



Grievance Policy

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HISP Multi Academy Trust Grievance Policy

Our Trust's Grievance Policy

From 2024 we write our policies through a particular lens: these documents are vital to the underpinning for our Trust to be one Trust. References to “you” are intended to explain the important role you, the reader, have in our Trust and references to “we” refer to the responsibilities we recognise HISP has as an employer. Together we are One Trust.

1. Introduction

We believe that all employees should be treated fairly and with respect. The purpose of this policy and procedure is to ensure that if you feel aggrieved about the way you have been treated, you are given an opportunity to have your grievance heard and where possible resolved. You are encouraged to raise any concerns you have informally and at the earliest possible opportunity to aid prompt and easier resolution. Where it has not been possible to resolve a concern informally, or where a matter is not appropriate for informal resolution, the issue should be raised through the formal procedure.

This procedure seeks at all stages to identify possible ways of resolving your concerns. This should be in consultation with you and your line manager and in line with current policy and working practices and should be conducted sensitively and confidentially. Conciliation, including the use of external conciliation should be considered at all stages of this procedure and discussed with the relevant parties as appropriate.

This procedure does not form part of your contractual terms and conditions and any links within this document to other documents are for ease of use and do not form part of this procedure.

2. Scope

The Policy applies within HISP Multi-Academy Trust (the Trust) to:	<ul style="list-style-type: none">• Teachers including Leadership, Upper Pay Range, Main Pay Range and Unqualified Teachers in all units/Schools.• Support Staff in all units/Schools.• Employees who are in their probationary period in units/Schools• Teachers in their statutory induction period
The Policy does not apply to:	<ul style="list-style-type: none">• Volunteers.• Contractors.• Agency workers.

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3. Aims of Policy

This procedure provides a process whereby:

- Grievances may be resolved as close as possible to where they arise;
- Issues can be brought “out in the open” so that they can be considered by the relevant manager in the establishment;
- The individual employee and the school/unit can be reconciled in an open and expeditious manner;
- Confidence and trust between individual employees and their senior manager in schools is maintained.

4. Key Principles and Definitions

Grievance - a grievance is a concern, problem or complaint regarding the way in which you feel you have been treated by the Trust or managers acting on behalf of the Trust.

Grievances may be concerned with a wide range of issues, including work allocation, working environments and conditions, opportunities for career development or the way the employee has been managed.

Grievances raised by you while you are subject to a disciplinary process should be raised as an issue during the disciplinary proceeding. Where you are dissatisfied with any disciplinary action against you it should be dealt with as an appeal under the disciplinary procedure. In exceptional circumstances consideration will be given to suspending the disciplinary process and using this procedure. Whether or not this is agreed will be a decision for the Headteacher and Executive Leadership Team in consultation with governors and the decision will be communicated to you.

This procedure does not apply to the following matters for which other procedures have been agreed.

This includes:

- Collective disputes in respect of negotiation or consultation
- Salary grading reviews
- Selection for redundancy
- Bullying and harassment/dignity at work

A procedure for handling collective grievances can be found at Appendix One.

Unit - an organisational group within HISP Multi Academy Trust which is not a School - such as the Learning Partnership, Central Team.

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Confidentiality

It is expected that all parties involved in the grievance process will maintain confidentiality as appropriate. This is both within and outside of the Trust (including social media).

If any party does not maintain confidentiality further action may be taken under the Disciplinary policy.

Right of representation

You have the right to be accompanied by a work colleague or trade union representative at all meetings or hearings under this procedure.

While there is no statutory right to be accompanied at informal meetings by a Trade Union representative or a colleague employed by the Trust this will not be unreasonably refused if you request it.

Where there is a statutory right to be accompanied and your chosen companion is unavailable on the day scheduled for the meetings or appeal hearing, the meeting will be rescheduled once, provided that an alternative date is agreed within five working days of the scheduled date.

A companion may present your case, sum up, respond on your behalf to any views expressed and confer with you during the meeting but they may not answer questions on your behalf.

5. Key Considerations

1. All grievances should be examined carefully, whether or not the grievance is presented in writing, and be dealt with as quickly as possible. However, formal grievances under the grievance procedure should be submitted in writing.
2. Grievances are as much about your feelings and emotions as they are about a set of facts. A grievance is unlikely to be “resolved” by any process that simply determines whether the aggrieved is right or wrong.
3. It will be important for the process to address the specific grievance, provide an opportunity for you to express your feelings, be listened to and have your feelings acknowledged. It is unlikely that any compromise solution will be achieved until these feelings have been expressed.

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4. Whilst disputes between fellow employees i.e. those who are not in a line management relationship fall within the definition of a grievance, they are often best resolved through conciliation. If at any stage, a manager/Headteacher/Head of unit believes a case could be resolved through conciliation, this will be subject to the agreement of the parties involved.
5. The grievance procedure cannot be used to circumvent the consideration of legitimate management action on matters of discipline, attendance or capability where other policies will apply.
6. For grievances that are lodged whilst you are still employed by the Trust, and where the process continues following your exit from the Trust, this procedure should be followed.
7. If a grievance is raised by you when you are no longer employed by the Trust, you should set out the grievance in writing no later than 3 weeks after your employment ended. The grievance will be investigated and a written response to the grievance will be given to you.
8. Under normal circumstances, where a grievance has been received more than 3 weeks after the employment has ended, the Trust is under no obligation to respond.
9. As a former employee, you will not normally have a right of appeal beyond any written response, where this has been provided by a school.

6. Policy stages

6.1 Informal stage

All parties are expected to make use of the informal stage of this procedure. However, in exceptional circumstances an employee is entitled to lodge a formal grievance without utilising the informal stage.

If you have a grievance you should normally first raise the issue(s) informally with your line manager or Executive Director. This can be submitted verbally, via email or in writing. You should make it clear in any correspondence that the grievance is being raised at an informal level. If you are a Headteacher/Head of School and have a grievance, you should raise your grievance with the Chair of Governors, copying in HISP HR. If you are Head of one of HISP's other units, please raise your grievance with your Executive leader, copying in HISP HR.

If the grievance relates to the Headteacher/Head of School/Head of Unit and you feel unable to discuss the matter with another senior member of the School (e.g. Deputy

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Headteacher, Head of Department etc.), please discuss this with one of the HISP HR team who can advise you.

Managers are expected to deal with all informal grievances raised, taking into consideration the exceptions listed under section 2 of this policy. If your grievance relates directly to your line manager, you should raise the issue informally with your second line manager (the line manager's manager).

If a number of employees are raising similar concerns, the Collective Grievance Procedure contained in Appendix One of this document should be followed.

There is no statutory right to be accompanied at the informal meeting. However, you may seek advice from your professional association or trade union representative and any request to be accompanied will not be unreasonably refused.

The relevant manager should arrange to meet with you as soon as practicable after the complaint is raised but normally within 7 working days. At this meeting the nature of the grievance should be discussed and any other relevant information that may allow the grievance to be resolved at this informal stage.

Further investigation may be needed to resolve the grievance at this informal stage.

6.2 Outcome of informal stage

- Possible outcomes at the informal stage may include, but are not limited to conciliation, informal discussion with all parties, identified training or specific supervision.
- There should be a written record of the discussions and outcome at the informal stage.
- The outcome of the informal meeting should be shared verbally with you, as the 'grievant'. This should include details of the next stage of the procedure if you feel that the informal stage has not satisfactorily resolved your grievance.

6.3 Formal stage

You are encouraged wherever possible to discuss issues with your line manager at the earliest opportunity. It is envisaged that most grievances can be dealt with outside of a formal procedure or by using the informal step of this procedure and can be resolved through informal discussion and conciliation without the need to invoke the formal stages.

If it has not been possible, or not appropriate, to resolve your complaint through the informal process you must put your grievance in writing. The letter should be dated and sent to your line manager, copying in your HR contact. The letter should include as much detail as possible to assist with resolution of the grievance including:

- the facts of the complaint (reason(s), dates, who is involved);
- how the issue(s) have arisen;

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- what outcome (s) you are seeking;
- how you believe a resolution can be best achieved;
- any other relevant information.

Where your line manager is the subject of the complaint, and it is not appropriate for them to deal with the matter, your grievance should be sent to your line manager's manager, copying in your local HR contact.

On receipt of the formal grievance, a decision will be made about who is best placed to manage the complaint. The responsible manager will consider what, if any investigation may be necessary to establish the facts of the situation and will consult with HR. The manager may need to gather information such as policies or procedures and may need speak to other relevant individuals.

The responsible manager will arrange to meet with you as soon as practical and usually within 10 working days. The meeting will be to understand the complaint in more detail and consider what action can be taken to resolve the matter. Where appropriate the meeting may need to be adjourned to allow further investigations to take place.

Possible outcomes at the formal stage may include, but are not limited to, conciliation, informal discussion with all parties, identified training or supervisory needs.

Following the meeting, you will be informed of the outcome and any action that the school proposes to take because of the complaint. This will be confirmed in writing, usually within 10 working days of the meeting.

6.4 Appeal

If you are dissatisfied with the outcome of the grievance meeting/investigation, you should write to the whoever sent you the outcome letter, copying in HR, within 10 working days of receipt of the confirmation letter stating the grounds of your appeal.

An appeal hearing will be arranged as soon as practical by HR, usually within 10 working days of receipt of the appeal letter.

The appeal will, wherever practicable, be heard by an Appeal Panel of two or three managers unconnected with the complaint. If this is not possible it will be heard by a more senior leader than the manager who conducted the grievance meeting/investigation.

The Panel/senior leader will consider the grounds of appeal, the facts of the situation and assess whether or not the conclusion reached and actions taken as an outcome of the grievance were appropriate in the circumstances. To do this they will consider:

- Any information gathered as part of the investigation/meeting with you
- Whether there is anyone else they need to speak to

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- If there is any other information that they need.

Following the meeting, you will be informed of the outcome and any action that the School/HISP proposes to take because of the complaint, although due to confidentiality we may not be able to give you full details of what action is being taken in relation to other parties involved. The appeal outcome will be confirmed in writing usually within 10 working days of the appeal meeting.

The outcome of the appeal stage will be final.

7. Reporting a concern of bullying and harassment

Grievances involving allegations of bullying, harassment, discrimination or protected disclosures require sensitivity and particular consideration in the way they are handled. It is essential that all allegations of this nature are treated seriously and thoroughly investigated. Any complaints by an employee of a bullying or harassment nature should, with the agreement of the aggrieved member of staff, be pursued initially through Guidelines for dealing with allegations of Bullying and Harassment (available from your HR contact). Following an initial investigation, the relevant manager will need to determine whether the alleged behaviour may constitute misconduct. In such cases it would be appropriate to conduct a disciplinary investigation rather than pursuing the matter via the grievance procedure.

If you believe you may be the victim of bullying or harassment you should normally take the following steps prior to submitting a written complaint;

- discuss their concerns with their line manager (or a more senior manager if their concerns are about their immediate line manager), a professional association or trade union representative, or a work colleague;
- keep a record of any incidents that occur, noting dates, times, circumstances and witnesses (if any);
- ask the person(s) involved to stop whatever they are doing which is upsetting or unpleasant, as they may be unaware of their actions. Individuals may want to do this with the support of a colleague or professional association/trade union representative;
- advise their line manager (or a more senior manager if their concerns are about their immediate line manager) as soon as it becomes apparent that the unacceptable behaviour is continuing.

Where the above steps prove ineffective or where you wish to submit your complaint in writing, the written complaint should be sent to your line manager, or a more senior manager if their concerns are about their immediate line manager, as

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promptly as possible, copying in your local HR contact, and should include sufficient detail to assist with resolution as detailed in section 10 below.

8. Investigations

When you raise a grievance, either under the Informal Stage or formally under Stage 1 of this procedure, the relevant manager may consider that further investigation is required. It is for the relevant manager to determine how such investigations should be conducted. Where necessary, an investigating officer (IO) can be assigned to undertake the investigation, or the relevant manager may conduct the investigation themselves. It may be deemed appropriate to use an external IO (e.g. an officer from the Local Authority or independent HR consultant). Normally this would be approved by the central HR team.

The investigation may require the relevant manager or IO to:

- gather any further information they feel is relevant in as confidential a manner as possible;
- request written responses from any other party they consider appropriate; meet with the other relevant parties to discuss the grievance and obtain relevant information;
- produce an investigation report to capture the key issues and findings arising from the investigation and suggested resolution where appropriate;
- be impartial and unconnected with the grievance.

Investigations should be undertaken in a timely manner and should avoid unnecessary delay. A reasonable timescale would normally be not more than 15 working days except in respect of exceptional or complex cases. You should be advised of the likely timescale for the completion of the investigation.

9. Withdrawing a complaint

It is up to you whether or not you wish to pursue a grievance. If you do retract a complaint, this must be confirmed in writing, copying in your HR contact. We will consider whether any of the issues raised should still be followed up and need to be addressed using appropriate policies and procedures to do so.

We will also seek to establish the reason the complaint has been withdrawn. Should this be due to your concerns that you may be subject to intimidation or less favourable treatment, we will discuss with you whether there are steps that could be taken to enable you to feel you can continue with your grievance.

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We will deal with any intimidation resulting from the raising of a grievance as a serious disciplinary issue.

10. Recurrent Grievances

If an issue has already been fully and properly addressed through the grievance procedure, and any agreed resolutions have been actioned, it is not open to you to restart the procedure in respect of the same issue. However, we will take care to ensure that any new issues that have emerged since the original procedure was initiated are properly addressed.

11. Support

Independent and confidential employee assistance is available for anyone involved in the grievance process through the HISP-wide wellbeing service, SAS. Contact the wellbeing team on 01773 814403 or nurse@uk-sas.co.uk

12. Governance

This policy will be administered by HR and initially subject to an annual review, unless earlier statutory or regulatory change, or feedback requires an earlier review.

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Appendix 1 - Collective Grievance Procedure (excluding formal disputes)

Where a grievance is received on behalf of a group of employees – collective grievance - individual(s) will be identified from within the group of employees who have raised the grievance, to act on behalf of the group at any formal meeting held. A representative of a recognised professional association/trade union may raise a grievance on behalf of two or more members.

The collective grievance procedure will mirror that of an individual grievance as follows;

Informal Stage	Informal grievance raised with line manager
Stage 1 Formal Grievance	Formal grievance raised with line manager or second line manager
Stage 2 Appeal	Appeal raised with senior manager / appeals panel

The employee(s) have the right to be accompanied at all formal stages of the grievance procedure. Where members of the group who have lodged the grievance belong to different professional associations or trade unions, it may be appropriate to allow more than one representative to accompany these individuals at the formal stages of the procedure.

Those arranging the hearing of the grievance will ensure that the nominated spokesperson(s) are accepted by the larger aggrieved group and that the group has access to any information concerning formal meetings, as well as the outcomes.