



**Alder Bridge School**

**Concerns and Grievance Policy**

**February 2019**

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## 1. Introduction

The aim of a Grievance Policy is to ensure that employees grievances are resolved fairly, consistently and at the earliest opportunity. It is in everyone's best interest to resolve problems at the earliest stage before they develop into a larger problem. As such, employees should aim to resolve most grievances informally by speaking to the person concerned or their line manager, explaining clearly what the concern or problem is.

Alder Bridge School is committed to promoting a positive work environment where employees are treated fairly and with respect. If an employee is unhappy about the treatment they have received or about any aspect of their work, they should discuss this with their line manager at the earliest opportunity; who will attempt to resolve the situation on an informal basis. It is important that if an employee feel dissatisfied with any matter relating to their employment they should have an effective means by which such a grievance can be aired and if possible resolved.

It is the responsibility of line managers to ensure that staff members are aware of and understand this policy and any subsequent revisions will be relayed to line managers from Personnel.

## 2. Policy statement

2.1 It is Alder Bridge School policy to ensure that all employees have access to a procedure to help deal with any concerns or grievances relating to their employment fairly and without unreasonable delay. Where we are made aware of a concern or grievance an employee has, we will investigate any formal grievance that are raised, hold a meeting to discuss it with the employee, inform them in writing of the outcome, and give them a right of appeal if not satisfied.

2.2 The definition of the term Grievance are "concerns, problems or complaints that employees raise with their employers" (ACAS). Issues that may cause a grievance include:

- (a) terms and conditions of employment;
- (b) health and safety;
- (c) work relations;
- (d) new working practices;
- (e) statutory working practices;
- (f) working environment;
- (g) organisational change; and
- (h) discrimination (though this list is not exhaustive).

2.3 This procedure does not form part of an employee's contract of employment and it may be amended at any time following consultation. The employer may also vary application of this procedure, including any time scales for action, as appropriate.

2.4 The policy has been agreed and formally adopted by the Board of Trustees.

### **3. Who is covered by this policy?**

3.1 This procedure applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors since not employed by Alder Bridge School (and should therefore have their own policies and procedures in place).

### **4. Exceptions**

4.1 The Grievance procedure cannot normally be followed to address the following:

- Personal disagreements between individuals not connected with their duties/roles within the school;
- Complaints relating to income tax, National Insurance or pension matters where resolution of the grievance is beyond the powers of Alder Bridge School;
- Re-starting a grievance procedure where a grievance has been considered previously, unless the facts of the matter have substantially changed and at least six months have elapsed since the completion of the process.
- Employees cannot raise a grievance on behalf of another member of staff as this is the responsibility of the individual employee.
- Individual/personal issues relating to another employee, which should be raised and dealt with in accordance with other policies e.g. Whistleblowing, Anti-bullying policies.
- A grievance that has not been raised within three months of the events which gave rise to it will normally be disregarded unless it is agreed that there are exceptional circumstances.
- An employee who is subject to formal disciplinary or capability proceedings will have the opportunity to raise any grievance about that through the disciplinary / capability process. If an employee wishes to raise a grievance or whistleblowing matter that is unrelated to the disciplinary / capability proceedings, it will be dealt with separately and concurrently. In some cases, one proceeding may be temporarily suspended while the other is dealt with.

### **5. Using this policy**

5.1 Grievances that amount to an allegation of misconduct on the part of another employee will be investigated and dealt with under the Disciplinary Procedure (based on the ACAS Disciplinary code of Conduct) and they will be informed if this is the case.

5.2 This Grievance Procedure should not be used to complain about dismissal or disciplinary action or the outcomes of other procedures. If an employee is dissatisfied with any disciplinary action, they should submit an appeal under the Disciplinary Procedure.

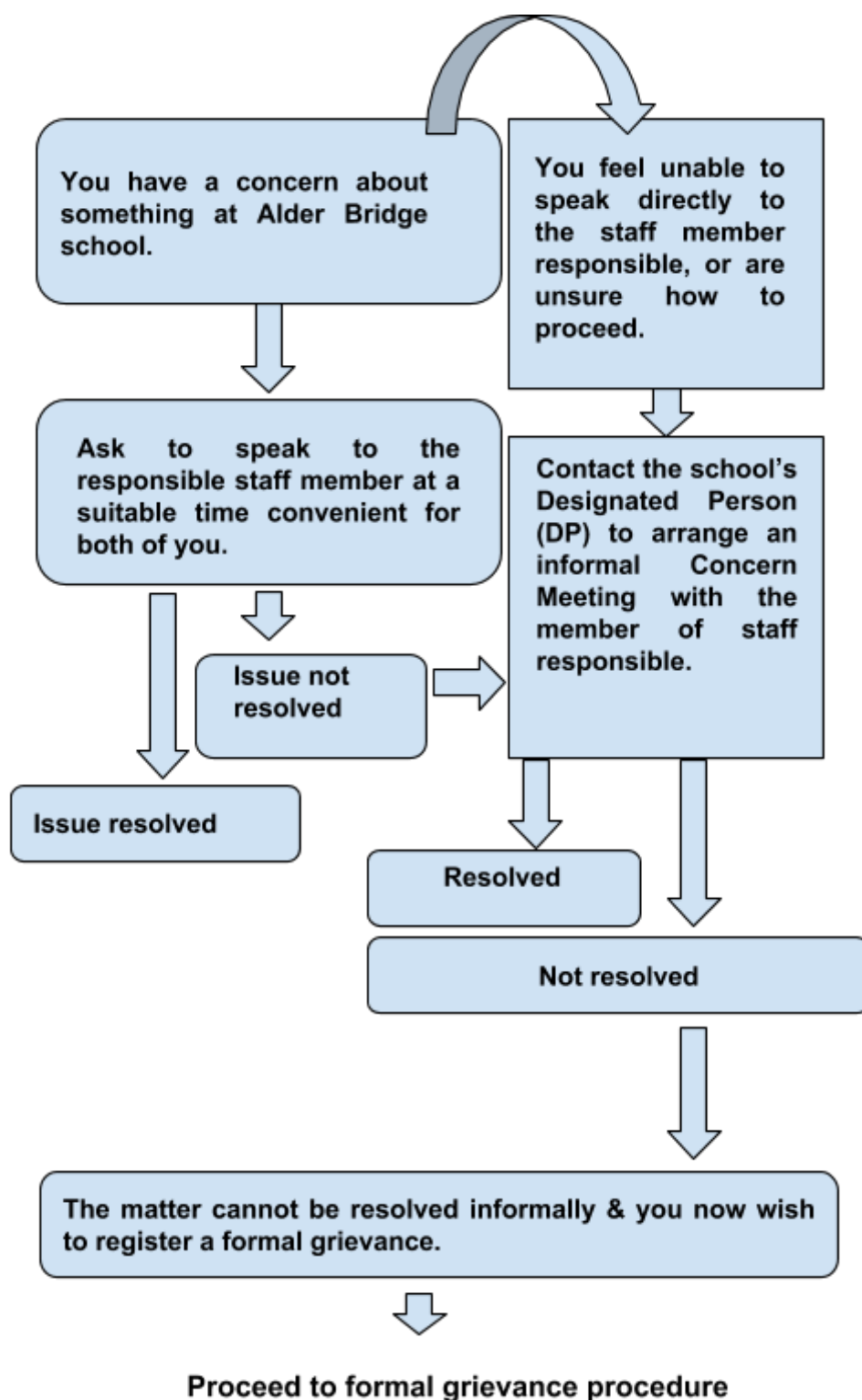
5.3 Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

5.4 There is a separate Anti-bullying and Harassment Policy to refer to where an employee believes they have been the victim of bullying or harassment; or wish to report an incident of bullying or harassment involving other people.

5.5 Complaints that amount to an allegation of misconduct on the part of another employee will be investigated and dealt with under the Disciplinary Procedure (as above) and the employee will be informed if this is the case.

- 5.6 Alder Bridge School operates a separate Whistleblowing Policy to enable employees to report illegal activities, wrongdoing or malpractice. However, where an employee is directly affected by the matter in question, or where they feel they have been victimised for an act of whistleblowing, this can be raised as a matter under this grievance procedure.
- 5.7 For grievances concerning two or more employees (collective grievances), please refer to Section 15.8. Collective Grievances will be dealt with as appropriate to the facts of the case.
- 5.8 This policy should not to be used in situations where the employee simply disagrees with a reasonable management instruction from a manager.
- 5.9 Written grievances will be placed in the employees personnel file (in an envelope marked confidential); along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed and stored in accordance with the schools GDPR Data Protection Policy. Likewise, disposal of said documents will be done so securely, and in accordance with, Alder Bridge Schools Record Management Policy.

## 6. RAISING GRIEVANCES INFORMALLY - STAGE 1



- 6.1 We believe that most grievances can be resolved quickly and informally through open communication and discussion with either the Operations Manager or Education Manager - (the Designated Person - or **DP** as referred to herein) appropriate for either the Pedagogical or operational aspect of Alder Bridge School; except where it is personal harassment and bullying; which is covered in a separate policy. You should feel encouraged to bring concerns to your line manager without fear of reprisal or censure.
- 6.2 In all but the most serious of grievances, it is strongly encouraged that you raise a grievance informally first. Raising an informal grievance does not mean that it is not important, rather an open, honest dialogue may be an easy and appropriate route to solve a concern before it escalates further.
- 6.3 Where a meeting is requested as part of the informal grievance procedure, it should (where practicably possible and during the school term), be granted within five working days of the request being made.

## 7 **THE INFORMAL MEETING (STAGE 1):**

- 7.1 The Operations Manager or Education Manager (the Designated Person - DP herein) should seek to understand what you are concerned about, what outcome you are seeking and whether any further meetings are needed.
- 7.2 More than one meeting may be required to achieve a resolution. At the end of the meeting(s), you and the DP should agree what actions will be taken to achieve an acceptable outcome and by when.
- 7.3 If the grievance is related to the behaviour of another employee, you will be informed if action will be taken but not the nature of the action.
- 7.4 You should fully explain the nature and extent of your grievance. A record of this conversation will be made noting the nature of the complaint and any actions agreed, however, informal decision can frequently resolve problems without the need for extensive written records to be made. These notes should also be shared with you for transparency and then signed by you to confirm a true and accurate account of events.
- 7.5 It is more beneficial to aim to resolve a grievance informally where possible. If you feel unable to speak to the DP, for example, because the grievance concerns them, you should speak informally to the other School Manager or speak with Personnel. An alternative DP will then be appointed. If this does not resolve the issue/s (following steps above), you may wish to consider raising a formal grievance.

## 8. RAISING A GRIEVANCE FORMALLY – STAGE 2

The matter cannot be resolved informally and you now wish to register a formal grievance.



Write to the School's Designated Person (DP). Please use the Formal Grievance Notification Form. The Chair of Trustees will be informed on receipt. Your form should be acknowledged within 1 working day of receipt (during term-time and as soon as it is practicable during School holidays or if a relevant person is absent).



DP carries out investigation & an investigative meeting is arranged with you. Investigation completed & report published to those involved, normally within 10 working days (during term-time and as soon as it is practicable during School holidays or if a relevant person is absent).



The report & recommendations are satisfactory.



The report & recommendations are not satisfactory.



You write to the Chair of Trustees to call for a Review hearing (Panel) to adjudicate on your appeal.  
Panel formed & Chair of panel contacts you to inform you of the process.  
Panel takes place (see outline procedure).  
Final adjudication issued.



- 8.1 If the grievance cannot be resolved informally, it should be put in writing using the Employee Grievance Notification Form<sup>1</sup> and submitted to either the Operations Manager or Education Manager (DP) indicating that it is a formal grievance. If the grievance concerns, or is raised by, the Operations Manager or Education Manager it should be submitted to the Chair of Trustees via Personnel.
- 8.2 The written grievance should contain the following:
- A brief description of the nature of complaint, including any relevant facts, dates, and names of individuals involved. In some situations the DP may need to ask you to provide further information.
  - An account of how the events have made you feel.
  - What actions have been taken to resolve this grievance so far?
  - What your desired outcome would be to resolve the situation.

All the above information can be found on the Employee Grievance Notification form.

- 8.3 You should keep a copy of the grievance form and may choose to share with a companion (if applicable).
- 8.4 To ensure good practice, the DP should refer to the Formal Grievance checklist<sup>2</sup> to ensure each step is followed correctly and consistently.

## **9 THE FORMAL GRIEVANCE MEETING (STAGE 2)**

- 9.1 On receipt of the Employee Grievance Notification Form, written acknowledgement will be sent to you<sup>3</sup>. The letter will also act as an invitation to attend a grievance meeting at a suitable time and place, ideally within 10 working days of written acknowledgement (where practicable due to school term times and ensuring appropriate people are present). You will be informed of any delay to this time period.
- 9.2 You have a statutory right to be accompanied by a Companion at the meetings (See section 10). If you or your Companion is unable to attend on this date, a suitable alternative date should be agreed upon, preferably within 5 working days of the original dates (where practicable and within the school term).
- 9.3 The DP leads the meeting (or alternative DP appointed by the Chair of Trustees if it relates to either line manager). The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made.
- 9.4 At this meeting, the DP may be able to resolve the grievance. If no further investigations required the process can move to section 12 in Grievance Outcomes.

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<sup>1</sup> Refer to Appendix 1 - EMPLOYEE GRIEVANCE NOTIFICATION FORM

<sup>2</sup> See Appendix 2 - FORMAL GRIEVANCE CHECKLIST

<sup>3</sup> See Appendix 5 - ACKNOWLEDGEMENT OF WRITTEN GRIEVANCE LETTER

- 9.5 More usually, they will need to investigate the grievance, and then meet up again with you to discuss outcomes (please refer to section 11 on how this is conducted). An investigation must be initiated if the grievance relates to claims of bullying and/or harassment (a separate Anti-bullying and Harassment Policy, however, should be adhered to in relation to this form of behaviour).
- 9.6 This meeting, and any subsequent ones, should be conducted with calmness, openness and resolution. Everyone involved in the process is entitled to be treated calmly and with respect. Alder Bridge School will not tolerate abusive or insulting behaviour from anyone taking part in grievance procedures and will treat any such behaviour as misconduct under the disciplinary procedure and act accordingly.
- 9.7 The DP will need to arrange for a note taker to be present. The note taker is present to take notes<sup>4</sup> and cannot participate in proceedings. These notes will form a statement which must then be shared with you after the meeting - and signed to confirm an accurate account of meeting. A copy will be given to you with original held by the Designated Person. The Note taker must remain confidential at all times and adhere to the Schools Confidentiality Policy and GDPR Compliant Data Protection Policy. All notes will be stored and retained securely in adherence to the schools Record Management Policy.

## **10 THE RIGHT TO BE ACCOMPANIED**

- 10.1 You may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either a colleague or someone from Personnel (extenuating circumstances may allow extension to friend or family member). You must tell the person holding the grievance meeting who your chosen companion is, in good time before the meeting. It is at the discretion of the DP whether an alternative companion can accompany.
- 10.2 Should you choose to bring a companion to the hearing, you will be responsible for making these arrangements and for providing your companion with any paperwork that they require for the meeting.
- 10.3 The role of the companion at all formal meetings under the Grievance Procedure is to support the employee (referred to in third term). They are allowed to:
- Address the meeting in order to present the employee's case;
  - Respond on the employee's behalf to any view expressed at the meeting;
  - Confer with the employee during the meeting;
  - Ask questions of witnesses; and
  - Sum up the employees case.
- 10.4 However, they are not allowed to:
- Answer questions on behalf of the employee;
  - Address the hearing if the employee does not want them to; or
  - Prevent the employee from explaining their case.
- 10.5 You may request an adjournment to speak to them privately at any time during the meeting.

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<sup>4</sup> Guidance on effective note taking can be found in Appendices - Appendix 3

- 10.6 Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.
- 10.7 If your chosen companion is unavailable at the time a meeting is scheduled, you may propose an alternative time for the meeting to take place and so long as the alternative time is reasonable and within five working days after the original scheduled date, we will postpone the meeting. If your chosen companion will not be available for more than five working days afterwards, we may ask you to choose someone else.

## **11 GRIEVANCE INVESTIGATION**

- 11.1 After an initial grievance meeting the school may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged fairly and without unreasonable delay.  
The amount of any investigation required will depend on the nature of the grievance and will vary from case to case. It may be a simple, fact finding investigation whereby it is simply a case of finding appropriate documents and verifying certain facts.  
A more full investigation may be required, however, involving interviewing and taking statements from the aggrieved and any witnesses; and/or reviewing relevant documents.
- 11.2 An investigation is a fact-finding exercise to collect all the relevant information on a matter. A properly conducted investigation can enable an employer to fully consider the matter and then make an informed decision on it. Making a decision without completing a reasonable investigation can make any subsequent decisions or actions unfair, and leave an employer vulnerable to legal action.
- 11.3 In order to complete the investigation effectively, the ACAS Guidance for Conducting Workplace Investigations should be followed:  
[http://m.acas.org.uk/media/pdf/q/0/Conducting\\_Workplace\\_Investigations\\_Nov.pdf](http://m.acas.org.uk/media/pdf/q/0/Conducting_Workplace_Investigations_Nov.pdf)
- 11.4 Dependent on the scale and complexity of the grievance, should there be unexpected delays, you will be kept informed.
- 11.5 The investigation will usually be carried out by the DP. In the case of an investigation into a grievance against the Operations Manager or Education Manager, the Chair of Trustees will determine who will carry out the investigation in association with Personnel. The DP may also need additional support to investigate the grievance should it be of a more complex nature (e.g. with assistance from the other School Manager or Personnel Officer).
- 11.4 You must cooperate fully and promptly in any investigation. This may include informing the DP of the names of any relevant witnesses, disclosing any relevant documents to the DP and attending interviews, as part of the investigation.
- 11.5 The DP may initiate an investigation before holding a grievance hearing where you consider this appropriate. In other cases, the DP may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases he/she will hold a further grievance meeting with you after the investigation and before the DP reaches a decision.

## **12 GRIEVANCE OUTCOME**

- 12.1 As soon as possible after the initial meeting, the DP will write to the employee to request a final grievance hearing (normally within 10 days of first meeting during term-time, and where practicable if received during school holidays or appropriate person is missing) of the final grievance meeting. This meeting will be held to feedback the findings of their investigation and provide his/her conclusion and outcome of their grievance; as well as any further action that they intend to take to resolve the grievance. The DP will also remind you of your right of appeal.
- 12.2 At the meeting, you may be accompanied by your Companion;
- 12.3 The DP will confirm the outcome in writing to you within three working days of the meeting. Should you feel the outcome is unacceptable, you have a right to appeal (see section 13).

## **13. APPEALS - STAGE 3**

- 13.1 If the grievance has not been resolved to your satisfaction you may appeal in writing to the Chair of Trustees, using the Grievance Appeal Form<sup>5</sup>. The form must state your full grounds of appeal, within 5 working days of the date on which the decision was sent or given to you (or where practicable if appeal received during the school holidays or they are absent).
- 13.2 If you wish to appeal the outcome of a grievance meeting you are entitled to do so within 5 working days of receiving, in writing, the letter following the grievance meeting.
- 13.3 To raise an appeal, a grievance appeal form must be completed (Appendix 4), explaining why you are dissatisfied with the decision. The appeal letter should be marked confidential, for the attention of the Chair of Trustees.
- 13.4 The Chair of Trustees will acknowledge the appeal request in writing within 5 working days, and will arrange for a meeting to take place without reasonable delay (within 10 working days approximately where practicable and during school term time).
- 13.5 You will be given access to any documents that will be considered, 7 working days before the hearing.
- 13.6 The appeal meeting will be heard by a panel of 3 trustees (who are impartial and not involved in the initial formal Grievance stage and adjudication although they may ask anyone previously involved to be present). The Chair of Trustees will chair the meeting unless involved in the decision making of the grievance meeting. Should this be the case, the panel will appoint an alternative impartial Chair as spokesperson. A note taker will also be present to take notes during the meeting. Where required, the Personnel Officer will also be present to provide advice / support where required (unless acting as your companion).
- 13.7 The panel will review the paperwork and invite any other appropriate parties, where required, to provide information in order to understand the rationale of the grievance decision (though they will not play any part in the appeal deliberation and decision making process).
- 13.8 You have the right to be accompanied similarly to original grievance meeting.
- 13.9 The format of this meeting will be similar to the original grievance meeting.
- 13.10 The Chair will open the meeting by welcoming the attendees and confirming which documents will be used in the meeting. If there are additional documents to be added, or discrepancies, the meeting will be adjourned to enable the documents to be copied.
- 13.11 At the meeting, the Chairperson will seek to understand:

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<sup>5</sup> See Appendix 4 - EMPLOYEE GRIEVANCE APPEAL FORM

- Your reasons for raising an appeal (you can ask your Companion to assist with this), and
- Your original concerns (the subject of the grievance).

13.12 You may invite witnesses to the meeting, having provided prior notice to the Chairperson, who will be asked questions by yourself, and then the Chairperson (and other Panel members, if applicable).

13.13 You cannot introduce new grounds for raising a grievance.

13.14 When the Chairperson has heard all the information in respect of the appeal, and the rationale for the original decision, the Chairperson will invite you to sum up your reasons, before adjourning.

13.15 During the adjournment, the Chairperson will consider all the information that they have heard and reach a balanced decision. The rationale for their decision must be recorded in the notes. The possible outcomes are:

1. Decision of the grievance meeting fully upheld.
2. Decision from grievance meeting overturned, or
3. Decision from grievance meeting partially upheld.

13.16 You will then be asked to re-join the meeting, and be given the outcome verbally, which will be confirmed in writing. If the Chairperson/Panel cannot reach a decision on the day, you will be told of this, and advised of the outcome of the meeting within 7 calendar days (where practicable). Should there be any delay to this timeline, you will be kept informed.

13.17 If a complaint about bullying and/or harassment is upheld, you will be informed of this and that action will be taken but, to maintain confidentiality, you will not be informed of what that action will be.

13.18 The Chairperson will provide written reasons for their decisions.

13.19 This is the end of the grievance procedure and there is no further appeal.

## **14 GENERAL POINTS ABOUT THE GRIEVANCE PROCEDURE**

### **14.1 Timescales**

It is in all parties' best interests to resolve grievances as quickly as possible. Where specific timescales are given in the policy, they can be altered by mutual agreement.

### **14.2 A staged approach**

The grievance procedure will normally be followed in sequence. There is an expectation that attempts will have been made to resolve a grievance informally, before starting the formal procedure. However, in the case of more serious grievances, the employee can go straight to the formal stage of the procedure.

### **14.3 Right to be accompanied**

Employees have the right to be accompanied at all stages of the formal procedure and may choose to bring a Companion for support to the informal meeting. The employee's Companion

can be a work colleague or someone from Personnel. Employees will be asked to put the name of their Companion in writing, and send it to the Designated person (or appeal Chairperson).

#### **14.4 Witnesses**

If witnesses are called to attend a grievance meeting, including a Grievance or Investigation Officer, they will be present for the duration of their evidence, and then they will leave the meeting.

#### **14.5 Record keeping**

Notes will be made of all formal grievance meetings, and copies given to the employee for information. The responsibility for ensuring that notes are made at grievance meetings lies with the Designated Person. The notetaker at appeal meetings, which will be agreed by the appeal Chairperson before being sent to the employee. The note taker should take no part in the discussions about the outcome of the grievance or appeal, other than to record key points of the discussion (unless the notetaker is from Personnel and present to also provide any HR related advice / support). Records of grievance matters should be treated as confidential and kept securely, and kept in accordance with the General Data Protection Regulation 2018 (GDPR). If any safeguarding issues have arisen during the grievance, the documentation may need to be passed to the Designated Safeguarding Lead (DSL).

#### **14.6 Overlapping procedures**

Where an employee raises a grievance during the disciplinary process, the disciplinary process may be temporarily put on hold, until the outcome of the grievance is known. However, where the two procedures are about related issues, it may be possible to deal with the two concurrently. Similarly, where another procedural policy applies, such as the sickness or capability procedure, it may be possible to cover the essential elements of both procedures at a combined meeting.

#### **14.7 Employees with disabilities / Employees who are pregnant or an employee at home on a period of maternity leave**

If an employee or their representative requires any reasonable adjustments to be made to enable them to fully participate in the process, the employee should notify the Designated Person as soon as possible. In turn, this person can seek advice from the schools Health and Safety Officer (in consultation with Personnel) on how best to meet the requirements of the employee or their Companion. At all times the requirements of the Equality Act 2010 should be considered. Where it is established that a pregnant employee or an employee at home on a period of maternity leave is to be involved in the grievance procedure, a pregnancy risk assessment should be undertaken to ensure reasonable adjustments are identified (if required) to enable them to fully participate in the process. The Designated Person can seek advice from the Schools Health and Safety Officer (in consultation with Personnel) on how best to meet the requirements of the employee or their Companion. At all times the requirements of the Equality Act 2010 should be considered.

## **14.8 Grievances raised by more than one employee (collective grievances)**

From time to time, a number of employees may raise the same issue as a grievance. When this happens, the intention is to deal with the matter as a single grievance by joining together the individual submission.

The process for grievances raised by multiple employees mirrors that for individual employees. All of the stages should be followed, including the informal stage, which can be used effectively in grievances raised by more than one employee. It may be possible for each employee to speak at the grievance meeting, or it may be more practical for the employees to appoint a spokesperson. Similarly, employees may find it more practical to select one person to act as their Companion, or Representative, at meetings. In grievances raised by multiple employees, and depending on their complexity, it is to be expected that the timescales may be longer than for individual grievances. All the parties should agree the revised timescales at the beginning of the procedure, and a commitment made to adhere to them.

## **14.9 Grievance procedure for former employees**

Occasionally an individual may feel the need to raise a grievance once their employment has come to an end. The details of the grievance must be put in writing, and should be sent to the employee's former line manager (unless it relates to them, in which case it should be addressed to the Chair of Trustees). In most circumstances, the grievance will only be heard if the grievance is submitted within 4 months of the employee leaving the organisation.

### **14.9.1 Grievance meeting for former employees**

Within 5 working days of receiving the grievance in writing, the Designated Person will investigate the grievance and Chair a grievance meeting, to which the former employee will be invited. If the former employee agrees, the grievance can be investigated and considered without a meeting. The process at the grievance meeting, including the role of the Companion, will mirror the process for current employees. The Designated Person may need to call on other parties for evidence, but will endeavour to progress the grievance in a timely and efficient manner. A written decision will be provided to the individual within 10 working days of the last meeting. The former employee must be given the right of appeal (in accordance with the appeals procedure) and any appeal hearing will mirror the process for current employees.

## **14.10 General points**

Employees providing information at grievance meetings should be aware that this information might be used in other formal procedures, such as in a disciplinary meeting, if relevant and appropriate.

All records in relation to the grievance procedure, will be given to the Personnel Officer to be stored in the employees file (in an envelope marked confidential). It will be stored / disposed of securely, in accordance with the Alder Bridge Schools Records Management Policy.

Malicious grievances will be treated as a disciplinary offence.

## **15 Review of policy**

**15.1** This policy is reviewed and amended on an annual basis by Alder Bridge School. We will monitor the application and outcomes of this policy to ensure it is working effectively.

**EMPLOYEE GRIEVANCE NOTIFICATION FORM**

This form is intended for use by an employee who wants to make a formal complaint about the behaviour of a colleague, his/her manager or a third party, or any other workplace issue.

This form should be completed and delivered to line manager (or Designated Person) or Chair of Trustees (if the grievance relates to your line manager).

<b>EMPLOYEE DETAILS</b>			
Surname:		Forename(s):	
Job Title:		Date:	___ / ___ / ___
<b>GRIEVANCE DETAILS</b>			
Does your grievance relate to your line manager?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Date of last incident grievance relates to:		___ / ___ / ___	
<p><b>Nature of grievance</b> Please set out the details of your complaint (e.g. what has happened, dates, times, locations, all those involved and any attempts at resolution)</p>			
<p><b>Individuals involved</b> Please provide the names and contact details of any witnesses who you believe can support your case.</p> <p><b>Details:</b></p>			
<b>GRIEVANCE DETAILS (CONTINUED)</b>			
<p><b>Outcome / resolution sought</b> Please set out the outcome you are seeking and how you believe this will resolve the issue. This information is vital for the grievance procedure to work.</p>			



Details:

<b>Are you being supported by a work colleague or other accompanying individual</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>If yes, please provide their name</b>		

**Please submit your completed form to your line manager or to Chair of trustees if the grievance involves this person.**

## FORMAL GRIEVANCE CHECKLIST

Activity	Completed (Please tick)
<b><i>Prior to the meeting</i></b>	
Identify an appropriate Designated Person (DP) to investigate (a manager who is not the subject or involved in the grievance).	
DP: Familiarise yourself with the school's policy and the ACAS code on discipline and grievance, particularly any timescales you must adhere to; as well as referring to the employee's Grievance Notification Form to establish what the formal grievance is.	
Invite the employee (in writing) to a formal meeting with the DP to discuss the concerns without unreasonable delay (ideally within 10 working days from receiving the Grievance Notification Form) after the grievance is received, ensuring the employee is given the right to be accompanied in line with the school's Concerns and Grievance Policy. Where companion unable to attend date, provide alternative date within 5 working days of the original meeting date.	
Provide a copy of the Concerns and Grievance policy and procedure to the employee.	
Where possible, arrange a note taker - ensuring confidentiality maintained. Note taker to also familiarise themselves with the school's Concerns and Grievance Policy and associated Guidance on Note Taking.	
Arrange an appropriate room (ensuring privacy and that you will not be disturbed).	
<b><i>During the meeting</i></b>	
Introduce those present and role (where required).	
Confirm the grievance hearing is convened in line with the school's Concerns and Grievance Policy and which stage.	
Explain the notes will be used to prepare a statement which they will be required to sign.	
Explain the requirement for confidentiality.	
Allow the employee to explain their grievance, referring to the Employee Grievance Notification Form (See Appendix 1).	
The companion is able to address the hearing, put and sum up the employee's case. The companion does not have the right to answer questions on the employees behalf.	
Adjourn the meeting (if necessary) to complete any investigation required. For example: <ul style="list-style-type: none"> <li>● Speak to relevant witnesses;</li> <li>● Review other documentary evidence etc.</li> </ul>	
<b>Ask the employee what they feel the resolution should be</b>	
Summarise the key points and advise the employee when and how they will be informed of the outcome (which will ideally be within 10 working days after the original meeting).	

<b>After the meeting</b>	
Prepare the statement for the employee (or witness) to sign as soon as possible after the meeting.	
<b>Further investigation</b>	
Undertake any necessary investigation to establish all the facts (referring to the ACAS Guidance on Conducting Workplace Investigations).	
Interview any relevant witnesses (remember to invite them in writing and follow points above).	
Review any other evidence or documents (for example policies or other records relevant to the grievance).	
Summarise your findings in a report outlining which evidence support or conflicts with the grievance.	
Decide which (if any witnesses) are required to attend the hearing.	
<b>The Grievance hearing</b>	
Invite the complainant to a grievance hearing in writing (ensure you provide notice in line with your policy) and provide a copy of the investigation report.	
Invite any witnesses in writing (if necessary).	
Other than DP, arrange for any additional appropriate people or panel to consider the grievance in line with your policy.	
Arrange an appropriate meeting room at an appropriate time for the hearing. An additional private room/s may also be required for any witnesses and possibly for the employee should they wish to prepare anything prior.	
Arrange an appropriate note taker (ideally original note taker since familiar with process).	
Follow the procedure for hearings as outlined in the school Concerns and Grievance Policy.	
Inform the employee of the decision and, where appropriate, set out what action you intend to take to resolve the grievance and his or her right to appeal.	
<b>The Appeal</b>	
If the employee appeals, schedule an appeal meeting in writing without delay (ideally within 10 working days from receiving the Grievance Appeal Form) and allow the statutory right to be accompanied.	
The appeal should be dealt with by a panel (as outlined in the Concerns and Grievance Policy) who has no previous involvement in the case.	
Arrange an appropriate meeting room at an appropriate time for the hearing (with additional room if required for any witnesses or for the employee for privacy).	
Arrange an appropriate note taker (this can be original note taker).	
Follow the procedure for appeal hearings as outlined in your school policy.	
Ask the employee why they remain dissatisfied and what resolution they are looking for.	

Inform the employee in writing of the decision and whether any further stages / lines of action are open to the employee or the decision is final.	
All records in relation to the grievance procedure must be given to the Personnel Officer to be stored in the employees file (in an envelope marked confidential). it will be stored / disposed of securely, in accordance with the Alder Bridge Schools Records Management Policy.	

**NOTE TAKING GUIDANCE**

Grievance meetings can be complex and it can be difficult to keep track of what is being said, think about their next question and keeping an accurate record of it all. Having an experienced note taker present at the hearing to take notes means that the individual leading the meeting (and any subsequent investigation) is able to concentrate solely on the process and the explanations the employee provides.

**Choosing a note taker**

The person you choose must be independent i.e. not connected in any way to any of the issues of the grievance.

**Why take notes?**

The notes will be referred to as an accurate reflection of what was discussed during the grievance meeting. They could be referred to at the appeal meeting and in defending any resulting Employment Tribunal claim. Tribunals often pay close attention to the notes that were taken during the investigation, grievance meeting and appeal.

The ACAS Code of Practice on Disciplinary and Grievance Procedures doesn't specify what information should be included in formal records of meetings, however, here are some top tips to getting it right:

- Record the date and time of the hearing.
- Make a note of names and job titles of those present.
- Don't take verbatim notes there are no need. The notes should be a summary of what was said, capturing the salient points.
- Concentrate on the facts which either prove or disprove the allegations.
- Make sure you have plenty of margined note paper and place the initials of the person making the point in the margin.
- Those present in the meeting should not be afraid to ask the note taker if they 'got that'. The Chair person can ask the note taker to check they have made a note of a phrase used, or points made by the employee or companion during the hearing.
- Recap if you need to.
- Make sure you record in the notes that the employee was offered a companion and whether they declined.
- Record adjournments in the hearing, what time it occurs and what time the meeting is reconvened.
- Record the time the meeting closes.
- Type up them as soon as possible, while they are still fresh in your mind.

## **Agreeing the Notes**

Although you are under no legal obligation to seek the employee's approval, it can help demonstrate that you clarified every issue and didn't miss anything. If the employee does disagree with any of the content, ask them to write down their comments and attach them to the document. Once agreed, ensure Chair Person and employee sign and date the document to provide a true and accurate statement of the meeting which took place. This

## **Distributing the Notes**

Again you are under no legal obligation to send a copy of your notes to the employee, but it is good practice (and providing transparency) to send them out with the letter confirming the outcome of the hearing.

The above guidance would also be appropriate to follow in relation to the Appeal meeting; as well as in relation to any disciplinary hearings or regarding a formal external complaint process.

**EMPLOYEE GRIEVANCE APPEAL FORM**

This form is intended for use by an employee who wants to appeal against the outcome of a formal grievance investigation/hearing. This form should be completed and delivered to the Chair of Trustees in an envelope marked 'Confidential' or sent as an email attachment with 'Confidential' in the subject line. Please attach a copy of the original grievance together with the response to the grievance.

<b>EMPLOYEE DETAILS</b>			
<b>Surname:</b>		<b>Forename(s):</b>	
<b>Job Title:</b>		<b>Date:</b>	__ / __ / __
<b>GRIEVANCE APPEAL DETAILS</b>			
<b>Date of grievance investigation or hearing:</b>			__ / __ / __
<p><b>Nature of the Appeal</b> Please explain the reasons why, in your view, the response does not adequately address the grievance.</p> <p><b>Details:</b></p>          			
<p><b>Outcome/resolution sought</b> Please set out the outcome you are seeking and how you believe this will resolve the issue.</p> <p><b>Details:</b></p>          			

LETTER 1 - ACKNOWLEDGEMENT OR WRITTEN GRIEVANCE

Name  
1 Address  
2 Address  
3 Address  
4 Postcode

Date

Dear

**Acknowledgement of Formal Written Grievance Recorded**

Further to our recent informal meeting, I write to confirm receipt of your written grievance which was received on *[date]*.

In accordance with Alder Bridge School's Grievance Procedure, I would like to invite you to attend a meeting *[on, at, place]*, to discuss the issues you have raised below:

*[Insert grievance allegations]*

If you are unable to attend, please contact me without delay, to propose an alternative time and/or date. In accordance with the procedure I have asked a member of Personnel to join us at the meeting to assist with note taking; but to also be available for any personnel related issues.

You have the right to be accompanied at the meeting by a work colleague of your choice. It is your responsibility to arrange the attendance of your representative, but it would be of help to me if you would let me know before the meeting who your representative will be.

Yours sincerely,

Name

Job Title



**LETTER 2 - LETTER TO CONFIRM THE OUTCOME OF GRIEVANCE MEETING - STAGE 2**

Name  
1 Address  
2 Address  
3 Address  
4 Postcode

Date

Dear

**Letter to Confirm the Outcome of Grievance Meeting – Stage 2**

I write to confirm the outcome of the formal Grievance Meeting held on *[date]*.

The meeting was held to enable a response to the grievance(s) you raised in the employee Notification of grievance Form dated *[date]*. You attended the meeting *[but was not represented]* *[and was represented by .....]* I chaired the meeting and *[insert name, HR .....]* was in attendance.

We interviewed *[insert details of anyone interviewed]* as part of our investigations. Where further investigation is needed insert the following paragraph: *[It was agreed that the deadlines will be extended in order to allow for further investigation and that the meeting would be re-convened on [date, time, place].]* Where further investigation is not needed insert the following paragraph: *[My findings are outlined below and I will deal with the issues in the order they were raised at the grievance meeting.]* *[Provide details of the issues]* Where an allegation is upheld insert the following: *Your grievance has been upheld and the following action has been agreed: [Provide details of the action to be taken]*

I trust this has resolved the grievance to your satisfaction. However, if you are dissatisfied with the outcome of the grievance you have the right to appeal. This must be in writing to the Chair Of Trustees with 5 working days of receipt of this letter, specifying why you are not happy with the outcome and your suggested remedies for resolving the grievance.

Yours sincerely,

Name  
Job Title

## LETTER 3 – INVITATION TO GRIEVANCE APPEAL HEARING - STAGE 3

Name  
1 Address  
2 Address  
3 Address  
4 Postcode

Date

Dear

**Invitation to Grievance Appeal Hearing – Stage 3**

I am writing to acknowledge receipt of your written appeal, which was received on [date].

An appeal hearing has been arranged on [day, date and time {this should be within 10 working days of receipt of the written appeal request}] at [venue]. If you are unable to attend please contact me without delay to propose an alternative date. In accordance with Alder Bridge Schools Grievance Policy, a panel of impartial Trustees have been appointed with [name] as chairperson [insert manager's name]. [Insert name] who made the decision in regard to your grievance and any witnesses that were called, will also be in attendance at this meeting to ensure we have the full picture and make an informed final decision.

You have the right to be accompanied at the meeting by a work colleague of your choice or someone from Personnel. It is your responsibility to arrange the attendance of your representative, but it would be of help to me if you would let me know before the meeting who your representative will be.

Yours sincerely.

Name  
Job Title

**LETTER 4 – APPEAL HEARING OUTCOME**

Name  
1 Address  
2 Address  
3 Address  
4 Postcode

Date

Dear

**Letter to Confirm the Outcome of Grievance Appeal Hearing – Stage 3**

Following the grievance appeal hearing which took place on [date], I am writing to advise you of the outcome concerning your appeal against the decision from the first formal meeting.

Where an appeal is not upheld, insert the following:

Your appeal was not upheld for the following reasons:

- [Insert reasons]

Where an appeal is upheld, insert the following:

Your grievance has been upheld and the following action has been agreed:

- [Insert actions to be taken]

In accordance with Alder Bridge School’s Concerns and Grievance Policy, this decision is final and your grievance is concluded at this stage.

Yours sincerely,

Name  
Job Title