



Staff grievance policy and procedures

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1. Introduction

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, fully and objectively.

As a Multi Academy Trust we are required to set out grievance procedures under general employment law.

These procedures also comply with our funding agreement and articles of association.

2. Definitions and scope

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, discrimination or working relationships.

This policy **does not** apply to:

- Issues raised by people who are not an employee of the school, e.g. volunteers or parents/carers, as this would instead fall under our complaints procedure
- Redundancy dismissals
- NonThese are covered by separate policies and procedures.

3. Roles and responsibilities

Being internal matters, grievances may involve a number of people in the school. There is an emphasis on dealing informally with grievances, and so it is not practicable to prescribe specific roles. However, the following guidelines may be useful.

3.1 The line manager

Provided they are not the subject of the grievance, the line manager will be the first point of contact for the employee raising a grievance. If the grievance is about the employee's line manager, the employee will raise the grievance with their line manager's manager.

3.2 The headteacher or a senior leader

Provided they are not the subject of the grievance, the headteacher or a nominated member of the senior leadership team will consider the grievance at the formal stage.

3.3 Executive Leadership Team

Where the headteacher is the subject of the grievance, an appropriate member of the Executive Leadership Team will be responsible for overseeing the procedure at the formal stage.

3.4 CEO

Where a member of ELT is the subject of the grievance, the grievance should be raised with the CEO.

3.5 Chair of Trustees

Where the CEO is the subject of the grievance, the grievance should be raised with the Chair of Trustees

3.6 Investigating officer

At the formal stage, the headteacher (or responsible ELT member, if the headteacher is the subject of the grievance) will appoint an investigating officer to collect and present the facts of the grievance in an investigation report. The investigating officer will be someone who has not been directly involved in the grievance. They may be an employee of the Trust or an external independent investigator.

3.7 Grievance panel

The headteacher (or appointed ELT member, if the headteacher is the subject of the grievance) will appoint a grievance panel consisting of at least 3 people with no prior knowledge of the grievance. These people will be separate from the investigating officer and will be chaired by an independent individual with no prior knowledge of the grievance.

3.8 Other members of staff or trade union staff

A work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings may accompany the employee raising the grievance at a formal grievance meeting.

4. Grievance procedures

We are committed to dealing with grievances fairly and objectively. Employees will be protected from discrimination or victimisation after raising a work-related grievance.

4.1 Informal stage

In the first instance, an employee will aim to resolve their grievance informally with their line manager. If the employee's concerns relate to their line manager, they should discuss the issue with the line manager's manager.

It may be necessary for the employee who has raised a grievance to attend a meeting to discuss the concerns in more detail. However, this will be determined on a case-by-case basis.

It's anticipated that a number of grievances will be resolved at this informal stage with no need to progress matters further. However, if the matter has not been resolved at the informal stage, it may then proceed to the formal stage of the procedure.

4.2 Formal stage

If it is not possible to resolve the matter informally, employees should set out their grievance in writing to their line manager, in accordance with the staff grievance notification form at Appendix 1. If the subject of the grievance is their line manager, the employee should submit the written grievance to an alternative, preferably senior, manager.

Upon receipt of a grievance, the headteacher (or responsible ELT member, if the headteacher is the subject of the grievance) will appoint an investigating officer. This will be an independent individual with no prior knowledge of the grievance.

The headteacher (or responsible ELT member, if the headteacher is the subject of the grievance) will also appoint a grievance panel. This group of people will be separate from the investigating officer and will be

chaired by an independent individual, with no prior knowledge of the grievance. This may include the headteacher, headteacher of another academy within the Trust /employee's line manager or other senior member of staff.

The investigating officer will undertake a grievance investigation and will make a recommendation.

The investigating officer, supported by HR colleagues, will also arrange a formal meeting (to be held in person, or over video conferencing if appropriate) within 15 working days after the grievance has been raised. At the meeting, the employee will be given the opportunity to explain their grievance and how they think it should be resolved.

Employees have a statutory right to be accompanied by a companion at a grievance meeting. The companion must be a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The employee must let the investigating officer know that they request to be accompanied. If the chosen companion will not be available on the initial date and time proposed for the formal meeting, the investigating officer must move the meeting to an alternative time proposed by the employee, provided that the alternative time is both reasonable and no more than 5 working days after the date originally proposed.

The companion may address the hearing to put 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 hearing. The companion may not answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

4.3 Deciding on appropriate action

The meeting will be adjourned and the grievance panel will reflect on it before coming to a decision.

The chair of the panel will communicate the decision to the employee in writing within 5 working days. The decision will set out the action that will be taken to resolve the grievance. It will also inform the employee that they can appeal if they are not satisfied with the outcome, and explain how to do this.

4.4 Appeals

If the employee is not satisfied with the outcome of the grievance, they have the right to appeal the decision.

The employee should set out their grounds of appeal in writing within 10 working days and submit this to the HR professional who supported the process.

An appeal is not designed to re-hear the matter but to examine the grounds of appeal. The employee should therefore be specific about the grounds of the appeal.

However, a full re-hearing may be appropriate in exceptional circumstances.

The headteacher (or appointed ELT member if the headteacher is the subject of the grievance) will appoint a grievance appeal panel consisting of a least 3 people. This will be a group of people independent from any previous stage of the grievance procedure, and the panel will be chaired by an independent individual.

Appeals will be heard without unreasonable delay. The headteacher (or appointed member of ELT if the headteacher is the subject of the grievance) will tell the employees the time and place of the appeal meeting in advance (to be held in person, or over video conferencing if appropriate).

Employees have the same statutory right to be accompanied to the appeal meeting by a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The outcome of the appeal will be confirmed in writing by the chair of the appeal panel to the employee within 5 working days of the appeal. The decision of the appeal panel will be final.

5. Collective Grievances

If two or more employees have identical grievances and all wish them to be addressed in the same grievance process, staff members can raise a collective grievance via this procedure. All employees must agree (without any pressure being exerted on staff members to join the collective process) to do this.

If the employees raising the collective grievance are all members of the same trade union, their trade union representative can raise the grievance on their behalf. Alternatively, employees can agree to nominate one employee to act on behalf of everyone.

Collective grievances will be managed in accordance with the procedure set out above.

If, following the collective grievance outcome, some employees are satisfied with the outcome and do not wish to proceed to an appeal, the request for an appeal should clearly identify those withdrawing from the process and those wishing to pursue the appeal.

6. Grievance Processes for Former Employees

There may be circumstances where an employee raises an issue but sufficient time may not be available to provide proper consideration before they leave employment or an employment complaint is received following their resignation. It may be appropriate in some circumstances to invite the former employee to a meeting to discuss the issue/s further or to issue a written response covering the points raised.

A grievance will only be considered if lodged within 3 months of the incident to which it relates or if lodged within 3 months of the employee leaving the Trust. If it is lodged later than 3 months unless there are exceptional circumstances it will not be considered. In cases of harassment, bullying or discrimination incidents that occurred prior to the 3 months to identify a pattern of behaviour over the last 6 months can also be included.

7. Malicious or vexatious complaints

Employees who submit a grievance will not be placed at a disadvantage for exercising or seeking to exercise this right. However, grievances should be submitted in good faith and not be malicious or vexatious and, if there are sufficient concerns this may be case, the matter will be investigated and could result in the individual submitting the grievance being subject to disciplinary action.

8. Overlapping procedures

If an employee raises a grievance after disciplinary proceedings have already started against them, the disciplinary proceedings may be temporarily suspended in order to consider the implications of the grievance on the disciplinary process.

If the grievance and disciplinary proceedings address related matters, it may be possible to deal with the issues simultaneously as part of disciplinary proceedings.

9. Record keeping

Minutes will be kept of all meetings. Where possible, these will be confirmed as a record of what was discussed during the meeting.

Records of all materials relating to the grievance process will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy/record retention schedule.

9. Training, communication and awareness

Victoria Academies Trust recognises that a written policy is not sufficient on its own to eliminate sexual harassment, victimisation and bullying. Regular communication and training will help ensure that all employees:

- understand our commitment to prevent sexual harassment, bullying and victimisation
- understand their responsibilities and role in the process
- know how to seek advice and guidance
- know how to make complaints and are confident they will be handled effectively

The effectiveness of this policy will be monitored and kept up to date and amended accordingly to reflect any changes in response to revised legislation and applicable standards and guidelines.

9. Links with other policies

This policy links with our policies on:

- Complaints procedure, which sets out how grievances will be raised by those not employed by the school
- Equality
- Privacy notice for the school workforce
- Records management policy
- Staff capability policy
- Staff codes of conduct
- Staff disciplinary procedures

Appendix 1: staff grievance notification form

Name:	School:
Job title:	Department:
Describe the nature of your grievance, including: <ul style="list-style-type: none"> • A full description of your grievance • Relevant evidence, such as facts, dates and names of individuals involved 	
Please state the following:	
The date on which you first raised your grievance, and with whom	
The action taken in respect of your grievance at the informal stage	

<p>The outcomes you are seeking and the actions you would like taken to resolve the situation</p>	
<p>Whether you would like to explore a resolution through mediation</p>	
<p>Whether you would like accompaniment at a grievance meeting by a work colleague, trade union official, or trade union representative – and if so, their name and position</p>	
<p>Signed:</p>	<p>Dated:</p>