# FPPF GRIEVANCE PROCEDURE

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Settling individual grievances for staff in schools - procedure.

A grievance is a concern that employees raise with their employers. A grievance may occur at all levels and the Acas Code of Practice, applies equally to management and employees. All genuine grievances will be treated seriously. However, all employees should be aware that they must not use this policy to raise concerns without just cause and with intent of causing distress to others.

Aims

- To promote high standards of conduct by dealing with individual employee grievances promptly, effectively and fairly.
- To enable employees to redress any grievance associated with their employment quickly.
- To give leaders/the Executive Headteacher (or Governing Body, in the case of the Executive Headteacher) the opportunity to deal with issues that might otherwise undermine employees’ morale.
- To give leaders/the Executive Headteacher (or Chair of Governors, in the case of the Executive Headteacher) and the Governing Body the opportunity to ensure that the school deals fairly with employees.
- This includes matters relating to terms and conditions of employment, health and safety, work relations, new working practices, working environment, race, gender religious and disability discrimination, harassment and bullying.

NB this list is not exhaustive nor is it an attempt to give the definition of a grievance

This will be achieved by:

- Specifying, promoting and monitoring high standards of conduct for employees and leaders
- Dealing with grievances promptly in a fair and orderly way
- Complying with legal requirements.

Roles and Responsibilities

- Both leaders and employees have a responsibility within this procedure.

Leaders will

- Try to resolve all issues informally before they become formal grievances, Leaders should be aware of, and be prepared to explore alternative methods of resolving any complaints that arise by discussing the issue and examining a range of possible solutions with the employee
• Ensure that grievance procedures are followed correctly, seeking advice from the HR provider where they are unsure
• Treat all grievances seriously, dealing with each one fairly, consistently and sensitively
• **Address any grievance promptly within given timelines**

**Employees will**

• Work with the leader to genuinely seek resolution
• Co-operate with any investigation
• Wherever possible try to raise the grievance informally
• Comply with all reasonable management instructions whilst the grievance is being progressed

**The Governing Body will**

• Set up an Employee Grievance Committee which would normally comprise a panel of 3 governors

It is expected that before the formal stages of this procedure, the employee first attempts to resolve their complaint informally by discussing their complaint with their line leader, or another suitable person. It may be beneficial for both parties to explore the informal route to encourage them to communicate and agree a way of working together for the future.

With regard to Performance Management, an employee may wish to raise a grievance about the way the performance management is handled by their leader, which may include a complaint regarding bullying or harassment.

If a grievance concerns an employee's line leader, the employee should raise their concern with the next level of management. Where the grievance is with the Head Teacher, the employee should raise their concern with the Chair of Governors. Where the grievance concerns the Chair of Governors, the employee should initially raise their concern with the Vice Chair of Governors.

If a collective grievance arises relating to the same issue, this may be dealt with through this policy and the group of staff may nominate a spokesperson to represent their case.

A written record must be kept of any grievance cases dealt with. The records should include:

• the nature of the grievance,
• what was decided and what actions were taken, the reason for the actions, whether an appeal was lodged,
• the outcome of the appeal and any subsequent developments.
Records should be treated as confidential and kept in accordance with data protection Act 1998.

Copies of meeting records should be given to the employee including copies of any formal notes that may have been taken, in certain circumstances (for example to protect a witness, the employer might withhold some information.

1. **Purpose and scope**

   1.1 The Council and the Governing Body accept the principle that if individuals have a grievance relating to their employment, they have a right to express it. This includes allegations of acts or statements of discrimination by managers or employees which contravene legislation and Council policy on matters of equality.

   1.2 The procedure does not apply to disciplinary or capability matters, for which separate procedures exits.

2. **Employees covered by this procedure**

   2.1 This procedure is applicable to all employees at a school. If the aggrieved person is the Executive Headteacher of the school, it would be appropriate to proceed direct to Stage 3 of the Procedure.

3. **Principles**

   3.1 A grievance may be raised by an employee personally, or on behalf of the employee by a trade union representative, work colleague or some other person of their choice, by whom the employee may be accompanied at all stages of the procedure.

   3.2 A grievance may not be progressed beyond Stage 1 without the exact nature of that grievance having been made clear to the leader or Executive Headteacher referred to in Stages 1 and 2 by the aggrieved party or the representative.

   3.3 If new complaints are registered at a later stage of the Procedure, these will be dealt with by referring those matters back to Stage 1.

   3.4 Grievances can be best resolved by raising the issue informally and directly with the member of staff concerned. The use of the formal procures should be used only where the informal approach is inappropriate or has been unsuccessful.
3.5 It is in the interests of all parties to resolve any grievance as speedily as possible. The time periods referred to in the procedure are maxima and every effort should be made to complete the processes as quickly as is practicable in the circumstances of the individual case.

4. Procedure

4.1 Where an employee wishes to raise an individual grievance with a view to achieving a satisfactory resolution of the problem, the following procedure will be used in sequence:

Stage 1: Referral to Line Manager

The employee should see the immediate line manager as that is the person who, in most cases, can best respond to the grievance. The aggrieved party should make it clear that the matter is being raised as a grievance under this formal procedure.

Where the matter relates to a problem outside the immediate control of the Line Manager (for example, a pay issue or a problem in relation to the working environment), the Line manager will raise the problem with an appropriate leader within the Department concerned through the Executive Headteacher of the school.

A reply will be given as soon as possible and in any case within ten working days.

Stage 2: Referral to Executive Headteacher

If the grievance is directly related to the employee’s immediate Line manager and it is not possible to resolve the grievance by discussion with the Line manager, it will be appropriate to register the grievance at Stage 2.

If an individual is dissatisfied with the outcome of Stage 1 and it appears that further discussions with the Line manager would not be likely to resolve the matter, the employee may invoke Stage 2 within 10 working days.

At this stage, the grievance should be registered in writing with the Executive Headteacher who, if appropriate in conjunction with the Director of Education, or his representative, will attempt to resolve the grievance. If the issues cannot be resolved, the Headteacher will invite and assist the parties to the grievance to prepare a mutually acceptable statement of facts, with the assistance of the Director of Education.
Stage 3: Referral to Governing Body

Where it has been necessary to draw up a joint statement of facts and the individual remains aggrieved, the employee may write to the clerk to the governors within 10 working days of receiving the agreed joint statement, confirming that the grievance remains unresolved either in full or in part, and setting out the way in which, in the employee’s view, the grievance could be resolved in a reasonable manner.

A meeting of the governing body or its grievance panel will be arranged within 10 working days to discuss the grievance with the relevant parties, having regard to the joint statement of facts drawn up under Stage 2. No new material may be introduced by either side at this stage. However, the governing body or grievance panel may suggest a different approach or have regard to other material facts not raised by the parties in an effort to resolve the problem. The decision of the governing body or grievance panel will be notified to the employee within 10 working days of the meeting.

The decision of the governing body or its grievance panel will be final on all matters including questions of grading.