

Grievance Policy

CMAS School Devon

CMAS School Gloucestershire



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Aim

CMAS supports and empowers staff to work effectively as a team to meet the needs of children, Young People and their families. This policy aims to enable employees to raise concerns about workplace issues without fear of victimisation and repercussion, and to ensure all grievances are dealt with fairly and objectively.

1. Definition

A **grievance** is a concern, problem or complaint raised with the school by an employee. It can be caused by issues such as working conditions, health and safety concerns, bullying or discrimination or work relations. This policy does not cover issues raised by people who are not employed by the school, as this would fall under our complaints procedure

2. Legislation and guidance

These grievance procedures are based on the [disciplinary and grievance code of practice from Acas](#).

3. Dealing with Grievances Informally

- a. If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your Manager. You may be able to agree a solution informally between you.
- b. Issues that could cause grievances may include:
 1. terms and conditions of employment;
 2. health and safety;
 3. work relations;
 4. bullying and harassment;
 5. new working practices;
 6. working environment;
 7. organisational change; and
 8. discrimination.

4. Formal Grievance

- a. If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your Manager. You should stick to the facts and avoid language that is insulting or abusive. Where your grievance is against your Manager and you feel unable to approach him or her you should talk to another Manager or the owner.
- b. 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.

Investigations

- c. It may be necessary for us to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents. The investigation may be carried out by your Manager or someone else appointed by us.
- d. 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
- e. We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

5. Right to be Accompanied

- a. You may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either a trade union representative or a colleague. You must tell your Manager **or** the person holding the grievance meeting who your chosen companion is, in good time before the meeting.
- b. At the meeting, your companion may make representations to us and ask questions, but should not answer questions on your behalf. You may talk privately with them at any time during the meeting.
- c. Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.
- d. If your chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, we may ask you to choose someone else.
- e. We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) if this will help overcome a disability, or if you have difficulty understanding English.

6. Grievance Hearing

- a. We will arrange a grievance meeting, normally within 10 days of receiving your written grievance.
- b. You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.
- c. 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.
- d. After an initial grievance meeting we may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay

- e. We will write to you, usually within 14 days of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal. Where appropriate we may hold a meeting to give you this information in person.

7. Appeal

- a. If you are unhappy with your Manager's decision and you wish to appeal you should let your Manager know. You will be invited to an appeal meeting, normally within 5 days, and your appeal will be heard by a more Senior Manager (or the company owner). You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.
- b. After the meeting the Manager (or owner) will give you a decision, without reasonable delay. The Manager's (or owner's) decision is final.

8. Mediation

- a. In addition, where appropriate and at any stage of the process, either party can request that the matter is subject to mediation, including the use of external third party mediators in an attempt to reach a mutually agreeable outcome.

9. Data Protection

- a. The organisation processes personal data collected during informal complaints and the formal grievance procedure in accordance with its data protection policy. In particular, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation's disciplinary procedure.

10. Links with other policies

This policy links with our policies on:

- Staff disciplinary procedures
- Complaints procedure, which sets out how grievances will be raised by those not employed by the school
- Equality