

***Thurlton Primary School***  
***Grievance Policy***



**Policy Consultation & Review**

This policy is the Local Authority's model Grievance Policy.

Clarion Academy agreed to adopt all model policies from the Local Authority when they took leadership

It is due for review when new governance arrangements are established.

Signature

Headteacher Date:

Signature

Chair of Governors Date:

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**Model policy and procedure guidance [delete once adopted]**

Governing bodies and Trusts have the option of adopting this model policy or developing their own. This model policy includes any requirements of statute, any national and/or local conditions of service and identifies access to LA funding where this is available (maintained schools only). Any school/academy choosing not to adopt this model must ensure that any local policy complies with the requirements of statute and any relevant national or local conditions of service. A local policy would need to be the subject of full consultation with all the recognised trade unions before adoption.

With regard to this model, the school/academy can:-

- adopt it as their policy
- adapt it to be their policy (using the model as a basis but with changes being made), or
- ignore it (and develop or adopt an alternative policy).

Throughout the model policy, reference is made to “Headteacher” but this should be changed on adoption where the individual school/academy leader holds the post of “Principal” (or other appropriate title). Similarly, where reference is made to “schools” this should be changed on adoption where any individual establishments within a Trust etc are known as “academies”.

Please note that ‘school’ in this document refers to any maintained school and ‘academy’ means any academy or free school. It is likely that an academy Trust will want to determine a policy to be applied equally across any academies it is responsible for. Equally, any schools that are joined together under one governing body should have one policy covering all employees.

This model has been agreed by recognised trade unions for schools and academies at County level.

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### **1. Principles**

- 1.1 Grievances are concerns, problems or complaints that employees raise with their employers.
- 1.2 The school aims to have an open policy for communication and consultation so that problems and concerns can be raised and settled as a matter of course.
- 1.3 Grievances will be dealt with in a confidential manner minimising the number of people involved.
- 1.4 Employees will aim to settle most grievances informally with their manager wherever possible.
- 1.5 Before moving to the formal grievance procedure both the school and the employee will first consider using a mediator to help resolve the problem.
- 1.6 Managers and employees will raise and deal with issues promptly and will not unreasonably delay meetings, decisions or confirmation of those decisions.
- 1.7 Managers and employees will act consistently.
- 1.8 Headteachers will carry out any necessary investigations to establish the facts of the case.
- 1.9 The school will allow employees and Headteachers to be accompanied at any formal meeting.
- 1.10 The school will allow an employee to appeal against any formal decision made.
- 1.11 The school will keep written records of all grievances.
- 1.12 The school expects all employees to comply with their obligations under equality legislation and ensure that all reasonable adjustments or supportive measures are considered to allow equal access to the policy and procedure regardless of age, gender, ethnicity, sexual orientation, disability, faith or religion, gender identity, pregnancy or marital status
- 1.13 Headteachers and Governors will seek guidance from Educator Solutions HR Services (01603 307760 or [HRenquiry@educatorsolutions.org.uk](mailto:HRenquiry@educatorsolutions.org.uk)) when applying this policy.

### **2. Scope**

- 2.1 This grievance procedure applies to all current employees, both teaching and support staff. There is no legal requirement for an employer to consider grievances from ex-employees. This procedure should only be used by a single individual; grievances on a matter of principle raised by a group of employees (or a representative of a

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recognised trade union on their behalf) should be dealt with under the School's Disputes Procedure.

- 2.2 The *Grievance model procedure (P307a)* document governs all matters which have been delegated to the Governing Body of the school. Where a grievance concerns a matter which is decided by the County Council then this should be referred to Educator Solutions HR Services.
- 2.3 Grievances relating to remuneration should be dealt with under the School's Pay and Performance Management Appeal Procedure.
- 2.4 Grievances relating to harassment and bullying should be dealt with under the School's Dignity at Work Procedure
- 2.5 If an employee wishes to raise an issue in confidence concerning unethical, illegal or improper conduct without fear of victimisation, subsequent discrimination or disadvantage the School's Whistleblowing Policy and Procedure may be more appropriate.

### 3. Legal requirements

- 3.1 The way in which a grievance will be dealt with is governed by the policy and procedure adopted by the Governing Body and follows best practice outlined in the ACAS Code of Practice on handling disciplinary and grievance procedures issued under section 199 of the Trade Union & Relations (Consolidation) Act 1992 which came into effect on 6 April 2009 and the ACAS guide to handling discipline and grievances at work.
- 3.2 A failure to follow the ACAS code does not in itself make a person or organisation liable to proceedings. However, Employment Tribunals will take the Code into account when considering relevant cases and can adjust awards by up to 25% for unreasonable failure to comply with the Code. Awards can be adjusted up or down e.g. if the tribunal believes the school has acted unreasonably they can award 25% more, or conversely, if they believe the employee has unreasonably failed to follow the guidance in the code they can reduce the award by 25%.
- 3.3 Any Statement of Employment Particulars issued to schools staff by Educator Solutions HR Services will contain a paragraph which confirms the school's obligation to provide the grievance procedure. The grievance procedure will state to whom any grievance should be addressed. The school through effective induction of staff will ensure the employee knows how to access the grievance procedure.
- 3.4 Under *The School Staffing (England) Regulations 2009*, the Governing Body must establish procedures by which employees may seek redress for any grievance relating to their work at the school. Where the governing body determines on any action which is not within its jurisdiction (under the Education Act 2002), but is within the power of the authority, the authority must take that action at the request of the governing body.

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3.5 School employees have a statutory right to be accompanied by a companion of their choice – a colleague or trade union representative – at any formal grievance meeting.

#### 4. Associated documents

- Grievance model procedure (P307a)
- Grievance statement – formal procedure (F307)
- Grievance statement - appeal against decision of Grievance Committee F307a

#### Appendix 1 – Table of changes from March 2017

Date of change	Paragraphs affected	Summary of update
01/03/2017	All	New formatting due to launch of new HR website, HR InfoSpace – no change to content