

ST. BARTHOLOMEW'S SCHOOL
GRIEVANCE PROCEDURE FOR STAFF
Approved by Learning Resources Committee, Summer 2010
Approved by Full Governing Body, Summer 2010
To be reviewed: Summer 2011

CONTENTS

Page

1.	Introduction	1
2.	Representation	2
3.	Informal Stage	2
4.	Formal Stage: Step 1 - Registering a Grievance	2
	Step 2 - Grievance Hearing	3
5	Appeal	4
Appendix 1.	Registering a Grievance	5

1.	INTRODUCTION
1.1	The legal definition of a grievance is ‘a complaint by an employee about action which his or her employer has taken or is contemplating taking’ (Dispute Resolution Regulations 2004).
1.2	This procedure applies to all employees of St Bartholomew’s School
1.3	This grievance procedure is valuable and its application is to be welcomed and encouraged. It is designed to enable the school governors, headteacher and staff to foster good relations by: <ul style="list-style-type: none"> • discouraging the harbouring of grievances; • assisting the resolution of individual grievances in an atmosphere of trust and confidentiality; • enabling grievances to be settled as near as possible to their point of origin; • ensuring that grievances are dealt with fully, promptly and fairly. 1.
1.4	Issues that may cause grievances include: <ul style="list-style-type: none"> • terms and conditions of employment • health and safety • work relations • bullying and harassment • new working practices • working environment • organisational change • discrimination.
1.5	2. The grievance procedure does not apply when the employee: <ul style="list-style-type: none"> • wishes to complain about an actual or threatened dismissal;

	<ul style="list-style-type: none"> • raises a concern as a ‘protected disclosure’ such as whistle blowing in compliance with the public interest disclosure provisions of the 1996 Act; • wishes to complain about action short of dismissal to which the school’s disciplinary procedure applies, unless the grievance is that this involved unlawful discrimination or is not genuinely on grounds of conduct.
1.6	3. It is the headteacher’s responsibility to ensure that all employees of the school are aware of the procedure through induction and training.
1.7	4. Written records will be kept during the process and treated as confidential. Copies of meeting records will be given to the employee.
1.8	5. Time limits may be altered by mutual agreement, although it is recognised that it is in everybody’s interest to resolve a grievance as speedily as possible.
2.	6. REPRESENTATION
2.1	A grievance may be raised by an employee personally, or on behalf of the employee by a trade union or other representative, including a line manager. 7.
2.2	8. Under the Disability Discrimination Act 1995 employers are required to make reasonable adjustments which may include assisting employees to formulate a written grievance if they are unable to do so by themselves because of a disability.
2.3	At all stages, the members of staff involved are entitled to be accompanied by a workplace colleague or a union representative.
3.	INFORMAL STAGE
3.1	The employee should first try to resolve the matter directly with the other member/s of staff or line manager concerned. Many problems can be raised and settled quickly during the course of everyday working relationships.
3.2	Where a grievance is serious or an employee has attempted to raise a problem informally without success, the employee should raise it formally to the Headteacher in writing, as detailed below.
4.	9. FORMAL STAGE: STEP 1 - Registering a Grievance
4.1	Where the matter has not been resolved informally as above, the employee should submit (with the help of a trade union or other representative if required) a formal written notice of the grievance to the Headteacher. In circumstances where the grievance relates directly to the Headteacher, the employee should put the grievance in writing to the Chair of Governors. A copy should be sent to the Clerk to the Governors.

4.2	<p>10. The written grievance should be such that:</p> <p>11. the nature and extent of the grievance is clear;</p> <ul style="list-style-type: none"> • the resolution sought by the employee is clear. <p style="text-align: right;">(See Appendix 1.)</p>
4.3	<p>12. The clerk to the governors will register the grievance.</p> <p>13.</p>
4.4	<p>14. The Headteacher will either decide to hear the grievance him or herself or choose to instruct another suitable person to hear the grievance. The Chair of Governors will identify a panel of three governors to hear the grievance.</p>
	<p>15. FORMAL STAGE: STEP 2 – The Grievance Hearing</p>
4.5	<p>The employee will be granted a Grievance Hearing with the Headteacher or Chair of Governors or their nominated person/panel, to discuss the matter.</p> <p>16.</p>
4.6	<p>The Grievance Hearing should take place within ten working days of the receipt of the written grievance.</p>
4.7	<p>The employee will be informed by the person hearing the grievance of their right to be accompanied and/or represented by a Trade Union Representative or work colleague.</p>
4.8	<p>An independent person will be present to take minutes of the meeting.</p>
4.9	<p>The employee will be allowed to state his/her grievance at the Hearing, and will be asked to indicate his/her resolution.</p>
4.10	<p>All parties concerned may call witnesses at the Hearing and may question any witnesses called.</p>
4.11	<p>Where appropriate the nominated person/panel hearing the grievance may adjourn the Hearing in order to investigate the matter further. Where appropriate the person hearing the grievance may appoint an Investigating Officer, not connected to the issue, to carry out the investigation. By mutual agreement the nominated person/panel may seek to consult with the Headteacher, the Chair of Governors or representatives of professional associations/trade unions, as appropriate, in order to resolve the problem.</p>
4.12	<p>The person/panel hearing the Grievance will respond to the employee's grievance in writing, within 5 working days of the Hearing or the reconvened Hearing where there has been an adjournment. The response will inform the employee of his/her right of appeal if the resolution sought by the employee has not been granted.</p>

5.	APPEAL
5.1	Where the employee is dissatisfied with the outcome of the grievance hearing he or she may appeal. The employee must register his or her appeal by writing to the clerk to the governors within 5 working days of receiving the written outcome of the grievance hearing (or reconvened hearing where there has been an adjournment.). The notice of appeal should set out the reasons, with a copy to any other person or persons concerned and to the headteacher or chair of governors as appropriate.
5.2	The chair of governors, will arrange an Appeal Hearing to be heard by a panel of three school governors (normally the Schools Appeal Panel) who have not previously been involved in the grievance. At the Appeal Hearing the Chairperson will inform the employee of his or her right to be accompanied and/or represented by a trade union representative or work colleague.
5.3	At the Appeal Hearing the employee will be able to explain why he or she remains aggrieved and how he or she believes the grievance should be resolved.
5.4	A representative of the panel that heard the grievance hearing at step three will normally attend the appeal to explain the grievance panel's decision to the governor appeal panel. Where appropriate the appeal panel may adjourn to investigate the matter further
5.5	17. The chair of the appeal panel will notify the employee of the decision in writing, within five working days of the appeal or the reconvened appeal panel where there has been an adjournment. This decision will be final.

Signed Date

Chairman

18.APPENDIX 1

REGISTERING A GRIEVANCE

To: The Headteacher / Chair of Governors

I wish to register a grievance under the St Bartholomew’s School Grievance Procedure for Staff.

<p>The cause of my grievance is: (This should set out the nature and extent of the problem and include relevant details)</p>
<p>I have taken the following informal steps to resolve the problem or grievance before invoking the formal grievance procedure:</p>
<p>I believe that my grievance could be resolved in the following way:</p>

- You may ask your Trade Union Representative or work colleague to help you complete this proforma.
- You may have your Trade Union Representative or work colleague with you during any meetings related to your grievance.

Signed: Print Name:

Job Title: Dated: