



Zest Academy Trust

Grievance policy

Approved & Adopted By Trust Board: 04/05/2017

Review Period: Biennial

Policy Date Last Reviewed/Approved: 01/12/2019

Person Responsible: COO/CFO

Version Number: 3

Zest Academy Trust, Waterloo Road, Blackpool, FY4 3AG

T 01253 315370 **E** admin@zestacademytrust.co.uk **W** www.zestacademytrust.co.uk

CEO Mark Hamblett

Registered in England No. 8087508 Company Limited by Guarantee

Introduction

The Zest Academy Trust believes that all employees should be treated fairly and with respect. The main purpose of this policy is to help resolve employees grievance raised in the workplace as quickly as possible.

Procedure – Informal Resolution

If you are unhappy about the treatment that you have received or about any aspect of your work, you should discuss this with your line manager, who will attempt to resolve the situation on an informal basis. If you feel unable to approach your line manager directly, you may alternatively approach one of the Vice Principal who will discuss ways of dealing with the matter with you. If you are a trade union member they may be able to provide advice and support in how to deal with matters of dissatisfaction.

Where attempts to resolve the matter informally do not work, it may be appropriate for you to raise a formal grievance under this procedure. A formal grievance should be concerned with the way in which you have been treated by the Academy or managers acting on its behalf. If your complaint relates to bullying or harassment on the part of a colleague, the matter should be dealt with under the bullying and harassment procedure. Complaints that amount to an allegation of misconduct on the part of another employee will be investigated and dealt with under the disciplinary procedure and you will be informed of the outcome.

Grievances may be concerned with a wide range of issues, including the allocation of work, your working environment or conditions, or the way in which you have been managed. However, issues that are the subject of collective negotiation or consultation with the Trade Unions or the staff consultation group will not be considered under the grievance procedure.

Complaints that you may have about any disciplinary action taken against you should be dealt with as an appeal under the disciplinary procedure.

Grievances raised while you are subject to disciplinary proceedings will usually be heard only when the disciplinary process has been completed. Insofar as if a grievance has any bearing

on the disciplinary proceedings, it can be raised as a relevant issue in the course of those proceedings.

Mediation

It may be appropriate for certain matters to be dealt with by way of mediation, depending on the nature of your grievance. This involves the appointment of an impartial third-party mediator, who will discuss the issues raised in grievance with all of those involved and seek to facilitate a resolution. The mediation process is informal, confidential and voluntary.

Formal Grievance Procedure

Where attempts to resolve the matter informally do not work, it may be appropriate for the matter to be raised as a formal grievance under this procedure.

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

If it has not been possible to resolve the grievance informally, you should put your complaint in writing. This written statement will form the basis of the subsequent hearing and any investigations; it is important that you state the nature of the grievance and indicate the outcome that you are seeking. You may find it useful to use the unresolved grievance form appendix 1.

If your grievance is unclear, you may be asked to clarify your complaint before any meeting takes place.

Further attempts may be made to resolve the matter informally, depending on the nature of your complaint. However, if you are not satisfied with the outcome, you may insist on the matter proceeding to a formal grievance hearing.

Investigation

Before proceeding to a full grievance hearing, it may be necessary to carry out investigations of any allegations made by you, although the confidentiality of the grievance process will be respected. If any evidence is gathered in the course of these investigations, you will be given a copy long in advance of the hearing for you to consider your response.

In exceptional circumstances, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, this will be explained to you and an appropriate summary of the evidence gathered will be given to you.

The grievance hearing

The Principal or their representative or in the case of the Principal being aggrieved a nominated Trustee will invite you to a meeting as soon as is reasonably practicable and, subject to any need to carry out prior investigations, if possible this will be within ten working days of the receipt of your written complaint. You will be advised of their right to be accompanied.

You should ensure that you attend the meeting at the specified time. If you are unable to attend because of circumstances beyond your control, you should inform the designated point of contact as soon as possible. If you fail to attend without explanation the formal grievance meeting will not proceed. It will then be your responsibility to request a further meeting.

The meeting will be conducted by the Principal or their representative and attended if necessary, by a HR Consultant. If the grievance is against the Principal a Trustee will be nominated to chair the grievance hearing.

At the meeting, you will be asked to explain the nature of your complaint and what action you feel should be taken to resolve the matter. Where appropriate, the meeting may be adjourned to allow further investigations to take place.

Following the meeting, you will be informed in writing of the outcome within five working days and told of any action that the Academy proposes to take as a result of your

complaint. You may discuss this outcome informally with either your manager or the HR Consultant.

Accessibility

If any aspect of the grievance procedure causes you difficulty on account of any disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with the Academy Business Manager, who will make appropriate arrangements.

The right to be accompanied

Employees have the right to be accompanied by a work colleague or trade union official at any formal grievance meeting or subsequent appeal.

Role of the companion

At any hearing or appeal hearing, your chosen companion will be allowed to address the meeting, respond on your behalf to any view expressed in the hearing, and sum up the case on their behalf. However, both the hearing and appeal hearing are essentially meetings between the employer and the employee, so any questions put directly to you should be responded to by you and not your companion.

Where your chosen companion is unavailable on the day scheduled for the meeting, it will be rescheduled, provided that you propose an alternative time within five working days of the scheduled date.

Right of appeal

If you are not content with the outcome you have the right of appeal. Appeals should be made in writing outlining the grounds for appeal, within 5 days of the date you received the letter confirming the outcome of the grievance hearing. It should clearly state the grounds of appeal, i.e. the basis on which it is considered that the result of the grievance was wrong or that the action taken as a result was inappropriate.

Appeals will be handled in line with the Academy's Appeals Policy. The Academy's decision at the appeal is final.

Review

This policy will be annually reviewed in consultation with the Employee Consultative Committee (ECC) and the General Joint National Consultative Committee (GJNCC). Any amendment to it will be notified to employees in writing by the Academy and such written advice will inform employees as to the date when any amendment comes into effect. This may be by means of the Academy's intranet or via use of notice boards.

Unresolved grievance form

Zest Academy Trust values its employees and makes every effort to ensure that the Trust is a good place to work. Where a problem or dispute arises we aim to resolve this as quickly as possible.

Before submitting this form, consider whether you may be able to resolve your concerns informally. You may want to discuss this with a member of management.

Please use this form to explain your concerns as this will help us establish the best way to resolve these. It is important that you provide the specific reasons and evidence that have led you to take this course of action.

Grievance Details

What steps have you taken to resolve this matter informally and what was the outcome of this? If you have not taken steps to resolve this informally, please detail your reasons why below.

If you still feel the need to take this matter further, please detail your grievance below (e.g. The nature of this grievance, when and where it has occurred and who has been involved)

Please state what outcome you are looking for from raising this grievance?

I confirm that I have read and understood the Trust's grievance procedures and in particular the sections relating to the informal resolution of grievances. I also understand that making dishonest/false statements or otherwise unreasonable complaints/grievances will be viewed seriously by the Trust and may result in disciplinary action including dismissal.

Please note that following an investigation, your desired outcome may not be guaranteed. This does not mean we have not investigated and considered this matter fully.

Once completed this form should be given to your line manager. If your complaint relates to the way in which your line manager is treating you, the complaint may be sent to the Academy Business Manager.