



Langley Park Learning Trust

Grievance Policy and Procedure

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1. About this procedure

- 1.1 It is our policy to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and within 10 working days. Any delays will be communicated to all parties.. We aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied.
- 1.2 This procedure applies to employees of the Trust only.
- 1.3 This procedure does not form part of your contract of employment and we may vary or amend it at any time. It does however set out the Trust's current practices and you are strongly advised to familiarise yourself with its content. This policy will not be amended without due negotiation and consultation with the recognised trade unions.

2. Using this procedure

- 2.1 Issues that could cause grievances may include but not limited to:
 - terms and conditions of employment;
 - health and safety;
 - work relations;
 - bullying and harassment;
 - new working practices;
 - working environment;
 - organisational change; and
 - discrimination.
- 2.2 This procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the appropriate procedure.
- 2.3 We operate a separate Whistleblowing Policy to enable employees to report illegal activities, wrongdoing or malpractice. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of whistleblowing, you may raise the matter under this procedure. The Whistleblowing Policy is available here: <https://www.lplt.org.uk/486/key-information-1/category/19/policies>
- 2.4 Written grievances will be placed on your personnel file along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed lawfully in accordance with Data Protection principles. Records are kept no longer than necessary and in compliance with GDPR and Data Protection Act 2018.
- 2.5 Any parties affected by or involved in the application of this procedure will be expected to maintain an appropriate level of confidentiality. Breaches of confidentiality will be taken seriously, especially if they hinder the application of the procedure or the resolution of an issue. Failure to maintain confidentiality may result in an investigation and action being taken under the Trust disciplinary policy. The Disciplinary Policy is available here: <https://www.lplt.org.uk/486/key-information-1/category/19/policies>
- 2.6 If you have a complaint or concern, you should follow the procedures below.

3. Timescales

- 3.1 The timescales included in this procedure may be varied by mutual agreement. The procedure makes reference to a number of 'days' within which certain actions/events are to occur. A 'day' is defined as any Monday to Friday excluding public holidays as defined by ACAS.
- 3.2 If a complaint is raised during a period of school closure, the timescales indicated in the procedure will commence from the first day of the school being open. Where a complaint is raised immediately prior to a period of closure, the availability of any person(s) who may need to be interviewed as part of any investigation will be taken into consideration by both parties when mutually agreeing any required extension to the timeframes.
- 3.3 A grievance should normally be raised within three calendar months of the occurrence of the event, act or issue that is the subject of the complaint (or last of a series of acts, events or issues). Should an employee wish to raise a complaint outside of this period they will need to demonstrate that:
 - They have made reasonable attempts to resolve the matter informally outside of the grievance process.
 - They could not reasonably be expected to have known about the issue and/or could not have raised the complaint within 3 months of first becoming aware of it.
 - Or it is the latest in an ongoing series of incidents.

Where grievances are received from ex-employees, a written response will be provided.

4. Application of the Policy

- 4.1 The term employee includes the CEO, Head Teachers, centrally employed Trust employees, all teaching staff and all support staff, to whom this policy applies in full.
- 4.2 If a Head Teacher wishes to raise a grievance, they should first try to resolve concerns informally through discussion with the CEO and/or Chair of Governors. If they are unable to resolve the grievance in this way, the Head Teacher should write to the CEO, to agree a format for a formal procedure.
- 4.3 If the Head Teacher wishes to raise a grievance against the CEO, the Head Teacher should first try and resolve concerns informally through discussion with the CEO. If they are unable to resolve the grievance in this way, they should write to the Chair of Trustees, to agree a format for a formal procedure.

5. Raising Grievances Informally

- 5.1 Most grievances can be resolved quickly and informally through discussion with your line manager or Head of Department. If you feel unable to speak to your manager, for example, because the complaint concerns them, then you should speak informally to a member of the Senior Leadership Team or the Headteacher (or the CEO or the Chair of Trustees if you are a Head Teacher or a centrally employed Trust employee).
- 5.2 If informal discussions do not resolve the issue, you should follow the formal procedure below.

6. Formal Written Grievances

- 6.1 If your grievance cannot be resolved informally, you should put it in writing and submit it to your line manager or Head of Department, indicating that it is a formal grievance. If the grievance concerns

your line manager or Head of Department, you may submit it to the Headteacher (or the CEO if you are a Head Teacher or a centrally employed Trust employee) instead.

- 6.2 The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations, we may ask you to provide further information.

7. Grievance Meetings

- 7.1 We will arrange a grievance meeting with you, normally within 10 working days of receiving your grievance. The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made.
- 7.2 The School (the Trust if you are Head Teacher or a centrally employed Trust employee) will decide on the appropriate person to conduct the grievance meeting with you and to determine the outcome of your grievance, taking into account the nature of your complaint and any person/s to whom the complaint relates.
- 7.3 The grievance meeting may be conducted by your line manager or Head of Department. If the complaint concerns your line manager or Head of Department, the hearing may be conducted instead by another member of the Senior Leadership Team or the Headteacher (the CEO if you are Head Teacher or a centrally employed Trust employee). It may in some circumstances be appropriate for your meeting to be conducted by a governor (or a Trustee if you are Head Teacher or a centrally employed Trust employee).
- 7.4 You may be accompanied by a work colleague or an accredited trade union official at any grievance meeting.

8. Grievance Investigations

- 8.1 It may be necessary to carry out an investigation into your grievance. The investigation may be initiated before holding the grievance meeting with you where appropriate. In other cases, the grievance meeting may be held first before deciding what investigation (if any) to carry out.
- 8.2 If an investigation is necessary, the amount of any investigation required will depend on the nature of the allegations and will vary from case to case. The investigation may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents. You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.
- 8.3 An investigation may be carried out either by the person appointed to conduct your grievance meeting and determine your grievance or by an appropriate investigating officer appointed by the school (the Trust if you are a Head Teacher or a centrally employed Trust employee).

9. Grievance Outcome

- 9.1 Following your grievance meeting/s and any investigation carried out, the person appointed to determine the outcome of your grievance will write to you within 10 working days to inform you of the outcome of your grievance and if appropriate any further action that the school (the Trust if you are a Head Teacher or a centrally employed Trust employee) intends to take to resolve the grievance.

- 9.2 Where appropriate we may hold a further meeting to give you this information in person.
- 9.3 The school (the Trust if you are a Head Teacher or a centrally employed Trust employee) will also remind you of your right of appeal.

10. Appeals

- 10.1 If the grievance has not been resolved to your satisfaction you may appeal in writing to the Clerk of the Governing Body (Clerk of the Trust Board if you are Head Teacher or a centrally employed Trust employee) within 10 working days of the grievance decision you are appealing against, setting out the grounds for and basis of the appeal in writing.
- 10.2 We will hold an appeal meeting, normally within 10 working days of receiving your written appeal. Grievance appeals will usually be heard by a panel of three Governors (or 3 Trustees if you are a Head Teacher or a centrally employed Trust employee).
- 10.3 You may be accompanied by a work colleague or an accredited trade union official at any grievance appeal hearing.
- 10.4 No decisions will be made during the appeal hearing itself. The panel may consider it necessary to carry out further investigations before reaching any decisions.
- 10.5 The panel will confirm its final decision in writing within 10 working days. .
- 10.6 This is the end of the procedure and there is no further appeal.

11. Support for Employees

- 11.1 Employees are encouraged to talk to their line manager, assuming the line manager is not the subject of the grievance. In addition, all employees are also able to access the Trust's Employee Assistance provider: www.healthassured.org for confidential support. Employees may also seek support from their trade union/professional association.
- 11.2 An equality impact assessment of this policy has been undertaken to ensure that no groups or individuals with protected characteristics are unintentionally disadvantaged by the policy or practice.

THE GRIEVANCE PROCESS

APPENDIX 1

