



Employee Grievance Procedure

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Approved By	FARR Committee	Status	Statutory
Last Review	May 2026	Next Review	May 2028

Details of Policy Updates

Date	Details
May 2022	Insert 'The job title of Headteacher is interchangeable with Head of School and Principal in all North Star Academy Trust policies.'
May 2023	Section 1 Introduction, insert sentence.... ensure all grievances are dealt with fairly....
May 2024	Review frequency changed to biennial
May 2026	Section 1 updated to reflect changes in Employment Law/Best Practice
	Section 1.2 added – Right to be accompanied – In line with statutory rights
	Section 2b – Clearer expectations for timescales
	Section 2c – Clearer expectations for appeals
	Section 4 – Clarity added for overlapping grievances and disciplinary procedures
	Section 5, 6, 7 & 8 added in line with KCSIE guidance and current legislation

1. INTRODUCTION

This procedure is for employees of North Star Academy Trust who may have grievances about their working conditions, application or non-application of policies and procedures, environment, relationships with management or colleagues, duties and responsibilities or work volume. Grievances may arise from discrimination, harassment, bullying or victimisation on the basis of age, gender, disability, race or religion or sexual orientation.

The Trust is committed to resolving grievances at the earliest possible stage, ideally through informal discussion. Employees are strongly encouraged to raise concerns informally with their line manager or another appropriate person before submitting a formal grievance. Early informal resolution can often resolve matters more quickly and maintain positive working relationships.

Every effort must be made by employees and managers to resolve grievances as a priority issue.

The trust will strive to prevent you from being victimised as a result of the grievance or any subsequent investigation/management action and ensure all grievances are dealt with fairly and objectively. However, if your grievance is frivolous, vexatious or malicious, or without justification, it could lead to disciplinary action against you.

You should normally raise grievances within three months of the event(s) occurring. However, the trust will consider grievances raised outside this timeframe where:

- You can demonstrate a continuing act of discrimination or harassment
- You were unable to raise your grievance due to sickness, maternity/paternity leave, or other reasonable circumstances
- There are other compelling reasons why the delay should be accepted.

You cannot use this procedure to raise grievances after you have left the trust's employment, except where the grievance relates to matters that occurred during your employment and concerns discrimination, harassment, or other matters that could be pursued at an Employment Tribunal.

Some issues are best dealt with under specific policies and procedures. These should be used wherever possible by employees and managers. They include:

Issue	Policy / Procedure
Improving Performance	Capability Procedure for Teachers
Improving Performance	Improving Performance for Support Staff
Organisational change	Managing Change Policy
Pay and grading	Pay Policy
Pension	Pension Regulations
Sickness absence	Managing Sickness and Supporting Attendance

The job title of Headteacher is interchangeable with Head of School and Principal in all North Star Academy Trust policies.

1a RIGHT TO BE ACCOMPANIED

You have a statutory right to be accompanied at formal grievance meetings (Stage 2 onwards) by:

- A trade union representative (who may be a certified or lay union official)
- A work colleague

Your companion may address the meeting, confer with you during the meeting, and ask questions, but cannot answer questions on your behalf. You must make a reasonable request for a companion, and if your chosen companion is unavailable on the proposed date, the meeting will be rearranged to a date within five working days of the original date.

At the informal stage (Stage 1), you are encouraged to seek support from your trade union representative, though there is no statutory right to be accompanied at informal discussions.

2. PROCEDURE

The procedures to be followed are:

Stage 1

If you have a grievance you should raise it informally (either orally or in writing) with

- your Headteacher (if you are a teacher) or
- your line manager (if you are a non-teaching employee), or
- the perpetrator, that is the person who is upsetting you, making you feel aggrieved, or
- a third party (for example a trade union representative).

You have the right to be accompanied by your trade union representative at this stage and you are encouraged to seek their support.

It is important that you advise your manager by email or letter that you have a grievance, which you are attempting to resolve informally.

You may ask (in writing) that an informal meeting takes place with your manager to discuss the nature of the grievance and the steps you have taken or are taking to seek to resolve the grievance. Your manager may request an HR Adviser to be present at this meeting.

If you are successful in resolving the grievance, let your manager know by email or letter.

If the grievance cannot be resolved informally or if it is more serious, you can request that it is considered under "stage 2". In this event, you should use the Employee Grievance

Form (Appendix A) to state your grievance and the remedy you are seeking. You may seek assistance from your trade union representative to do this. If you wish to submit written evidence in support of your grievance, include it with the form.

Send the completed grievance form to your manager. If your grievance relates to your manager, send it to the Headteacher. If your grievance is with your Headteacher then submit it to the CEO, if it relates to the CEO then submit it to the Chair of Trustees.

Stage 2

Your Headteacher or manager will invite you to a meeting to enable you to explain your case and to consider how to deal with your grievance taking account of:

- What you have done so far to resolve the issue.
- Have you clearly identified a reasonable remedy on your completed Employee Grievance Form? If you have not they will ask you to do so.
- Does your grievance require any immediate action to be taken?

You can be supported by your trade union representative or a work colleague at this meeting.

The aim of the meeting is to find a way forward. Success is far more likely if a potential solution can be identified and agreed. Your manager will consider the options set out below, and will inform you of the way they intend to resolve the matter:

Options for the Headteacher or Manager

- take any appropriate immediate action to resolve the grievance;
- speak to the subject (perpetrator) of your grievance and/or other parties involved on your behalf.
- decide (with your agreement) that both sides should meet further to discuss the issue.
- call in a third person (for example an HR Adviser or a mediator) to help resolve the problem. Before this starts a commitment to accept mediation will be required from everyone involved, otherwise it will not work. If mediation does not resolve your grievance, the grievance procedure will resume to find an alternative resolution.
- advise you, and any third parties, that a formal investigation will be required. This action will be taken when the manager considers, that by the nature of the allegations, some formal action may be necessary against the perpetrator, you and/or a third party. If an investigation is necessary, the manager will arrange for it to take place in accordance with the Code of Practice for Investigations. Your manager will advise you in writing of the arrangements for the investigation, which should commence within 15 working days of receiving the grievance. Every effort will be made to ensure the appropriate composition of investigation panels.

Investigations can be carried out by a member of the Executive or Senior Leadership Team within the trust or an independent investigator.

Your Headteacher or Manager will aim to confirm the outcome to you in writing within 20 working days of the grievance meeting. Where this is not possible (for example, due to the complexity of the grievance, the need for investigation, or difficulties in scheduling), you will be kept informed of progress and given a revised timescale. In cases requiring formal investigation, the process should normally be completed within 40 working days of receiving your grievance, though complex cases may take longer.

The written outcome will set out:

- Whether your grievance has been upheld, either fully or in part
- What action has been decided to resolve your grievance
- The reasons for the decision
- Your appeal rights under this procedure

Safeguarding Concerns

If your grievance raises any concerns about the safety or welfare of children, your manager must immediately refer the matter to the Designated Safeguarding Lead (DSL), regardless of the stage of the grievance procedure. Safeguarding concerns will be dealt with in accordance with the trust's Child Protection and Safeguarding Policy and may run parallel to, or take precedence over, the grievance procedure. You will be informed if this action is taken.

Stage 3

If you wish to appeal against the decision, you must do so in writing within five working days of receiving the written confirmation of the decision.

Your appeal should clearly set out:

- The grounds of your appeal
- Whether you are appealing against the findings, the actions taken or both
- What outcome you are seeking.

If you cannot meet this deadline due to sickness or other reasonable circumstances, you should contact the Clerk to Governors, sue.burns@northstar-academy.co.uk as soon as possible to request an extension. Late appeals will only be accepted in exceptional circumstances.

Send your appeal to the Clerk to Governors.

Your appeal will be heard by a panel of Governors/Trustees who have not been directly involved in the matters connected with this grievance to date. The panel will elect a chair. The panel should aim to hold a hearing within 10 days of receiving the written appeal.

The purpose of the appeal will be to:

- Review the reasonableness of the original decision and, if necessary, determine an alternative outcome (if the original decision is unreasonable and/or if it would resolve the grievance).
- Consider whether the procedure has been followed correctly.

3. APPEALS

1. You (the appellant) or your trade union representative, will state the grounds for appeal and call witnesses you feel will support your position. A different grievance or grievances cannot be raised at this stage. If any new evidence relating to your original grievance is raised at the appeal, which is considered by the panel to be material to the outcome, the panel may determine to continue with the hearing or to suspend the hearing to enable these matters to be considered by both parties.
2. You, or your representative, and your witnesses can then be cross-questioned by the presenting manager or their representative, (the manager who made the original decision) and the appeal panel to obtain further clarification.
3. The presenting manager responds and may also call witnesses.
4. The presenting manager and any witnesses they may have called are cross- questioned by you (the appellant) or your representative and the appeal panel.
5. Both parties sum up evidence - firstly the presenting manager and then the appellant or their representative.
6. The appeal panel adjourns to consider the outcome.

Outcomes available to the panel are:

- To uphold the appeal in full and propose an appropriate way forward;
 - To uphold the appeal in part and propose an appropriate way forward;
 - To reject the appeal and propose an appropriate way forward, if necessary.
- The decision and the reasons for coming to the conclusion will be confirmed in writing to you and as appropriate to any other parties named in this grievance. This should be completed as soon as possible following the hearing.

4. COUNTER CLAIMS AND OVERLAPPING PROCEDURES

Where you raise a grievance during a disciplinary process, the disciplinary process may be temporarily suspended to deal with the grievance. However, where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

The manager handling the disciplinary matter will consider the nature and seriousness of the grievance and decide whether to:

- Suspend the disciplinary procedure while the grievance is dealt with
- Deal with both issues concurrently
- Continue with the disciplinary procedure if the grievance appears to be an attempt to delay or avoid the disciplinary process

You will be informed in writing of the decision and the reasons for it. The manager is advised to seek HR advice before making this decision.

Where the person who is the subject of your grievance also raises a grievance about you (a counter-grievance), both grievances will normally be investigated together, though separate meetings may be held with each party. Both parties will be informed that counter-grievances have been raised.

5. COLLECTIVE GRIEVANCES

Where two or more employees wish to raise a grievance about the same matter, this may be dealt with as a collective grievance. The employees should nominate a spokesperson and may be accompanied by a trade union representative. The trust reserves the right to deal with grievances individually where appropriate, particularly where individual circumstances differ significantly.

6. RECORD KEEPING

Records of grievances will be kept in accordance with the trust's data retention policy and will be stored securely and confidentially.

Records will typically include:

- The written grievance
- Notes of meetings
- Evidence considered
- The outcome and reasons
- Details of any appeals

Where a grievance is found to be malicious or vexatious, details will be removed from the personnel file of the person against whom the grievance was raised, unless they consent to retention.

Where a grievance is upheld, partially upheld, or unsubstantiated, a record will be kept on file. This may be relevant to future references or DBS checks where appropriate.

Grievance records will normally be retained for 6 years after the conclusion of the case, or until the individual reaches normal retirement age plus 6 years, whichever is longer.

7. CONFIDENTIALITY AND DATA PROTECTION

The Trust will handle all grievances sensitively and with appropriate confidentiality. Information about your grievance will only be shared with those who need to know, including:

- Those involved in investigating or resolving the grievance
- Witnesses (who will only be given information relevant to their involvement)
- Those against whom the grievance has been raised
- HR advisers and legal advisers where appropriate

All personal data will be processed in accordance with the trust's data protection policy and UK GDPR. Records of grievances will be kept securely and retained in line with the trust's retention schedule.

However, confidentiality cannot be guaranteed in all circumstances, particularly where:

- There are safeguarding concerns
- There is a legal obligation to disclose information
- It is necessary to protect the trust's legitimate interests.

8. EQUALITY IMPACT ASSESSMENT

We have carefully considered and analysed the impact of this policy on equality and the possible implications for employees with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

The trust is committed to ensuring that this procedure is applied fairly and consistently to all employees, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

APPENDIX B

Frequently Asked Questions

Does the procedure apply to me?

Yes, if you are an existing trust employee.

When can I NOT use the procedure?

You cannot use this procedure to raise grievances regarding a matter that has already been dealt with under the grievance procedure or a matter/event or matters/events which occurred more than three months ago. You should consider that some issues are best dealt with under separate policies and procedures that deal specifically with the matter concerned (see Introduction).

Where can I get advice/guidance about the procedure?

You can get advice/guidance about the procedure from your manager, and your trade union representative.

Can you give examples of misapplication of policies and procedures?

This may relate to the incorrect interpretation of a policy or procedure or failure by another person to follow a reasonable request. If applicable, you should use the appropriate appeal procedures of other policies (see Introduction).

Can I use this procedure when formal management action is being taken against me?

Yes. You should refer to the counter claims part of the procedure.

Can I use this procedure if I perceive there to be organisational or institutionalised bullying?

No. You should use the trust's Whistleblowing Procedure.

What happens if my manager does not deal with my grievance as soon as possible?

Failure to do so may lead to your manager being criticised or reprimanded.

Does anyone else need to be told about my grievance?

No. If you wish for certain people to be called as witnesses within the grievance statement, then you will need to approach them in strict confidence and secure their support. If you refer to other individuals within the statement of your grievance and attribute them knowledge of your allegation, then any information which relates to them will be made available by the Headteacher or manager to them on a strictly confidential basis.

Is it appropriate for me to continue working with the person I have complained about?

Your Headteacher or manager will take into account your views, those of the person you have complained about and possibly other members of your team. Your manager may take advice on possible ways forward from an HR adviser. If the person you have complained about is your manager, then their manager will take into account your views. You are advised to raise your concerns with your trade union representative or HR adviser. The deciding manager will seek advice from HR if you are a disabled employee and you have concerns about access or support issues.

How as a Headteacher or manager can I find out if mediation will be effective or not?

You should seek advice from your HR Adviser or Occupational Health provider to decide whether mediation support could be a productive way forward.

What happens if my grievance is upheld?

Where the subject of the grievance's behaviour/actions have been found to be serious, the Headteacher or their manager will be responsible for taking any appropriate action. If a disciplinary hearing is held, you will be called as a witness, but you may not know the outcome of the disciplinary action. Copies of meeting records and/or statements may be used at the hearing. In addition, or alternatively to disciplinary action, the manager may consider taking some other action to resolve any outstanding concerns. This could mean, for example, extra training, re-clarification of accepted standard of work, reallocation of tasks, office relocation.

May I appeal if my grievance has not been upheld?

Yes. See Stage 3.

What happens once my appeal has been heard?

Having heard the appeal and considered all the evidence presented, the appeal panel may decide to:

- uphold your appeal;
- uphold your appeal in part and propose an appropriate way forward;
- reject your appeal and propose an appropriate way forward, if necessary.

They will meet with you (and your trade union representative) to advise you of their decision and any proposed way forward. They will then also meet with the respondent(s) to inform them of their decision and any proposed way forward. All relevant parties will receive written confirmation of the panel's decisions and proposed follow-up action.

What if I am still not satisfied?

You have a statutory right to take certain grievances (for example those related to unlawful discriminatory practices or breach of contract) to an Employment Tribunal. Information on Employment Tribunals can be found on <https://www.gov.uk/courts-tribunals/employment-tribunal>

APPENDIX C

Definitions

What is discrimination, harassment, victimisation and bullying?

They are actions or attention from a person or group of people, which may be open, implied or suggestive. If these actions or attentions are unwanted, unwelcome and not returned by the person receiving them, they will amount to some form of discrimination, harassment, victimisation or bullying.

Discrimination

Discrimination is about actions: people may hold a number of prejudices, which become discrimination when their actions are based on those prejudices. Discrimination can be direct or indirect. It can be an individual act, or a series of acts, or it can be institutionalised. Examples of evidence will be required. Direct discrimination occurs when a person or group of people receives less favourable treatment, which is unjustified, on grounds of age; disability; gender; HIV status; sexuality; race; or religion. Indirect discrimination occurs when an unjustifiable requirement or condition is applied, which has a disproportionate impact on a person or group of people.

Harassment

Harassment is unwanted, offensive or humiliating conduct affecting the dignity of those at work. It includes unwelcome verbal, non-verbal and physical conduct that could amount to unlawful discrimination. A person or group of people may harass someone deliberately or unknowingly. It is the harassed person's perception of the behaviour that is important. Harassment may be an isolated incident or a series of events. The European Commission's Code of Practice on measures to combat sexual harassment also considers harassment on grounds of sexual orientation (that is, whether you are gay, lesbian, bisexual or transsexual) as sexual harassment.

Victimisation

Victimisation is treating a person less favourably than others in the same circumstances because that person has:

- made a grievance or allegations of discrimination, harassment, victimisation or bullying;
- acted as a witness in any proceedings;
- been involved in the matter in any other way.

Victimisation may also occur as a result of a person's participation in trade union activities or membership.

Bullying

A single incident, or a series of incidents, can amount to bullying. Bullying may include:

- Persistent criticism;
- Personal abuse and/or ridicule;
- Ignoring someone;
- Excluding someone;
- Other behaviour, either in public or private, that humiliates and demeans the person involved, and which has the effect of eroding their confidence and performance.

Bullying may involve:

- The abuse of authority;
- The exercise of unfair disciplinary measures;
- Unreasonable changes in an employee's responsibilities;
- The exclusion of an employee from normal social, consultative and decision-making processes.

Examples of inappropriate and unacceptable behaviour

Inappropriate physical conduct ranges from touching another employee to serious assault, including the threat of such actions.

Inappropriate verbal conduct includes:

- Sarcastic comments;
- Unwelcome advances, propositions and/or jokes;
- Lewd comments or abusive language;
- Innuendoes and jokes that are of an offensive nature.

Inappropriate non-verbal conduct includes:

- Threatening or intimidating behaviour (including aggressive body language);
- The display or circulation of offensive or suggestive pictures, objects or written material;
- Graffiti;
- Any conduct which degrades someone else.

Other unacceptable conduct includes:

- Isolation or non-cooperation at work;
- Exclusion from group social activities;
- Coercion;
- Intrusion by pestering, spying;
- Abuse of power.

Mediation

Mediation is a method of helping people resolve disputes and find ways of working together more effectively and can be beneficial at either the preliminary or the formal stage. Everyone who is involved in conflict, either directly or indirectly, is affected and for some people this might be in the form of feeling stressed or emotionally distressed, performance at work suffering, poor morale amongst teams, loss of enjoyment of work, or sickness absence. A mediator will use specific skills which are impartial and they will facilitate a process that aims for a workable agreement between the parties. Other benefits of mediation are:

- It helps people learn or improve their skills for interacting with others in a positive way;
- It improves relationships and encourages co-operation between colleagues and managers;
- It can reduce and change a culture of blame, harassment and bullying.

Mediation is most effective before people begin to feel extremely angry or distressed because of the conflict, and before tension, low morale, poor job performance and disillusionment permeate the team.

Frivolous, Vexatious, Malicious

The use of the procedure for a reason other than a genuine concern about wrong actions/behaviour in the workplace, e.g., to upset someone, or to cause disruption in the workplace.