



***Thinking Schools Academy
Trust***
“Transforming Life Chances”

Grievance Policy

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Part A – Policy

1. Policy Statement

The Thinking Schools Academy Trust promotes positive working relationships and is committed to providing a working environment where Employees are treated with dignity, fairness and respect.

The Trust recognises that occasionally an individual Employee or group of Employees may have a problem, concern or complaint regarding their working environment or working relationships.

It is expected that the majority of day to day concerns can be resolved through regular communication between Managers and Employees.

However on occasion this may not be possible and a more structured approach may be necessary using this procedure.

Where an Employee raises a grievance it is preferable for this to be resolved informally between the individual and the Headteacher/Principal / line manager, or person who the complaint is made against, as close to the point of origin, wherever possible.

Where a grievance cannot be resolved informally, it may be appropriate for the issue to be addressed formally, including allowing the right of appeal.

The Trust encourages individuals to work towards a resolution and requires all parties to engage in this process. Consideration will be given to the use of mediation as a means to achieve a lasting resolution to complaints.

The Trust recognises the need to ensure grievances are addressed without undue delay. The Trust may undertake reasonable investigation to assist in the resolution of the grievance.

Complaints that are found to amount to misconduct on the part of an Employee will be addressed under the Trust's Disciplinary Procedure.

An Employee who has raised a complaint in good faith will not be victimised for doing so.

Due consideration will be given to the support required by both parties when addressing concerns. A grievance will be treated as confidential by all parties.

This procedure has been developed to comply with legal requirements and in accordance with ACAS guidance and best practice principles.

This procedure explains:

- How Employees can raise issues with their managers about their working environment or work relationships

- How the Trust will address those concerns in a fair and consistent manner
- What is expected from managers and Employees with regards to the management of grievance issues

2. Scope

This Policy and Procedure applies to all current Employees of The Thinking Schools Academy Trust.

The Grievance policy should be used for work related issues such as concerns relating to an Employee's own employment, working environment and terms and conditions. It may also be used to raise concerns about the actions of another Employee or manager acting on the Trust's behalf.

If the complaint relates to an allegation of bullying and harassment – the matter should normally be addressed under the Trust's bullying and harassment procedure.

Employees are advised that any grievances raised must lie within the authority and control of the Academy to resolve in its role as an Employer.

This procedure is not intended to be used in instances where other procedures apply including:

- Dismissal or disciplinary matters
- Performance or capability matters
- Redundancy or restructure issues
- Pay decisions
- Complaints about harassment, bullying or whistleblowing

This policy applies equally to collective grievances. Larger groups of Employees will normally be expected to nominate or identify representatives to speak for the group. These may or may not be official Trade Union representatives.

Issues that are the subject of collective agreements / disputes or legislation will not be considered under the grievance procedure and are instead covered in Appendix 3 of this policy or alternatively under the terms of Appendix 3 of (Trust) or Appendix II of the Joint Commentary by the NEOST & the Six Teachers Organisations of the Conditions of Service for School Teachers in England & Wales Document 2000.

3. Definition

Grievances are defined as concerns, problems or complaints that employees raise with their employers (ACAS Code of Practice for Disciplinary and Grievance Procedures).

This may include a problem or concern that an Employee or group of Employees has about their work, working conditions, or relationships with and actions of their manager or colleagues.

4. Roles and Responsibilities

4.1 Responsibilities of the Academy Trust

- a. To ensure Employees are given the opportunity to explain their concern and the outcome sought.
- b. To seek a means to resolve the grievance wherever possible whilst taking into account Trust policies, procedures and rules.
- c. Achieve the early resolution of grievances where possible and to allow Employees to take their concerns to a further level of management where appropriate
- d. To ensure consistency and fairness of treatment.

4.2 Responsibilities of the Employee/s

- e. To raise grievances only in relation to legitimate concerns and not of a malicious / vexatious nature.
- f. To engage with managers in seeking to resolve any grievance that has been raised – by attending meetings and / or participating in any investigation and providing evidence to support the complaint.
- g. To make every effort to raise and resolve matters informally at an early stage and to consider mediation as a means of resolving concerns.
 - i. To act in a respectful and professional manner towards all parties.
 - ii. To maintain confidentiality

Part B – Procedure

The Trust is committed to enabling Employees to raise concerns about workplace issues without fear of victimization or repercussion to ensure all grievances are dealt with fairly and objectively.

We have adopted a 3 stage process to support this:

- Stage 1: Informal Stage including mediation
- Stage 2: Formal investigation and outcome
- Stage 3: Appeal

5. Stage 1: Informal Grievances

In the first instance an Employee should raise a grievance informally wherever possible. Grievances relating to an Employee's own employment should initially be raised with the Employee's line manager.

Grievances relating to colleagues or line manager should wherever possible be raised informally with the individual who the complaint is about in the first instance.

If the Employee feels uncomfortable doing this they should raise the issue with their line manager who may be able to facilitate a discussion between all parties regarding the concerns.

In instances where the complaint is against an Employee's line manager – complaints should be raised with the next level manager - who may be able to facilitate a discussion between all parties regarding the concerns

5.1 Informal Action

If an Employee has a grievance this should, wherever possible, be raised informally and verbally, in the first instance.

An Employee may also raise the matter in writing if preferred.

In addition to outlining the details of the concerns the Employee should also clearly explain what action or outcome they are seeking.

The normal expectation is that the Employee and person who the complaint is against and / or Grievance Officer would arrange a confidential meeting as soon as possible. The purpose of this meeting is to explore the issues and the outcome sought by the Employee with the aim of achieving a resolution or way forward informally that is acceptable to the Employee.

Where the complaint is against an individual, it is expected that all parties should reasonably agree to a joint meeting as a means to seek a resolution to the complaint at this early stage.

Resolutions at an informal stage may include:

- Providing an apology where appropriate
- Agreeing how future communication will take place
- Agreeing future conduct which is acceptable to all parties
- Agreeing alternative work patterns / practices for either or both parties
- Agreeing an action plan of working practices for parties involved over an agreed time period with planned reviews as and when required
- Exploring counselling or workplace mediation
- Agreeing further training, coaching or mentoring

It should be noted that any resolution should take into account Trust policies, procedures and rules. Depending on the circumstances more than one discussion may be required to achieve a resolution.

At the end of the meeting(s), all parties should agree what actions will be taken to achieve an acceptable outcome and the timescales for achieving these.

At the conclusion of the informal process a written record may be made detailing the date of the meeting(s), concerns discussed and actions / outcomes agreed. A copy should be shared with all parties.

5.2 Mediation

Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement.

Where mediation is used during a grievance procedure, the formal process will be temporarily suspended pending the outcome of the mediation. There are no hard-and-fast rules for when mediation is appropriate, but it can be used:

- for conflict involving colleagues of a similar job or grade, or between a manager and a member of their staff;
- at any stage in the conflict as long as any ongoing formal procedures are temporarily held in abeyance;
- to rebuild relationships after a formal dispute has been resolved;
- Where an individual does not wish to engage with a formal approach but is not happy/satisfied with the outcome reached following informal interventions.
- to address a range of issues, including relationship breakdown; personality clashes communication problems; and minor infringement of other Trust policies.
- In some situations, the combination of disciplinary and grievance issues can become blurred. The Trust may prefer to tackle the underlying relationship issues by means of mediation. In such cases the manager of the manager may be called to intervene and to facilitate agreement as to the appropriate course of action.

Mediation may not be suitable if:

- the grounds for misconduct are manifestly clear and mediation would serve no useful purpose;
- used as a first resort, because people should be encouraged to speak to each other and talk to their manager before they seek a solution via mediation;
- it is used by a manager to avoid their managerial responsibilities;
- a decision about right or wrong is needed, for example where there is possible criminal activity;
- an individual is raising a complaint under the Trusts Bullying, Harassment and Dignity at work policy that warrants formal investigation;
- the parties do not have the power to settle the issue;
- one side is completely intransigent and using mediation will only raise unrealistic expectations of a positive outcome.

6 Stage 2: Formal Grievances

If it is not possible to resolve a grievance informally, Employees' may raise the matter formally in writing with the next level of management who is not the subject of the grievance. In instances where the grievance is against the Headteacher/Principal – any formal grievance should be raised with the Chair of Governors.

It should be noted that at the formal stage the Grievance Officer may be the same person who facilitated a discussion at the informal stage or may be another appropriate manager.

Complaints raised by the Headteacher/Principal:

Where the Headteacher/Principal has a grievance, the matter should be raised formally with the Chair of the Board of Directors, or in instances where the complaint is against the Chair of the Board of Directors, the matter should be raised with the Vice Chair.

Where it is not possible for the matter to be resolved informally to the Employee's satisfaction, a formal written grievance may be raised. Any written grievance should be made within 5 working days of the outcome of the informal stage.

The Grievance notification form, attached at Appendix A, should be used for this purpose.

The written notification should set out the concerns objectively, including details of the nature of the complaint as follows:

- the name of the Employee who they are raising a grievance about or matters of concern, if appropriate;
- the action or proposed action which has given rise to the grievance, together with specific examples if possible;
- dates and times when incidents occurred, and where they occurred;
- the names of any Employees who are witnesses to the grievance;
- any informal action that the Employee has already taken to try to deal with the grievance.

In all cases the Employee should also clearly state what outcome / proposed action they are seeking by raising the grievance.

The Employee should also submit any documentary evidence that is relevant to their complaint.

In most instances where a Grievance Officer was identified at the informal stage – this individual can continue to consider the complaint at the formal stage.

The Grievance officer will provide the Employee written confirmation of receipt of the complaint and confirmation of who will progress the concern.

6.1 Formal Grievance Meeting

The Grievance Officer will arrange a confidential meeting with the Employee within 10

working days of receipt of the formal grievance.

An Employee is entitled to be accompanied to a grievance meeting by a workplace colleague or trade union representative

The purpose of this meeting is to:

- Provide an Employee with the opportunity to explain their grievance in full and consider / clarify the details of the complaint
- Gather any evidence that the Employee wishes to submit in support of their complaint
- Identify any witnesses to the grievance
- Explore and consider the outcome that the Employee is seeking
- Determine the outcome of the complaint / reach a resolution at the initial meeting if appropriate
- Determine what further action might be necessary before an outcome can be determined

If appropriate the meeting may be adjourned by the Grievance Officer to:

- Consider the information presented, allow for deliberations and make their decision
- Undertake a simple fact finding exercise themselves to verify facts and review necessary documents
- Commission a formal investigation and appoint an investigating officer
- Identifying other resolutions as outlined at the informal stage
- Arrange a joint meeting between the parties
- Allow time for mediation between parties
- Consider whether any other further action might be appropriate

It may be that a combination of these actions are appropriate in certain circumstances.

Where it is not possible to provide an outcome to the grievance during an initial meeting, the Grievance Officer will confirm in writing the action that is proposed to progress the complaint and the anticipated timescale for completion.

6.2 Formal Investigation

Consideration should be given to undertaking as much investigation as is reasonable and appropriate in order to gain a full understanding of the circumstances surrounding the grievance.

In some instances it may be necessary for the Grievance Officer to commission a formal investigation - however it should be noted that a formal investigation will not take place as a matter of course and without careful consideration of other means to resolve the complaint. In many instances an informal fact finding exercise will be sufficient.

Should a formal investigation be undertaken, a formal interview will take place with the Employee who has raised the grievance to explore the details of their concerns.

The Employee who the grievance has been raised against will be notified in writing of the nature of the grievance and be invited to attend a formal interview. The Employee will be given full and fair opportunity to respond to the grievance, explain their viewpoint and any mitigating circumstances.

The investigating officer may also conduct a formal interview with other Employees identified as witnesses to the complaint. Witnesses providing evidence to an investigation should be advised that they may be called to present this at a subsequent hearing.

A written report will be produced of the investigation findings.

Should an investigation identify issues of Employee misconduct – this will be addressed under the Trust's Disciplinary Procedure.

The investigation findings will inform the Grievance Officer's response to the grievance.

It may not be appropriate or useful in resolving the grievance to share the full investigation report with the parties to the grievance. In such circumstances a summary document or anonymised text may be made available as the Grievance Officer considering the complaint deems appropriate.

6.3 Communicating the Outcome of the Formal Grievance

Having considered the matters raised, the Grievance Officer may be able to determine the outcome of the grievance or agree actions to address the complaint raised and resolve the grievance during the course of the initial meeting.

Where this is not possible the formal grievance meeting will be reconvened at the earliest opportunity following the completion of any investigation or agreed actions.

The purpose of this meeting is to:

- Communicate the outcome of the grievance and the reasons for this decision to the Employee
– with reference to the findings of any investigation
- Communicate any recommendations or actions to the Employee
- Advise the Employee that they may appeal against this decision

The outcome meeting will be arranged without undue delay and where possible within 10 working days of the conclusion of any investigation or other follow up action where this is necessary.

Based on the information presented, the Grievance Officer may determine the following outcomes:

- The Grievance is upheld in full, or
- The Grievance is rejected, or
- The Grievance is upheld in part

In addition to the above, the Grievance Officer may recommend that further action such as mediation or training be considered to resolve the situation. It should be noted that any resolution should take into account Trust policies, procedures and rules.

The Employee will be notified of the outcome verbally following any deliberation or further investigation as is necessary. In all instances the Employee will be notified of the outcome in writing usually within 5 working days of the date of the meeting or the decision being reached. This notification will include:

- The outcome and the reasons for the decision
- A summary of the facts that the Grievance Officer considered in coming to their decision – including the findings of any investigation
- Any recommendations or agreed actions for the parties to take
- Advising the Employee that they may appeal

It should be noted that where a complaint was against another Employee, the Employee who raised the grievance does not have the right to know what disciplinary or other action may be taken.

Where a complaint is against another Employee, the outcome of the investigation and formal grievance decision will be shared with them. This may be in writing or at a meeting.

7 Stage 3 – Appeal

Appeals should be heard by a more senior manager to the manager who initially considered the formal grievance. In instances where there is not a higher level of management within the Trust's structure – appeals may be heard by one or more members of the Board of Directors.

Grievances are usually heard through the stages outlined above, however there may be instances where the issues raised are outside of the remit of the immediate manager or Headteacher/Principal to resolve. If this is the case, exceptionally, a formal grievance may be referred immediately to the Chair of the Board of Directors for consideration.

7.1 Grievance Appeal Meeting

Where an Employee feels that their Grievance has not been satisfactorily resolved by the Grievance Officer they may appeal against the outcome.

Appeals should be made in writing to the Headteacher / Principal / Line Manager, within 5 working days of receipt of the written outcome of Formal Grievance. The letter of appeal should clearly state the specific grounds on which the Employee is making the appeal and why they are dissatisfied with the decision. A copy of the original grievance form and any supporting documentation should also be submitted.

An appeal meeting will be arranged without undue delay and where possible within 10

working days of receipt of the written appeal.

The appeal meeting will be heard by a more senior level authority than the original Grievance Officer. Where there is not a more senior manager the appeal may be heard by a member / panel of the Board of Directors. Those considering the appeal will not have had involvement in the grievance at the earlier stages.

An Employee is entitled to be accompanied to an appeal meeting by a workplace Colleague or trade union representative.

At an appeal meeting the Appeal officer or Panel will review:

- The original grievance outcome decision
- The Employee's reasons for raising an appeal
- Any further representations made or information presented by the Employee

An appeal is not designed to re-hear the matter but to examine the grounds of appeal. The employee should therefore be specific about the grounds of the appeal.

However, a full re-hearing may be appropriate in exceptional circumstances.

The Grievance Officer who considered the complaint at the earlier stage may be called as a witness to the appeal meeting.

Based on the information presented, the manager hearing the grievance may determine the following outcomes:

- The original grievance decision is upheld in full, or
- The original grievance decision is overturned or
- The original grievance decision is upheld in part

In addition to the above, the Appeal Officer or Panel may recommend that further action such as mediation or training be considered to resolve the situation.

Where possible the Employee will be advised verbally of the outcome at the conclusion of the meeting or following any deliberations that may be necessary.

In all instances the Employee will be notified of the outcome in writing usually within 5 working days of the date of the meeting or the decision being reached. This will include:

- The outcome and the reasons for the decision
- A summary of the facts that the Appeal Officer or Panel considered in coming to their decision
- Any recommendations or agreed actions for the parties to take

Where a complaint is against another individual the appeal decision will be shared with them. This may be in writing or at a meeting.

The outcome of the appeal is final and there is no further right of appeal.

8 Timescales

A grievance should not normally be raised if the event, act or issue complained of occurred more than 3 months prior to an Employee raising a complaint.

Should an Employee wish to raise a complaint outside of this period they will need to demonstrate that:

- They have made reasonable attempts to resolve the matter informally outside of the grievance process
- They could not reasonably be expected to have known about the issue and have raised the complaint within three months of first becoming aware of it
- They have been unable to raise the matter due to absence from work.
- The matter/s of concern form part of a pattern or number of alleged acts or omissions.

Grievances will be addressed promptly and without undue delay in achieving an outcome for all parties. Indicative timescales are set out below – however these may vary depending on the circumstances of the case:

Stage	Action	Timescale
Informal Stage	Informal Grievance raised	Meeting held and outcome reached as soon as is practicable
Informal Stage	Formal Grievance raised	Within 5 working days following the outcome of the Informal stage
Formal Stage	Grievance Meeting	Within 10 working days of receipt of formal complaint
	Written Outcome	Within 5 working days of the Grievance Meeting or conclusion of any investigation where necessary
Appeal	Appeal	Appeal to be made within 5 working days of the receipt of the written outcome
	Appeal Meeting	Within 10 working days of receipt of written appeal
	Written Appeal outcome	Within 5 working days of the appeal meeting

Anticipated timescales for completing an investigation will be communicated. Where additional time is required all parties will be advised.

If an Employee exceeds the time limits without good reason the grievance will be considered as being out of time and no further action will be taken.

If requested, the scheduled date for any formal grievance meeting or appeal may be postponed by up to 5 working days if the Employee's trade union representative or workplace colleague is unable to attend. Thereafter, however, no further postponements will be possible, unless by exceptional agreement, and the meeting will go ahead as scheduled, whether or not all parties attend.

9 Authority to Act

In this procedure the manager considering the complaint is referred to as the 'Grievance Officer'. The Grievance Officer may vary depending on the nature of the complaint and who the grievance is raised against. This has been outlined below:

Grievance Officer at each stage				
Who has raised the grievance?	Who is the grievance against?	Informal Grievance heard by	Formal Grievance heard by	Appeal heard by
Employee	Concerns regarding their own employment	Line Manager / Headteacher	Line Manager / Headteacher	Headteacher / Director of Education
	Colleague	Speak directly with colleague the grievance is against, or Line Manager and/ or Headteacher	Line Manager / Headteacher	Headteacher / Director of Education
	Line Manager	Head of Department / Key Stage or Headteacher	Headteacher	Headteacher from another Trust school / Governor / Director of Education
	Headteacher	Director of Education	Director of Education / Governor	Deputy CEO / Chair of Governors
	Director of Education	Deputy CEO	Chair of Governors	CEO

10 Right to Representation

Employees who raise or are the subject of a complaint have the right to be accompanied by a workplace colleague or trade union representative at any formal meetings held as part of this procedure.

The presence of a trade union representative or workplace colleague may also be of benefit

during the informal stage of the process – however it should be noted that this does not make the meeting formal.

11 Support and Conduct during the Process

The Trust acknowledges that they have a duty of care towards all Employees and consideration will be given to any support or reasonable adjustments required by either party during the process.

Employees are advised that their Trade Union or Professional Association will be able to provide support and advice to their members. Employees may also wish to make use of the confidential counselling service provided by the Trust.

Employees are able to access a Counselling Service, see Appendix D for details.

Due respect will be given to the rights of both parties during the process and the Trust will adopt an objective and balanced approach when addressing complaints. Both parties are entitled to a full and fair opportunity to submit their accounts with a view to reaching a resolution.

Where both parties to the grievance are present at any meeting - the Grievance Officer should endeavour to facilitate respectful dialogue between the parties to assist in identifying a mutually agreeable outcome.

Staff will be protected from intimidation, victimisation or discrimination for raising a complaint or for having a complaint raised against them. Any form of retaliation against a member of staff may be addressed as a misconduct issue.

12 Supporting Documents

Any documents or relevant information that would assist in the resolution of the grievance should be shared by either party as soon as is possible in advance of the formal grievance meeting or appeal hearing and not less than 3 working days prior to the meeting.

13 Involvement of other parties / witnesses

In certain instances it may be appropriate to allow other parties / witnesses to attend a formal grievance or appeal meeting where their contribution may assist in understanding the issues being raised. However in most cases this will not be necessary as information will be gathered during any fact finding or investigation process.

Should an Employee wish to request that another party attends the grievance or appeal meeting – they should advise the Grievance Officer who will consider each request on a case by case basis.

14 Non Attendance at Formal Grievance and Appeal Meetings

Where an Employee or their representative is unavailable to attend, they should inform the Grievance Officer / Appeal Panel at the earliest opportunity. If an Employee's representative is unavailable the hearing / appeal may be deferred by up to 5 working days from the date of the original hearing.

The Grievance Officer/Panel will give due consideration to a request for postponement taking into account the individual circumstances and reasons for non-attendance.

Other than in exceptional circumstances only one postponement will be granted.

Should an Employee or representative fail to attend a rescheduled meeting or fail to make written representations, the meeting may proceed in their absence and a decision made based on the available information.

15 Action pending the outcome of a grievance

Exceptionally, if circumstances warrant, the Trust may take action to alleviate the circumstances, which have given rise to the grievance pending the outcome of the grievance process. This may include a temporary change to working arrangements or line management responsibilities. Such arrangements should not result in financial detriment to the Employee/s concerned.

16 Support Following the Conclusion of the Process

The Trust recognises that all parties may require support following the conclusion of the grievance process. Consideration should be given to any measures that may assist with rebuilding working relationships and prevent a recurrence of the situation that gave rise to the original complaint. This may include mediation.

It is expected that all parties should reasonably agree to a joint informal meeting to discuss future ways of working.

Reasonable monitoring will take place to ensure actions or recommendations arising from the grievance are successfully implemented.

17 Concurrent Management Action

Employees should be advised that reasonable management action to address concerns relating to Employees should not automatically be perceived in itself as a reason to raise a grievance.

In the event that an Employee raises a grievance in the course of a disciplinary or capability process, both processes may continue concurrently.

However, each case will be considered on its own merits to ensure that the Trust is acting reasonably.

18 Anonymous Allegations

Employees are encouraged to put their name to any complaint of bullying and harassment.

For a grievance to be investigated formally, an Employee must usually be prepared to be identified. This is in accordance with the principles of natural justice where an individual has a right to know who has made a complaint in order to be able to respond fully.

Where an Employee is concerned about being identified the Trust may explore appropriate measures to reassure and safeguard the Employee during the process.

19 Malicious / Vexatious Allegations

Where a complaint is unsubstantiated and found to be of a vexatious or malicious intent, this may be examined in accordance with the Trust's Disciplinary procedures.

20 Record Keeping

Accurate and contemporaneous records will be kept throughout the process, including any initial informal process.

Records will be kept detailing the nature of the grievance raised, the response, actions taken, reasons behind any action taken; whether the outcome was subject to appeal, and if so, any further outcome.

At the formal and appeal stage of the grievance process, and should an investigation be undertaken, minutes will be taken. Minutes should be shared with the Employee and their representative as soon as practically possible. The Employee will have the opportunity to check the accuracy of the minutes.

A copy of any outcome letters should be retained on the Employee's school personnel file.

All records will be treated as confidential and processed in accordance with the Data Protection Act 1998, which provides individuals with the right to request and have access to certain data.

21 Confidentiality

The Trust will respect the confidentiality of all information relating to an Employee's grievance and requires all parties to the grievance to do the same.

22 Monitoring Data

Regular whole Trust monitoring will take place of formal grievance complaints. Any data gathered will not identify individual Employees.

Appendix 1 - Grievance Notification Form

Employee/s name:	Employee/s Job title:
School:	Date Grievance Raised:
If your complaint is against an individual - please provide their name and job title	Name : Job Title:

Summary of complaint: Set out the details of your complaint (providing as much detail as possible, particularly dates, times, locations and the identities of those involved). You may attach additional sheets or supporting documents if required.

Individuals involved in the alleged incident/complaint – Provide here the names and contact details of any people involved in your complaint, including witnesses.

Informal action to resolve the issue: Please provide details of any action that you have already taken to address your grievance/ complaint and why this did not work.

Outcome requested: Please set out what outcome you are seeking from your complaint, and why and how you believe that this will resolve the issue.

Declaration:

I/we 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 allegations may result in disciplinary action being taken against me by the School. (In the most serious cases, making false, malicious or untrue allegations can be treated as gross misconduct.)

Signature/s:	
Name/s:	Date:
Nominated person/s (collective grievance only).	
For completion by the grievance officer receiving the form	
Date form received:	
Date of Grievance Meeting:	
Date Employee notified of outcome:	
Date of Appeal:	
Date Employee notified of appeal outcome:	

Appendix 2 - Collective Disputes Procedure

1. Principles

- 1.1 A dispute, in the context of this procedure, is defined as a matter concerning a group of Employees which is raised by a trade union recognised by the Trust. A collective dispute should relate to the Employees' work or working environment and would exclude the following, which may be covered by other procedures:
 - a. matter not related to employment
 - b. disciplinary matters
 - c. income tax, national insurance, statutory sick pay, statutory maternity pay and other rules and regulations made by bodies other than the Trust
 - d. the rules of the pension schemes and matters related to the pension schemes
 - e. appointment decisions except where there has been a failure to reach agreement by way of negotiation.
- 1.2 The status quo ante will operate until the procedure is exhausted.
- 1.3 This procedure has been consulted on and agreed with both teaching and non-teaching trade unions and it is therefore in the interest of both Employees and the trust that this is adhered to.
- 1.4 Disputes should be dealt with as speedily as possible and the time limits expressed are those regarded as the normal maximum time although they may be extended in order to continue negotiations. The aim is that any dispute should be resolved within two months of the date when it was first brought formally under Stage 1 of the procedure.
- 1.5 If a dispute is identified as requiring referral to the next stage this should normally be undertaken within a time limit of five working days and should be made in writing setting out the issues in dispute and why both an informal and formal negotiations at Stage 1 have failed to resolve the issue.

2 Stage One - Informal Process

- 2.1 Issues raised by the recognised trade unions relating to Central Trust matters should be referred, in writing, to the Director of Finance & HR. The Director of Finance & HR will convene a Stage 1 meeting with the trade unions within ten working days of the request being received to attempt to resolve the matter informally.

3 Stage Two - Formal process

- 3.1 If the matter cannot be resolved informally the trade union should complete the Collective Disputes Complaint Form (appendix C) and submit it to the Chief Executive Officer (CEO), TSAT within five working days of the Stage 1 informal meeting. The form must include the remedy that the trade unions are seeking on

behalf of the group of Employees they are representing.

- 3.2 The CEO will convene a Collective Disputes Meeting with the trade unions within ten working days of the request being received to attempt to resolve the matter.
- 3.3 The result of the Collective Disputes Meeting will be notified in writing within five working days (or other period agreed by both parties). It may be necessary to hold more than one meeting. Timescales will be agreed between the parties.

4 Stage Three – Final Stage

- 4.1 If the decision remains in dispute the trade union/s will respond to the CEO in writing, within five working days of receiving the decision. The CEO, if necessary will arrange at the earliest convenience for the Board to consider the issues and seek resolution of the dispute, either by recommending a course of action which can be undertaken at their level of authority or that of the Board's.
- 4.2 In the event there is a failure to reach agreement at Stage 3, either the Trade union/s or TSAT may refer the matter to ACAS. Internal options must be exhausted before either party may approach ACAS. The findings of ACAS will be advisory if the matter is referred by only one party. If both parties are in agreement about the referral to ACAS, the findings of ACAS will be binding on both parties.

Appendix 3 - Collective Disputes Complaints Form

The Thinking Schools Academy Trust Collective Disputes Complaints Form

This form is intended to be used by the trade union/s raising a collective dispute.

The trade union/s should seek to resolve their dispute informally with the Finance & HR Director in the first instance.

Where informal negotiations have not resolved the dispute, this form should be completed and stage 2 of the collective disputes procedure will be invoked.

The completed form should be sent to the Finance & HR Director.

Summary of dispute: Please set out the details of the dispute (please continue on separate sheet/s as needed)

Please state informal action taken to resolve the issues: state date/s of meeting/s and why the issue/s were not resolved

Please state outcome requested, set out the remedy you are seeking from the dispute and why and how you believe this will resolve the issue/s

Form completed by: (Enter name, signature and trade union)

Group of Employees representing:
(Insert job roles and name of academy)

For completion by Deputy CEO

Informal meeting held:

Collective Disputes Form Received:

Collective Disputes meeting arranged:

Appendix 4 - Confidential Counselling Service for TSAT Employees

Confidential Counselling Service for TSAT Employees

A confidential counselling service is available for all Employees across the Trust provided by Smart **Clinic**. The service offers information, advice and support 24 hours a day, 7 days a week. This includes a telephone support line, access to advice and information, coaching and counselling where appropriate. To access the service please use the contact details below:

- Telephone: 0845 862 2113
- Access the online services via www.client.smartclinic.com and use your personal log in details.
- Download the app for convenience – details are available online.



Appendix 5 -Grievance Procedure Flow Chart

