Grievance Procedure

Version 7

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Policy Statement

The Brighter Futures Learning Partnership Trust believes that all employees should be treated fairly and with dignity and respect. If an employee is unhappy with the treatment they have received or about any aspect of their work they should discuss the matter with their line manager, who will attempt to resolve the matter on an informal basis. If the employee feels unable to discuss the matter with their line manager, they should approach their Headteacher/Principal or failing that, the Central Trust HR department.

The Central Trust HR Department will discuss the best ways of dealing with the matter denton.k@brighterfutureslpt.com

The Trust encourages employees to attempt to resolve issues informally wherever possible. It is acknowledged that this may not always be possible and where attempts to resolve matters informally do not work, employees may raise a formal grievance under this procedure. A formal grievance should be concerned with the way in which the employee believes they have been treated by the Trust or the school in which they work, or managers acting on its behalf, or about any aspect of their work. Complaints that amount to an allegation of misconduct on the part of another employee may be investigated and may be dealt with under the Disciplinary Policy and Procedure.

Grievances may be concerned with a wide range of issues, including the allocation of work, the working environment or conditions, the opportunities that employees have been given for career development or the way in which they have been managed.

Complaints that employees may have about any disciplinary action taken against them should be dealt with as an appeal under the Disciplinary Procedure.

Grievances raised while employees are subject to disciplinary proceedings will usually be heard only when the disciplinary process has been completed. Insofar as a grievance has any bearing on the disciplinary proceedings, it can be raised as a relevant issue in the course of those proceedings.

This policy applies to all employees of the Trust.

Roles And Responsibilities

The **Trust Board** is responsible for ensuring this policy is applied fairly and consistently across the Trust, monitoring the effectiveness of this policy.

The **CEO** is responsible for ensuring that staff and others adhere to this procedure.

The **Human Resources Department/Admin Leads** are responsible for ensuring that all employees are aware of this procedure. The team will also ensure that this procedure is implemented fairly and consistently.

Leaders and managers must ensure they implement this procedure fairly and equitably, seeking guidance, clarification and support from Central HR as and when required.

All **employees** are encouraged to seek to resolve issues **informally** wherever possible, accessing this procedure when attempts to resolve issues informally have failed to resolve the matter satisfactorily.

The **Local Governing Boards and Headteachers/Principal** are responsible for monitoring the application of this procedure within their respective schools/UTC.

Equality And Diversity

The Trust is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines, adhering to the Equality Act 2010.

- Delivering high quality teaching and services that meet the diverse needs of its student population and its workforce, ensuring that no individual or group is disadvantaged.

- If any aspect of the grievance procedure causes the employee difficulty on account of any disability they may have, or if the employee needs assistance because English is not their first language, the employee should raise this issue with the Headteacher/Principal or Central HR Department at the earliest opportunity and appropriate arrangements will be made.

Right To Be Accompanied

Employees have the right to be accompanied by a trade union representative or work colleague at any grievance meeting or subsequent appeal. At any grievance or appeal hearing, the employee's chosen companion will be allowed to address the meeting, respond on the employee's behalf to any view expressed in the hearing, and sum up the case on the employee's behalf. However, both the hearing and appeal hearing are essentially meetings between the Trust and the employee, so any questions put directly to the employee should be dealt with by the employee directly and not their companion.

Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting will be rescheduled, provided that the employee and their companion can propose an alternative time, suitable for all parties, normally within five working days of the scheduled date.

Key Principles

A member of staff who feels aggrieved should initially discuss the matter by direct approach to the member of staff involved, or their line manager, or the head of department, or other appropriate senior member of staff including, and, if necessary, the Headteacher/Principal.

The dignity of all parties will be respected and honoured in the operation of this procedure.

Line managers and senior leaders are responsible for dealing with and resolving employee grievances, wherever reasonably possible. In this regard, most concerns and complaints are best resolved informally through normal day-to-day supervision and consideration should be given to the scope for mediation to assist with this.

Where it has not been possible to resolve the issues informally, the member of staff should have a meeting with the Headteacher/Principal.

If the grievance is unable to be resolved with the Headteacher/Principal, or is against the Headteacher/Principal, the member of staff should have a meeting with the Central Trust HR, who will undertake a formal investigation. If the grievance is against the CEO, the Chair of Trustees should be approached who will organise an external investigation.

Mediated Discussion

It may be appropriate for the matter to be dealt with informally by way of a mediated discussion, depending on the nature of the grievance. If an employee wishes to pursue the option of a mediated discussion, they should contact the Central HR Department for further information and advice. Mediated discussions are where an impartial individual uninvolved in the grievance facilitates a discussion between the relevant parties with the aim of assisting both parties to reach a resolution. The facilitator will not have been involved in the grievance in any way.

The individual facilitating the mediated discussion will follow the following format:

- Meet with the individuals separately to establish the key issues to be discussed at the mediated meeting, providing each party thinking time, assisting them in assessing what they might share and hear and how they might respond constructively.
- When the facilitator feels each party is ready and prepared to have a positive, calm, professional and constructive discussion they will facilitate a joint mediated discussion.
- The facilitator will open up the meeting, explain the ground rules, structure and format (e.g. all attendees will remain calm and professional, listen and ensure each party has air space, adjourn where appropriate, seek to understand the

other person's perspective with the aim of achieving a satisfactory outcome for both parties).

- The facilitator will provide each person with an opportunity to listen and then respond. Breaks may be required to ensure everyone is able to reflect, listen and respond effectively.
- The facilitator will reflect back, summarise and facilitate an agreed way forward, with a plan for monitoring and review and the facilitator will write to both parties following the meeting to confirm the key points discussed, actions agreed (including monitoring and review) and provide a timeframe for a review to take place, usually around 4 weeks after the mediated discussion takes place (this may be extended where school holidays fall within that period).

Record Of Meetings

The Trust may, with the prior agreement of all parties present, audio record formal meetings for the purpose of creating an accurate written record of the proceedings.

Any audio recording will be transcribed and used solely for the preparation of an official meeting record. Once the transcript has been prepared and verified, the audio recording will be permanently deleted without undue delay and will not be retained by the Trust.

A copy of the transcript and/or the final meeting record will be provided to the employee as soon as reasonably practicable following the meeting. The employee and their representative (where applicable) will be afforded a reasonable opportunity to review the transcript and identify any factual inaccuracies, omissions or points requiring clarification. Any proposed amendments will be considered by the Chair, and where agreed, appropriate amendments will be made to the official record.

The approved transcript or meeting record will constitute the official record of the proceedings and will be retained in accordance with the Trust's data protection, records management and confidentiality requirements.

Where agreement to record is not obtained from all parties, the meeting will proceed without recording and a written record will be taken instead.

The employee, or any person acting on their behalf, will not normally be permitted to record electronically any meeting held by the Trust as part of the grievance procedure. Any breach of this provision may lead to disciplinary action against the employee, up to and including dismissal.

However, in certain limited circumstances, the Trust may permit an employee to record the meeting electronically. For example, where the employee is disabled, it may be appropriate as a reasonable adjustment under the Equality Act 2010. Where the Trust permits the meeting to be recorded electronically, it will take responsibility for making the recording.

Conducting The Grievance Procedure

The Trust recognises that a formal grievance procedure can be a stressful and upsetting experience for all parties involved and employees are encouraged to seek additional confidential support through the Employee Assistance Programme. Everyone involved in the process is entitled to be treated calmly, professionally and with dignity and respect. The Trust will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and may treat such behaviour as misconduct under the Disciplinary Procedure.

Making The Formal Complaint

The first stage of the formal grievance procedure is for the employee to submit their complaint in writing. This written statement will form the basis of the subsequent hearing and any investigations, so it is important that the employee sets out clearly the nature of their grievance, indicating the outcome they are seeking. If the employee's grievance is unclear, the Trust may request further clarification from the employee regarding their complaint before any meeting takes place.

Employees are encouraged to use the grievance form to detail and submit their grievance **(Appendix 1).** If they would prefer to write a letter instead their letter of complaint should be headed "Formal grievance" and sent to their line manager. If the employee's complaint relates to the way in which they believe their line manager is treating them, the complaint may be sent to the Headteacher/Principal or the Central Trust HR Department instead.

Further attempts may be made to resolve the matter informally, depending on the nature of the complaint. However, if the employee is not satisfied with the outcome, they may insist on the matter proceeding to a full grievance meeting. Employees are encouraged to speak to their trade union at the earliest opportunity to enable them to access support, advice and guidance.

Once a grievance has been received the line manager will arrange a meeting, without unreasonable delay and at a mutually convenient time, to address the grievance or to explore the scope for mediation. This will normally be held within **15 working days**. Any reason for delay should be communicated to the employee/s.

The arrangements for the meeting should be confirmed in writing at least **3 days prior to the meeting** and the employee informed of their right to be accompanied by a trade union representative or work colleague who is not involved in the case.

The line manager or Headteacher/Principal or the Central Trust HR will conduct the meeting and, where considered necessary, have a Human Resources Consultant, in attendance. The manager will arrange for someone not involved in the case to take a note of the meeting and to act as a witness to what is said.

All parties involved in the grievance are entitled to be present at the meeting and witnesses can be called as appropriate.

If during the meeting an investigation into the facts is felt to be appropriate the meeting should be adjourned whilst this takes place.

The person hearing the grievance will normally meet with the aggrieved party to ensure they have a good understanding of the grievance and the outcome(s) the individual is seeking to resolve the grievance. The meeting will be held as soon as is reasonably practicable. It will be conducted by a member of the Trust or school's leadership team and attended by an HR representative. At the meeting, the employee will be asked to explain the nature of their complaint and what action they feel should be taken to resolve the matter.

The employee should ensure they attend the meeting at the specified time. If the employee is unable to attend because of circumstances beyond their control, they must inform the Central Trust HR as soon as possible. If the employee fails to attend without explanation, or if it becomes evident they have not made sufficient attempt to attend, the manager hearing the grievance may be required to investigate and respond to the grievance without meeting with the aggrieved party.

While the employee will be given every opportunity to explain their case fully, they should confine their explanation to matters that are directly relevant to their complaint. Focusing on irrelevant issues or incidents that took place long before the matters in hand is not helpful and can hinder the effective handling of the grievance. The manager conducting the hearing will intervene if he/she thinks that the discussion is straying too far from the key issue. The manager may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and complexity of the complaint.

Following the grievance meeting it may be necessary to carry out further investigations. If any evidence is gathered in the course of these investigations, the employee will normally be advised of this. When the investigation is completed and the manager hearing the grievance has made a decision, they will arrange to meet with the aggrieved employee again to enable them to share their decision face-to-face, explain the rationale for their decision and the evidence they have relied on. They will then write to the aggrieved employee detailing their decision, the rationale for the decision and the evidence they have relied on to make their decision.

The employee should be informed when they might reasonably expect a response if one cannot be made at the time of the meeting. The response should be confirmed in writing as soon as possible following the conclusion of the meeting, **normally within 5 working days and no later than 10 working days**, in sufficient detail to enable the parties to understand the reasons for the outcome. They should also be informed of their right of appeal.

In exceptional circumstances, the evidence given by individuals may have to remain confidential (e.g. child protection/safeguarding reasons). Where confidentiality is

necessary, this will be explained to the employee and an appropriate summary of the evidence gathered will be given to them.

If the employee is dissatisfied with the outcome, they may submit a formal appeal.

If during the meeting an investigation into the facts is felt to be appropriate the meeting should be adjourned whilst this takes place.

The employee should be informed when they might reasonably expect a response if one cannot be made at the time of the meeting. The response should be confirmed in writing as soon as possible following the conclusion of the meeting, **normally within 5 working days and no later than 10 working days**, in sufficient detail to enable the parties to understand the reasons for the outcome. They should also be informed of their right of appeal.

Meeting Minutes and Transcription

The Trust uses transcription tools to support the accurate preparation of minutes for meetings. Transcriptions are used solely as an aid to the preparation of minutes and do not constitute the formal record of the meeting.

All transcribed content will be reviewed and fact-checked before minutes are finalised. The resulting minutes will be appropriately summarised to ensure that they provide colleagues with a clear, accurate and proportionate record of the key discussions, decisions and actions arising from the meeting.

The Trust does not routinely make or retain audio or video recordings of either formal or informal meetings. Transcription data will not be retained as the formal record. Only the final, fact-checked and appropriately summarised minutes will be retained on the Trust's records, in accordance with the Trust's records management and data protection requirements.

The Trust aims to prepare and circulate meeting minutes within **five working days** of the meeting. However, during periods of increased workload or operational pressure, including identified organisational pressure points, this timescale may occasionally be extended. Where this occurs, the Trust will endeavour to complete and circulate the minutes as soon as reasonably practicable.

Appeal

An appeal should be made in writing to the manager, Headteacher/Principal, Central HR who dealt with the grievance meeting, **within 5 working days** of being advised of the outcome of the meeting. Receipt of the appeal should be acknowledged in writing by the Trust, as appropriate.

The Trust will then ensure arrangements are made for an appeal.

The arrangements for the appeal should be confirmed in writing, **giving at least 3 days' notice** of the meeting and the employee informed of their right to be accompanied by a trade union representative or work colleague.

The employee should ensure they attend the meeting at the specified time. If the employee is unable to attend because of circumstances beyond their control, they should inform the HR Department of this as soon as possible. If the employee fails to attend without explanation, or if it appears that they have not made sufficient attempts to attend, the appeal hearing may take place in their absence.

The appeal should be heard by someone, or a different panel of Governors, Trustees, Members and or, the CEO as per the Scheme of Delegation (page 33), who have had no involvement in the previous stages of the grievance. A

A response to the appeal should be given in writing as soon as possible, usually **within 5 working days, but normally no longer than 10 working days**. The letter should include a statement to inform the employee that the appeal was the final stage of the procedure. The outcome of the appeal hearing is final.

Collective Grievances

If more than one employee has an identical grievance and the employees wish their grievance to be addressed in the same grievance process, they can submit a collective grievance. All aggrieved employees must sign the grievance prior to its submission. The colleagues raising the collective grievance must agree (without any pressure being exerted on staff members to join the collective process) to do this. They will be entitled to only one grievance hearing and (if applicable) one appeal hearing. The participating colleagues will be notified individually of the outcome at each stage of the process. If the participating colleagues do not entirely voluntarily agree to this arrangement or if their grievances are not identical, the Trust will arrange to hear their grievances individually rather than collectively.

If the participating colleagues are all members of the same trade union, their trade union representative can (if they all wish him or her to do so) raise the grievance on their behalf. Alternatively, the participating colleagues can agree to nominate one of the group to act on behalf of all of the participating colleagues. If there is no one nominated representative, the participating colleagues will be entitled to address concerns individually at the grievance hearing, but they will have no additional right to be accompanied beyond having their colleagues present. If the participating colleagues wish to be represented by their trade union representatives on an individual basis, the Trust will arrange to hear their grievances on an individual basis.

The collective grievance should either be submitted via the Grievance Form (Appendix 1) or via letter or email headed "Formal collective grievance" and sent to the participating colleagues' line manager. If the collective grievance relates to the

way in which the participating colleagues believe their line manager is treating them, the complaint may be sent to the HR Department instead. The collective grievance should be submitted on one document and it must:

- identify each of the participating colleagues who wish to raise the grievance;
- identify any nominated trade union representative or work colleague to represent all participating colleagues;
- state that all participating colleagues have all voluntarily consented to use the collective grievance procedure; and
- confirm that the participating colleagues understand the grievance will give each of them the right to only one collective grievance meeting, one identical outcome and (if applicable) one appeal meeting and one identical appeal outcome.

If, following the 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. If only one employee wishes to pursue the appeal, the Trust's normal grievance procedure will apply to the appeal.

Monitoring

Effectiveness and compliance of this procedure will be monitored on an annual basis.

Review

This Policy and Procedure will be reviewed annually with reference the Trust's HR consultant support.

To ensure that the correct HR Panels and levels of authority are adhered to throughout this policy procedure, please refer to p31 of the Trusts Scheme of Delegation to ensure that the correct delegation models are applied where appropriate.

Grievance Procedure Version 7 agreed by Trust Board October 2026

Appendix 1 Grievance form for use by employees

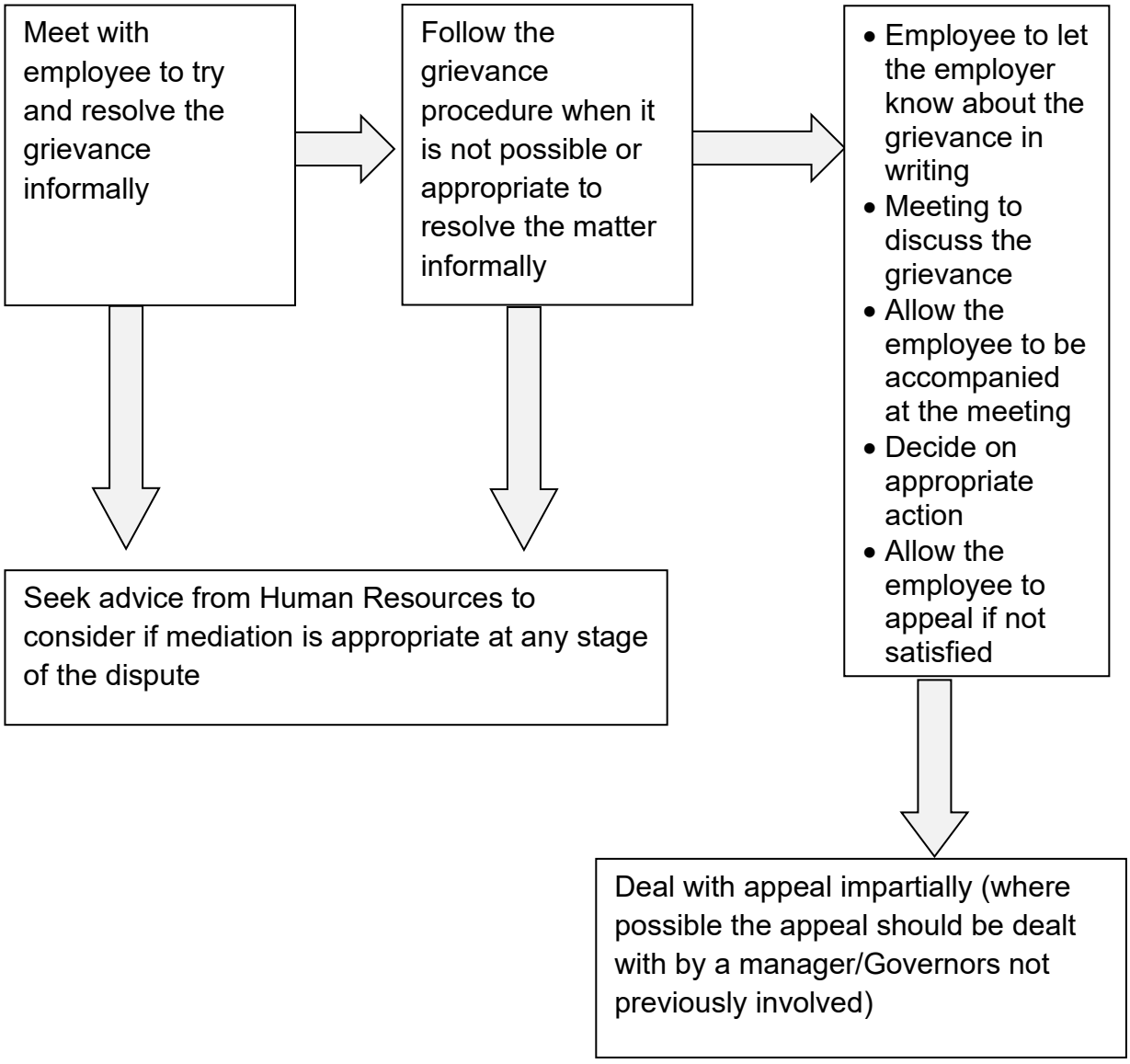
PRIVATE AND CONFIDENTIAL

Please complete all questions on this form. Make a copy at the same time as you fill it in and keep one copy, give the other copy to your line manager, Headteacher / principal, or chair of governors, as appropriate.

Name of employee	
Job title	
School	
Department	
Line Manager	
What is your grievance?	
What action has already been taken on your grievance?	
Who has considered it and what was the result?	
If there is a preferred outcome you are seeking and you wish to express that, please do so below:	
Signed	
Dated	

Appendix 2 Handling Grievances

The following overview is based on the good practice advice published by the Acas Code of Practice. It provides guidance on the steps to take if you receive a grievance from an employee. Human Resources can provide further advice to managers who are unsure how to proceed with a grievance they have received.



Appendix 3 Employees' Entitlements

Employees are encouraged to resolve any grievances they might have regarding their employment informally with their line manager through normal day-to-day supervision, or by direct approach to the member of staff involved, the head of department, or other appropriate senior member of staff including, if necessary, the Headteacher/Principal or the Trust Central HR Team. However, if they feel that their grievance has not been addressed then they are entitled to:

- submit their grievance in writing to their line manager, Headteacher/Principal, or Trust Central HR Team, setting out the nature of the grievance;
- have arrangements for the meeting to discuss their grievance confirmed, in writing, at least 3 days in advance;
- obtain assistance from trades union representatives, or work colleagues, to help raise their grievance if they have difficulty in expressing themselves due to language or other difficulties;
- have their grievance considered without undue delay;
- be kept informed of the progress of their complaint;
- be accompanied at all stages of the procedure by a trades union representative or work colleague;
- have the outcome of their grievance communicated to them in writing, normally within 5 working days and no later than 10 working days following the meeting;
- have their grievance considered at an appeal meeting if they remain aggrieved;
- have their appeal heard without unreasonable delay;
- have the arrangements for the appeal confirmed, in writing, at least 3 working days prior to the meeting;
- have the outcome of their appeal confirmed in writing within 5 working days, but normally no later than 10 working days following the appeal, unless a prior response date has been agreed by all parties.

Appendix 4 Employee Representation

Employees have a statutory right to be accompanied by a work colleague or trades union official at a grievance meeting. However, when choosing a representative an employee should bear in mind that it would not be reasonable to insist on being accompanied by a colleague whose presence would prejudice the meeting or who might have a conflict of interest.

Managers should give consideration as to whether any reasonable adjustment may be needed for a worker with a disability (and possibly for their chosen representative if they are disabled), e.g. provision of a support worker or advocate with knowledge of the disability and its effects.

Role of Representative

A representative can:

- request to rearrange the date of the meeting if they are not available. The new agreed date should then be adhered 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;
- confer with the employee during the meeting;
- if they are a work colleague, have reasonable paid time off to fulfil the responsibility;
- seek an adjournment.

A representative cannot:

- respond to questions on behalf of the employee;
- address the meeting if the employee does not wish it;
- prevent the employer from explaining their case;
- act as a trades union representative unless they are either a full-time official or accredited by their own trades union to perform such a role.

Appendix 5 Line Managers' Responsibilities

Every effort should be made to resolve grievances at an informal level, outside this procedure, wherever reasonably possible. When a grievance is raised with a line manager, Headteacher/Principal, or Trust Central HR, they should:

- meet with the employee promptly to discuss the issue;
- keep a record of their discussion, including date, details discussed, advice given and the decision taken;
- consider if mediation might be useful **(see Fact Sheet on "Mediation").**

If the employee remains dissatisfied and it is felt necessary to invoke the formal grievance procedure the line manager, Headteacher/Principal, or Central Trust HR will be responsible for:

- acknowledging receipt of the grievance raised within 3 working days;
- arranging a meeting in accordance with Stage 4 of this procedure, notifying all parties involved of the arrangements and giving at least 3 working days' notice of the meeting (if representative is not available, seek to rearrange meeting within 5 working days);
- considering whether any reasonable adjustments are necessary for a person who is disabled;
- considering whether an interpreter is required;
- determining who else should attend the hearing to facilitate an appropriate response (e.g. another manager or employee who could respond to the grievance);
- ensuring that a record is kept of the meeting and that all documents relating to the grievance are kept confidential;
- keeping the aggrieved employee informed of the timescales involved and providing an explanation when these cannot be met;
- informing the employee of the outcome of the grievance usually within 5 working days, or by no later than 10 working days, after the meeting and also advising them of the right of appeal.

Appendix 6 Mediation

An independent third party or mediator can sometimes help resolve grievance issues. The mediator's role is to seek to resolve the problem and any agreement should come from those in dispute.

Where informal discussions to attempt to resolve a grievance have failed the Headteacher/Principal should refer the matter to Central Trust Human Resources (HR). If it is felt mediation is appropriate, and providing that both parties agree, HR will organise mediation procedure. However, it should be noted that mediation can be instigated at any stage of the procedure.

A trained mediator, with no prior knowledge of the circumstances, will facilitate discussions between the parties involved in an attempt to bring about a resolution. Employees are entitled to be accompanied by a trades union representative, or work colleague, at mediation meetings and pre-meetings.

Examples of when mediation can be used:

- to resolve conflict involving colleagues of a similar job or grade, or between a line manager and their staff;
- to rebuild relationships after a formal dispute has been resolved;
- to address a range of issues, including relationship breakdown, personality clashes, communication problems, bullying and harassment.

Mediation should not be used:

- before any attempt to discuss the situation with management has taken place;
- by a manager to avoid their managerial responsibilities;
- when a potential criminal activity has taken place;
- when an individual wants a case of discrimination or harassment investigated;
- if the parties do not have the power to settle the issue;
- when one side is completely intransigent and using mediation will only raise unrealistic expectations of a positive outcome.

Appendix 7 Structure and Conduct of Grievance Meetings

Structure of the Meeting

1 **Introductions** and explanation of the process by the Chair.

2 **Presentation** of the grievance by the employee and/or their representative.

3 Witnesses to be called as necessary, by the employee who will leave after;

- questioning by the employee and their representative
- questioning by the respondent
- questioning by the Chair/Committee and the HR Consultant

unless it is agreed they should remain.

4 The respondent to ask questions of the employee.

5 The Chair/Committee and the HR Consultant to ask questions of the employee.

6 The respondent to respond to the grievance, calling witnesses if necessary.

7 Witnesses to be called as necessary by the respondent and to leave after

- questioning by the respondent
- questioning by the employee
- questioning by the Chair/Committee and the HR Consultant

unless it is agreed they should remain.

8 The employee and/or their representative to ask questions of the respondent.

9 The Chair/Committee and the HR Consultant to ask questions of the respondent.

10 **Summing up** – Employee or their representative first, then the respondent.

11 **Meeting closes** for the Chair/Committee to consider the case.

The outcome of the grievance will normally be communicated to the employee in writing within 5 working days, or by no later than 10 working days, after the meeting. If further investigations are required then this timescale may be deferred, by agreement, and if necessary, the meeting will be reconvened.

Conduct During the Meeting

The role of the Chair of the meeting is to:

- maintain good order;
- be responsible for the proper conduct of the meeting;
- ensure all parties are provided with adequate opportunity to state their case;
- take notes and ask questions, as appropriate;
- determine an appropriate response on the evidence presented;
- inform the employee of the outcome.

The HR Consultant's role is to:

- clarify any procedural matters raised;
- provide professional advice during the meeting and during the decision-making process;
- ask any relevant questions of any parties as appropriate.

Standards of Behaviour

- all those involved in the meeting are expected to be respectful and courteous;
- any behaviour from any party deemed to be inappropriate, offensive, intimidating, malicious, insulting or abusive and/or intended to humiliate or injure another party will not be tolerated and could lead to the meeting being discontinued.

Adjournments

- an adjournment may be sought at any time during the meeting where appropriate;
- the decision to adjourn rests with the Chair.

Appendix 8 Appeals

Where an employee feels that their grievance has not been satisfactorily resolved they should appeal. The appeal should be dealt with impartially by either the CEO or Committee who has not previously been involved in the case. (Please see Scheme of Delegation).

PROCEDURE

An appeal must

- be submitted in writing, stating clearly the grounds for the appeal
- be received within 5 working days from the receipt of the letter confirming the outcome of the grievance meeting

Arrangements for the appeal

- a mutually convenient date for all parties involved to be offered within 10 working days of receipt of the appeal, unless a different timescale is agreed.

The appeal will follow the same format as the original meeting as set out in the "Fact Sheet on Structure and Conduct of Hearings". This comprises:

- introductions and explanation of process
- presentation of appellant's grievance (with reference to documents and witnesses as appropriate)
- questioning of appellant's grievance and witnesses (by respondent, appeals body and adviser)
- presentation of respondent's case (with reference to documents and witnesses as appropriate)
- questioning of respondent's case and witnesses (by appellant, appellant's representative, appeals body and adviser)
- final summaries from appellant and respondent (in that order)
- adjournment for appeals body to make decision.

The appeals body will determine whether to

- uphold the original outcome of the grievance meeting; or
- partially uphold the original outcome; or
- not uphold the original outcome.

Where possible the outcome of the appeal will be given orally at the end of the meeting and will be confirmed in writing usually within 5 working days, but by no later than 10 working days.

Subject only to any statutory rights the appellant may wish to exercise, the decision of the appeal meeting will be final and no further rights of appeal will be allowed under this procedure.

There are circumstances in which an employee may apply to take their case to an Employment Tribunal. If an Employment Tribunal claim is received please contact Central Human Resources immediately for advice.

Appendix 9 Former Employees

It is good practice to address complaints or concerns raised by a former employee after he or she has left the organisation, or to conclude an on-going grievance process where an employee has left before the process has been exhausted. In such circumstances, the grievance must be registered in writing within a reasonable period of time, and it will not normally be addressed if it is raised more than 3 months after the end of the individual's employment.

The line manager/Headteacher/Principal must:

- acknowledge receipt of the grievance promptly and, if able to do so, provide a written response, inviting the individual to ask for a meeting if they consider the matter has not been adequately addressed prior to leaving;
- if a meeting is requested this should be arranged without unreasonable delay and at a mutually convenient time;
- advise the former employee that a union representative can attend the meeting with them. If they do not belong to a Union they should be advised that a friend can attend the meeting to support them;
- decide whether it is appropriate for the Headteacher/Principal or panel of Governors to hear the grievance;
- determine who else should attend the meeting to facilitate an appropriate response (e.g. another manager or employee who could respond to the grievance or provide the relevant information);
- consider whether any reasonable adjustments are necessary at the venue for the meeting for a person who has a disability;
- ensure that a record is kept of the meeting and that all documents relating to the grievance are kept confidential;
- confirm the outcome of the grievance in writing as soon as possible, usually within 5 working days, or by no later than 10 working days, from the date of the meeting.

The decision of the grievance meeting will be final and former employees have no further rights of appeal under this procedure.