



THE  
**CREATIVE  
LEARNING**  
PARTNERSHIP TRUST


# Resolving Grievances Policy

Responsible Committee	CLPT Finance & Operations Committee
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Policy Owner	Laura Austen

# This Policy has been created in accordance and to support the Mission, Values and Beliefs of The Creative Learning Partnership Trust.

Our Mission.

Creating transformational educative opportunities; promoting social justice; unlocking individual freedom.



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Our Beliefs.

Our beliefs are what we value, they're what we passionately talk about.

**Creativity.**  
**What we mean:** Innovative problem solvers, use our knowledge and skills to turn ideas into reality.  
**What we don't mean:** Head in the clouds, waste time in wrong areas, not commercially aware

**Learning.**  
**What we mean:** Knowledge rich curriculum, nurture skills and talent, everyone can reach potential.  
**What we don't mean:** Everyone achieves the same standard, choices are removed.

**Partnership.**  
**What we mean:** Collaborate openly with others, willingly offer advice, happily request support.  
**What we don't mean:** Create knowledge silos, freely disclose sensitive information.

**Trust.**  
**What we mean:** Foster strong relationships, can count on others, have confident expectations.  
**What we don't mean:** Passing the buck, become complacent, rely too heavily on others.

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Our Personality.

Our personality expresses who we are, it's how we talk, act and behave.

**Integrity.**  
**What we mean:** Courage to do the right thing, taking time to care, education first.  
**What we don't mean:** Compromise professionalism or being unprofessional.

**Dedication.**  
**What we mean:** Committed to supporting and improving, work smart to make it happen, resourceful.  
**What we don't mean:** Working all hours, do everything yourself, neglect health and well-being.

**Kindness.**  
**What we mean:** Act with compassion, always thinking of others, being a good human.  
**What we don't mean:** Ignore consequences, brush things under the carpet, don't tackle issues.

**Understanding.**  
**What we mean:** Listening and valuing one another, have empathy and able to feel what others feel.  
**What we don't mean:** Take on other people's problems, preoccupied with concerns.

**Collaboration.**  
**What we mean:** Working together, enabling each other to develop positive outcomes.  
**What we don't mean:** Unfocused meetings or inefficient use of other people's time.

**Innovation.**  
**What we mean:** Using expertise and research to transform, always striving to improve.  
**What we don't mean:** Improving one area to the detriment of others or ignoring core ideals.

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## **1. Statement from the Chief Executive**

We (The Creative Learning Partnership Trust) want our workforce to be ambitious, courageous and empowered to do a great job and make a positive difference to the lives of the people we serve. To support this, we want a positive working environment and a culture of confidence, respect and equality. When things do not go to plan, it is important we resolve issues in the right way for all involved. Our People Policies provide managers and colleagues with the clear yet flexible guidance to deal with those issues quickly and fairly.

## **2. Guiding Principles**

We are committed to developing policies and processes that reflect our People Strategy, Vision and Values and contribute to promoting a positive working environment.

## **3. Purpose**

Although most problems or concerns you may have can be resolved quickly and informally through discussion with your line manager, we recognise that in some circumstances, where resolution has not or cannot be achieved informally, or the matter is more serious, then a formal grievance process may be necessary.

This policy outlines what you will need to do when raising a grievance and how we will investigate and deal with a formal grievance in a fair and transparent way.

If you feel aggrieved about a process that is covered under another People Policy, e.g., Managing Attendance then you should refer to those policies for next steps.

Similarly, issues that you have already raised under other policies or processes will not be heard or duplicated through this process.

If you raise a grievance whilst another process is active, e.g., during a capability (Performance Improvement) or disciplinary process, then there may be a decision to pause, or in most cases where they are directly connected, they will run at the same time.

Similarly, where it is determined that there is cause to invoke a disciplinary process as a result of your grievance, we may pause the grievance process until the disciplinary process has concluded.

If your grievance or complaint relates to issues of bullying and harassment, this will be dealt with via the Anti-Harassment and Bullying Policy.

If a malicious or vexatious complaint is made against you or you make such a complaint, this may be treated as misconduct and lead to disciplinary action.

## **4. Scope of Policy**

This policy applies to all employees, regardless of length of service but does not form part of your contract of employment or any other contract to provide services and can be amended from time to time and in consultation with the recognised trade unions.

This policy does not apply to agency workers, consultants, self-employed contractors or volunteers.

This policy has been implemented following consultation with our recognised Trade Unions.

Decisions will be made in line with the school's local scheme of delegation or equivalent mechanism for making decisions at the appropriate level.

## **5. Mediation**

We strongly promote the use of mediation as an option for resolving some types of grievance. Access to mediation can be identified through normal day to day management conversations. This remains an option during any formal process.

Mediation can help with situations where two or more people are in dispute about something and are keen to reach an agreement. It is a voluntary process, and the mediator will help to facilitate discussions about solutions. They are not there to judge or decide or tell you what you should do, but it can often be a useful approach to help resolve a problem. However, there will be some situations that would be unsuitable for mediation. For instance,

- a minor difference of opinion or
- two people trying to book leave at the same time

Mediation is not a "first resort" process to rely on, because we would encourage and expect you to talk to your manager early on about any concerns you might have.

If you feel mediation might help, you should discuss this with your manager, Head Teacher, Chair of Governors (if it relates to the Head Teacher) or Director of Operations

## **6. Early considerations**

Sometimes there will be issues within the workplace that may not require a formal process and you feel able to raise and discuss during everyday work conversations. We recognise that sometimes issues may arise because of misunderstandings or miscommunication.

We encourage you to have early conversations with your line manager wherever possible, to minimise the escalation of issues and avoid the need for a formal grievance.

If you feel unable to speak to your line manager because the complaint concerns them, then you should speak

- to a more senior manager, Head Teacher or Chair of Governors (where it relates to the Head Teacher) or the Chief Executive Officer
- your Trade Union representative.

## **7. Complaints about third parties**

You may raise issues about matters considered to be outside of our control. For example, issues relating to contractors or parent relationships or national provisions. Where this happens, we will follow the process outlined in this policy as far as is reasonably practicable, and it is essential that you raise this with your manager.

## **8. Formal Grievances**

If you wish to proceed with a formal grievance you will need to:

- Let your manager know the nature of your grievance by clearly setting this out in writing

- Try and use language that is factual and try and avoid language that might cause additional distress (if you find this difficult to express you can seek support from your manager or your Trade Union/companion).
- Raise and submit your grievance within 3 months of the concern, problem or complaint arising. We reserve the right not to investigate grievances that are older than three months. There may be some exceptions to this timescale dependent on the nature of the issue. For example, where a number of instances occur over a number of months, they may be considered. Conversely, an isolated incident or issue that occurred many months or years ago may not be.
- Be clear about how you feel the grievance can be satisfactorily resolved.

If your grievance relates to your direct line manager then you should submit your formal grievance to a more senior manager, often this can be the manager of your manager, Head Teacher, CEO (if about the Head Teacher), Chair of Trustees (if about the CEO), Chair of Members (if about the Chair of Trustees). If you are unsure exactly to whom to address the grievance to, please contact the Director of Operations

## **9. Formal Grievance Meeting**

In response you can expect the manager to whom you have submitted your grievance (the Deciding Manager) to acknowledge it in writing and arrange to meet with you to discuss your grievance more fully and establish what you are seeking to resolve it.

The Deciding Manager may also be the person who is allocated to deal with/investigate your grievance. They will attempt to do this within 5 working days of receiving your written grievance.

If you require any reasonable adjustments to be able to attend the meeting, then you should outline what would be helpful in advance.

You have the right to be accompanied [right to be accompanied](#) at this meeting and any other meetings as part of an investigation, if one is required.

Where it is not possible to hold a face-to-face meeting under this procedure, we may conduct the process remotely, for example, using Microsoft Teams.

We will ensure that you and your companion have access to the necessary technology for participating. Your rights will not be affected, and we will ensure that the procedure remains fair and reasonable.

It might be possible from the information you have provided, for the Deciding Manager to reach a decision after a short adjournment on the day of your meeting, or a day or so after the meeting, without requirement for an investigation.

Where this is possible the outcome will be confirmed to you in writing, at the earliest opportunity and within 5 working days, outlining your right of appeal and providing you with the option of a meeting to discuss the decision.

It may be that the Deciding Manager feels they need more information to reach a conclusion and they may seek this information themselves or request someone else undertakes an investigation.

If this is the case this will be communicated to you, and you will be advised of:

- the name of the Investigating Officer

- the expected duration of the investigation
- whether the Investigating Officer will need to speak to you or any other parties to establish the facts

You will be advised in advance if time scales need to be extended. This may be the case where an investigation is complex.

Where there has been an investigation as part of your grievance, the Deciding Manager will review the findings. You will have the option of meeting with the Deciding Manager again to receive the outcome or request that this is put in writing to you. Please advise the Deciding Manager of your preference as soon as possible.

If you have difficulty at any stage of this procedure either

- because of a disability or
- because English is not your first language,

you should discuss the situation with your manager as soon as possible, so that suitable support can be explored.

## **10. Formal Grievance Outcome Meeting**

Where you wish to meet the Deciding Manager to discuss the findings, you will be given a minimum of 10 calendar days' notice of the meeting taking place, unless you request to meet sooner. The HR Provider will accompany the Deciding Manager hearing your grievance, wherever possible.

If you or your companion are unable to attend a formal meeting, you have a right to suggest an alternative time and date so long as it is reasonable, and it is not more than 5 working days after the original date.

A record of the meeting will be made, either by the person conducting the meeting, a note taker or electronic recording (where the meeting is held remotely). Where electronic recordings are made, for the purposes of transcription, this will be with prior consent by all attendees and data protection obligations being met. A written record, or transcription, of the meeting will be shared with you.

You are expected to attend meetings which form a key part of processes in relation to your employment. Meetings will be rearranged where possible however not usually more than once.

If you are unable to, or fail to, attend a rearranged meeting, without good reason, the meeting may be held in your absence. Where you have indicated, in advance, that you are unable to attend you may be invited to submit written representation (to arrive at least 24 hours before the meeting).

Where a decision is made in your absence it will be based upon the information available at the time, including any written representations you have made.

Potential outcomes of your grievance meeting are that your grievance is

- **upheld**
- **partially upheld** or
- **not upheld**

You can expect a letter confirming the decision and detail how and why that decision has been reached. It will also include any recommendations or actions to be taken.

The outcome will be confirmed to you in writing at the earliest opportunity and within 5 working days of the formal grievance outcome meeting.

If you feel dissatisfied with the outcome of your grievance you will have a right of appeal, as per the Appeal Procedure (see appendix 1).

## **11. Collective Grievance**

When someone raises a grievance with other colleagues, this will be referred to as a collective grievance and this will follow the same process as outlined in this policy.

It may be helpful to have 1 or 2 representatives from the group, with the same grievances, to participate in the process on behalf of the others. Alternatively, a trade union representative may act on behalf of a group of their members.

## **12. Whistleblowing**

Raising a complaint or a grievance can often be confused with “whistleblowing”. You are a whistle-blower if you report types of wrongdoing, usually something you have seen at work which you reasonably believe is in the public interest for it be disclosed. In those cases, you are protected by law and can raise a concern at any time and should use the Whistleblowing procedure; a copy of which is available on the Trust website or locally from your line manager. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of whistleblowing, you may raise the matter under this Resolving Grievances Policy.

## **13. Wellbeing and Support**

Supporting wellbeing is an integral and essential part of our People Policies. We recognise that a grievance process can be stressful for everyone involved. We all respond to stressful situations in different ways. Sometimes a process may cause distress and impact on both physical and mental health.

We support all our employees with a school wellbeing app, this can be downloaded or there is telephone support. This contains information and resources and provides ideas and solutions to help support your own wellbeing as well as providing advice for your manager.

We will do all that we can, to ensure that we support and encourage you to consider accessing early intervention support.

We will ensure that if you are raising a grievance or supporting a grievance investigation, you are fully supported and protected from any potential detriment.

## **14. Right to be Accompanied**

In line with ACAS ([Advisory, Conciliation and Arbitration Service](#)) Code of Practise, at any formal meeting you have the right to be accompanied by either:

- a work colleague
- a trade union representative, or
- an official employed by the trade union

You should confirm to the Deciding Manager who will accompany you in advance of any meeting. There are also times when we allow you to be accompanied at other meetings as part of this policy and it will be noted at the relevant sections where this is permitted.

At the meeting, your companion may make representations to us and ask questions but should not answer questions on your behalf. You may talk privately with them at any time during the meeting.

Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.

We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) if this will help overcome a disability, or if you have difficulty understanding English.

### **15. Data Protection and Confidentiality**

Our aim is to deal with grievance matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation or grievance matter. Breach of confidentiality may give rise to disciplinary action under our Disciplinary Policy.

If you are invited to a formal meeting, you must not make any electronic recordings. An exception to this may be where it has been agreed by all parties as a reasonable adjustment related to a disability. Any breach of this provision may lead to disciplinary action, which could include dismissal.

Written grievances will be placed on your personnel file along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed in accordance with the school Privacy Notice and Data Protection Policy.

### **16. Further Advice**

If you need any further information about any aspect of this policy, please initially speak to your manager or Head Teacher.

### **17. Reviewing the Policy**

This policy will be reviewed annually unless there is a requirement to do so before due to legislative or best practice changes.



## Appendix 1 – Appeals Procedure

### 1. Purpose

This procedure sets out the process if you wish to appeal in relation to a formal action taken under any of the following policies: Disciplinary, Resolving Grievances, and Anti-Harassment and Bullying. Its aim is to deal with appeals in fair and consistent manner.

### 2. Scope of Procedure

This procedure applies to all employees, regardless of length of service but does not form part of your contract of employment or any other contract to provide services and can be amended from time to time and in consultation with the recognised trade unions.

This procedure does not apply to agency workers, consultants, self-employed contractors, volunteers, or interns except where the appeal is being made following the outcome of a complaint under the Anti-Harassment and Bullying policy where it applies to all staff.

This procedure has been implemented following consultation with our recognised Trade Unions.

Decisions will be made in line with the school's local scheme of delegation or equivalent mechanism for making decisions at the appropriate level.

### 3. When can you raise an appeal?

In line with ACAS guidance (Advisory, Conciliation and Arbitration Service) you can raise an appeal if you feel:

the [outcome](#) of a formal process is too severe

the [outcome](#) of a formal process is wrong based on the information considered

the relevant procedure or policy was not appropriately followed

any part of the procedure followed was wrong or unfair

you have new evidence that has not previously been raised during an ongoing process

### 4. How can you raise an appeal?

You will need to raise your appeal in writing to your manager or the Deciding Manager identified following a formal hearing or outcome meeting, within 5 working days of receiving the outcome in writing. You should outline clearly on what grounds you are making the appeal, based on the criteria detailed above (an optional **Appeal Form** is available – see appendix 2). This will then be assessed by the Appeal Manager to determine if it satisfies the grounds for appeal. If it does, you will receive a formal invite to an appeal hearing normally within 5 working days of the Appeal Manager receiving your appeal. You will be given a minimum of 10 calendar days' notice of the appeal meeting taking place unless you request to meet sooner.

If it does not satisfy the grounds for appeal, you will be informed why and what you need to do to enable an appeal to proceed or whether there is another process more suited to deal with the concerns, you have raised.

If you have any new evidence to be considered, you should provide this to the Appeal Manager at least 3 working days before the appeal meeting.

You should note that if you are appealing against your dismissal, you will remain dismissed pending outcome of your appeal. However, if your appeal against dismissal is upheld, you will be reinstated with no loss of service or continuity of pay.

If you have difficulty at any stage of this procedure either

because of a disability or

because English is not your first language

You should discuss the situation with your manager as soon as possible, so that suitable support can be explored.

## **5. Who will consider your appeal?**

Your appeal will be heard by a manager, who has not been previously involved in your case and wherever possible, who is more senior than anyone who carried out any part of your case previously. In a school it may be considered by an Appeal Panel, formed from the Governing Body. Appeal meetings will be attended by the school's HR provider wherever possible, particularly where the appeal is against your dismissal.

The Appeal Manager, or Panel, will have the authority to overturn the decision and apply a lower-level warning/sanction, or none at all, if they feel the decision needs to be changed.

## **6. Who can accompany you to an appeal meeting and what can they do?**

In accordance with ACAS Code of Practice, you have the right to be accompanied by either:

a work colleague

a trade union representative or

an official employed by a trade union

You should confirm to the Appeal Manager or Panel who will accompany you in advance of any appeal meeting.

Having someone to accompany you can often be helpful as it means you have support within the meeting. They can help you put across your appeal if you wish them to do so.

At the meeting, your companion may make representations to us and ask questions but should not answer questions on your behalf. You may talk privately with them at any time during the meeting. They can sum up your case and help you with any questions or clarification on points that might not be clear.

Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.

We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) if this will help overcome a disability, or if you have difficulty understanding English.

## **7. What happens at the appeal meeting?**

The appeal meeting provides you with opportunity to say why you are appealing and ask an Appeal Manager or Panel to consider a different outcome.

Where it is not possible to hold a face-to-face meeting under this procedure, we may conduct the process remotely, for example using Microsoft Teams. We will ensure that you and your representative have access to the necessary technology for participating. Your rights will not be affected, and we will ensure that the procedure remains fair and reasonable.

A record of the meeting will be made, either by the person conducting the meeting, a note taker, or by electronic recording (where the meeting is held remotely). Where electronic recordings are made, for the purposes of transcription, this will be with prior consent by all attendees and data protection obligations being met. A written record, or transcription, of the meeting will be shared with you.

You are expected to attend meetings which form a key part of processes in relation to your employment. Meetings will be rearranged where possible however not usually more than once.

If you are unable to, or fail to, attend a rearranged meeting, without good reason, the meeting may be held in your absence. Where you have indicated, in advance, that you are unable to attend you may be invited to submit written representation (to arrive at least 24 hours before the meeting).

Where a decision is made in your absence it will be based upon the information available at the time, including any written representations you have made.

In your appeal meeting, the Appeal Manager or Panel will:

Introduce everyone and explain why you are all in attendance.

Explain the purpose of the meeting, how it will be conducted and that as Appeal Manager/Panel they have the ability to change the decision made at the previous hearing.

Ask you specifically why you are appealing. It could be helpful for you to explain why you think the outcome or procedure is wrong or unfair, ask questions about the parts of the procedure you feel are unfair and present new evidence if you have it.

Consider if they need to approach the original Deciding Manager with questions about their decision-making process and outcome (this may be during or after your meeting).

Look at any new evidence if you have any. The Appeal Manager/ Panel may ask you why you have not presented this before reaching appeal stage.

Discuss all points and then summarise at the end of the appeal meeting.

The Appeal Manager/Panel will then adjourn the meeting to consider the facts and establish if they are able to make a decision. The meeting will be reconvened after the adjournment and the Appeal Manager/ Panel will either advise you of the outcome verbally if they are able to or advise you when they feel they will be able to give you a decision.

There may be a short delay perhaps because the Appeal Manager/Panel wishes to question the original Deciding Manager or believe further exploration or investigation is required on specific points to enable them to make a final decision. They may wish to consider new evidence, check evidence based on issues you have raised or approach previously unidentified witnesses. If this is the case, they will clearly explain this to you, outline who will do this and agree anytime timescales with you.

You will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

Once the Appeal Manager/Panel has made a decision, the outcome will be confirmed to you at the earliest opportunity and in writing within five working days following your appeal meeting.

## **8. What are the potential outcomes of the appeal?**

The Appeal Manager/Panel can decide that your appeal:

is **not upheld** because they believe the original outcome was fair and proportionate

is **upheld** because they feel they need to change the original outcome, which could result in a lower-level sanction or no sanction at all

is **partially upheld**. This may be where a sanction/warning or recommendations have been applied because of multiple issues, and the Appeal Manager feels that a different decision should have been made in relation to some of concerns, but which changes the overall decision made. If this is the case, they will clearly identify and explain this to you.

In appeals against a sanction, the outcome of your appeal may be to overturn or confirm the original decision or apply a different, but not more serious, sanction.

An Appeal Manager/Panel might also reconsider any recommendations that have been suggested or suggest actions that would be beneficial to you and/or the business area/school, where not previously identified. This might include learning and development, or additional support being offered to you.

Any decision made about your appeal will be final and therefore there will be no further right of appeal under any of the schools' policies or processes.

## **9. Data Protection and Confidentiality**

All employees must treat as confidential any information communicated to them in connection with an appeal. Breach of confidentiality may give rise to disciplinary action under our Disciplinary Policy.

If you are invited to a formal meeting, you must not make any electronic recordings (an exception to this may be where it has been agreed as a reasonable adjustment related to a disability). Any breach of this provision may lead to disciplinary action, which could include dismissal.

Information about an appeal will be placed on your personnel file along with a record of the outcome given and any notes or other documents compiled during this process. These will be processed in accordance with the school Privacy Notice and Data Protection Policy.

## **10. Further advice**

If you need any further information about any aspect of this policy, please initially speak to your manager or Head Teacher. Alternatively, you can contact the Director of Operations or your Trade Union representative if you are a Union member.

Appendix 2 – Appeals Form

<b>Related Policy</b> (please circle applicable)				
<b>Managing Attendance</b>	<b>Disciplinary</b>	<b>Resolving Grievances</b>		<b>Anti-Harassment and Bullying</b>
<b>Date original outcome notified</b> (An appeal must be made in writing within 5 working days)				
<b>Your details when raising an Appeal:</b>				
<b>Name:</b>				
<b>Business area/School:</b>				
<b>Job Title:</b>				
<b>Preferred contact details:</b> (address, telephone, mobile, e-mail)				
<b>Payroll reference number:</b>				
<b>Details of your companion</b> (where applicable):				
<b>Name of Deciding Manager</b> (who made the decision you are appealing).				
<b>Details of any reasonable adjustments required to enable you to participate.</b>				