

LT2 Grievance Policy and Procedure

Name of Policy	LT2 GRIEVANCE POLICY AND PROCEDURE	
Policy Level (Trust/School)	Trust	
Document Control		
Date	Revision Amendment Details	By whom
October 2021	Review and internal consultation	HR Advisor
October 2021	Adopted by Trust Board	Trustees
October 2022	Proposed date for review subject to statutory update as required	HR Advisor

Table of Contents

LT2 Vision, Mission & Values	3
Definitions	3
1. Organisation and Responsibilities	4
2. Using this policy and Procedure	5
3. Policy Statement	6
4. Procedure	7
5. Mediation	10
Appendix A – Advice for conducting grievance hearings and appeals	10
Appendix B - Employees Notification of Grievance	12

LT2 Vision, Mission & Values

Vision

Vision is to build a group of outstanding schools across phases, including specialist provision, to become (a mid-size) Trust that provides vibrant and inclusive learning environments in which every member of the learning community is passionate about learning. The Trust is led by a CEO who works closely with Headteachers who lead the two schools supported by a central team to support finance, HR, estates and governance.

Mission

LT2 Trust and schools will have a relentless focus on high achievement, supported by robust organisational structures and governance. We aim to give children and young people in our care the knowledge, skills and experiences to expand their minds and world view to enable them to develop a naturally inquisitive approach to learning and life, fit for an ever-changing world.

Ultimately, we will educate and support all children attending LT2 schools to grow into capable and contributing citizens who have developed the personal attributes and characteristics that will enable them to become considerate, self-reliant and confident young people who are ready for the next stage of their lives.

Values

The Trust Values underpin the mission and provide the basis on which LT2 schools can articulate the key behavioural characteristics that promote a positive philosophy. Our six values are unseen drivers of our behaviour as experienced by others and are designed to create a shared organisational culture:

Kindness – The quality of friendliness, generosity, and consideration

Collaboration – The belief that working and learning with others will lead to greater success

Curiosity – A strong desire to know and to learn

Resilience – The ability to recover quickly and learn from the difficulties we face

Respect – To appreciate the importance of understanding and admiration for others and self

Endeavour – The belief that hard work is needed to achieve something of which we can be proud

Definitions

- Where the word 'Trust' is used in this document it refers to The Learning Today Leading Tomorrow Trust.
- Where the words 'Trust Board' are used it refers to the board of Trustees who set the vision for the Trust and hold the executive leadership team to account for delivering the Trust's strategic plan.

1. Organisation and Responsibilities

1.1 Introduction

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 without unreasonable delay. Grievances are concerns, problems or complaints that employees raise with their employers.

We aim to

- Investigate any formal grievance you raise
- Hold a meeting to discuss it with you
- Inform you in writing of the outcome
- Give you a right of appeal if you are not satisfied.

This procedure does not form part any contract of employment and the trust may vary or amend it at any time. It does however set out the trust's current practices and employees are strongly advised to familiarise themselves with its content.

1.2 Guidance under this Policy

The Trust HR Advisor is responsible for providing advice and guidance under this policy and reviewing and updating the policy as required.

1.3 Board of Trustees

The Board of Trustees, as a corporate body, has the responsibility to set the strategic direction and objectives of all matters across the Trust.

The Board of Trustees is responsible for ensuring that high standards of corporate governance are maintained

The Chair of the Trust is responsible for managing the CEO, Trustees and Governors under this policy.

1.4 The Chief Executive Officer (CEO)

The CEO of Learning Today leading Tomorrow Trust (LT2):

- Takes overall responsibility for the implementation of policies and procedures
- Must provide reports as appropriate to Trustees in relation to this policy
- Ensure that sufficient resources are allocated and authorised within the organisations budget to meet statutory procedures and standards across the Trust
- Is responsible for managing the Headteachers and centrally appointed staff under this policy

1.5 Headteachers

Headteachers of LT2 schools are responsible for:

- The implementation of and compliance with this policy within their school ensuring competence in those staff who are responsible for and involved in the operation of this policy and associated guidance
- Identifying training needs
- Communicating this policy to all relevant people within the school
- Managing school-based teaching and associate staff under this policy

1.6 Senior and Middle Leaders (and other Supervisory Roles)

Although the Headteacher is responsible overall for the implementation of this policy in their school, managers have some specific responsibilities:

- Applying this policy within their own department and area of work
- Resolving any issues members of staff refer to them, informing the Headteacher of any issues to which they cannot achieve a satisfactory solution with the resources available to them
- Where required, conduct formal meetings, undertake relevant training in relation to this policy and ensure effective and competent operation of this policy

1.7 Other Employee Duties

All employees have a responsibility to:

- Comply with this policy and to co-operate with the schools' leadership and management on all matters relating to it
- Undertake any training recommended by their line manager

This policy applies to all employees of Learning Today Leading Tomorrow in either a permanent, fixed term or temporary post. It also applies to applicants for employment, volunteers and trainees.

1.8 Related Policies and Procedures

- LT2 Disciplinary Policy
- LT2 Code of Conduct

1.9 Review

This policy will be reviewed annually subject to statutory updates.

These procedures have been agreed by the board of trustees, who will approve them whenever reviewed.

2. Using this policy and Procedure

Issues that could cause grievances may include:

- Terms and conditions of employment
- Health and safety

- Work relations
- Bullying and harassment
- New working practices
- Working environment
- Organisational change
- Discrimination.

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.

3. Policy Statement

The essential principles of this policy are:

- Employees should let their line-manager know the nature of their grievance and issues promptly, in order to try to resolve any grievance informally in the first instance and to try to resolve problems quickly (if the grievance is against their line manager, they should raise it with the next senior line manager)
- Employees should state at an early stage what outcome they want from the grievance process
- All grievances will be given full consideration and all relevant views obtained before a decision is reached
- Senior Leaders, Managers and employees should act consistently in accordance with the outlined procedures
- Senior Leaders and Managers will arrange any meetings without unreasonable delay and will carry out any necessary investigations and establish the facts of the case in advance of any formal meeting
- Senior Leaders and Managers will allow the employee to be accompanied at any formal meetings and will advise the employee of their right to appeal against any formal decision made
- All outcomes from formal meetings, with supporting justification, will be communicated to the employee(s) in writing
- Once the grievance has been satisfactorily resolved, the relevant manager will ensure that all corrective actions agreed (where applicable) are in-place and have had or are having the desired effect
- So far as is reasonably practicable, proceedings, evidence and records shall be kept confidential
- Grievances relating to Health and Safety issues should be made directly to either the Headteacher or CEO of LT2 Trust who are empowered to take immediate action.

We have a separate Anti-harassment and Bullying Policy that you should refer to if you have been the victim of bullying or harassment or wish to report an incident of bullying or harassment involving other people.

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.

Where an employee wishes to raise a concern on behalf of a child/young person they support, they should refer to the Complaints Policy.

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.

4. Procedure

If you have a complaint or concern, you should follow the procedures below:-

4.1 Raising Grievances Informally

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 him or her, then you should speak informally to a member of the Senior Leadership Team, the Headteacher, the CEO or Trust HR Advisor.

The line manager (or other appropriate person) will normally hold a confidential meeting to discuss the grievance with one or both of the parties to try to resolve the matter. Conversations will be handled in a way that is sensitive to the circumstances and the needs of the individuals concerned. No assumptions will be made at the outset about the facts of the case.

If you feel that raising a grievance informally has not resolved the issue or you do not wish for it to be dealt with informally, you should follow the formal procedure below.

4.2 Formal Written Grievances

If your grievance cannot be resolved informally, you should put it in writing using the Notification of Grievance form (appendix B) 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 instead.

Where the Grievance relates to the Headteacher or a member of the trust executive team, the grievance should be submitted to the CEO of LT2 Trust. In such instances, the employee's right of appeal will be to the Chair of the Trust Board. Where the Grievance relates to the CEO of LT2, the grievance should be submitted to the Trust Board Chair. In this instance, the employee's right of appeal should be to a different trustee.

The written grievance should contain:

- A brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved
- Actions taken to resolve the matter informally and the reason for dissatisfaction with the informal solution (if appropriate)
- The outcome the employee is seeking

- Any witnesses to the matters complained about

When writing the grievance you should stick to the facts and avoid language that is insulting or abusive.

In some situations, we may ask you to provide further information.

A formal grievance should normally be submitted no later than 10 working days after the act or omission complained of, or no later than 10 working days after the last act or omission in a series of linked events, unless there is a good reason for the delay.

Where more than one member of staff has lodged a grievance relating to the same or substantially the same issue, the Trust may deal with the grievances together in the interests of fair and consistent decision-making. In these cases, the trust will ensure to:

- Follow the same formal procedure for all grievances
- Keep information confidential
- Consider what each individual employee wants
- Explain to the employees how their grievances are being dealt with.

The Trust may decide to have a single meeting to cover all grievances, if all employees agree. Nevertheless, each employee still has the right to their own grievance meeting in which employees who are part of the grievance are not present.

4.3 Grievance Meetings

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.

The Trust 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.

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. Where the Grievance relates to the Headteacher or a member of the Trust executive team, the hearing may be conducted by the CEO of the Trust or a trustee. Where the Grievance relates to the CEO of the Trust, the hearing will be conducted instead by the Trust Board Chair or another trustee.

For Trust based employees, it may be appropriate for your meeting to be conducted by a trustee.

You may be accompanied by an appropriate work colleague or an accredited trade union official at any grievance meeting. The trade union representative or work colleague may address the hearing to put and sum up the employee's case, respond on behalf of the worker to any views expressed at the meeting and confer with the worker during the

hearing. The companion does not, however, have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

Where a chosen representative is not available at the proposed time and date, they may propose an alternative time. If this suggestion is reasonable and falls within 5 working days of the original date, the meeting will be postponed to that date and time if possible.

You must notify us prior to the meeting of your intention to be accompanied and provide the name of your companion.

4.4 Grievance Investigations

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.

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.

An investigation may be carried out either by the person appointed to conduct your grievance meeting and determine your grievance or by someone else appointed by the Trust for Trust based employees.

4.5 Grievance Outcome

Following your grievance meeting/s and any investigation carried out, the person appointed to determine the outcome of your grievance will write to you to inform you of the outcome of your grievance and if appropriate any further action that the Trust intends to take to resolve the grievance.

Where appropriate we may hold a further meeting to give you this information in person. The Trust will also remind you of your right of appeal.

4.6 Appeals

If the grievance has not been resolved to your satisfaction you may appeal in writing to the next senior line-manager or CEO or Trust Board within 10 working days of the grievance decision you are appealing against, setting out the grounds for and basis of the appeal in writing. 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 senior or executive leaders for school based grievances and a panel of three Trustees for Headteachers and Trust based executives.

You may be accompanied by an appropriate work colleague or an accredited trade union official at any grievance appeal hearing.

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.

The panel will confirm its final decision in writing without unreasonable delay. This is the end of the procedure and there is no further appeal.

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. You will be informed of this decision in writing.

5. Mediation

Mediation involves an independent, impartial person working with both sides to find a solution and may be used at any stage of the process. The mediator may be someone from inside or outside the organisation. Both sides will need to agree to mediation.

Appendix A – Advice for conducting grievance hearings and appeals

Procedure to follow when conducting staff Grievance Hearings (Stage 1) and Appeals (Stage 2)

Stage 1 hearings will be chaired by the Headteacher (unless the Headteacher is the respondent or has previously been involved in the matter, in which case the CEO will hear the case).

Stage 2 hearings will be carried out by three senior managers (unless the Headteacher is the respondent in which case three Trustees or will hear the case).

In chairing the meeting, the person responsible should:

- check that everyone has the appropriate papers
- explain the way that the meeting will be structured, including any time constraints
- provide an opportunity for comments and clarification before commencement of the meeting
- advise that should it become necessary to adjourn the meeting, a target timescale for this will be agreed at the meeting

The chair of the hearing should ensure that the following procedure is observed:

- the complainant should introduce their submission, explaining the reason for their complaint (at Stage 2, the complainant should also explain why they are dissatisfied with the Stage 1 outcome)
- the nominated manager/chair may ask questions during or after the complainant's presentation
- the respondent to the grievance may ask questions at the end of the complainant's presentation
- the complainant may present witnesses who may be questioned by the nominated manager/chair and the respondent
- the respondent should respond to the complaint
- the nominated manager/chair may ask questions during or after the respondent's presentation

- the complainant may ask questions at the end of the respondent's presentation
- both parties should be given the opportunity to sum up beginning with the complainant
- the nominated/chair has a final opportunity to clarify any points
- the Chair should then adjourn the hearing to consider the complaint.
- All parties, except anyone advising the Chair, should withdraw

The nominated chair hearing the case will consider what was said by all parties together with any written submissions. If the nominated chair hearing the case is confident that there is sufficient information to reach a decision and no further investigation is required, then the decision may be given orally to both parties. The decision, with reasons, should be confirmed in writing within five working days.

The decision following a Stage 2 appeal will be final.

Appendix B - Employees Notification of Grievance

This form should be used to submit a grievance in accordance with Stage 1 of the formal Grievance Procedure. You should complete the form and send it to the Headteacher (or the CEO if the Headteacher is the respondent). You are advised to keep a copy.

1. Name:	2. Post held:
3. Describe briefly (continue overleaf if necessary):	
a. The nature of your grievance	
b. When you first raised your grievance, and with whom	
c. What action has been taken on your guidance at the informal stage?	
d. Reason for dissatisfaction with the informal solution (if appropriate)	
e. What outcome you are seeking?	
f. Any witnesses to the matter complained about	