

Westcountry Schools Trust (WeST)

Grievance Policy and Procedure

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| Person(s) responsible for updating the policy: | Tori Cooper, HR Advisor |
| Dates consulted on with recognised unions: | From: 14 th May 2025 To: 25 th June 2025 |
| Date approved by Trustees: | 14 th July 2025 |
| Date of next review: | September 2027 |
| Status: | Final |

WeST Vision, Mission and Values

[Westcountry Schools Trust - Our Vision, Mission and Values](#)

Providing Accessible Formats

This policy has been written in a dyslexia accessible format, which can also support the needs of other neurodiverse groups. If you are unable to use this document and require it in a different format, please contact Human Resources who can provide alternative accessible formats by request.

WeST Policy Suite

All Trust HR Policies are accessible via the WeST Staff Portal. Please contact your local administrative office or Human Resources for log-in details.

HR Helpline: 01752 891754 ext. 1765

HR Email: HR@westst.org.uk

Policy quick read

Purpose

The policy aims to manage employee complaints regarding work, working conditions, or relationships with colleagues fairly and promptly.

Procedure Overview

Delegation of Authority: will usually be a Trust Headteacher, or an appropriate senior member of staff from the Trust Executive Leadership Team

Informal Procedures: Encourages resolving issues informally through discussion, facilitation, or use of certified mediation.

Formal Procedure:

1. **Submission:** Employee submits a formal complaint form (FC1).
2. **Acknowledgment:** Responsible Officer acknowledges receipt.
3. **Investigation:** Conducted by Responsible Officer or appointed investigator.
4. **Formal Grievance Meeting:** Held within 10 days to discuss the complaint unless agreed otherwise.
5. **Decision:** Communicated in writing within 5 days of the Formal Grievance Meeting.
6. **Appeal:** Employee can appeal within 5 days if unsatisfied with the decision.

Key Points

- **Confidentiality:** To be maintained by all parties throughout the process.
- **Support:** HR advice and support is available from the School's HR Advisor and should be sought at all formal stages.
- **Timescales:** Defined but can be extended by mutual agreement.
- **Being Accompanied:** Employees have the right to be accompanied by a trade union representative or work colleague at any stage of the grievance.
- **Non-Attendance:** HR advice should be sought for handling non-attendance at meetings.
- **Contact Information**

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1. Delegation of Authority

The Trust is committed to ensuring a consistent, fair, and equitable approach in all staffing matters, and will not discriminate either directly or indirectly on the grounds of an employee’s gender, age, disability, gender re-assignment, marital or civil partnership status, pregnancy, maternity status, race (including colour, nationality and ethnic or national origins), religion or belief, sex and sexual orientation.

In order to achieve this aim, there needs to be a clear delegation of authority throughout the structure of the Trust and for this purpose the term “Responsible Officer” shall apply as per the levels below:

| Delegation Key | |
|-----------------------|---|
| Line Manager | Person with formal line management responsibility as defined within the job description. |
| Level One | <p>If the employee is based within a school, the person with authority to act will be a Trust Headteacher, or an appropriate senior member of staff from the Trust Executive Leadership Team</p> <p>If the employee is based within the Core Services Team, the person with authority to act will be a member of the Executive Leadership Team</p> <p>If the employee is a Headteacher and dismissal is a potential outcome the person with authority to act will be the CEO, otherwise, the person with authority to act will be a Director of Education or the Deputy CEO</p> <p>If the employee is a member of Executive Leadership Team, the person with authority to act will be the CEO, unless they have acted as the Line Manager, in which case the person with authority to act will be the Chair of the Trust</p> <p>If the Employee is the Chief Executive Officer, the person with authority to act will be the Chair of the Trust</p> |
| Level Two | <p>Where Level One was the Headteacher the person with authority to act will be the Director of Education or Deputy CEO</p> <p>Where Level One was a member of the Executive Leadership Team the person with authority to act will be the CEO</p> |

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| | Where Level One was the CEO or the Chair of the Trust, the matter will be referred to a Trustee Appeal Panel |
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The Trust reserves the right in exceptional circumstances to vary the composition of the delegated authority / panel in order to ensure that meetings proceed without undue delay. In these circumstances the Trust will ensure that the responsible officer maintains appropriate standards of separation and confidentiality.

2. Introduction and Purpose

This policy has been written in a dyslexia accessible format, which can also support the needs of other neurodiverse groups. If appropriate, arrangements may be made to provide the policy in other accessible formats by request.

A grievance is a concern, problem or complaint raised by an employee regarding their work, working conditions or relationships with work colleagues.

Employees have a contractual responsibility to carry out the requirements of their job satisfactorily, to ensure that their conduct is appropriate and that they have good professional working relationships with their colleagues.

Employees should bring to the attention of management any concerns/problems/complaints that arise in the course of their work so that they can be resolved fairly and promptly.

Employees involved in the investigation and resolution of complaints must participate appropriately and with due regard to the Code of Conduct and the Dignity at Work Policy and Procedure

This policy should be used to manage a complaint from an employee about their work and/or working conditions and/or a work colleague, fairly and without delay.

This policy:

- does not cover complaints from or about Hub Advisory Board Members/Trustees unless the complaint relates to the Hub Advisory Board Members /Trustees role as the employer of the Principal/ Headteacher. In other cases the relevant Complaints Procedure should be used
- may only be used by individual employees; group complaints will not be accepted. This may however be varied by mutual agreement and individual complaints may be looked at collectively where appropriate
- does not apply to those employed by other organisations, employed under another organisations' terms and conditions of employment which includes a contractual grievance policy, casual workers or volunteers

- is not for use by a manager who has concerns and/or complaints about employees they manage. These concerns should be dealt with through the application of the appropriate HR policies, for example the disciplinary or capability policy and procedure.

The following matters are excluded from this policy because separate procedures exist:

- overpayments or pay issues
- evaluation and grading of jobs
- matters that are in the public interest and may constitute a 'protected disclosure' and are or maybe:
 - an unlawful or a criminal offence;
 - a breach of a legal obligation (but not a personal contractual breach unless such breach involves a matter of public interest);
 - a miscarriage of justice;
 - mistreatment or abuse of a client or a member of the public for whom the Trust has a responsibility;
 - in disregard of legislation governing health and safety at work;
 - seeking undue favour over a contractual matter or a job application; or against the Trust's Financial Regulations;
 - improper conduct or an unauthorised use of public funds;
 - actions which have led to or could lead to damage to the environment; or
 - an action which deliberately covers up information tending to show any of the above.

In these circumstances it would usually be appropriate to invoke Westcountry Schools' Trust Whistleblowing Policy instead of the Grievance Policy.

- selection for redundancy (see applicable redundancy policy)
- disciplinary and/or capability issues (see disciplinary and/or capability policy)

3. Good Professional Relationships/Practices

It is the responsibility of all employees to take all reasonable steps to develop and maintain good working relationships with colleagues and to deal with workplace issues in a professional, practical and constructive manner.

Employees should try to resolve any difficulties at the earliest opportunity without having to use a formal process. This should be done in such a way as to have the minimum impact on the School, Trust and other work colleagues and to preserve working relationships.

4. Informal Procedures

Resolving issues in a sensible and sensitive way will require all parties to recognise their part in the issue/difficulty and how their behaviour may be contributing to the circumstances.

Employees should be willing and open to looking at ways of resolving the issues without resorting to formal processes, for example by using:

- an informal setting to discuss the matter with the colleague
- the line manager or an appropriate colleague as a facilitator in restorative conversations or engaging in accredited mediation

Employees should be able to resolve issues professionally and respectfully by agreeing that when discussions take place there should be:

- effective listening - so that each person fully understands the issues at hand and each other's view
- effective understanding so that each person is able to respond, knowing what the issues are
- a calm environment - no raised voices or inappropriate body language
- common ground – identifying and agreeing common understanding
- the taking of responsibility – each person should admit when they are wrong, if appropriate, and take steps to make professional relationships work
- agreed action – offering apologies if appropriate, agreeing the way forward and agreeing to meet again, if appropriate.

Every attempt should be made to resolve the issues informally. If the matter cannot be resolved by way of professional dialogue the formal process should be used.

Failure to foster good professional working relationships could, in certain circumstances, lead to a decision to terminate the employment of one or more parties involved on the grounds that substantial reasons exist that make appropriate working relationships impossible and this is directly affecting the trust or school. This may be an irretrievable breakdown in working

relations or irresolvable personality differences between employees at work. This is known as dismissal for Some Other Substantial Reason (SOSR) and will be dealt with under the Disciplinary Policy and Procedure. This policy applies to all employees within the Trust, regardless of terms and conditions of employment (e.g. both Teacher and Support Staff). It does not apply to agency workers, contractors or volunteers.

The intention is that this policy does not erode contractual terms protected under TUPE.

5. Restorative Conversations or Accredited Mediation

Accredited Mediation can be used at any stage of this policy. Mediation involves an independent, impartial and accredited mediator working with both sides to find a solution.

This involves the appointment of an internal or external mediator, who will facilitate discussion of the issues raised. Mediation will be used only where all parties involved agree to engage in the process and the Trust considers it to be beneficial in order to resolve the situation.

The mediator can be someone from inside or outside the Trust, however they must be a fully trained and certified mediator.

Any informal discussions facilitated by the line manager, or another suitable person employed within WeST should be termed as restorative or facilitated conversations.

6. Procedure

The employee must set out their complaint (if applicable, detailing any informal attempts to resolve the matter), the basis for it and the resolution they are seeking using the formal complaint form (FC1) and should submit this to the Responsible Officer. Any documents relating to the complaint should also be submitted at this stage. The form (FC1) should be completed in full, including a date and signature. Failing to include all required information may cause delay in the process.

Where an employee raises a complaint about the Principal/Headteacher, this should be submitted to the relevant person in accordance with the Delegation of Authority.

Receipt of the formal complaint form should be acknowledged in writing as soon as is reasonably possible and advice from the school's HR Advisor should be sought at the earliest

opportunity. If there is a potential for the complaint to constitute a 'protected disclosure' under the Whistleblowing Policy, the Responsible Officer should seek advice from their HR Advisor.

The parties may subsequently decide to resolve the complaint by means other than this policy, e.g. using accredited mediation. This decision must be confirmed in writing and will not preclude the employee from raising their complaint under this policy at a later date.

7. Multiple Complaints

If an employee raises multiple complaints relating to different issues, to avoid duplication of this policy and to aid a prompt resolution, the issues will be dealt with together, where possible.

8. Vexatious/Malicious Complaints

False or vexatious complaints will be taken very seriously and will be managed under the Disciplinary Policy where it is clear that an employee has made an allegation(s) of this type against the Trust and/or another employee.

9. Overlapping Issues

Where an employee raises a grievance whilst being managed under another policy e.g. Disciplinary, Capability, Managing Sickness Absence, the Responsible Officer should refer to the applicable policy and take appropriate action. Invoking the Grievance Policy does not necessarily mean that other processes will be put on hold.

10. Investigation

Depending on the circumstances of the complaint, the Responsible Officer may decide that an investigation is necessary. The Responsible Officer can either undertake an investigation themselves or arrange for an appropriate person ('the investigator') to carry this out on their behalf and report back to them. In some cases, the Responsible Officer may wish to consider the use of an external investigator. The Responsible Officer will confirm with the investigator the Terms of Reference by which the investigation should follow.

The investigator should not have had any previous involvement in the circumstances of the complaint, no close relationship with any of the parties involved nor a vested interest.

Any investigation carried out under this policy will be thorough, unbiased and reasonable in the circumstances.

Where it is necessary to interview witnesses during an investigation, the interviews and discussions undertaken should follow a standard format and any interview or witness statements produced should be signed and agreed by the witness.

If evidence of further instances arises during the investigation process, these will be added to the initial investigation and will be considered at the same time as the original grievance.

Witnesses may provide important evidence that could help decide the outcome of a grievance case. The Investigating Officer may decide to invite a witness to an interview. A written invitation and reasonable notice should be provided. The minutes of any witness interviews will be signed by the witness and Investigating/Responsible Officer.

There may be occasions where a 'witness statement' is more appropriate or efficient than an interview, such as:

- they are not an employee, for example a student or stakeholder
- they only need to provide very simple information
- they are unwell and/or cannot attend an investigation meeting

The findings of any investigation, together with any relevant evidence, including witness statements etc., should be provided to the Responsible Officer in a report including a conclusion of findings.

The investigator(s) will conclude whether:

- the grievance is upheld, partially upheld, or not upheld
- mediation should be offered as a resolution
- the matter should be dealt with outside this policy
- if training needs have been identified
- if there are any points of organisational learning

11. The Responder

Where the complaint is related to the actions of another employee or body, for ease of reference and for the purposes of this policy, they will be known as the 'responder'. The responder should be informed of the complaint and given a copy of this policy. They should also be given the

opportunity to respond to the complaint and be advised of the likely timescale of any investigation.

12. Formal Grievance Meeting

The Responsible Officer will arrange a meeting within 10 days of receiving the formal complaint form. This timescale can be extended by mutual agreement to allow additional time for information to be gathered or for an investigation to be conducted, although it is important that there is no unreasonable delay. Consideration should be given to arranging for a suitable person to attend the meeting to take notes.

Prior to the meeting, the Responsible Officer will determine the appropriateness of sharing the information gathered and which parties to share this with.

It is important that the meeting allows for free flowing discussion and dialogue in an attempt to find an amicable solution to the complaint. The employee should be invited to re-state their complaint and how they would like to see it reasonably resolved.

If there are multiple complainants, the meeting will invite all parties to re-state their complaint and how they would like to see it reasonably resolved. The Responsible Officer will listen to all the points raised, consider any additional information gathered and then adjourn the meeting to make a decision. If a decision is reached, the Responsible Officer will confirm this at the meeting. If a decision cannot be made at the end of the meeting, the employee should be informed of the reason why and when a response may be expected.

The decision will be confirmed in writing, within five days, setting out the key factors considered, the reason for the decision and what action was agreed to resolve the complaint. This letter will also detail the employee's right of appeal and where to send the appeal, should the complaint not be fully resolved.

The Responsible Officer should also ensure that suitable feedback is given to the responder and that this is undertaken within a reasonable timeframe.

13. Appeal

If an employee wishes to appeal against the decision, they must do so in writing, stating the grounds for their appeal, within five days of receiving the written response. An appeal is not a

re-hearing of all of the facts but to determine if the original decision was reasonable given the circumstances

The appeal should be sent to HR@westst.org.uk. The Human Resources Team will forward the appeal to the appropriate manager (as per Section 1) who will arrange for the appeal to take place. The appeal should be heard without unreasonable delay. A minimum of five days' notice will be given to allow for preparation.

The decision will be given verbally to all parties at the end of the appeal hearing unless valid reasons exist not to do so. The decision will be confirmed in writing to the employee within five days.

14. Timescales

The time limits included in this policy may be varied by mutual agreement. Where an extension to the time limits is agreed, a written record of this decision should be made. The policy makes reference to a number of 'days' within which certain actions/events are to occur. A 'day' is defined as any Monday to Friday excluding public holidays as defined by ACAS.

If a concern is raised during a period of School closure, the timeframes indicated in the policy will commence from the first day of the School being open. Where a concern is raised immediately prior to a period of School closure, the availability of any person(s) who may need to be interviewed as part of any investigation will be taken into consideration by both parties when mutually agreeing any required extension to the timeframes.

The timescales detailed in the policy are in accordance with the statutory requirements and best practice. They must therefore must be adhered to unless both parties have agreed to an extension of time.

There may be a number of reasons why the time limits specified are too short and an extension may be required. Where an extension to the time limits is agreed, a written record of this decision should be made.

15. Being Accompanied

Legislation determines that an employee has a statutory right to request to be accompanied at any meetings of a grievance process. To invoke that right an employee must make a reasonable request to the employer to be accompanied by either:

- a paid official from a recognised trade union/professional association,
- a trade union representative,
- an appropriate work colleague.

Friends/family members are not permitted unless they fall under the above criteria and it is agreed as appropriate. It would not normally be reasonable for an employee to be accompanied by a work colleague or trade union/professional association representative whose presence would prejudice the hearing and/or was from a remote geographical location if someone suitable and willing was available on site.

The employee is responsible for notifying their chosen representative of the meeting arrangement details. If the chosen representative is not available on the day proposed for the meeting, the employee must contact the Investigating/Responsible Officer leading on the meeting to propose an alternative date within the following five days of the original date proposed.

16. Non-Attendance

If an employee fails to attend a meeting under this policy through circumstances beyond their control, such as certified illness, an alternative time and date may be offered. Alternatively, they may submit a written statement or nominate a representative to attend on their behalf.

If an employee is absent due to stress or is worried about coming into the workplace, adjustments such as a suitable alternative venue or an online meeting should be offered to facilitate their attendance.

Where an employee is persistently unable or unwilling to attend the meeting/hearing without good cause, it will proceed in their absence and a decision based on the evidence available will be made.

A failure to not attend a pre-arranged meeting may also lead to action under the disciplinary policy arrangements.

17. Employee's Wellbeing

Raising a grievance or having a grievance raised against you can be very stressful and distressing. It is therefore important that the Responsible Officer and/or Investigating Officer considers the wellbeing and mental health of all employees involved.

The Responsible Officer and/or Investigating Officer should make every effort to support an employee's wellbeing during the application of this policy by:

- regular contact with the employee(s)
- reasonable adjustments for meetings e.g. online or alternative venue
- If appropriate and upon consent, make an occupational health referral

18. HR Advice and Support

The School's HR Advisor will provide advice and support to the Responsible Officer and any other manager/Trustee involved in the application of this policy at any stage. As part of which they may be in attendance at any meetings under this policy.

19. Confidentiality

Any parties affected by or involved in the application of this policy will be expected to maintain an appropriate level of confidentiality. Breaches of confidentiality will be taken seriously, especially if they hinder the application of the policy. Failure to maintain confidentiality may result in action being taken under the disciplinary policy arrangements.

Disclosure of information may also be a breach under the Data Protection Act (2018) and may lead to action being taken under the provisions of that Act, in addition to action being taken under the disciplinary policy.

20. Recording of Information

A written record must be made of all requests and meetings held during the application of this policy. Those involved in each meeting will be provided with a copy of any records made.

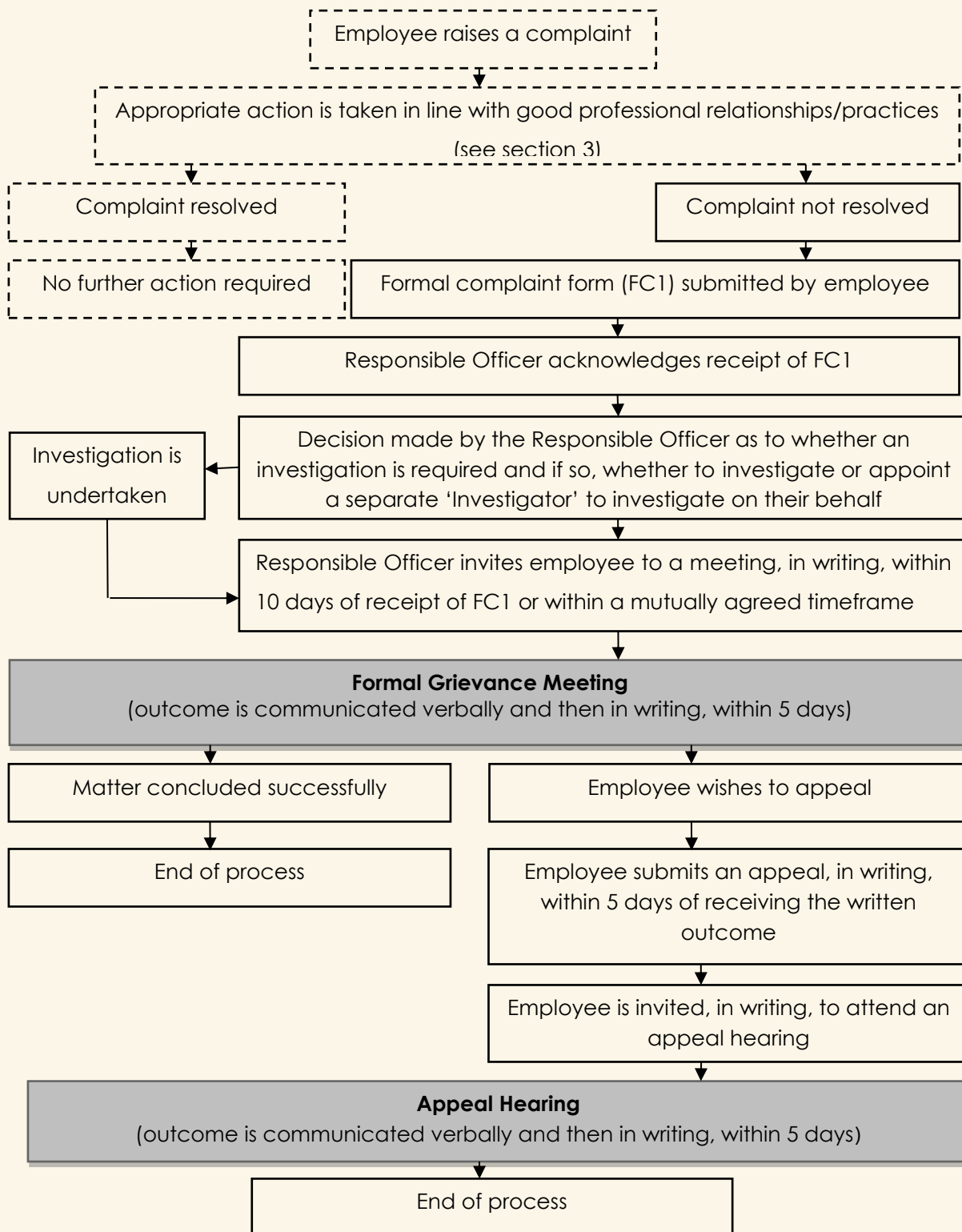
The Responsible Officer or their delegate will ensure there is a full and comprehensive file of the process which should include all statements, records and evidence referred to in the rationalising of the decision outcome. At the end of the process the file should be passed to Human Resources who will ensure that it is stored confidentially, in accordance with the Data Protection Act (2018) on the personnel file.

21. Support for Employees


Employees are encouraged to seek support from their trade union/professional association in the first instance.

Procedural guidance relating to this policy is available from the Human Resources team. Where a referral to Occupational Health or the counselling service is necessary, this should be made by the employee's line manager with HR advice as necessary.

Appendix 1 – Flowchart



Appendix 2 – Formal Complaint Form (FC1)

| | | |
|---|---|---|
| <p>FORMAL COMPLAINT FORM (FC1)</p> | <p>INSERT SCHOOL LOGO HERE</p> |  |
|---|---|---|

| PART A: To be completed by the employee raising the complaint | |
|--|---|
| Employee first name | |
| Employee surname | |
| Job Title | |
| Name of School/Location | |
| Name of Line Manager | |
| Name of Representative (Professional Association/Trade Union) | Telephone: Mobile: Email address: |
| DETAILS OF COMPLAINT | |
| <p>Detail your complaint here including;</p> <ul style="list-style-type: none"> • Date of event/issue/concern • Name of any other persons present • What informal action has been attempted to resolve this matter and explain why this has not resolved the situation to your satisfaction. Alternatively, state why the circumstances are serious and/or complex that informal resolution cannot be attempted or would be unsuccessful. • Attach any relevant supporting evidence where necessary. | |



Continue on a separate sheet if necessary

OUTCOME YOU ARE SEEKING

State the outcome that you are seeking and specifically what action or actions, in your view, are needed to resolve your complaint satisfactorily.

DATE

EMPLOYEE SIGNATURE

| | |
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| | |
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YOU SHOULD NOW SUBMIT THIS FORM TO THE RESPONSIBLE OFFICER AND COPY IN YOUR HR ADVISOR.

YOU MAY WISH TO KEEP A COPY FOR YOUR RECORDS.

| PART B: To be completed by the Responsible Officer considering the complaint | |
|--|--|
| Name of Responsible Officer | |
| Job Title | |
| Name of School/Location | |
| Name of HR Advisor | |
| Employee work email address | |
| Date complaint received | |
| Date complaint acknowledged (confirmation of investigating officer if applicable) | |
| Date of Invite to Formal Grievance Meeting Letter | |
| Date of Formal Grievance Meeting | |
| Date of Outcome to Formal Grievance Meeting Letter | |

Following the Grievance Meeting, the employee must be provided with written confirmation of the outcome, any actions to be taken, and their right to appeal. A copy of this letter, along with any notes taken during the meeting, should be attached to this form

Westcountry Schools Trust (WeST)

Policy History

| Policy Date | Summary of change | Contact | Version/ Implementation Date | Review Date |
|----------------|---|---------|------------------------------|---|
| April 2016 | Revised policy for academy schools based on LA policy previously consulted upon with trade unions | HR ONE | 14 April 2016 | |
| May 2017 | Amendments made with reference to new MAT name and the delegation of authority process | HR WeST | TBC | |
| September 2017 | Revised publication date and inclusion of PCE role | HR WeST | September 2017 | Annually |
| February 2019 | Reviewed and updated | HR West | February 2019 | Annually |
| March 2019 | Approved by Trust Board subject to local consultation | HR WeST | March 2019 | Biannually or at change in statutory guidance |
| April 2019 | Implementation following local consultation | HR WeST | April 2019 | Biannually or at change in statutory guidance |
| June 2023 | Template update and review of terminology | HR WeST | September 2023 | Biannually or at change in statutory guidance |
| May 2025 | Template update and review of informal and investigation guidance | HR WeST | September 2025 | Biannually or at change in statutory guidance |