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# OWLS Academy Trust

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## Employee Grievance Policy

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Reviewed annually

Approved by Jonathan Tedds, Chair of Governor

Policy developed by



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This policy applies to all staff employed by The OWLS Academy Trust. Throughout this policy, unless indicated otherwise, all references to 'Head Teacher' include the CEO.



## Purpose

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The purpose of this policy is to provide a framework within which employees can raise individual or collective grievances and managers can deal with those grievances in an appropriate manner.

This policy covers matters previously addressed by two separate policies, namely: **Dignity at Work** and **Grievance** policy. Under this policy all complaints relating to the following will be fully considered and investigated by the academy trust / school:

- **Dignity at Work** includes complaints regarding unacceptable behavior such as bullying, harassment and victimization;
- **Grievance** includes concerns, problems or complaints raised by and employee regarding their working conditions or relationship with colleagues



## Mediation

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Mediation can play an important role in resolving problems between employees. Mediation is an informal, voluntary process, which can be used to resolve disagreements in the workplace. Employees are encouraged to consider using mediation at both the informal stages of a grievance, or if necessary as a result of the formal stages being invoked. If required, further information will be obtained from LCC Strategic HR Service who will be able to appoint a trained mediator to work with those employees or groups to help agree a mutually acceptable solution.



## Day to Day Management

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Wherever possible, employees should be supported in trying to resolve the problem informally. This can often be done effectively by the individual raising the issue directly with their line manager, either orally or in writing. If the grievance relates to the individuals line manager, it should be referred to the line manager's manager.

Whilst the grievance is being considered the status quo will apply.



## Investigating Officer

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An investigating officer may need to be appointed in order to carry out a thorough investigation and collate appropriate information to establish the facts of the case.

The role of investigating officer will be to investigate the issues raised, interview witnesses as appropriate, establish the facts and make any recommendations for resolution. Academies must ensure that the investigating officer is impartial.

Investigations will vary in the level of detail required, which must be proportionate to the matter in question.



## Formal Process

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Where the employee feels that their grievance has not been resolved informally or where it is sufficiently serious enough, the grievance should be put in writing to a manager who is not the subject of the grievance. The letter should specify the exact nature of the complaint and the resolution that the employee wishes to see whilst attaching any relevant evidence.

Following the receipt of the grievance formal acknowledgement of the grievances should be sent to the employee and a meeting arranged without unreasonable delay.

Individuals have the statutory right to be accompanied at formal meetings by either a work colleague or trade union representative. The meeting will allow the individual to elaborate on the points raised in their written grievance and will inform the next steps of the investigation.

Where an investigating officer has been appointed they will produce a report outlining their findings, summary and recommendations.

Based on the outcome of the investigation the manager will give one of the following outcomes:

- The grievance is upheld;
- The grievance is partially upheld; or
- The grievance is not upheld.

A summary of the findings should be provided to the complainant and where necessary any other individuals that the complaint is against. The outcome to the process must be confirmed to the complainant in writing outlining their right of appeal against the decision.

If the grievance has been raised against another individual(s) consideration should be given as to how the parties are going to work together moving forward.



## Withdrawing the Grievance

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If at any point the employee who has instigated the grievance procedure wishes to withdraw his/her grievance, they should confirm this in writing and submit this to the same individual they originally submitted the grievance letter to.



## Appeal

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Where an individual is not satisfied with the outcome of their grievances at the formal stage, the individual will have the right of appeal. In order to proceed to an appeal hearing they will need to provide the reasoning for their appeal together with any relevant evidence. The appeal will be held in line with the Appeals Policy.



## Re-establishing Working Relationships

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Regardless of the outcome, the alleged perpetrator and the recipient **must** attend a mandatory joint meeting to discuss what support or action is required to assist them to re-establish their working relationship. The Decision Making Manager should ensure that this meeting is scheduled to take place as

soon as possible after the parties have been advised of the investigation outcome. A third party (e.g. manager, HR representative) should be involved in this meeting to help facilitate a solution.

The meeting should focus on agreeing strategies to assist the parties to resume and repair their working relationship. A potential outline of the meeting might include:

- Explaining the purpose of the meeting (i.e. it is not to revisit the complaint previously investigated, it is about moving forward);
- Identifying potential areas of concern and explore these with the parties;
- Encouraging open and honest communication;
- Confirming the key points agreed to help move forward;
- Re-affirming that both parties have a responsibility to ensure good working relations are maintained and that failure to do so could lead to disciplinary action being considered.