

Grievance Procedure 2019

Monitoring

By	Review Period	Method
Full Governing board	Bi-annual	Meeting

Ownership: Human Resources and Data compliance manager

Revision History

Review	Changes	Next Review Date
October 2018	New policy due to organisational changes	
Feb 2019 and June 2019	Reviewed by governing boards	June 2021

1. SCOPE AND PURPOSE

- 1.1 This procedure applies to all employees of Holy Cross Catholic College, St Joseph's Catholic College and Romero Services Ltd. Throughout this document these entities may be referred to as "the organisation".
- 1.2 The organisation recognises that from time to time employees may wish to seek redress for grievances relating to their employment. In this respect, the Trust's policy is to encourage free communication between employees and their supervisors/managers to ensure that questions and problems arising during the course of employment can be aired and, where possible, resolved quickly and to the satisfaction of all concerned.
- 1.3 To this end, the following procedure will apply to all employees who may feel they have a grievance relating to their employment.
- 1.4 The standard procedure incorporates the key elements of the ACAS statutory code of practice 2009:
 - the employee at the formal stage sends a written statement of the grievance to the employer;
 - the employer invites the employee to a meeting to inform the employee of its response to the grievance; followed by
 - an appeal procedure.
 - the employee has the right to be accompanied at the grievance meeting by a fellow worker, a trade union representative or an official employed by a trade union

The modified procedure, in accordance with the requirements of the Employment Act 2002, involves only a

- written statement from the employee; followed by
- a response from the employer.

2. THE STANDARD PROCEDURE

- 2.1. This procedure relates only to individual employees. Where grievances are of a collective nature, or where an individual complaint becomes a collective issue affecting other employees, the matter will be dealt with under a Collective Disputes Procedure.

Employees have the right to seek advice from their trade union at all stages of the procedure.

2.2. Informal Stage

Where an employee has a grievance arising from employment, [s]he should initially raise the matter with their immediate supervisor who will record details of the grievance and, after due consideration, give a decision, normally within 10 working days of the matter being raised.

2.3. Formal Stage

- 2.3.1. Should the employee be dissatisfied with the decision or the grievance relates to the immediate supervisor, the employee should provide full details of the grievance, in writing and request a meeting to discuss the matter with an independent senior manager.
- 2.3.2. If the employee's chosen representative is not available for the grievance meeting, then the individual school will postpone the meeting to an alternative time that is reasonable and not more than five working days after the original meeting was scheduled
- 2.3.3. Having obtained the supervisor's record of the grievance, if appropriate, the senior manager will discuss the matter with the employee and the trade union representative or workplace colleague, record any additional information and then reconsider the matter.
- 2.3.4. A decision will be given in writing to the employee and a copy made available for the representative, within 10 working days of the date of referral.
- 2.3.5. Where the grievance is against the Executive Principal, the employee concerned may raise the matter in writing with the Chair of the Governing board . Alternatively, should [s]he prefer, [s]he may report the grievance to his/her trade union representative or workplace colleague, who may then raise the matter in writing with the Chair of the Governing board.
 - 2.3.5.1. The Chair will ask the Clerk to arrange for the grievance to be referred for consideration by the Staffing Panel. If the employee is not satisfied with the response of the Staffing Panel the right of appeal is to the Appeals Panel of the Governing Board. The Staffing Panel and Appeals Panel for this purpose shall exclude staff governors.
- 2.3.6. Note: if any additional time is needed at any stage to enable a full and detailed investigation of the issues raised, the employee should be informed in writing and be given a date when a decision will be reached.

2.4. Appeal

If the matter is not resolved at this stage, the employee will be allowed a right of appeal to the Appeals Panel of the individual school's Governing Board. All appeals must be notified, in writing, to the Clerk of the Governing Board within 10 working days of the date of the written decision. The employee, together with, if they wish, a trade union representative or workplace colleague, and the Executive Principal, will be given the opportunity to make representations to the Panel, before a decision is taken. The decision will be confirmed in writing to the employee. The decision of the Appeals Panel will be final.

3. THE MODIFIED PROCEDURE

- 3.1. Where an employee has ceased to be an employee (for whatever reason), the School shall only consider post-termination grievances where it was not reasonably practicable for the employee to have raised such grievance during the course of their employment

- 3.2. A modified two-step procedure applies where the aggrieved person has already left the employment of the Trust and both parties agreed that they will use the shortened version.
- 3.3. The two stages are as follows:
 - 3.3.1. The ex-employee must set out in writing full details of the grievance.
 - 3.3.2. The Trust must set out its response to the points raised and inform the ex-employee accordingly in writing.
- 3.4. There is no right of appeal.

4. PROCEDURE FOR THE EXECUTIVE PRINCIPAL

4.1. Informal Stage

- 4.1.1. If the Executive Principal has a grievance relating to his/her employment, the matter should initially be raised orally with the Chair of the relevant school's governing board or in the absence of the Chair, the Vice-Chair. Where the issue is relevant to both schools, the matter should be brought to the Chair of both schools. The Chair [or Vice-Chair] will attempt to resolve the matter informally by enquiring into the grievance and discussing it with the Executive Principal.
- 4.1.2. The Chair [or Vice-Chair] will advise the Executive Principal orally of his/her/their decision as soon as possible. In the event that the Executive Principal does not find the decision acceptable, [s]he may request that the Chair [or Vice-Chair] provide a written decision.
- 4.1.3. If, upon receipt of the written decision, the Executive Principal is still dissatisfied, [s]he may progress the grievance to the formal stage within 10 working days of the date of such notification.

4.2. Formal Stage – in accordance with the statutory standard grievance procedure

- 4.2.1. If the grievance has not been resolved at the Informal Stage, or is in relation to the Chair [or Vice-Chair], the Executive Principal may submit his/her grievance formally, in writing to the Clerk, of the Governing Board relevant school to the The formal written grievance shall provide full details of the complaint.
- 4.2.2. The Clerk of the Governing Board shall, as soon as possible, arrange a meeting of the Governing Board's Staffing Panel, to which the Executive Principal will be invited. This panel may be made up of governors from both schools if appropriate to the circumstances and avoid more than one hearing. The Staffing Panel shall consider the formal written grievance, all documentation submitted and all matters raised at the meeting. The Executive Principal will be asked to withdraw whilst the panel makes its decision, which will be communicated verbally to the Executive Principal immediately. A written decision will be issued as soon as possible explaining the right of appeal against the decision.

4.3. Appeal

- 4.3.1. If the matter is not resolved at this stage, the employee will have a right of appeal to the Appeals Panel of the relevant school's Governing board. All appeals must be notified, in writing, to the Clerk of the Governing Board within 10 working days of the date of the written decision. The Executive Principal, together with, if they wish, a trade union representative or workplace colleague, will be given the opportunity to make representations to the panel, before a decision is taken. The decision will be confirmed in writing to the employee. The decision of the Appeals Panel will be final.

5. OVERLAPPING GRIEVANCE AND DISCIPLINARY CASES

- 5.1. Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

6. MATTERS NOT CONSIDERED UNDER THIS PROCEDURE

- 6.1. Certain matters relating to employment are not covered by the Grievance Procedure but are dealt with under separate arrangements. These include:
 - 6.1.1. Applications in respect of regrading or grading appeals.
 - 6.1.2. Matters connected with rates of pay or allowances and other payroll matters relating to income tax, national insurance, superannuation, etc.
 - 6.1.3. Disciplinary and capability matters in themselves, although these may arise out of the findings of the grievance.
 - 6.1.4. Matters considered under the 'Acceptable Behaviour Policy' or other processes which give employees a right to seek redress and where the process and right of appeal have already been exhausted.