

Grievance Policy

Guidance for all school staff



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Human Resources

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1.0 Our Commitment

- 1.1 All school colleagues are expected to ensure that they take the time to read and understand this policy and act in accordance with it.
- 1.2 This policy covers all complaints, i.e., grievances raised during your employment, including bullying and harassment.
- 1.3 The school is committed to creating and maintaining a workplace where you are treated with dignity and respect and feel valued for the different skills and abilities you bring to the workplace.
- 1.4 Harassment, bullying or victimisation of any kind are unacceptable and will not be tolerated. The school will take disciplinary action where appropriate, which may include dismissal for serious offences.
- 1.5 You will be treated with the same level of respect and dignity, irrespective of, and not restricted to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or trade union membership or the fact that a colleague is employed on a part-time or fixed-term basis.
- 1.6 We recognise from time to time you may have concerns at work. This policy is available to address concerns in the workplace and provides a structured way to deal with those concerns and address them promptly, fairly and effectively.

2.0 Who this policy is for

- 2.1 This Policy applies to all school staff who are referred to as 'colleagues' within this document. Where a concern is raised against the headteacher this will be referred to the Chair of Governors. Where a concern is raised against the Governing Body, please inform the HR Business Partner for Children's at Milton Keynes City Council via email SchoolsHR@milton-keynes.gov.uk
- 2.2 A colleague may raise a concern just before leaving the school. Wherever possible we will apply this procedure in full. Where this is not possible in the time available the approach taken will be adapted to ensure reasonable consideration is given to the issue before the colleague leaves our employment. Relevant issues that have been highlighted will be addressed even if the colleague is no longer in employment where the concerns raised may have implications for other colleagues.
- 2.3 The school will not normally respond to concerns from ex-employees.

3.0 Purpose and Scope

- 3.1 The procedure applies to all grievances (complaints) made by a colleague relating to their employment which may be either:
 - A grievance regarding a relevant issue arising in the workplace, or;
 - Alleged incidents of bullying and/or harassment.

- 3.2 This policy also applies to collective grievances concerning workplace issues and to collective issues involving alleged incidents of bullying and/or harassment. Where a group of colleagues have the same issue, they may choose to raise a collective concern. The group should nominate a spokesperson to take a lead in resolving the issue. The group must be formed before the issue is raised and no new members can join the group once the issue has been raised.
- 3.3 Serious concerns about the school that do not fall within this policy can be raised via the Whistleblowing Policy.
- 3.4 This policy also applies to work-related activities held outside normal working hours, either on or off the school's premises, such as social events, leaving celebrations, working lunches, team building activities, training and social media etc.
- 3.5 This policy does not apply to:
- Issues that are covered by another policy e.g. an appeals process, redundancy decisions etc.
 - Matters that are subject to collective consultation, for example where colleagues are being consulted as a group in relation to organisational change or changes to terms and conditions.
 - Disagreements with school policy e.g. dissatisfaction with the school's maternity pay arrangements, unhappiness with the agreed process contained within a school policy.

Therefore, the school reserves the right to redirect your concern to the most appropriate policy.

- 3.6 It is important to note, if you are being managed through another process (e.g. performance and/or absence), it is not the intention of this policy to be used to raise a complaint against legitimate and fair action being taken by your headteacher. The school will reserve the right to review if this is a credible complaint.

4.0 Definitions

- 4.1 A grievance under this procedure could relate to any of the following:
- Terms and conditions of employment
 - Working environment/conditions
 - New working practices
 - Organisational change
 - Health & Safety concerns
 - Working relationships
 - A breach of statutory employment rights

- Bullying
- Harassment
- Victimisation

4.2 Bullying can be described as unwanted behaviour from a person or group that is either offensive, intimidating, malicious, or insulting, an abuse or misuse of power undermines, humiliates, or causes physical or emotional harm to someone. It may be physical, verbal, or non-verbal, and can be a regular pattern of behaviour or a one-off incident.

4.3 Examples of bullying might include:

- Ridiculing or demeaning others, belittling a person's opinion.
- Spreading malicious rumours, gossip or innuendo.
- Ostracising, isolating, and marginalising an individual, excluding the person from any discussion or decision making.
- Cyberbullying – using information and communications technology (particularly mobile phones, the internet, and social media) to upset and humiliate someone.
- Open aggression, intimidation, threats, shouting, abuse and obscenities, persistent negative attacks or persistent unwarranted criticism.
- Being treated less favourably than colleagues in similar roles.
- Overbearing supervision and excessive monitoring of work.
- Withholding information needed for the person to do their job properly.

These examples are neither exhaustive nor exclusive. Headteachers must contact the school's HR to discuss any behaviour they believe could be bullying.

4.4 Harassment, in general terms, is unwanted conduct affecting dignity of colleagues in the workplace. ACAS states there are three types of harassment:

- Harassment related to certain 'protected characteristics'
- Sexual harassment
- Less favourable treatment as a result of harassment

To be harassment, the unwanted behaviour must have either violated the person's dignity or created an intimidating, hostile, degrading, humiliating or offensive environment for the person.

4.5 Harassment may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable by the recipient. Whilst individuals may not always realise that their behaviour constitutes harassment, they must recognise that what is acceptable to one person may not be acceptable to another.

4.6 Examples of harassment might include:

- Unwanted conduct related to protected characteristics that has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- Unwanted physical contact, including unwanted sexual advances, touching, standing too close, inappropriate comments.
- Continued suggestions for social activity within or outside the workplace particularly after it has been made clear that such suggestions are unwelcome.
- Offensive or intimidating comments.
- Insensitive jokes or pranks.
- Display of offensive materials.
- Shunning a colleague, for example, by deliberately excluding someone from conversation.
- Singling someone out to complete demeaning tasks unrelated to their job.
- Sabotaging or destructively interfering in the work of others.

These examples are neither exhaustive nor exclusive. Headteachers must contact the school's HR to discuss any behaviour they believe could be harassment.

4.7 Victimisation is when someone is treated less favourably as a result of being involved with a discrimination or harassment complaint. It is a specific type of discrimination under the law (Equality Act 2010). Ways someone could be victimised include:

- Being labelled as a troublemaker
- Being left out
- Not being allowed to do something.

5.0 Legal Framework

- 5.1 The school will abide by all current legislation in its commitment to not tolerate Bullying & Harassment in the workplace.
- 5.2 As far as is reasonably practicable, the school have the duty to ensure the health, safety and welfare of colleagues (Health & Safety at Work Act 1974).
- 5.3 Harassment can be considered a criminal offence under legislation such as the Protection from Harassment Act 1997, and if proven, it could become a legal matter.
- 5.4 The school, the headteacher and members of the Governing Body who fail to take steps to prevent harassment or investigate complaints, may be held liable for their unlawful actions,

and be required to pay damages to the victim, as will the colleague who has committed the act of harassment.

6.0 Third Parties

- 6.1 If you have a grievance about a third party, you can attempt to resolve the matter yourself, if you feel there is no personal safety risk. If you manage to informally resolve the grievance, you should report this to your headteacher.
- 6.2 If otherwise, you should immediately report it to your headteacher, and your grievance will be investigated. Where applicable, the grievance should be handled jointly by the school and the partner organisation, taking account of the respective policy arrangements.

7.0 Support – Health and Wellbeing

- 7.1 We recognise that raising a grievance can be a stressful process and the school offers the following internal support to all colleagues:
 - Health & Wellbeing Action Plan (WAP)
 - Work Stress Risk Assessment
 - Trade Union Representatives
 - Occupational Health
 - Learning courses on a variety of topics e.g., stress & anxiety & personal resilience
 - Health & Wellbeing support & resources
 - Employee Assistance Programme – where applicable.
- 7.2 External support is available from:
 - Samaritans (24-hour counselling service) – 116 123 or www.samaritans.org
 - National Bullying Advice Line – 0300 323 0169 or www.nationalbullyinghelpline.co.uk
 - MIND – 0300 1233393 or www.mind.org.uk

Please speak to your headteacher or school's HR if you need help to access support.

8.0 Key Points of Process (informal/formal)

- 8.1 If issues relate to a trade union representative, the union's senior local convenor and regional officer must be notified. No further action should be taken until they have been informed.
- 8.2 Your grievance should be raised with your headteacher in the first instance, except where it relates to your headteacher. In such circumstances, your grievance should be raised with the Chair of Governors.
- 8.3 Where your grievance is of such a serious nature, for example it alleges bullying and/or harassment, the headteacher may decide that the formal stage should be commenced immediately. In such cases the formal grievance form (Appendix B) will be required. Your headteacher will need to speak to the schools HR in these situations. Your headteacher will inform you within 5 working days if your grievance is being progressed under the formal process (Section 10.0).
- 8.4 You should raise your grievance at the earliest opportunity, normally within three months of the alleged incident/s taking place. There may be circumstances such as long-term absence where this might not be possible. For grievances raised outside of these timeframes, the school reserve the right to decide whether to review the complaint.
- 8.5 It is important that all parties maintain confidentiality throughout the informal and formal process because issues can be sensitive. A Confidentiality Agreement (Appendix C) must be signed by all those involved in the process and any breaches of the agreed arrangements on confidentiality will be dealt with under the school's Disciplinary Policy.
- 8.6 The headteacher will be responsible for carefully documenting each stage of the procedure.
- 8.7 If the investigation has shown your grievance to be without foundation and that it has been submitted falsely and/or with the deliberate intention of frustrating another process or that you, in making your grievance, knowingly gave false information to the Investigating Officer, this is likely to be addressed under the Disciplinary Policy.
- 8.8 Where a counter grievance, is made by the person whom the original grievance has been made against, this will be dealt with as part of the same process.
- 8.9 The outcome and details of your grievance must remain confidential. However, where appropriate, the headteacher may notify colleagues who were involved, of the outcome, to remind them of confidentiality, and about any changes that will be introduced as a result. For example, updating a policy or providing training on a particular topic.

9.0 Informal Process

- 9.1 Any work-related concerns should be raised informally with your line manager / headteacher as soon as they arise. It will help to mention dates, examples of what has taken place and if this was witnessed. Line managers / headteachers should inform the school's HR at the earliest stage and seek support/advice on how to resolve the matter informally.

- 9.2 Whether you are raising the grievance, or a grievance has been raised against you, you will be able to access the support outlined under Section 7.0 Support – Health and Wellbeing. Whilst a grievance can be stressful, the policy and process is designed to resolve misunderstanding, communications and identify behaviour which needs to change in as supportive way as possible for all concerned.
- 9.3 Where possible the aim is to resolve grievances informally. Your line manager / head teacher will meet with you to discuss your informal concern in more detail, what outcome you are seeking and how you can work together to achieve a resolution.
- 9.4 When a resolution is achieved at the informal stage of the process, the Informal Outcome form should be completed by the line manager / headteacher and signed by all parties. Where appropriate, all parties should receive a copy of the outcome and a copy will be saved in the personnel file of each colleague. If applicable, your manager / headteacher must also put in place arrangements to monitor how colleagues involved are continuing to work together.

10.0 Formal Process for Unresolved Grievances

- 10.1 Every effort will be made to resolve complaints at the informal stage; however, the formal process will be followed if:
- The agreed outcome after the informal process has concluded is not being observed.
 - You reasonably believe that the grievance cannot be resolved informally.
 - You have raised your grievance informally, yet it is deemed sufficiently serious.
- 10.2 You will be required to complete the formal grievance form (Appendix B) and include dates, examples of what has taken place and if this was witnessed. It is crucial that you state the outcome you wish to achieve as a result of this process. By signing the form, you are indicating your understanding that you are giving permission for appropriate sections of the form to be copied to anyone named on it.
- 10.3 If a formal grievance has been made against you, you will be provided with as much information as possible, and this will be determined by management depending on the sensitivities of each case.
- 10.4 The person who received your grievance will send a written acknowledgement of receipt within 5 working days.
- 10.5 Depending on the nature of the grievance, the headteacher will need to consider whether working arrangements of parties involved need to be temporarily reviewed whilst the process is ongoing. This could involve suspension, redeployment or working in another location.
- 10.6 The headteacher will appoint an Investigating Officer to carry out an investigation into the facts of the case and ensure it is progressed within a reasonable timescale considering the

circumstances. The Investigating Officer will meet with any relevant parties involved and, where witness names have been given, will decide which witnesses to speak to.

- 10.7 You have the right to be accompanied by a work colleague or trade union representative at any formal meeting. If your representative is unavailable to attend the investigatory meeting on the date proposed for good reason, the Investigating Officer will reschedule the meeting normally no later than 5 working days, after the original date. No further rescheduling will be considered unless the reason for nonattendance is considered exceptional (e.g. hospitalisation).
- 10.8 Sickness of any of the parties involved in the grievance should not delay the process. Therefore, where parties are well enough to attend a meeting, the investigation should continue even though the colleague may not be fit to attend work.
- 10.9 Once the investigation has been completed the Investigating Officer will evaluate all the evidence available and prepare a written report to be passed to the headteacher. The written report will summarise the findings and make recommendations based on the evidence from the investigation.
- 10.10 The headteacher will normally chair a meeting with the Investigating Officer, together with an HR representative (present in an advisory capacity), to review the report and evidence gathered and address any issues of clarity prior to making a final decision on the outcome.

Possible outcomes:

- Allegations, fully or partially, substantiated and it is considered appropriate to take disciplinary action against the person whom the grievance was made against, if any.
 - Allegations are unsubstantiated, therefore no further action.
 - Whilst there may be some evidence of inappropriate conduct, this is not considered serious enough to warrant a formal sanction. There is scope for learning through training, counselling and/or mediation (see Appendix A) to address it;
 - Grievance raised is considered to be a dishonest and/or malicious claim and the complainant may be subject to disciplinary proceedings.
- 10.11 The Chair will notify all parties of their decision. An outcome letter will usually be issued together with a copy of the investigation report within 5 working days of the meeting. If appropriate, the Chair may decide to meet with relevant parties to deliver the outcome. They will also inform relevant manager(s) of the outcome and highlight any relevant actions and/or recommendations.
 - 10.12 Where applicable, witness statements will not be provided in the outcome letter. Should the matter proceed to a disciplinary hearing, where appropriate, these may be presented as part of the management case.

11.0 Disciplinary Hearing

- 11.1 Should the Chair decide a formal disciplinary process is required as part of the outcome, a new Investigating Officer will be appointed under the Disciplinary Policy. The original investigation will form part of the investigatory stage of the disciplinary process. The new Investigating Officer will review the investigation reports, evidence and appendices and decide if further investigation is required. They will present the management case at any disciplinary hearing.

12.0 Appeal

- 12.1 If you are the person who raised the complaint, and you wish to appeal against the decision, you can submit the Appeal form to the headteacher (or Chair of Governors if the matter relates to the Head Teacher). This needs to be completed and sent normally within 5 working days of receipt of the outcome letter; only in exceptional circumstances will this timescale be extended.
- 12.2 To help you in preparing your grounds for appeal, you will need to be able to demonstrate one of:
- That the Grievance Policy has been applied defectively or unfairly.
 - That new evidence has come to light that was not available at the original investigation stage, and that it is likely to make a difference to the original decision.
 - The outcome does not resolve the problem.
- 12.3 The headteacher will acknowledge your appeal and if your grievance is against a specific individual(s), the headteacher will also inform them that there is an appeal. They will confirm in writing details of what happens next, who is involved and an anticipated timeframe of the appeal outcome.
- 12.4 Arrangements for hearing of the appeal will be made by the Appeal Hearing Chair within 10 working days of receipt of the written appeal and you will be given details of the arrangements at least 5 working days in advance of the hearing. If your grievance is against another colleague(s), they will also be informed at least 5 working days in advance.
- 12.5 You will be given the opportunity to state your case, and should the grievance be against a colleague, they may also be asked to attend. Parties won't be present in the room at the same time and may be accompanied by a work colleague, or a trade union representative. A representative from Human Resources will be present at all Appeal Hearings in an advisory capacity and a note taker will also be in attendance.
- 12.6 The Appeal Hearing Chair will:
- Consider the conclusions and decision of the original Chair, any new evidence provided by you and any further facts that have come to light as part of this appeal process.

- Make a decision, based on the above information, whether or not to uphold the original decision.

12.7 The Appeal Hearing Chair's decision is final and will be communicated in writing within 5 working days of the Appeal Hearing, to all parties. Copies of the letters will be saved on colleagues personnel file.

13.0 Data Protection

13.1 Data collected and processed as part of informal and formal grievances is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the grievance or as part of a related process. The school keep a written record of all grievance cases to help with any questions or similar cases in the future. In line with data protection law (UK GDPR), records should be confidential and only be kept for as long as necessary. Records are retained and destroyed in accordance with the organisations Retention Schedule.

Any changes to this policy will be consulted upon with employee representatives and reviewed regularly, with the aim of ensuring that it continues to reflect best practice and relevant legislation.

Appendix 1 - Mediation

Mediation is a way to improve working relationships when there is a disagreement at work. Mediation is held by a neutral person (a 'mediator'). The mediator is impartial. This means they do not take sides. They're there to help everyone involved find a solution they can all agree to.

Mediation is not about judging who was right or wrong in the past but looks at how to agree on working together in the future.

Mediation can be a positive way to resolve disagreement at work and is:

- less formal
- flexible
- voluntary
- confidential

Mediation helps to mend workplace relationships by:

- finding solutions that everyone agrees to
- improving communication
- allowing everyone involved to have control of what's finally agreed.

Mediation outcomes are decided by everyone involved and can be flexible. Outcomes might include:

- an acknowledgement of each party's views
- a commitment to change behaviour
- a commitment to regularly review the agreement reached
- an agreement to review policies and procedures
- an agreement to share work more fairly and provide more responsibility.

Mediation is voluntary and confidential. The mediator will agree with everyone involved what information can be shared outside the mediation and how. If you do not reach an agreement, anything that's been said during the mediation must be kept confidential and cannot be used in future procedures.

Mediation may help to resolve:

- bullying and harassment
- communication problems
- personality clashes
- relationship breakdowns.

If you feel that mediation could be useful in resolving your grievance, the person who has received your grievance can look into arranging a trained person to facilitate mediation for you, if all parties agree to take part.

Appendix 2 – Formal Grievance Form

Formal Grievance Form	
<p>This form is intended for use by Staff who would like to raise a formal grievance.</p> <p>Colleagues should bear in mind before using this form that it is only in very exceptional circumstances that formal grievances will be accepted without actions being taken to resolve the matter informally in the first instance.</p> <p>Once completed, the form can be sent via email to your head teacher (or Chair of Governors where your grievance relates to your headteacher, alternatively, to the HR Business Partner for Children’s at MKCC where your grievance related to the Governing Body) with “Confidential” in the subject line.</p> <p>If you have any queries about completing this form, please contact your line manager / headteacher or the schools HR.</p>	
Name:	
Job Title:	
Line Manager:	
1. Description of Grievance – where possible please include specific examples of events rather than generalised statements:	
<p><i>It will be helpful to include dates, times, who was involved, if there were any witnesses etc.</i></p>	

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2. How did the above incident (s) make you feel? This could be how you felt at the time and how you feel now.

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3. If applicable, how did you react at the time?

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4. Have you tried to resolve the matter informally? If yes, what was the outcome?

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5. Have you spoken to anyone else regarding your grievance? If so, to whom?

6. In submitting this grievance, what outcome(s) are you are seeking?

Declaration - I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that making any false, malicious or untrue statements may be considered as gross misconduct by the school and where it is considered that a complaint may be vexatious, the matter will be investigated under the Disciplinary Policy.

I also understand that by completing and signing this Formal Grievance Form, I automatically give my explicit permission for the appropriate sections to be copied to anyone named in it.

If you have any evidence to submit to support your grievance, please include a copy.

Signed:

Date:

Appendix 3 – Confidentiality Agreement

Confidentiality Agreement

(To be issued by the Investigating Officer to all parties interviewed as part of the Grievance Investigation)

The school takes all grievances seriously and is committed to resolving these issues as quickly as possible in a fair and sensitive manner, with the least disruption to normal business operation.

A formal complaint (grievance) is currently being investigated. This investigation interview is needed to clarify whether or not the points raised in the complaint have any substance. Confidentiality, in these circumstances, is, therefore, paramount.

During the investigation, the Investigating Officer and school management will commit to maintaining confidentiality by:

- Choosing neutral locations for meetings
- Keeping papers related to the investigation confidential
- Exercising discretion during telephone conversations and in making notes and diary entries
- Ensuring that people providing administration support are bound to maintain confidentiality

It is requested that those involved in this investigation, respect the dignity and privacy of the other parties by:

- Keeping any discussion about the investigation between you and the Investigating Officer
- Not disclosing information about other parties involved in an investigation
- Treating everyone involved in a way that you would wish to be treated
- Undertaking to remain focussed on the work responsibilities allocated to you
- Speaking to your line manager if you have any concerns that the dignity and respect of any of the parties involved in the investigation is not being observed

To maintain confidentiality, can you please sign and agree as follows:

I fully understand that any breach of confidentiality regarding any aspect of this grievance investigation may be regarded as a disciplinary offence. Please sign below to acknowledge receipt and indicate an understanding of the above

Name (BLOCK CAPITALS)

Signature

Date

One copy should be given to the interviewee and the other will remain on file

Version Control

Version	Date	Updated by	Comments
V1.0	15/07/2021	Penelope Croucher & Lisa Kelly	Updated in line with MKC Resolving Workplace Concerns Policy
V1.0	29/11/2022	Declan Leith	Transferred on to new MKCC template to ensure accessibility requirements are met
V2.0	23/05/2025	Morgan Logan	Updated in line with MKCC policy

