



GRIEVANCE PROCEDURE

1. Terms of Reference

- 1.1 For all employees employed by the Great Schools Trust in any of its academies and ex-employees of any of the academies whose employment terminated, normally, not more than 3 months previously. This excludes the Chief Executive having a grievance in his/her role as Chief Executive.
- 1.2 "Representative" refers to a person chosen by the employee to accompany him/her, and shall be a representative of his/her trade union or a workplace colleague of his/her choice.
- 1.3 If it is the Principal who has a grievance then the Chair of Governors is the person to whom the Principal refers to as his/her immediate line manager at Stage 1. If the grievance is not resolved at that stage, the matter should be referred to the Conciliation Committee of the Governing Body. If individual governors are the subject of the grievance, such person(s) shall not sit with the Conciliation Committee but may attend the Governors' hearing to present his/her case. The Principal has right of appeal to the Appeals Committee of the Governing Body which will include the Chief Executive.
- 1.4 The Appeals Committee will be chaired by the Chief Executive acting with at least two governors from the appropriate academy, except where the Chief Executive has been previously involved when the Appeals Committee will consist of at least three governors from the appropriate academy.

2. Guidance

- 2.1 The aim of this grievance procedure is to enable any member of staff, or an ex-employee, of the academy to have his/her grievance heard and to seek redress as appropriate. The intention is that grievances should be settled quickly and fairly and should be first dealt with as close to the source as possible. Unless there are exceptional circumstances a grievance cannot be raised if the event or issues complained of occurred more than 3 months ago. The procedure applies to all employees at the academy including the Principal and Vice Principal(s), full and part-time, permanent and temporary employees and ex-employees in accordance with the Employment Act 2002 (Dispute Resolution) Regulations 2005.
- 2.2 A grievance is a complaint by an employee about any aspect of his/her employment e.g. the nature or range of duties, relationships with supervisors. The grievance must be one that lies within the power of the management of the establishment to resolve, e.g. it must not be a grievance about matters determined by legislation or collective agreements. (Grievances about pay will be dealt with under the appeal procedure in the Academy's Pay Policy).
- 2.3 A grievance arising from disciplinary action is not to be resolved by appeal within the disciplinary procedure. The grievance procedure is not available in addition to, or in substitution for, the disciplinary procedure.
- 2.4 A member who is a member of a trade union may consult the Trade Union's representative before invoking grievance procedure, but the employee should normally raise the problem personally with the immediate line manager before involving his/her trade union representative.
- 2.5 It may be appropriate to refer to any separate written procedures that the academy may have for raising complaints about sexual or racial harassment.
- 2.6 Those responsible for dealing with employees' grievances should treat them seriously and attempt to resolve them as quickly as possible. There should be no attempt to block an employee's wish to raise the grievance at a higher level.
- 2.7 Employees should recognise that answers to some complaints may be obtainable only by reference to others outside the establishment and that answers may be delayed beyond normal time limits.
- 2.8 At any stage of the procedure the Principal and/or Governors may wish to refer to a third party external to the academy for guidance to bring about a resolution of the grievance acceptable to both sides outside the formal hearing within the Grievance Procedure. Such conciliation is without prejudice to the position of both parties in the procedure.

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2.9 The Principal and/or Governors may wish to take advice from a Personnel Adviser appointed by the academy before considering a grievance.

3. Stages of the Grievance Procedure

3.1 Stage 1

The employee should personally present the grievance, either orally or in writing, to his/her immediate line manager. The line manager should give a reply as soon as possible, within a calendar week, even if it is only an interim reply. If the employee's grievance is against the line manager personally, the grievance may be referred direct to Stage 2 but it would be reasonable to let the line manager know this move is intended. If the immediate line manager is the Principal and the matter is not resolved with the Principal, then the employee shall go direct to Stage 3.

3.2 Stage 2

If the employee is not satisfied with the reply and the reply is not from or on behalf of the Principal, the employee should refer the grievance to the Principal. The Principal should normally meet the employee to hear the grievance and reply as soon as possible, within two calendar weeks, even if it is only an interim reply. At this stage, the employee may be accompanied by a representative at any meeting to discuss the grievance.

3.3 The Principal may be accompanied by another member of staff, or the Academy's Personnel Adviser. If it is necessary for the Principal to attempt conciliation between two or more members of the staff at this stage, each member of staff may be accompanied by a representative at any meeting called by the Principal.

3.4 Stage 3 - Appeal

If the employee is still not satisfied with the reply, or if the reply at Stage 1 had been from or on behalf of the Principal, the employee should refer the grievance to the Chief Executive Officer who will invite the employee (and his/her representative) to an exploratory meeting to determine the next possible stages or seek reconciliation.. Such an invitation, with a suitable date, should be given as soon as possible.

3.5 If reconciliation is agreed the C.E.O. should convene a further meeting with all interested parties to try and resolve the grievance using the following procedure:

- The C.E.O. shall advise all parties, prior to the start of the hearing, of the procedure he / she intends to follow and that its purposes is to seek to conciliate regarding the grievance unless it finds there are disciplinary matters to be referred through the appropriate procedures of the academy.
- The C.E.O. will allow all parties to present their case.

3.6 After all cases have been presented the C.E.O. will attempt to negotiate a resolution to the grievance. If this is successful the C.E.O. will record the resolution in writing and present it to all parties within seven days.

3.6. If resolution is not possible then, after a period of deliberation, the C.E.O. will rule on the grievance and present his findings to all interested parties within 7 days

3.7. The C.E.O.'s decision is final.

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Local Manager to hear and respond within 10 working days of receipt of Stage 1 notification by the employee

PART TWO – Please continue on a separate sheet if necessary

I wish to record that I am dissatisfied with the Stage 1 response for the following reasons:

(This must be submitted within 5 working days of receiving the Stage 1 response)

Once completed to be given to the Principal (and a copy to the line manager who heard the grievance at Stage 1). If the Principal is the Line Manager responding at Stage 1 the PART TWO statement, above, should be referred to the Clerk to the Governors for a Stage 3 hearing before the Conciliation Appeal Committee. Interview with Principal (if applicable) to be held and the response to be given WITHIN 15 WORKING DAYS of receipt of Stage 2 notification by the employee.

Response by the Principal following interview (if applicable)



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PART THREE - If the employee is not satisfied with the responses as Stage 1 or Stage 2 (if applicable) the whole matter, including this completed form, shall be referred to a hearing of the Conciliation Appeal Committee of the Governing Body to be held WITHIN 15 WORKING DAYS of the receipt of the reference to the Clerk to the Governors

DECISION OF THE CONCILIATION APPEALS COMMITTEE OF THE GOVERNING BODY

(Given in writing to the employee by the Clerk to the Governors, WITHIN 5 WORKING DAYS of the completion of the hearing. This decision is FINAL)



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