

# GRIEVANCE POLICY

**Document Owner:** HR Director

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**Status:** Statutory



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## 1. PURPOSE

- a. The purpose of this policy is to give all employees a means to resolve complaints or grievances relating to their role or employment and has been designed to ensure that these are dealt with and resolved quickly, fairly and as closely as possible to the point of origin. This helps to prevent minor disagreements developing into more serious disputes.
- b. This procedure does not apply to those matters for which other established complaint/appeal arrangements are in place. These include but are not limited to:
  - i. Disciplinary Action;
  - ii. Action taken under Capability;
  - iii. Supporting Attendance procedures;
  - iv. Pay and Grading;
  - v. The Staff Performance Management process;
  - vi. Recruitment and Selection;
  - vii. Redundancy including RITSSE.
- b. This policy is available at all Academy offices and on the web site.
- c. This policy has been through consultation with the Trade Unions

## 2. SCOPE

- a. It should be emphasised that the underpinning principle of this process is that employees should, wherever possible, seek to make a concerted effort to resolve their differences informally in the first instance without recourse to formal procedures. Such informal resolutions generally enable colleagues to resume productive and professional working relationships by finding mutually acceptable solutions to workplace problems and issues.
- b. At all stages of the process, confidentiality must be maintained and respected by all involved in the process.
- c. Both parties to a formal grievance are entitled to be accompanied by a Trade Union Representative or work colleague. In addition, both parties may seek advice and support from the HR department.
- d. For the purpose of the formal procedure, the term grievance means a complaint meeting the following requirements:
  - i. The grievance must be specific to the individual employee and relate to their employment;
  - ii. The grievance must be substantial in the sense that, if the facts were as stated by the employee, it would be reasonable to conclude that significant grounds for complaint existed;
  - iii. The grievance must involve a complaint about unfairness, e.g. where an employee complains that he/she has been deprived of some benefit to which he/she is entitled or has been treated in a biased manner or has been induced to do something by a misrepresentation, the grievance should not be because an employee disagrees with a decision that has been taken;
  - iv. Resolution or redress should be reasonable and be realistic.
- e. With the agreement of both parties, in some cases, and where the informal process has been unsuccessful, independent mediation can be an alternative to resorting to the formal stage of the process, particularly with problems involving working relationships. To discuss mediation please contact your HR Advisor or Trade Union representative who can make the necessary arrangements. If mediation does not resolve the issue, then employees may move straight to the formal stage of the procedure
- f. Written records of any grievance that is dealt with should be kept. Records should be treated as confidential and be kept no longer than necessary in accordance with the records retention policy. Records should include:
  - i. The nature of the grievance raised;
  - ii. A copy of the written grievance;
  - iii. The Academy's response;
  - iv. Decision and actions taken;
  - v. The reason for the actions taken;
  - vi. Whether an appeal was lodged;
  - vii. The outcome of the appeal.
- g. Management notes should be taken at all grievance meetings. Witnesses should be informed that their statements/meeting notes may be disclosed to all parties concerned.

## **3. COMPLIANCE AND IMPLEMENTATION**

### **3.1 Standard Academy Procedure**

#### **3.1.1 Individual Grievance**

- a. When the employee's grievance is about a colleague, and the employee feels able, the employee should approach the other member of staff concerned to see whether the grievance can be resolved by informal discussion. Most concerns can usually be resolved in this way.
- b. Where an employee is aggrieved about any other matter relating to their employment, the appropriate course of action, in the first instance, is for the employee to discuss their concerns with their Headteacher/Principal/Line Manager. At this stage the meeting should ideally be as informal as possible. Should an employee request to be accompanied by their Trade Union or work colleague at this initial stage, this will not unreasonably be refused. It may not always be necessary for employees to be represented at the initial stage of the procedure but it is important to note that Trade Union representatives have an important role to play in resolving matters throughout the various stages of the procedure. If an employee feels unable to raise concerns directly with their line manager or the Headteacher/Principal they may contact the HR department for advice and support.
- c. Where, after every effort has been made, the grievance cannot be resolved informally it can be raised under the formal grievance procedure.

#### **3.1.2 Collective Grievance**

- a. Where more than one individual raises the same grievance to the Headteacher/Principal/Line Manager this will normally be dealt with as a single collective grievance rather than as a number of individual complaints. With employee's agreement Trade Union or other work-based representative can raise the matter informally on behalf of all those employees involved and can represent them through the various stages of this procedure.
- b. Similarly, If the grievance relates to issues across a number of Academies the grievance will be dealt with as a collective grievance rather than individual complaints. The Trade Unions or other work-based representatives must raise the matter informally in the first instance on the basis of a collective grievance. Should grievances on behalf of employees be raised separately by the Trade Unions or work-based representatives the Academies will reserve the right as appropriate to treat the grievance as a collective grievance by informing those Trade Unions or work-based representatives, that they can represent the employees collectively through the stages of this procedure. Similarly, Headteachers/Principals of each respective Academy will form a panel advised by HR to informally address the concerns as a collective response relevant to their Academies.
- c. Where a grievance is brought on behalf of more than one person, the Trade Union(s) or work-based representative must ensure they have the express consent to bring the grievance on behalf of the people concerned (if less than 20 employees). This information must be made available to the Academy where the person is employed.
- d. In exceptional circumstances, where there is a failure to resolve a collective grievance, conciliation may be sought from external agencies, such as ACAS with the agreement of both parties. Trade Union representatives are advised to inform their Regional Officers where conciliation is sought.

### **3.2 Formal Stage**

#### **3.2.1 Individual Grievance**

- a. If the employee remains dissatisfied in terms of the outcome from the informal stage of the grievance, they should submit this in writing and send to the Headteacher/Principal/Line Manager. The grievance should clearly set out the facts, dates and those involved in as much detail as possible; the objective of raising the grievance should be identified by the employee, together with the decisions they wish to seek as an outcome.
- b. The Headteacher/Principal/Line Manager will write (where possible within 5 working days of receipt of the grievance) to invite the employee to a meeting to discuss the matter formally. The Headteacher/Principal/Line Manager will contact HR department for support and notify the employee in writing of the employee's right to be represented at the meeting. The Headteacher/Principal/Line Manager may appoint an Investigating Officer. In all cases, every effort should be made for the meeting to be held within 10 working days of receipt of the individual's written grievance. (This should be conducted personally by the Headteacher/Principal/Line Manager or through a nominated representative).
- c. All information that is to be presented at the meeting should be provided to the Headteacher/Principal/Line Manager and their HR advisor, at least 3 working days before the meeting is to take place. This is to help ensure that the Headteacher/Principal/Line Manager has a full understanding of the issues being discussed. In exceptional circumstances, information can be submitted on the day of the meeting; however, this is at the discretion of the Headteacher/Principal/Line Manager. In these circumstances, depending on the amount of information submitted, it may be necessary to reschedule the meeting.

- d. The employee or representative will have the opportunity at the meeting to explain the grievance in detail and say how they would like it to be resolved. Every effort will be made by the Headteacher/Principal/Line Manager to resolve the matter at this stage.
- e. The employee is entitled to be represented at the meeting, if they wish, by either a Trade Union representative or a colleague. The Trade Union representative or colleague should be allowed to address the meeting, to present and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the meeting. The Trade Union representative or colleague does not have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it or prevent the Headteacher/Principal/Line Manager from explaining their case.
- f. In some circumstances, it may be necessary to gather information about the matter or to adjourn the meeting so that certain details can be looked into, before discussing it further.
- g. After the meeting the Headteacher/Principal/Line Manager will respond to the grievance in writing, where possible within 5 working days, explaining the outcome and any action to be taken to resolve the grievance and the right to take the matter to the next stage. Where it is not possible to respond within 5 days, the individual should be contacted in writing and advised of the estimated timescale within which a substantive response will be provided.

### **3.2.2 Collective Grievance**

- a. In the cases of a collective grievance the Trade Union representatives or work-based representatives shall submit this in writing to the Headteacher/Principal/Line Manager. Where the grievance relates to an issue/s across a number of Academies a panel of nominated Headteacher/Principal/Line Managers will be convened. The panel will consist of one Headteacher/Principal/Line Manager from each respective Academy.
- b. Where the collective grievance is about a particular Academy, the relevant Headteacher/Principal/Line Manager will investigate.
- c. The Headteacher/Principal/Line Manager/Panel of Headteacher/Principal/Line Managers should respond to the grievance in writing to the respective parties, where possible within five working days explaining the outcome and any action to be taken to resolve the grievance and the right to take the matter to the next stage. Where it is not possible to respond within 5 days, the individual should be contacted in writing and advised of the estimated timescale within which a substantive response will be provided.

## **3.3 Headteacher/Principal/Line Manager**

### **3.3.1 Informal Stage**

- a. Where the grievance is about the Headteacher/Principal/Line Manager and the employee feels able to, the employee should approach the Headteacher/Principal/Line Manager to see whether the grievance can be resolved by informal discussion most concerns can usually be resolved in this way. Or the employee may choose to contact the CLT HR department directly. Should the employee request to be accompanied by their Trade Union or work colleague at this initial stage, this will not unreasonably be refused. It may not always be necessary for employees to be represented at the initial stages of the procedure but it is important to note that Trade Union representatives have an important role to play in resolving matters throughout the various stages of the procedure. Headteachers/Principals should ensure that they keep records of the grievance raised and the action taken. These records should be treated as confidential and should be kept no longer than necessary in accordance with the records retention policy.
- b. Where, after every effort has been made, the grievance cannot be resolved informally it can be raised under the formal grievance procedure.

### **3.3.2 Formal Stage One**

- a. Where the employee's grievance is with the Headteacher/Principal/Line Manager and has not been resolved by informal action, the grievance needs to be submitted in writing to the Chair of Governors. The grievance must set out fully the nature of the grievance in writing clearly explaining the events, dates, facts and details of any witnesses where possible, it should also state the desired resolution the employee seeks. This information should be sent to the Chair of Governors of the Academy. A copy of the grievance must be given to the Headteacher/Principal/Line Manager.
- b. The Chair of Governors of the Academy must discuss the matter with Human Resources who will advise on the process. The Chair of Governors will appoint an individual governor at the Academy to hear the grievance or another external third party to hear the matter.

- c. The nominated Officer should initiate a meeting with the aggrieved employee without unreasonable delay and should:
- i. Write (where possible, within 5 working days) to invite the employee to a meeting to discuss the matter formally and notify the employee in writing of the employee's right to be represented at the meeting. In all cases, every effort should be made for the meeting to be held within 10 working days of receipt of the individual's written grievance;
  - ii. All information that is to be presented at the meeting should be provided to the Governor/External third party and their HR advisor, at least 3 working days before the meeting is to take place. This is to help ensure that the hearing Governor/External third party has a full understanding of the issues being discussed. In exceptional circumstances information, can be submitted on the day of the meeting; however, this is at the discretion of the hearing Governor. In these circumstances, depending on the amount of information submitted, it may be necessary to reschedule the meeting;
  - iii. The employee or representative will have the opportunity at the meeting to explain the grievance in detail and say how they would like it to be resolved. Every effort will be made by the Governor to resolve the matter at this stage;
  - iv. The employee is entitled to be represented at the meeting, if they wish, by either a colleague or Trade Union representative. The Trade Union representative or colleague should be allowed to address the meeting, to present and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the meeting. The Trade Union representative or colleague does not have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it or prevent the Headteacher/Principal/Line Manager from explaining their case;
  - v. In some circumstances, it may be necessary to gather information about the matter or to adjourn the meeting so that certain details can be looked into, before discussing it further;
  - vi. After the meeting the Governor will respond to the grievance in writing, where possible within 5 working days, explaining the outcome and any action to be taken to resolve the grievance and the right to take the matter to the next stage. Where it is not possible to respond within 5 days, the individual should be contacted in writing and advised of the estimated timescale within which a substantive response will be provided.
- d. Copies of the response should be forwarded to the employee and the Headteacher/Principal/Line Manager about whom the grievance has been made.

### **3.3.3 Formal Stage Two - Appeals**

- a. If the employee is dissatisfied, they can appeal within 10 working days of the written response at the Formal Stage.
- b. The Appeal will be heard by the Appeals Committee who will invite the employee to attend a further meeting to appeal against the decision. The employee will be notified in writing of their right to be accompanied at the meeting
- c. In all cases, every effort should be made for the appeal hearing to be held within 10 working days of receipt of the individual's written appeal.
- d. The Trustees/External third party will also be invited in order to deal with any issues raised concerning the conduct of the original grievance.
- e. Employees have the same right to be represented at appeal hearings as at the Formal Stage.
- f. Following the appeal hearing, the Chair of the Appeal Committee will respond to the appeal in writing, where possible within 5 working days, either upholding the appeal or turning down the appeal and thus supporting the original grievance decision. Where it is not possible to respond within 5 days, the individual should be contacted in writing and advised of the estimated timescale within which a substantive response will be provided.
- g. The letter will give reasons for the decision and, where the appeal is upheld, explain in what respect the original grievance decision has been varied, and what action, if any, will be taken to attempt to resolve the grievance.
- h. The decision taken at the appeal stage on the matter will be deemed final.

### **3.3.4 Managing The Process During Absence**

- a. In the interests of progress for all parties, the grievance may continue to be heard during absence following consultation with Occupational Health and the employee concerned or their representative.
- b. If an employee is not fit to attend meetings concerning their grievance consideration will be given to the employee being allowed to send a representative or make written representations instead, or the matter being delayed until the employee is fit to attend.

## 4. DOCUMENT INFORMATION

KEY INFORMATION		ASSOCIATED DOCUMENTS	
Contact Name:	HR Director		
Date Effective:	January 2026		
Version:	V2.5	DISTRIBUTION	
Frequency:	Annual	Name:	All academies
Next Date:	January 2027	Date:	14.1.26
REVIEW BODY		Websites:	n/r
Name:	Compliance Director	Sharepoint (pdf):	14.1.26
Date:	January 2026	APPROVAL	
		Name:	Trustees Board
		Date:	n/r
VERSION HISTORY			
Version:	Date:	Change:	
0.1	April 2020	New Document	New Policy
1.0	Sept 2020	Annual review	Corporate format, no other changes
2.0	Sept 2021	Annual review	Re-write
2.1	June 2022	Annual review	No changes
2.2	June 2023	Annual review	Review and minor grammatically updates
2.3	June 2024	Annual review	Date changes only
2.4	June 2025	Annual review	Re-write
2.5	January 2026	Annual review	Date changes only