



GALILEO

MULTI ACADEMY TRUST

EMPLOYEE GRIEVANCE POLICY AND PROCEDURE

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This document applies to all schools and operations of the Galileo Multi Academy Trust:
www.galileotrust.co.uk

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Introduction

The Trust believes that:

- Employees should be treated with respect, justice and fairness;
- Employees also have a duty to honour these principles;
- Managers have a particular responsibility for creating an environment that promotes these principles;
- Employees have the right to complain when they believe there has been a breach of these principles and to have their complaint dealt with properly;
- Complaints should be dealt with at the lowest possible level.

Procedure

This procedure applies to all Trust employees.

This procedure cannot be used for complaints which concern:

- Other employee relations procedures with their own appeal process;
- Occupational pension, tax or benefit regulations;
- Malpractice or corruption - 'whistleblowing';
- Policy decisions of the governing body;
- Incidents which occurred and ended more than three months ago;
- Matters that were substantially dealt with in an earlier complaints process;
- Pay and conditions of employment which apply to a group or category of posts and which should be dealt with as a collective dispute.

In the case of a group grievance the concern may be raised by the trade union representative of one or more unions on behalf of the employees.

Stage 1 – informal resolution

Employees must try to resolve the issue informally in the first instance, by talking to the person who is causing the problem or to their line manager. If the complaint is about the line manager the complaint can be referred to the academy principal/head of school. In the event that the line manager is the academy leader, the employee may refer the complaint to the CEO.

Please note: The informal stage must have been sought prior to moving to the formal procedure.

Stage 2 – formal procedure

It is recommended that employees take further advice, for example from their trade union representative, before making a formal complaint.

Complaints must be in writing clearly stating reasons for the complaint, what reasonable remedy or solution the employee is seeking. At this point, however the grievance will be deemed to be a formal grievance/complaint.

When a grievance is made formal the employee is entitled to support and representation from a trade union representative or work colleague in dealing with the complaint.

The manager will acknowledge receipt of the grievance in writing to the employee and record the date on which it was received.

The manager will arrange for the grievance to be investigated (it may be appropriate for an independent manager to be nominated to investigate the concerns).

The employee will be provided with reasonable notice, in writing, of the requirement for them to attend a grievance meeting. The letter will inform them of their right to be accompanied by a trade union representative or work colleague.

If an employee's chosen companion will not be available at the time proposed for the hearing, the hearing will be postponed to a time proposed by the employee, provided that the alternative time is both reasonable and not more than five working days after the date originally proposed.

Any investigation should be completed within a reasonable timescale (unless there are exceptional circumstances). However, the employee who raised the grievance will be kept informed of progress and timescales throughout the process. If the employee feels that there has been an unreasonable delay, they can raise this with their line manager or the HR manager.

Once the information about the complaint has been collected and any further investigation completed, the investigating manager will consider all the facts and reach a conclusion.

If the complaint involves another employee, consideration will be given as to whether disciplinary action may need to be taken against them. If a disciplinary hearing is held, the persons hearing it, will be told about the complaint and the remedy being sought and will take these into account when reaching a decision.

Outcomes

The employee will receive a decision, confirmed in writing, within a reasonable timescale depending on the nature of the complaint.

If the complaint results in a disciplinary hearing taking place against another employee, the employee who raised the complaint will be entitled to know the outcome on the basis indicated below:

- No disciplinary action was imposed;
- Disciplinary action (level unspecified) was taken;
- Other formal action has been taken (e.g. the employee has been required to attend awareness training with respect to issues pertaining to the complaint);
- The employee has been dismissed.

Raising a grievance during a disciplinary process

Where an employee raises a grievance during a disciplinary process, considerations should be given to temporarily suspending the disciplinary process in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

A false, vexatious or malicious complaint

If an employee raises a grievance they know to be false, vexatious or malicious, or deliberately do so in order to delay ongoing procedures by the line manager e.g. disciplinary, attendance management, capability management; this will be taken very seriously and may in itself constitute a disciplinary offence.

Appeals

An employee who wants to appeal against a grievance outcome should inform the clerk to the governors within 5 working days of receiving the outcome in writing. The employee must explain the grounds for the appeal, specifying whether it relates to the facts of the matter or the way the procedure was followed. Appeals will be heard by the headteacher, CEO or trust board panel (see Appendix 3). Those involved in hearing the appeal will not have been previously involved in the case.

The purpose of an appeal is:

- To consider whether the outcome was fair and reasonable;
- To consider whether the procedure has been followed correctly;
- To consider any new evidence.

An appeal is not a re-hearing of the grievance, but a review of the decision. The outcomes open to those hearing the appeal are to:

- Uphold the appeal;
- Reject the appeal in full;
- Reject the appeal in part and suggest another option to resolving the complaint.

The investigating manager will present the case at any appeal against a grievance outcome decision. The appeal will take place within a reasonable timescale of the appeal request being received by the clerk to the governors. There is no further right of appeal.

Appendix 1 – Formal grievance form

Name of grievant (please print):		Work phone:	
Job title:		Home phone:	
Academy;		Mobile number:	
Start date:		Email address:	
Address:			
Date, time and place of event(s) leading to the grievance:			
Detailed description of grievance, including names of other persons involved, if applicable:			
Proposed solution to grievance:			
Signature:		Date:	

The form must be completely filled out.

Appendix 2 – Formal grievance appeal form record

Name of grievant (please print):		Work phone:	
Job title:		Home phone:	
Academy;		Mobile number:	
Start date:		Email address:	
Address:			
Reasons for your appeal (please provide detail; i.e. new evidence/information, procedure was not followed correctly, the outcome was not fair and reasonable):			
Outcome being sought:			
Signature:		Date:	

The form must be completely filled out.

Appendix 3 - Delegation of decisions relating to grievance cases (June 2018)

Staff group	Initial hearing	Appeal
All school staff, up to but not including, grievances from members of school senior leadership team	School senior leadership team	School leader or equivalent
Members of the academy senior leadership team	School leader or equivalent	CEO
Academy leader or equivalent	CEO	Trust board panel
CEO	Chairman of the board or Vice chair	Trust board panel
Executive Team	CEO	Trust board panel
Central Galileo Team	Senior member of the central Galileo Team.	CEO

Please note: where 'school leaders' are referred to this describes the person that is ultimately accountable for an institution.

In the case of formal hearings and appeals, a HR representative must be in attendance.

Trust board panels shall have a minimum of three members.

Decisions on who presents the cases will be made as appropriate to each case.