

Staff Grievance Policy

Approval and Effective Date:

This policy was approved by the Headteacher Andrew Dean on 02/09/2025 and is effective immediately.

Review Date: 01/09/2026

Purpose

This policy provides a clear framework for employees to raise grievances regarding terms and conditions of employment, health and safety, work relations, bullying and harassment, new working practices, the working environment, organisational change, and discrimination. Guidance is influenced by Employment Rights Act 1996, Equality Act 2010, ACAS Code of Practice on Disciplinary and Grievance Procedures, Trade Union and Labour Relations (Consolidation) Act 1992, Grievances should be raised promptly and dealt with without unnecessary delay. The process allows employees to resolve issues at the earliest stage possible, starting informally where appropriate. If unresolved, formal procedures will be followed. **Pay or grading issues should be addressed under the pay policy.*

Procedure

1. Raising a Grievance

Grievances can be submitted in writing, signed, and dated. If an employee raises a grievance verbally a senior leader or line manager will take a written record of the discussion. These minutes will be shared and participants will be invited to read and respond. Any requests for amendments or additions will be added, if fair to do so, to ensure clarity and support.

Grievances should include:

- The nature of the grievance.
- Reasons for the grievance
- Desired outcome and possible solutions.

2. Timescales

Grievances will be addressed promptly with no unreasonable delay in meetings, decisions, or responses. ACAS recommends 10 working days for informal resolutions and 20 working days for formal investigations. Formal meetings will be arranged promptly with senior leaders, line managers or any appropriate staff. Balance Alternative Provision recognises the role of unions or Balance employees, and will be given the opportunity to engage a representative if required. Information of representation should be provided in advance in writing to info@balanceap.co.uk. Investigations and decisions will be communicated in writing. Action for resolution and a timeline of events will be clearly communicated.

3. Process

Informal discussion

Employees should attempt to resolve grievances informally, wherever possible. Stakeholders should have an open conversation and mutually agree on the outcome.

Formal Stage

If unresolved, a formal process will commence. Employees must put their grievance in writing and send it to the Headteacher. Senior leaders have the authority to bypass this step to meet the needs of their employees, if they believe mental wellbeing will suffer by prolonging the process. A meeting will be scheduled, and both parties will have the opportunity to discuss the grievance. During the meeting evidence will be collected. If there is no resolution, a senior leadership meeting will be arranged and a formal investigation launched. The Headteacher will provide a written response detailing any actions or decisions taken to resolve the issue.

Appeal Stage

Employees may appeal decisions in writing, and a voluntary mediation process may be used if both parties agree as a means of resolving the grievance. Appeals will be reviewed by someone not previously involved in the case.

Final Decision

The decision to uphold the original outcome is considered final within the school's grievance procedure. The employee will be formally informed in writing that the appeal has been overruled, along with the reasons for this decision. This will be the end of the internal grievance process.

4. Employment Tribunal

If the grievance relates to employment rights (e.g., discrimination), the employee may have the right to take the case to an Employment Tribunal. In some cases, employees might escalate their concerns to professional or regulatory bodies relevant to the the Department for Education or a trade union for further action.

5. Monitoring and Review

The grievance process will be monitored for consistency, fairness, and adherence to equalities legislation. Confidentiality in line with data protection laws.

6. General Information

Raising a Grievance in Good Faith

If an employee raises a grievance in good faith, (a genuine belief the issue is valid), they cannot be punished or given a formal warning for doing so. It is the responsibility of the employer to investigate the grievance properly, regardless of its outcome.

False or Malicious Grievances

If an employee raises a grievance that is found to be false, malicious, or made with the intent to harm others (for example, spreading unsubstantiated rumors or deliberately misrepresenting facts), this could be considered misconduct. In such cases, the employee might face disciplinary action, which could include a formal warning or dismissal.

Inappropriate Grievances

If a grievance is considered inappropriate and falls outside the scope of the grievance policy (e.g., it's pay policy), the employee might be informed that the grievance cannot proceed under that particular procedure. However, this should **not** result in a formal warning unless the grievance was raised in bad faith or was part of a pattern of disruptive behavior.

7. Employers Rights

Employers have the right to assess whether the grievance is valid, based on the facts and the context. The grievance may relate to the process of discussing the performance issue or the employee's perception of how the meeting was conducted.

If the grievance is deemed to be unfounded or based on miscommunication, the employer can reject the grievance after a thorough investigation.

If the grievance stems from feedback given during a performance review, line manager conversation or meeting, the employer *still* has the right to continue managing the employee's performance through the appropriate channels. This may include a performance improvement plan, support plan, or issuing formal warnings if the employee is failing to meet job requirements.

If the grievance involves how the performance discussion was handled, the employer may need to clarify the process, ensure that communication is clear, and address any misunderstandings. All actions taken must be in line with fair treatment under employment law.