciplinary, performance management or redundancy
- Termination of employment
- Pay
- Job evaluation
- Bullying & harassment
- Collective disputes being managed by trade unions

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- Sexual harassment
- Where the employee is acting as a whistleblower (although this policy does cover circumstances where an employee believes they may have been victimised for an act of whistleblowing).

Employees are unable to raise a grievance:

- that has been raised, investigated and/or addressed under another policy or procedure.
- that has been addressed in an earlier grievance, except for where there are additional linked incidents not heard in the previous grievance.
- related to the outcome of any formal procedure which has its own appeal process.

This policy does not apply to complaints submitted by former employees. We reserve the right to deal with such complaints fairly and reasonably in a manner as we determine appropriate to the circumstance.

### **3. Relationship to Other Policies**

We understand that terms used to describe unwanted or inappropriate behaviour are often used interchangeably. We have a number of policies under which employees can raise their concerns:

- Grievance Policy
- Whistleblowing Policy
- Bullying & Harassment Policy
- Sexual Harassment policy

Where an employee raises a formal complaint under the incorrect policy, this shall be taken to be a complaint under the correct policy, and we will support the employee to access their rights under the appropriate policy.

### **4. Definitions**

A grievance is a formal or informal concern, complaint, or dispute raised by an employee regarding their treatment in the workplace. This may relate to issues such as breaches of employment terms and conditions, unfair treatment, breaches of policy, workload concerns, or other matters affecting their well-being, rights, or working conditions.

### **5. Overlapping disciplinary/capability and grievance issues**

If an employee raises a grievance whilst they are subject to disciplinary, capability and/or any other proceedings, it will not prevent us from continuing with or concluding these processes. In exceptional circumstances, we may elect to pause the other process, however this will be at our discretion.

Where the grievance is related to the disciplinary, capability or other process, it may be decided that it is more appropriate to combine the processes or for the employee to present their grievance as part of their hearing/appeal.

Any processes instigated harass or victimise a grievance raiser will not be tolerated, and the perpetrator(s) will be liable to disciplinary action in accordance with our disciplinary procedure.

## **6. False, vexatious or malicious grievances**

All grievances will be taken seriously. Where there is evidence of a false, vexatious or malicious grievance(s), we reserve the right to take appropriate action through our disciplinary policy as appropriate to the circumstances.

## **7. Collective grievances**

### **7.1 Multiple similar grievances**

In cases where multiple employees raise grievances concerning the same or similar issues, these may be treated as a collective grievance. This approach ensures consistency in addressing overlapping concerns and streamlines the resolution process.

While each individual's concerns will be acknowledged, combining grievances allows for a more efficient and coordinated response.

We reserve the right to determine when grievances should be grouped together based on the circumstances.

### **7.2 Grievances raised on behalf of multiple employees**

In cases where a collective grievance is raised on behalf of multiple employees, all individuals who are part of the grievance must be clearly identified and either provide their explicit consent or be signatories to the grievance submission. This ensures transparency, confirms their agreement to be represented in the matter, and allows for a fair and consistent resolution process.

Employees who have not been declared as part of the collective grievance will not be included in any subsequent discussions or outcomes. We reserve the right to verify the participation of all named employees before proceeding with the grievance investigation.

## **8. Grievance Process - Informal Process**

Informal grievances may be raised verbally or in writing.

Any employee who has a grievance may raise this matter with person(s) concerned informally during the course of normal work.

If they do not feel able to do this, or if this is ineffective, they may seek advice or support from their line manager or any SLT member to resolve this issue informally. This support may include

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assistance to approach the other person(s) or, if appropriate, speaking with the other person(s) informally on the employee's behalf. Employees may also seek support from a colleague or union representative.

If the grievance relates to their line manager or SLT member, employees may seek this support from any more senior manager. If the grievance relates to the Head Teacher, they may seek support from the Chair of Governors.

Informal dispute resolution does not follow a fixed process, as the approach will depend on the specific nature of the grievance raised. We will adopt practical and context-appropriate practices at this stage to determine the necessary actions, while engaging with the employee to ensure their perspective is considered, with the aim of achieving a fair and constructive outcome for all parties involved.

Throughout the informal process, we will remain in contact with the complainant, and any accused persons, to provide reasonable support as they require in the circumstances".

Although informal, it is advisable to keep a record of the discussions and any steps taken to address the issue informally.

There is no automatic right to be accompanied by a work colleague or union representative at informal meetings or during the informal process. This may be permitted where it is deemed to be in the interests of an early resolution and where there are circumstances in which an employee needs additional support.

The outcome of the informal grievance will be communicated to the employee who raised it. This may be verbally or in writing as the circumstance warrants.

### **8.1 Mediation / Conciliation**

Where all parties are in agreement, a mediator may be appointed to help resolve the situation in the informal process.

Mediation is a structured and formal process led by a qualified mediator. There is no obligation for any party to participate in any formal mediation process.

Conciliation is different to mediation. It is an informal process involving facilitated workplace discussions by a neutral third party, considered part of regular work activities. Participation in conciliation may be deemed a reasonable management instruction when appropriate and proportionate to the situation.

### **8.2 Escalation to the Formal Process**

If the employee is not satisfied with the outcome of their informal grievance, or they do not believe that their concern has been adequately addressed, they may escalate their grievance to the formal process.

We understand that there are occasions when an employee may wish to raise a formal grievance without going through the informal process. Whilst we encourage employees to raise an informal grievance initially, we recognise that this is not always appropriate, and an employee may raise a formal grievance if they feel unable to address their concerns through the informal process.

Where we become aware of a complaint informally, we may determine that the situation is too serious to be resolved through the informal process. We will commit to working with the employee raising the complaint to attempt to agree a mutually acceptable approach which takes their preferences for managing their complaint into account. Where we cannot reach agreement, we may, where circumstances necessitate, elect to investigate the complaint formally.

## **9. Grievance Process – Formal Process**

### **9.1 Raising a grievance**

Employees may make a formal grievance in writing. Where possible, our formal grievance form should be used, but employees will not be penalised if they do not use this form.

Where an employee raises their formal grievance verbally, we will request this in writing unless there is reasonable reason not to do so.

Where an employee refuses to put their grievance in writing, without reasonable reasons, the grievance procedure may not proceed.

Where an employee is unable to raise this in writing, we will make reasonable adjustments to the process to support their right to raise a grievance.

Written grievances should be raised to the employee's line manager where possible. Where this is not possible, the employee does not feel able to speak to their line manager, or if a grievance relates to the line manager they may be raised to any more senior manager. Where grievances relate to the Head Teacher they may be raised to the Chair of Governors.

Grievances should include as much detail as possible. Where possible, employees are encouraged to include:

- The nature of the Grievance
- Specific incidents
- Dates, times, witnesses
- Details of any evidence
- Any action already taken to resolve the grievance

Complainants may also set out any outcomes that they wish to see that would resolve this matter or alleviate their concerns.

Allegations related to issues that are more than three months old may not be considered unless they relate to a current issue, are the latest in a series of linked events, there is a reasonable reason for a delay in reporting the concerns, or there are exceptional circumstances.

### **9.2 Right to be accompanied**

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Employees have the right to be accompanied by a colleague or a trade union representative at any meetings held as part of the formal process.

The employee should provide the name of their chosen companion at least 3 working days before each meeting.

If the preferred companion is unavailable on the scheduled meeting date, the employee may request to reschedule the meeting and should specify their availability for alternatives within 5 working days of the original meeting. If the companion is not available for a longer period, we will consider if a delay of more than 5 days may be reasonable.

### **9.3 Initial discussions with complainant**

Upon receipt of a formal grievance, we will appoint an appropriate person to manage the formal process. In this process, this person is known as the 'Grievance Manager'.

The Grievance Manager will arrange a formal meeting to discuss the grievance with the employee without unreasonable delay.

The purpose of the meeting is for the employee to give further details, explain the nature of the grievance and explore how it may be resolved.

On receipt of a formal complaint, we will consider if it is appropriate to separate the complainant from the alleged bully/harasser to enable an uninterrupted investigation to take place, and how this may be best achieved.

### **9.4 Informing those concerned**

As part of a fair and transparent grievance process, complaints will generally be shared with the individual(s) they concern to allow them an opportunity to respond. Whether a complaint is shared in its entirety or summarised depends on the nature of the grievance and the need to balance fairness and confidentiality and support the professional relationship. Regardless, we will ensure that the accused will receive enough detail to understand the complaint and provide a meaningful response.

### **9.5 Grievance Investigation**

The Grievance Manager will consider the appropriate way to manage the grievance.

The Grievance Manager may carry out informal enquiries and/or meet with relevant persons as required to determine how best to manage the grievance. In some cases, this may be sufficient to conclude the investigation.

The Grievance Manager may determine that a more formal investigation is required.

The Grievance Manager may elect to appoint an investigator not involved previously in this process, or they may choose to investigate this themselves where appropriate.

Where the Grievance Manager and the Investigator are different people, the Investigator's role will only be to carry out the investigation and determine the facts. The Grievance Manager will continue to lead the process and make any decisions.

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The Grievance Manager / Investigator will take all necessary steps to investigate appropriately. Investigation may require formal interview with employees, witnesses and other relevant stakeholders.

The timing and nature of any investigation will differ dependent on the nature and content of the grievance but will be without unreasonable delay. It is at the discretion of the Grievance Manager to decide what is appropriate in each case.

Employees will be kept reasonably informed of progress in conducting the investigation.

At the end of the investigation process, the decision of the Grievance Manager, detailing the findings, will be sent in writing to the complainant and, where appropriate, the alleged perpetrator(s), without unreasonable delay.

Where appropriate, the Grievance Manager may also elect to meet formally with any or all parties to discuss the outcome.

If the decision is that the grievance has identified areas of misconduct that are with foundation, the perpetrator(s) will be liable to disciplinary action in accordance with our disciplinary procedure.

Where the Grievance Manager determines that the outcome of the investigation does not include formal disciplinary action, they may give formal instructions to, or determine actions to be taken by, any or all parties as is appropriate to resolve the matter. Any actions or instructions will become an operational matter to be implemented through normal management processes.

If the complainant is not satisfied at the outcome of the process, then they may move to the appeal process.

### **9.6 Appeal**

The complainant has the right to appeal the outcome of their grievance. To appeal they must write to the person specified in the outcome letter, stating their grounds for appeal, within 7 calendar days from receipt of the outcome letter.

If disciplinary action is an outcome of this process then our Disciplinary Policy will apply, and the alleged perpetrator will have the right of appeal under that process.

Wherever possible the appeal will be heard by an individual, or panel of individuals as appropriate, who have had no prior involvement in the process.

The appeal panel will invite the employee to an appeal meeting at which they will have the opportunity of explaining the grounds for their appeal. The complainant will receive 7 calendar days' notice, in writing, of the meeting date.

The appeal will normally take the form of a review of the fairness of the original decision, considering the procedure that was followed, the grounds for appeal and any new information that may have come to light.

The Grievance Manager may be invited to join the appeal meeting to answer any questions related to their decision.

Witness statements will be taken as part of any formal grievance investigation so witnesses will not normally be required to appear at an appeal hearing.

Where there is reasonable reason for witnesses to participate in the process the employee must provide the names of the witnesses they intend to call to the Chair of the Panel at least 3 working days prior to the Hearing. Other employees may not be compelled to appear as witnesses.

New evidence will only be considered if relevant and there is a reasonable reason this was not included as part of the original formal process.

The decision of the appeal panel will be final. It will be confirmed to the complainant in writing within 7 calendar days or as soon as reasonably practicable if there is reasonable reason this timescale may not be met.

## **10. Sources of Support**

We recognise that raising a grievance can be extremely distressing. We strongly encourage all persons impacted to speak to us in order to provide the support you need.

We commit to discussing what support we can provide that is reasonable to the circumstances. This may include:

- Taking all grievances seriously
- Keeping confidentiality as far as is possible
- Ensuring that there will be protection in place for victims, subjects or witnesses.
- Making the reporting process as easy as possible
- Impartiality when investigating any grievances.
- Handling any grievances sensitively
- Offering mental health support through Mental Health First Aiders / our Employee Assistance Programme / Other sources

We recognise that being the subject of a grievance can also be very distressing. Our commitment is to carry out a fair and thorough investigation, handle it sensitively and not presume the accusation is either true or false before it is appropriately investigated.

Subjects of grievances are also encouraged to speak to seek support from us, or other sources as they deem appropriate.

### **10.1 Other Sources of Support**

Talk to your trade union or employers' association if you have one [NEU NASUWT UNISON](#)

For advice on discrimination issues: [Equality Advisory and Support Service](#).

ACAS (Advisory, Conciliation and Arbitration Service) (UK) – Provides free and confidential advice on workplace disputes - [ACAS](#) .

Equality and Human Rights Commission (EHRC) (UK) – Offers guidance on discrimination and workplace rights - [EHRC](#).

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Health and Safety Executive (HSE) (UK) - Provides advice on workplace stress and bullying - [HSE](#).

Citizens Advice – Can offer legal and practical support to employees [Citizens Advice](#)

If you're struggling to cope and need someone to talk to, you can contact:

- Samaritans - [Contact Us | Samaritans](#)
- LGBT Foundation - [How we can help you - LGBT Foundation](#)
- Mind - [MIND](#)