
GRIEVANCE POLICY FOR SUPPORT STAFF IN SCHOOLS

1. Policy Statement

The majority of everyday issues of concern for employees in schools can be resolved informally through open and honest communication with headteachers/managers, colleagues or the School's HR Provider. This is normally the best way of dealing with things and wherever possible all employees are encouraged to attempt to resolve concerns about their work, working environment or working relationships in this manner. Where informal resolution to a concern is not possible, the Grievance Procedure should be followed.

The School expects that all parties involved in a grievance will honour and act in accordance with the spirit and intentions of the procedure to enter into a genuine attempt to find a mutually acceptable conclusion in an open, fair and timely way. The Confidentiality Clause applies to all employees involved in a grievance process.

Issues concerning the following matters are outside the scope of this Policy and separate procedures will apply:

- Grievances against school policies that have been ratified by the Governing Body can be raised via the Collective Grievance Policy & Procedure.
- Job evaluation disputes and queries - must be raised under the job evaluation procedure for seeking a review.
- Income tax, National Insurance and Pension matters – should be raised with the school's payroll provider.

Please note that if a grievance relates to a decision, action or proposed action by the Governing Body or headteacher/manager, the raising of the grievance will not necessarily stop the decision or action being implemented. There may be instances where it is necessary to hold a decision (e.g. confirming roles/selection processes for potential redundancies, against which a grievance has been raised); in which case the issue must be escalated immediately to the headteacher (or suitable appointed nominee) to approve the pause in the process.

The Grievance Policy & Procedure forms a key part of the contract of employment between school employees and the school/Council.

2. This applies to:

All support staff employees directly employed by the school and volunteers, where the governing body has ratified the policy and / or has implemented the Pay & Allowances Framework 2015.

People working in or with the school who are not direct employees of the school (agency staff / contractors) cannot use the Grievance Procedure to raise a

complaint. They should use the school's complaints procedure or raise the matter with the person responsible for managing their company's contract with the school/Council.

Teaching staff wishing to raise a grievance should refer to the **School Model Grievance Policy & Procedure**, available in school and in the Policies, Procedures and Guidance section of the Young Southampton website.

3. Roles & Responsibilities:

Employees must:

- Continue to attend work and conduct themselves in a professional manner whilst their grievance is being dealt with.
- Be willing to speak openly to the headteacher or delegated manager about their issue and the resolution they are seeking.
- Comply with confidentiality requirements.

Headteachers must:

- Encourage good communication with their employees and respond to complaints openly and quickly, attempting to resolve grievances, where possible, within the framework of the policy.
- Inform employees of their legal right to be accompanied at any grievance meeting.
- Comply with confidentiality requirements.

4. Right to be accompanied

Employees have a legal right to be accompanied by a companion at grievance meetings. The chosen companion can be an accredited trade union representative, or a work colleague of the employee's choice. The employee must notify the headteacher/manager in advance of their wish to be accompanied at a meeting or hearing, giving details of the person.

5. Sickness

The school's aim is to resolve all grievance matters with the minimum of delay. The grievance process may therefore continue during periods of sickness absence, including collecting relevant information or conducting interviews or meetings. The headteacher, in consultation with the school's HR Provider, will decide how or when to continue to attempt to resolve the issue taking into account the nature of an employee's illness and the likely length of the absence.

Periods of sickness absence will be managed under the Managing Attendance at Work procedure where the appropriate trigger points are met for the frequent short term or long term absence procedures.

6. Review

This policy will be reviewed regularly to ensure that it complies with current employment legislation and the requirements of the school/Council. Any future amendments to this policy will be consulted upon and negotiated with the recognised trade unions.

This policy was formally reviewed and re-adopted by the Governing Body of Fairisle Junior School on 25th September 2018.

GRIEVANCE PROCEDURE FOR SUPPORT STAFF IN SCHOOLS

7. Timescales for Raising a Formal Grievance

Grievances should normally be raised without unreasonable delay and in any event within 3 months of the decision or action the employee is concerned about. Employees wishing to raise a grievance outside of this 3 month period will need to give a satisfactory explanation as to why they did not meet this timescale.

8. Informal Resolution (Step 1)

In the first instance employees should raise concerns informally with their manager or a colleague. Many grievances can be straightforward to resolve through open discussion with co-workers, a manager, or the headteacher.

If a grievance relates directly to a headteacher's conduct, the employee should contact the Chair of Governors to discuss and attempt to resolve their grievance.

9. Raising a Grievance in Writing (Step 2)

If it was not possible to resolve a grievance through discussion, employees can raise a grievance in writing, setting out the nature of their grievance and any suggestions they have that may help resolve the issue. The written Grievance should be sent to the employee's manager (or the Chair of Governors if it relates to the headteacher).

The manager will provide a written response within 10 working days. If the employee is happy with the response the procedure ends at this point and no further action is required.

10. Grievance Meeting (Step 3)

Where the employee is dissatisfied with the Step 2 written response they may request a grievance meeting. This request must normally be made within 5 working days of receipt of the Step 2 written response (timing may be affected by absence due to leave etc). The headteacher or delegated manager will arrange for a formal meeting to explore the employee's concerns. The meeting will normally be held within 10 working days of the meeting request being received and will be conducted by a manager (or the headteacher) more senior to the manager that responded to the grievance at Step 2. The employee is entitled to be accompanied by a trade union representative, or a work colleague and will be reminded of this right at the start of the meeting.

The employee will be invited to explain their grievance in more detail and suggest how they think it could be resolved. The headteacher or manager may adjourn the meeting, to look into or take advice on any matters arising during the meeting. The adjournment should normally be for no longer than 5 working days; the headteacher or manager will advise the employee if they anticipate that they will require a longer period of time to reach a decision.

Before the meeting ends, the headteacher or manager will confirm how the employee will receive their grievance outcome; this can be in writing, or verbally with written confirmation following on.

11. Grievance Outcome

The employee will receive a written outcome letter normally within 10 working days of the meeting, unless the headteacher has advised of a longer timescale. The letter will detail the decision, the rationale for the decision and the right of appeal if the employee is not satisfied with the grievance outcome. Where the employee has asked for a verbal grievance decision, the headteacher will arrange a meeting.

12. Appeal (Step 4)

It is recommended that governing bodies set up an Appeals Panel of not less than 3 members, one of whom should be the Chair or Vice-Chair of Governors; to consider any appeals from staff which may arise from action taken under the terms of this document. Appeal governors must maintain strict impartiality and avoid the possibility of bias. No member of the Appeals Panel should have had any prior involvement in the grievance being considered.

Whilst teacher governors cannot be automatically excluded from playing a part in the appeal process, there will be occasions when it may be either inappropriate for them or they should excuse themselves from being involved.

The procedure for appeal is as follows:

- If the employee wishes to appeal against the grievance outcome they should write to the Clerk to the Governing Body setting out the grounds for the appeal in full within 10 working days of being notified of the outcome of their grievance.
- An appeal hearing will be arranged without unreasonable delay and normally within 20 working days of receiving the appeal notice. The employee will be notified of the arrangements in writing.
- In exceptional circumstances the timescales can be extended by mutual agreement.
- The employee will be invited to attend the meeting and has the right to be accompanied, if the employee so wishes, by an accredited trade union representative or a work colleague.
- The Appeals Panel representatives may be advised (if required) by the School's HR Provider during the hearing.
- At this meeting the Appeals Panel will call upon such evidence as may be required to review fairly the situation and give the employee full opportunity to present their case.

- The Appeals Panel may decide to either uphold or not uphold the decision of the headteacher/manager.
- The outcome should be confirmed in writing by the Appeals Panel within 10 working days of the hearing.
- There will be no further internal right of appeal.

15. Grievances and headteachers

In the case of a grievance against the headteacher, the employee will need to raise the grievance using the **School Model Grievance Policy & Procedure**. At this point the Chair of Governors may decide to nominate a governor (or governors) to investigate the grievance further. If the matter is not resolved informally a panel of three governors will be convened to conduct the hearing. Full details of the procedure are available from the school.

CONFIDENTIALITY CLAUSE:

As part of Disciplinary and Grievance processes those involved may have access to information that is of a personal, confidential, sensitive and/ or proprietary nature, for example: personal information related to staff such as names, e-mail addresses, salaries, employment information, and/or service issues, data, financial information ("Confidential Information"), for the purpose of fulfilling procedural obligations.

All involved with any application of the grievance policy / procedure must:

- Hold all confidential information in trust and strict confidence and agree that it shall be used only for the purposes required to fulfil employment obligations, and shall not be used for any other purpose, or disclosed to any third party.
- Keep any Confidential Information in a physically secure location
- Maintain the absolute confidentiality of personal and confidential information in recognition of the privacy rights of others at all times, and in both professional and social situations.
- Comply with all privacy laws and regulations, which apply to the collection, use and disclosure of personal information
- At the conclusion of any discussions, or upon demand by management, return all confidential information, including prototypes, code, written notes, photographs, sketches, notes taken, to Council possession and the responsible manager/director.
- Not disclose confidential, personal and/or proprietary information to any employee, consultant or third party unless they agree to execute and be bound by the terms of this agreement and have been approved by the Council / Trade Union in an official, legal capacity.

A breach of confidentiality or misuse of information could result in disciplinary action up to and including termination of employment.