

Policy document control box	
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Policy owner (including job title)	Cathy Taylor (Executive Headteacher)
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1.03	20/9/2022	Executive Headteacher	Minor updates	Policy review to reflect the appropriate roles for Executive Headteacher/Centre Headteacher

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1. Purpose

- 1.1. Red Balloon is committed to giving all staff members a fair and reasonable method for raising and resolving issues, concerns and grievances.
- 1.2. The aim of the procedure is to resolve grievances fairly, as near as possible to the point of origin and in an unbiased way. The procedure should be simple and easy to deploy in a timely manner.
- 1.3. Should a staff member initiate the Grievance Procedure the matter will be addressed as confidentially as possible. Similarly, individuals are asked to keep grievances and related information/correspondence and outcomes confidential.

2. Scope

- 2.1. This policy applies to all directly employed staff working within Red Balloon.

3. Policy statement

- 3.1. Red Balloon believes that all staff should be treated fairly and with respect. If you are unhappy about the way you have been treated or any aspect of your work, you should discuss this with the Executive Headteacher who will attempt to resolve the situation informally. If you feel unable to approach the Executive Headteacher directly, you should approach the Chair of Trustees, who will discuss with you ways in which to deal with the matter.

4. Grievance

- 4.1. Red Balloon believes that, if during the course of your employment, you have any grievances or complaints relating to your employment, they should be settled as quickly as is practicable informally in the first instance then (if there is need) formally using the grievance procedure. Although not legally binding, the ACAS Code of Practice 2015 on Grievance matters has been incorporated into Red Balloon Procedures where appropriate.
- 4.2. Most complaints and grievances are best resolved informally in discussion with the Executive Headteacher. However, if you feel that the grievance cannot be resolved informally or if you feel that you have not received a satisfactory response then you may need to take more formal action.
- 4.3. Grievances are concerns, problems or complaints raised by a staff member with management. Anybody may at some time have problems or concerns with their working conditions or relationships with colleagues that they wish to raise.
- 4.4. In all circumstances Red Balloon will endeavour to treat staff fairly, consistently and reasonably.
- 4.5. Red Balloon reserves the right to vary or amend these procedures by giving reasonable notice of such changes to staff in writing.
- 4.6. The section is provided for information only and does not form part of your contract of employment, although the procedure may be referred to in your Contract of Employment.
- 4.7. To ensure fair treatment during the process, you will be given the opportunity to state your grievance at a Grievance Hearing and to be accompanied at that

Grievance Hearing by a fellow work colleague or trade union representative if you have one.

- 4.8. If you or the person accompanying you has a disability Red Balloon will consider reasonable adjustments to enable you to attend the Grievance Hearing and present your case..

5. Right to be accompanied at the Grievance Hearing

- 5.1. You have the right to be accompanied by either a fellow work colleague or a trade union representative if you have one. It is your responsibility to arrange this. You must take all reasonable steps to attend the grievance hearing, where you will be invited to outline the reasons for your grievance and how you wish the matter to be resolved.

6. Stages of the Grievance Procedure

6.1. Stage 1: Raising Grievances Informally

- 6.1.1. Most grievances can be resolved quickly and informally through discussion. If a member of staff feels unable to speak to the person causing the grievance, then the staff member should speak informally to their Centre Headteacher. If this does not resolve the issue, the staff member should follow the formal procedure.
- 6.1.2. If the staff member's grievance is against the centre headteacher personally, the grievance may be referred directly to stage 2, but it would normally be reasonable to inform the centre headteacher of this intention.

6.2. Stage 2: Formal Grievances

- 6.2.1. If the staff member is not satisfied their concerns have been addressed informally, the staff member should submit the grievance in writing, indicating that it is a formal grievance, to the Executive Headteacher. The staff member should use the 'Notification of Grievance Form' (Appendix A) to state the grounds of their grievance and the remedy that is being sought. For collective grievances only one 'Notification of Grievance Form' should be filled out and agreed/signed by participating staff members.
- 6.2.2. The Executive Headteacher will normally meet the staff member to hear the grievance and reply as soon as possible, normally within 10 working days, even if it is only an interim reply pending further investigation. The Executive Headteacher may be accompanied by another staff member.
- 6.2.3. A staff member may bring a companion (a fellow work colleague or a trade union representative) to any formal grievance meeting or appeal meeting under this stage 2. A staff member must tell the person holding the meeting who their chosen companion is, in good time before the meeting.
- 6.2.4. At any grievance meeting or appeal meeting, a staff member's companion may make representations and ask questions, but should not answer questions on the staff member's behalf.

- 6.2.5. If a staff member's chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, the employee will normally be required to find an alternative companion.
- 6.2.6. It may be necessary to carry out an investigation into the grievance. The amount of any investigation required will depend on the nature of the complaints and will vary from case to case. It may involve interviewing and taking statements from the staff member, any witnesses, and/or reviewing relevant documents.
- 6.2.7. The staff member must cooperate fully and promptly in any investigation. This may include informing those handling the investigation of the names of any relevant witnesses, disclosing any relevant documents and attending interviews.
- 6.2.8. An investigation may be started before a grievance meeting is held where this is considered appropriate. In other cases, a grievance meeting may be held before deciding what investigation (if any) to carry out. If appropriate and/or necessary, in those cases a further grievance meeting may be held with the staff member after the investigation and before a decision is reached.
- 6.2.9. The Executive Headteacher will write to the staff member, within 10 working days following the grievance meeting, to inform the staff member of the outcome of the grievance and any further action that will be taken to resolve it.
- 6.2.10. If the staff member raising the grievance is not satisfied with the outcome then the employee may appeal in accordance with stage 3 below.
- 6.3. Stage 3: Grievance Appeal
 - 6.3.1. If the grievance has not been resolved to the staff member's satisfaction they may appeal in writing, to the Chair of Trustees, setting out the grounds of their appeal, within 10 working days of receiving the written confirmation of the original decision. The staff member must detail how they consider the grievance procedure has not been correctly applied, and/or how the outcome was not reasonable or proportionate.
 - 6.3.2. The appeal will normally be heard as soon as possible after receipt of the appeal letter, by an Appeal Committee consisting of three Trustees, convened by the Chair of Trustees.
 - 6.3.3. The Appeal Committee may have an HR adviser attend the meeting who may also be involved in its private deliberations. The HR adviser, who should not have had any previous involvement in dealing with the grievance, shall not have a vote in the decision of the Appeal Committee.
 - 6.3.4. The Appeal Committee will confirm its final decision in writing, as soon as reasonably possible after the appeal meeting. This is the end of the procedure and there is no further right of appeal.

7. Deciding on the appropriate course of action

- 7.1. Following the Grievance Hearing, the Executive headteacher will respond to you, in writing, within 5 working days of the Grievance Hearing, outlining what action, if any, will be taken to resolve your grievance and providing details of the appeal process and timescales for appeal.
- 7.2. If it is not possible to respond within 5 working days then you will be given an explanation for the delay and told when a response can be expected within a reasonable timescale

8. Exemptions from the Grievance Procedure

- 8.1. Red Balloon's internal grievance procedure will not usually apply where the staff has already left Red Balloon either by termination or resignation and where neither the grievance procedure nor the modified procedure has been implemented prior to leaving and where it is not reasonably practicable to adopt the procedure e.g. due to ill-health/staff left the country or where one party is violent, threatening, abusive or unreasonable. The Grievance Procedure will not apply to grievances raised about a pending disciplinary or dismissal for which the disciplinary appeal process is the appropriate course of action.

9. Mediation

- 9.1. It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of the grievance. This involves the appointment of a third-party mediator, being unbiased and suitably qualified and who will discuss the issues raised by your grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

10. Raising a Grievance during a Disciplinary Procedure

- 10.1. If a grievance is raised about another matter whilst a disciplinary procedure is being held it may be appropriate to suspend the disciplinary proceedings whilst the grievance is dealt with unless the grievance and disciplinary matters are overlapping, in which case the issues may be dealt with concurrently.

11. Records management

- 11.1. The Executive Headteacher is responsible for the safekeeping of this policy. This policy will be available for all staff on the staff drive.

12. Related legislation and documents

- 12.1. External Documents
 - 12.1.1. ACAS Code of Practice 2015 on Grievance matters
 - 12.1.2. The Employment Act 2008
 - 12.1.3. Employment Relations Act 1999

- 12.2. Internal Documents
 - 12.2.1. Code of Conduct for all staff
 - 12.2.2. Complaints policy

13. Appendix A: Staff member's notification of Grievance

This form should be used to submit a grievance in accordance with stage 2 of the formal grievance procedure.

Send the completed 'Staff member's Notification of Grievance Form' (Appendix A) to the Executive Headteacher.

If your grievance relates to your Executive Headteacher then send it to the nominated Trustee for Complaints.

You are advised to keep a copy.

Please be aware that the information will, in normal circumstances, be shared with any person/s complained about. Please think carefully about what you write.

Name/s	
Post/s held:	
The nature of your grievance. Please include all relevant facts, dates and names of people involved and any witnesses. (continue on a separate page if necessary)	
When did you first raise your grievance, and with whom? Is this a one-off issue or part of a chain of events?	

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What action has been taken on your grievance at the informal stage (stage 1)?

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What steps or action do you want to be taken as a remedy for your grievance?
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If you are a member, have you informed your trade union or professional association representative? Yes or No

If yes: do you wish the representative to receive correspondence? Yes or No

If yes: please identify the representative and provide email and postal addresses and telephone number:

Representative name:	
Representative email:	
Representative address:	
Representative phone number:	

Printed name:	
Signed:	
Date:	