




The LETTA Trust

Grievance Policy

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Reviewed by:	TB Resources	Signed:	



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1. Aims

The LETTA Trust is committed to providing a supportive working environment where every employee is treated with dignity and respect. We recognise, however, that there will be situations where employee complaints arise, and this policy sets out a framework for managing these complaints.

This policy aims to enable employees to raise concerns about workplace issues without fear of victimisation and repercussion and to ensure all grievances are dealt with fairly and objectively.

2. Legislation and guidance

We are required to set out grievance procedures under general employment law. These grievance procedures are based on the [disciplinary & grievance code of practice from ACAS](#).

These procedures also comply with our Funding Agreement and Articles of Association.

3. Definitions

A **grievance** is a concern, problem, or complaint raised with the school by an employee. It can be caused by issues such as terms and conditions of employment, working conditions, working environment, new working practices, organisational change, health and safety concerns, bullying or discrimination, or work relations. This policy does not cover issues raised by people who are not employed by the school, as this would fall under our complaints procedure.

In this policy the employee raising the grievance will henceforth from section 4 be referred to as the **Grievant**.

General principles

There are many issues that can cause grievances at work. These may include working conditions, application or non-application of policies and procedures, environment, relationships with leaders or colleagues, duties and responsibilities, or volume of work. Grievances may relate to discrimination, harassment, bullying, or victimisation. The aim of this procedure is to enable any employee to have a grievance heard and to seek redress as



appropriate. Where possible, grievances should be settled quickly and fairly and should be first dealt with as close to the source as possible.

Where the grievance relates to a matter covered by another procedure, for example, pay, probation, or whistleblowing, then the matter will be dealt with in accordance with the relevant procedure. This grievance procedure may not be used to complain about dismissal or disciplinary action. An employee who is dissatisfied with any formal warning should submit an appeal under the appropriate procedure.

Where an employee raises a grievance during any existing process or procedure, that process may be temporarily suspended to deal with the grievance. However, where the grievance and the existing process are related, it may be appropriate to deal with both issues concurrently. Leaders will have the discretion to decide which option is appropriate given the circumstances.

The procedure applies to all employees, including the headteacher and members of the leadership team, full-time and part-time, permanent and temporary employees. It does not apply to self-employed staff, contractors, external consultants, agency staff, members of Local Governing Boards, Trustees, or Members. However, such workers should raise any concerns directly with their hiring manager or the Trust's HR Manager, if this is more appropriate, who will advise on how these matters can be addressed.

The following will not be considered under this procedure:

- are normally subject to national conditions of service or local agreement
- are the subject of collective negotiation or consultation with recognised Trade Unions
- have been or are being dealt with under the school's Disciplinary procedure
- are about any disciplinary action taken against an employee (as this should be dealt with as an appeal under the disciplinary procedure)
- in most cases are over 3 months old (however, employees may refer to earlier matters if they believe that they support the complaint)
- are part of issues that have previously been investigated
- are covered by statutory controls such as Income Tax, National Insurance, or Pension Schemes
- are covered by other national or local appeals procedures
- complaints that might be covered by the Public Interest Disclosure Act 1998 (whistle-blowing complaints)
- redundancy dismissals or non-renewal of fixed-term contract employees
- joint grievances

This procedure does not form part of any employee's contract of employment, and it may be amended at any time.



An employee who is a member of a Trade Union may consult that Trade Union's representative before invoking the grievance procedure, but the employee should normally raise the problem personally with their immediate line manager or team leader before involving a Trade Union representative.

Those responsible for dealing with employees' grievances will treat them seriously and attempt to resolve them as quickly as possible. There will be no attempt to block an employee's wish to raise the grievance at a higher level.

Employees should be aware that an investigation may be necessary which may delay the process beyond usual time limits.

At any stage of the procedure, the headteacher and/or CEO may refer to an external adviser for guidance to bring about a resolution of the grievance acceptable to both sides outside the formal procedure. Such conciliation is without prejudice to the position of both parties in the procedure.

The headteacher and/or senior managers and/or CEO may wish to take advice from an HR adviser before considering a response to a grievance.

4. Grievance procedures

We are committed to dealing with grievances fairly and objectively. Grievants will be protected from discrimination or victimisation after raising a work-related grievance.

4.1 Informal stage

Most grievances can be resolved quickly and informally through discussion. If a grievant feels unable to speak to the person causing the grievance, then the grievant should speak informally to their immediate line manager or team leader. If the grievant's concerns relate to their line manager, they should discuss the issue with a more senior manager. If this does not resolve the issue, the grievant should follow the formal procedure below.

It may be necessary for the grievant to attend a meeting to discuss the concerns in more detail. This will be determined on a case-by-case basis.

4.2 Formal stage

If the grievant is not satisfied that their concerns have been addressed informally, they should submit the grievance in writing, indicating that it is a formal grievance, to the headteacher without unreasonable delay and within three months of the incident or decision which gives rise to the complaint. The grievant is encouraged to use the Notification



of Grievance Form (Appendix A) to state the grounds of their grievance and the remedy that is being sought.

It may be necessary to carry out an investigation into the grievance. Therefore, an investigating officer will be appointed. This will be an independent individual with no prior involvement in the complaint. The investigating officer will undertake a grievance investigation and will make a recommendation.

If the complaint concerns the headteacher, the formal complaint should be raised with the CEO or Chair of the Local Governing Board, who may investigate the complaint or who may appoint an appropriate third party to investigate the complaint or commission an external investigator. If the grievance is against the CEO, the complaint should be raised with the Chair of Trustees.

The amount of time any investigation requires will depend on the nature of the grievance and will vary from case to case. It may involve interviewing and taking statements from the employee, any witnesses, and/or reviewing relevant documents or other evidence..

The grievant must cooperate fully and promptly in any investigation. This may include informing those handling the investigation of the names of any relevant witnesses, disclosing any relevant documents, and attending interviews.

A grievance panel will also be appointed. This group of people will be separate from the investigating officer and other people directly involved in the complaint. The panel will be made up of at least 2 people and may include the headteacher, a member of the Local Governing Board, the employee's line manager, or another senior member of staff. The panel may be advised at the hearing by an HR adviser.

A formal meeting will be arranged with the grievant within 10 working days after the grievance has been raised. At the meeting, the grievant will be given the opportunity to explain their grievance and how they think it should be resolved.

Grievants have a statutory right to be accompanied by a companion at a grievance meeting. The companion must be a work colleague, a Trade Union representative who has been certified as being competent to attend such meetings. At any grievance meeting or appeal meeting, a grievant's companion may make representations and ask questions, but should not answer questions on the grievant's behalf.

If an employee's chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterward, the employee will normally be required to find an alternative companion.



Preparing for the grievant's formal meeting

Prior to the meeting, the Chair should consider:

- arranging for someone who is not involved in the case to take notes of the meeting and to act as a witness to what was said
- whether to offer independent mediation, dependent on the nature of the grievance

During the formal meeting

During the meeting, the Chair should:

- remember that a grievance meeting should allow for discussion and dialogue, which may lead to an amicable solution
- invite the grievant to restate their grievance and how they would like to see it resolved
- consider adjourning the meeting if it is necessary to investigate any new facts that may arise
- sum up the main points of the grievance
- inform the grievant when they might reasonably expect a response if one cannot be made at the time

Where a grievance is against the headteacher, the CEO and at least 1 member of the Local Governing Board will conduct the formal hearing stage of the procedure. In such instances, the headteacher's right of appeal will be to an appeals panel of at least 2 trustees.

4.3 Outcomes

The meeting will be adjourned, and the panel will deliberate before coming to a decision.

This decision will be communicated to the grievant in writing within 10 school days. It will set out the action that will be taken to resolve the grievance. It will also inform the grievant that they can appeal if they are not satisfied with the outcome and explain how to do this.

If the grievance is not upheld the grievant has the right to lodge an appeal in accordance with section 4.4 below.

If the grievance is upheld and involves other employees within the Trust, the Trust will refer to the disciplinary procedure for the next appropriate steps.

4.4 Appeals

If the grievant is not satisfied with the outcome of the grievance, they have the right to appeal the decision.



The grievant should set out their grounds of appeal in writing and submit this to hr@letta.org.uk within 10 school days of receiving the written confirmation of the original decision. The grievant must detail how they consider the grievance procedure has not been correctly applied and/or how the outcome was not reasonable or proportionate. The appeal process will not involve a reconsideration of the original grievance but will focus on the specific procedural concerns raised by the grievant.

A grievance appeal panel will be appointed. This will be a group of people independent from any previous stage of the grievance. The panel will be advised at the hearing by an HR adviser.

The LETTA Trust's scheme of delegation helps us decide who will sit on the panel. It may be made up from 'all non-employee members of the Local Governing Board and all non-employee Trustees forming panels of 2-3 as required'.

Any appeal meeting will, in normal circumstances, be held no later than 20 school days following receipt of the written appeal to hr@letta.org.uk. If it is not possible for an appeal meeting to be held within this timeframe, the grievant should be advised when the appeal meeting can reasonably be expected to take place.

Grievants have the same statutory right to be accompanied to the appeal meeting by a work colleague or Trade Union representative who has been certified as being competent to attend such meetings.

The outcome of the appeal will be confirmed in writing to the grievant within 10 school days. This is the end of the procedure, and there is no further internal right of appeal.

5. Confidentiality and record keeping

Minutes will be kept for all meetings. Where possible, these will be confirmed as an accurate reflection of what was discussed. Records of all materials relating to the grievance process will be kept securely for as long as necessary in line with the Data Protection Act 1998.

Confidentiality is an important part of the procedures provided under this policy. Details of the investigation and the name of the grievant and the person(s) accused must only be disclosed on a "need to know" basis. Breach of confidentiality may lead to disciplinary action under the Disciplinary Procedure.

When appropriate, where a grievance is upheld, we will advise the grievant of the action that has been taken to address their specific complaint and any measures put in place to prevent a re-occurrence.



Information about a grievance may be recorded in the personnel files of both the grievant and the accused, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.

6. Monitoring arrangements

This policy will usually be reviewed every 3 years, but can be revised as needed. It will be reviewed and approved by the Trust Board Resources Committee.

7. Links with other policies

This policy links with our policies on:

- Staff disciplinary procedures
- Staff code of conduct
- Complaints procedure, which sets out how grievances will be raised by those not employed by the school
- Whistleblowing policy
- Staff Code of Conduct
- Equality objectives



Appendix A - Employee's Notification of Grievance

This form should be used to submit a grievance in accordance with the formal stage of the Grievance Procedure, adopted by the Trust Board.

Send the completed Employee's Notification of Grievance Form (Appendix A) to your Line Manager. If your grievance relates to your Line Manager, send it to the Line Manager's Line Manager. If your grievance relates to your Headteacher, then send it to the CEO. If your grievance is against the CEO, send it to the Chair of Trustees. You are advised to keep a copy. Please be aware that the information will, in normal circumstances, be shared with any person/s complained about.

Name:

Post held:

Describe briefly:

1. The nature of your grievance. Please include all relevant facts, dates, and names of people involved and any witnesses. (continue on a separate page if necessary)
2. When did you first raise your grievance, and with whom? Is this a one-off issue or part of a chain of events?
3. What action has been taken on your grievance at the informal stage?



4. What steps or actions do you want to be taken as a remedy for your grievance?

If you are a member, have you informed your Trade Union or professional association representative? YES/NO

If yes, do you wish the representative to receive correspondence? YES/NO

If yes, please identify the representative and provide email and postal addresses, and telephone number YES/NO

Printed name:

Signed:

Date:



Appendix B - Appeal form

Name:	
Job title:	
Work location:	
<p>Please complete this form if you are dissatisfied with the outcome of your complaint. You may complete it personally, or with your permission, your representative may complete it on your behalf.</p> <p>Return the form, with any supporting documents, to hr@letta.org.uk, within 10 school days of the date of the letter advising you of the outcome of your complaint. State clearly why you wish to appeal and specify why you are dissatisfied with the outcome of your complaint. This could include:</p> <ol style="list-style-type: none">1. Procedural irregularities prejudiced the outcome2. There was bias amongst the original decision makers3. New information/evidence has come to light that should be investigated4. The proposed action (e.g., mediation) is inappropriate in the circumstances <p>In all cases, you must give full details of your reasons. If you are appealing because new information/evidence is available, you should also explain why this information/evidence has only just become available.</p> <p>Please note that the appeal process will focus on the specified grounds of appeal and will not be a reconsideration of the original complaint.</p> <p>I wish to appeal against the outcome of my complaint because ...</p> <p>Please continue on a separate sheet if more space is needed</p>	
Signature:	
Date:	



Appendix C: Steps to report sexual harassment

Sexual harassment, informal steps:

- If you believe you are being sexually harassed, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour makes you uncomfortable
- If this is too difficult, you should speak to your line manager, a senior leader, or the HR Manager, who can provide advice and assistance in resolving the issue
- If you feel unable to speak to your line manager because the complaint concerns them, you should speak informally to a senior leader or the HR Manager
- If this does not resolve the issue, follow the formal procedure in the Disciplinary Policy.

Staff who witness sexual harassment are encouraged to take appropriate steps to address it. Depending on the circumstances, this could include:

- Intervening where you feel able to do so
- Supporting the victim to report it or reporting it on their behalf
- Reporting the incident where you feel there may be a continuing risk Co-operating in any investigation into the incident

All witnesses will be provided with appropriate support and protection from victimisation.

Formal investigation

We will investigate complaints in a timely, respectful, and confidential manner. Information will only be shared on a need-to-know basis. Meetings will be arranged as stated.

Protection and support for those involved

Staff who make complaints, report that they have witnessed wrongdoing, or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure. Support and guidance can also be obtained from The LETTA Trust Employee Assistance Programme, and the following external services:

- The Equality Advisory and Support Service (www.equalityadvisoryservice.com)
- Protect (www.protect-advice.org.uk)
- Victim support (www.victimsupport.org.uk)
- Rape crisis (www.rapecrisis.org.uk)
- Rights of women (England and Wales) (www.rightsofwomen.org.uk)