



## Grievance Procedure

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## Document Control

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## Version History

<b>Next Review Date</b>		01/02/2025		
<b>Version</b>	<b>Date</b>	<b>Amendments</b>	<b>Author</b>	<b>Status</b>
0.1 to 0.4	Oct 2021 to Oct 2022	Initial Draft – Reviewed by the HR Team & the Trust Board.  Consultation Process – Draft shared with the working group consisting of Senior Leaders, HR, and the Trade Unions.	Lisa-Marie McGrath	Consulted & Reviewed, and implemented agreed points
1.0	01/12/2022	Final Draft – Approved by the CEO and The Trust Board	Lisa-Marie McGrath	Approved
2.0	01/02/2024	N/A	Lisa-Marie Flynn	Approved

# Grievance Procedure

## 1. ABOUT THIS PROCEDURE

- 1.1 Our policy is to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. We aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are unsatisfied.
- 1.2 This procedure applies to all employees regardless of the length of service. However, it does not apply to agency workers or self-employed contractors.

## 2. USING THIS PROCEDURE

- 2.1 Issues that could cause grievances may include:
- terms and conditions of employment;
  - health and safety;
  - work relations;
  - bullying and harassment;
  - new working practices;
  - working environment;
  - organisational change; and
  - discrimination.
- 2.2 This Grievance Procedure should not be used to complain about dismissal or disciplinary action. Instead, if you are dissatisfied with any disciplinary action, you should submit an appeal under the appropriate procedure in the Staff Handbook.
- 2.3 We have a separate Anti-harassment and Bullying Policy that may be useful if you have been the victim of bullying or harassment or wish to report an incident of bullying or harassment involving other people. It is set out in the Staff Handbook.

- 2.4 We operate a separate Whistleblowing Policy to enable employees to report illegal activities, wrongdoing or malpractice. However, where you are directly affected by the matter in question or feel you have been victimised for an act of whistleblowing, you may raise the matter under this Grievance Procedure.
- 2.5 This procedure does not apply to grievances concerning two or more employees (collective grievances) raised by a representative of the Trade Union. These will be dealt with as appropriate to the facts of the case.
- 2.6 If you have difficulty at any stage of the Grievance Procedure because of a disability or because English is not your first language, you should discuss the situation with your Line Manager/SLT as soon as possible.
- 2.7 Written grievances will be placed on your personnel file, along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed in accordance with our Data Protection Policy.

### **3. RAISING GRIEVANCES INFORMALLY**

- 3.1 Most grievances can be resolved quickly and informally through discussions with your Line Manager/SLT. However, if you feel unable to speak to your Line Manager/Senior Leadership Team (SLT), for example, because the complaint concerns them, you should speak informally to a more senior manager or a member of the Trust's HR department. If this does not resolve the issue, you should follow the formal procedure below.

### **4. FORMAL WRITTEN GRIEVANCES**

- 4.1 If your grievance cannot be resolved informally, you should put it in writing and submit it to your Line Manager/SLT, indicating that it is a formal grievance. For example, if the grievance concerns your Line Manager/SLT, you may submit it to the Trust's HR Manager.
- 4.2 The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of the individuals involved. In some situations, we may ask you to provide further information.

### **5. INVESTIGATIONS**

- 5.1 It may be necessary for us to investigate your grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses and/or reviewing relevant documents. Your Line Manager/SLT may carry out the investigation or someone else appointed by the Trust.

- 5.2 You must cooperate fully and promptly in any investigation. This may include informing us of the names of relevant witnesses, disclosing relevant documents, and attending interviews as part of our investigation.
- 5.3 We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases, we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases, we will hold a further grievance meeting with you after our investigation and before we reach a decision.

## 6. RIGHT TO BE ACCOMPANIED

- 6.1 Under this procedure, you may bring a companion to any grievance meeting or appeal meeting. The companion may be either a trade union representative or a colleague. In good time before the meeting, you must tell the person holding the grievance meeting who your chosen companion is.
- 6.2 At the meeting, your companion may make representations to us and ask questions but should not answer questions on your behalf. You may talk privately with them at any time during the meeting.
- 6.3 Acting as a companion is voluntary, and your colleagues are under no obligation to do so. However, if they agree to do so, they will be allowed reasonable time off from duties without loss of pay to act as a companion.
- 6.4 If your chosen companion is unavailable when a meeting is scheduled and will not be available for more than five working days afterwards, we may ask you to choose someone else.
- 6.5 We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) if this will help you overcome a disability or if you have difficulty understanding English.

## 7. GRIEVANCE MEETINGS

- 7.1 We will arrange a grievance meeting, normally within one week of receiving your written grievance.
- 7.2 You and your companion (if any) should make every effort to attend grievance meetings. However, if you or your companion cannot attend at the time specified, you should inform us immediately, and we will try, within reason, to agree on an alternative time.
- 7.3 The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved and assist us in reaching a decision based on the available evidence and the representations you have made.

- 7.4 After an initial grievance meeting, we may conduct further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.
- 7.5 We will write to you, usually within five days of the final grievance meeting, to inform you of the outcome of your grievance and any further action we intend to take to resolve the grievance. We will also remind you of your right of appeal. We may hold a meeting where appropriate to give you this information in person.

## 8. APPEALS

- 8.1 If the grievance has not been resolved to your satisfaction, you may appeal in writing to the HR Manager, stating your full grounds of appeal, within five days of the date the decision was sent or given to you.
- 8.2 We will hold an appeal meeting, normally within ten days of receiving your written appeal. This will be dealt with impartially by a more senior manager who has not previously been involved in the case (although they may ask anyone previously involved to be present). You have a right to bring a companion to the meeting (see paragraph 6).
- 8.3 We will confirm our final decision in writing within five days of the appeal hearing. This is the end of the procedure, and there is no further appeal.