

Grievance Policy

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1. Introduction

Flying High Partnership (FHP) are committed to ensuring that all staff have access to a clear and fair procedure for raising and resolving grievances relating to their employment. This policy sets out how grievances will be handled, with the aim of addressing issues promptly, consistently and without unreasonable delay.

Most grievances can be resolved quickly and informally through discussion with a colleague's line manager. However, if this does not resolve the problem, the formal procedure, set out in this policy, should be followed.

Timeframes referenced in this policy are for guidance only and may be adjusted as necessary, with alternative timeframes provided to ensure transparency and communication at every stage.

We may, with the approval of the CEO or Trustees, engage a third party (external) to manage informal or formal grievances in certain circumstances.

This policy is designed to align with the principles set out in the ACAS Code of Practice on Disciplinary and Grievance Procedures, which provides a statutory benchmark for fair and reasonable handling of workplace grievances. It also complies with relevant provisions of the Employment Rights Act 1996 and the Equality Act 2010, ensuring that all employees are treated fairly and without discrimination throughout the grievance process.

All written grievances and associated documentation will be retained on your personnel file and handled in accordance with UK GDPR and our Data Protection Policy.

This procedure applies to all employees regardless of length of service.

This procedure does not form part of an employment contract and may be amended at the discretion of the Partnership.

2. Scope

A grievance is a concern, problem or complaint that a member of staff wishes to raise with their employer. It may relate to any aspect of work, working conditions or relationships with colleagues or managers. Grievances can arise from matters such as perceived unfair treatment, health and safety concerns, changes to job duties, discrimination or other issues affecting a member of staff's wellbeing or ability to perform their role.

If a member of staff has a grievance relating to bullying or harassment, they must use the FHP Anti-Harassment and Anti-Bullying policy and procedure to address it.

This procedure cannot be used for complaints about disciplinary, capability or dismissal decisions or sanctions. If you are dissatisfied with such actions, you should use the appropriate appeals procedures set out in that policy.

If a member of staff experiences difficulty in participating in the grievance process due to a disability or if English is not their first language, they can inform their line manager so that appropriate support can be arranged. If it is not appropriate to speak to their line manager, they should contact their Headteacher.

If a grievance is raised in bad faith or with malicious intent this may be treated as gross misconduct and addressed under the Trust's Disciplinary Procedure.

This procedure can be used by one member of staff or collectively amongst colleagues, otherwise known as a Collective Grievance (see section 5).

Staff have the right to be accompanied throughout the formal grievance process.

In line with the Equality Act 2010, reasonable adjustments will be made to ensure that employees with disabilities or other protected characteristics are not disadvantaged in accessing or participating in the grievance process.

3. Informal Process

Staff are encouraged to raise any concerns informally with their line manager in the first instance, as many grievances can be resolved quickly through discussion. If an informal grievance is being raised to a line manager, the member of staff should make it clear that they are raising an informal grievance and clarify the outcome they are seeking. The staff member must give their manager reasonable time to deal with the concerns informally.

If a grievance is in relation to a staff member's line manager, then the matter should be discussed with a member of the Senior Leadership Team (SLT) in the first instance.

Should the matter not be resolved to the satisfaction of the staff member, the grievance should be referred to the Headteacher for attention. This action would commence the formal process (section 4). In the event the concern is against a Headteacher, the grievance should be sent in writing to the Chair of Governors.

Where informal resolution is not possible or appropriate, staff may initiate the formal grievance procedure described in this policy.

Staff members are encouraged to seek support if they are experiencing stress or emotional difficulty related to a grievance. The Trust's Employee Assistance Programme (EAP) offers free, confidential advice and counselling services and is available to all staff.

4. Formal Process

4.1 Written Grievance

4.1.1 If a grievance has not been resolved informally or it is felt that the informal process is not appropriate, the matter may be raised formally. The staff member should put the grievance in writing and submit it to their line manager. If the grievance concerns the line manager, it should be submitted to the Headteacher. Staff are encouraged to complete the pro-forma in Appendix 1 or use it as a guide to structure their formal grievance.

4.1.2 If the Headteacher has been involved in addressing the grievance at the informal stage, the formal complaint should be submitted in writing to the FHP HR Team (HR@flyinghightrust.co.uk). Where another senior leader is available and has had no prior involvement in the matter, the Headteacher or HR will ask them to meet with the member of staff as soon as possible, to listen to the grievance and assess whether a resolution can be achieved without initiating the full formal procedure.

4.1.3 The written grievance should clearly outline the nature of the concerns, including any relevant facts, dates and names of individuals involved, to facilitate a thorough investigation.

4.1.4 Upon receipt of a formal grievance, the line manager will:

- Arrange a meeting with the member of staff to discuss the grievance; see 4.2 for more information.
- Ensure the meeting is held in private;

- Respect the confidentiality of the matter;
- Take notes during the meeting and provide a copy to the member of staff;
- Carefully consider all points raised and agree with the member of staff on any steps or actions to be taken to resolve the grievance.

4.2 Meeting

4.2.1 A grievance meeting will normally be arranged within 15 working days of receiving the written grievance. The member of staff is expected to make every effort to attend the meeting. An investigation may be initiated before holding a grievance meeting where we consider this appropriate. In other cases, we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases, we will hold a further grievance meeting with you after an investigation and before a decision is reached.

4.2.2 The member of staff may be accompanied at the grievance meeting, provided a reasonable request is made in advance and the name of the chosen companion is provided. The companion may be either a trade union representative or a colleague, who will be granted reasonable paid time off from duties to attend the meeting.

4.2.3 If the member of staff or their companion is unable to attend at the scheduled time, they should notify the member of staff as soon as possible. An alternative time will be arranged where reasonably practicable.

4.2.4 Depending on the nature of the grievance, an investigation may be necessary. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. The member of staff will be kept informed of the progress of any investigation, which will be conducted as sensitively and confidentially as possible.

4.2.5 A written response confirming the outcome of the grievance and any actions to be taken will be provided to the member of staff within an agreed timeframe, usually within 15 working days of the final grievance meeting. The member of staff will also be informed of their right to appeal.

4.2.6 A copy of the outcome letter and any formal meeting notes will be retained on the staff member's personnel file.

4.3 Appeals

4.3.1 If the grievance has not been resolved to the staff member's satisfaction, they may submit a written appeal to the HR department (HR@flyinghightrust.co.uk) within 5 working days of the date on which the decision was communicated. The appeal must clearly state the full grounds for the appeal.

4.3.2 An appeal may be submitted on one or more of the following grounds:

- The grievance was not upheld, and the staff member believes the evidence does not support the decision;
- The staff member believes the grievance procedure was not followed correctly;
- New evidence has come to light that could potentially change the outcome;
- The outcome is inconsistent with the treatment of others in similar circumstances.

4.3.3 An appeal meeting will normally be arranged within 10 working days of receiving the appeal. The meeting will be conducted impartially by an appropriate individual who has had no prior involvement in the case (see Appendix 3).

4.3.4 The staff member has the right to be accompanied at the appeal meeting (see section 4.2.2).

4.3.5 The final decision will be confirmed in writing, usually within 5 working days of the appeal hearing. There is no further right of appeal.

4.3.6 A copy of the appeal outcome letter and any formal meeting notes will be retained on the staff member's personnel file.

5. Collective Grievances

A collective grievance is a formal complaint raised by two or more members of staff concerning a identical or substantially similar concerns. Participation must be voluntary, and no pressure should be applied to individuals to join the collective process.

A written grievance must include the names and roles of all participants, a nominated spokesperson or trade union representative (if applicable). Confirmation that all participants consent to the collective process should be included alongside a clear description of the grievance and the desired outcome.

The grievance will be handled in accordance with point 4 of this policy. However, if dissatisfied with the outcome a single appeal may be submitted and only one appeal hearing will be held for the group.

6. Mediation Service

6.1 Mediation is a confidential and voluntary process designed to help colleagues resolve disputes in the workplace. It provides an informal setting in which individuals involved in a dispute or are experiencing strained working relationships, can express their concerns in a safe and confidential environment, facilitated by an impartial mediator.

6.2 Mediation may be considered at any stage of the grievance process. For example, it can be used when other informal approaches have been unsuccessful or when a member of staff does not feel that the formal grievance procedure is appropriate. Participation in mediation is entirely voluntary and requires the agreement of all parties involved. There will be no penalty or detriment for choosing not to participate in mediation.

6.3 Where all parties agree to pursue mediation as a means of resolving the issue, the manager should contact the HR team as soon as possible to arrange for a mediator.

6.4 If mediation does not result in a resolution, the member of staff may proceed with the formal grievance procedure.

6.5 If a grievance has already been raised and the member of staff decides to pursue mediation, the formal grievance process may be paused while mediation takes place. If the matter is resolved informally or through mediation, the formal grievance will be closed.

7. Exclusions

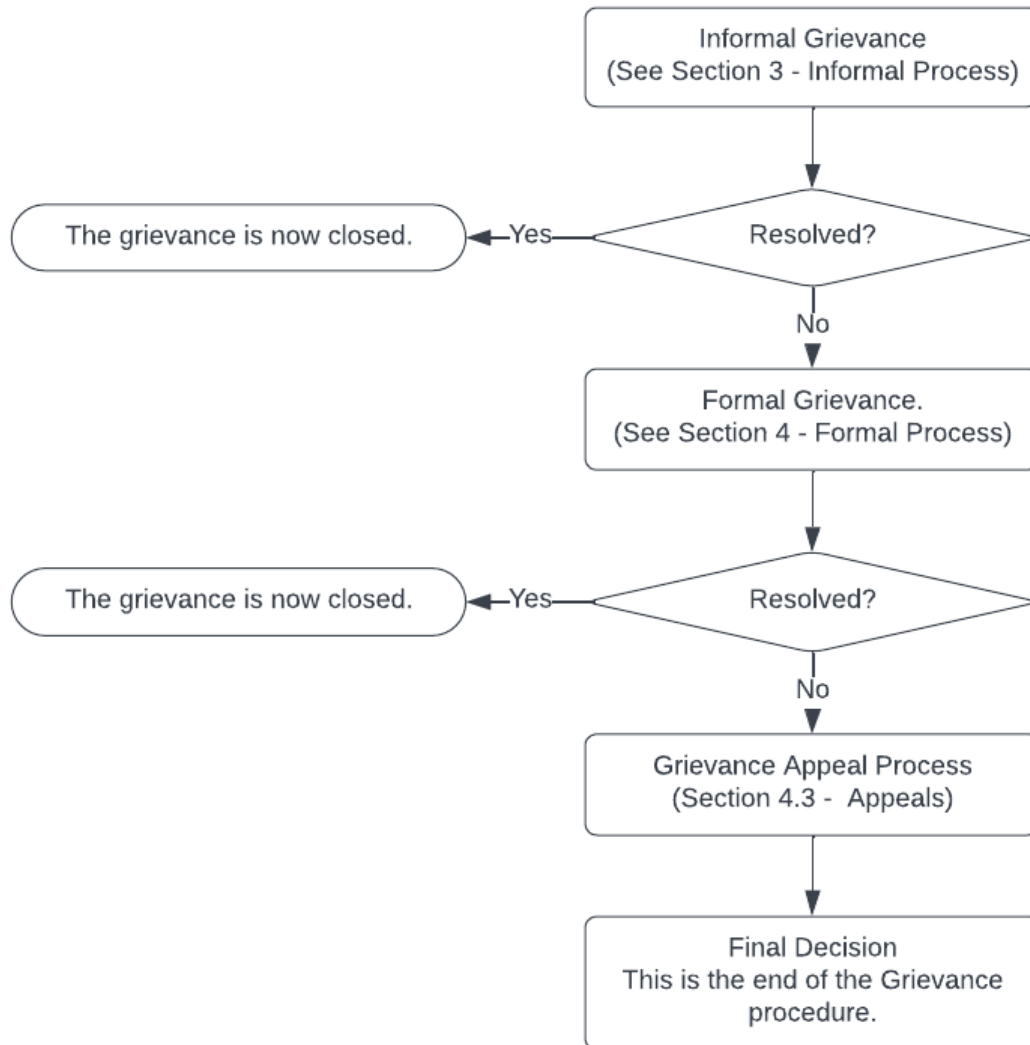
7.1 The Grievance procedure will not apply:

- 7.1.1 Whistleblowing – Qualifying whistleblowing disclosures are disclosures of information where a member of staff reasonably believes (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future:
- A criminal offence
 - The breach of a legal obligation
 - A miscarriage of justice
 - A danger to the health and safety of any individual
 - Damage to the environment
 - Deliberate attempt to conceal any of the above.
- 7.1.2 To issues, which are the subject of collective negotiation or consultation with the Trade Unions.
- 7.1.3 If the complaint is repetitive of a previous grievance, the substance has been dealt with through another procedure or the matter is considered to be more appropriately dealt with through another process.
- 7.1.4 Where there is an attempt to use the grievance procedure for potentially false or malicious accusations. This may be treated as misconduct and may lead to disciplinary action.
- 7.1.5 In relation to an incident which happened more than 3 months previously. Where a grievance includes a series of incidents or a continuing act, earlier evidence may be considered on the basis of reasonableness.
- 7.1.6 In relation to the grading of a post.

8. The Headteacher

- 8.1 In the event of the aggrieved person being the Headteacher, if it is not possible to resolve the matter at the informal stage, it will be referred to a nominated member of the Board of Trustees who will seek to resolve the grievance through the formal procedure (4.2.1-4.2.6) and who may also, by mutual agreement, seek support from the Deputy Chief Executive Officer (CEO).
- 8.2 Where it has not been possible to resolve the Grievance through the above procedure, the Headteacher should submit an appeal to the Chair of Trustees Who will determine the grievance in accordance with steps highlighted within section 4.3.

Appendix 1 – Process Flowchart



Appendix 2 – Formal Grievance Pro-forma

This pro-forma can be used to progress all individual grievances where the formal procedure is to be invoked.

MEMBER OF STAFFS NAME		NAME OF SCHOOL	
Have your concerns been raised informally?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
DETAILS OF EVENT(S) LEADING TO GRIEVANCE			
Date, Time & Location of Event(s)		Witnesses (If Applicable)	
ACCOUNT OF EVENT			
Provide a detailed account of the event(s). Please include the names of any additional persons involved.			
VIOLATIONS			
Please list any policies, procedures or guidelines you believe have been violated in the event(s) described above.			
PROPOSED SOLUTION			
Please retain a copy for your own records. As the grievant, your signature below indicates that the information you have provided in this form is truthful.			
STAFF MEMBERS SIGNATURE			
		DATE:	

Appendix 3 – Procedure of Appeal Meeting

1. The staff member shall be given at least 10 working days' notice in writing of the date, time and place of the hearing and will have a right to bring a companion (see section. 4.2.2). The staff member shall be able to call witnesses and to present the documents relevant to their defence.
2. Copies of all documents to be relied upon at the hearing shall be submitted to the appropriate designated appeal person and the parties concerned at least 5 working days prior to the date of the hearing.
3. The person who managed the formal grievance response to put the case in the presence of the staff member and to call witnesses.
4. The staff member to have the opportunity to ask questions of the formal grievance responder on the evidence given by any witness whom they may call.
5. The designated appeal person to ask questions of the formal grievance responder and witnesses.
6. The staff member to put their case in the presence of the formal grievance responder and designated appeal person and to call such witnesses as they wish.
7. Formal Grievance responder to ask questions of the staff member and any witnesses.
8. Designated appeal person to ask questions of the staff member and their witnesses (if applicable).
9. All witnesses will withdraw at this point.
10. The formal grievance responder and the staff member to have the opportunity to sum up their case if they so wish.
11. Both the formal grievance responder and the staff member withdraw (meeting adjourned).
12. Designated appeal person to deliberate only recalling the formal grievance responder and the staff member to clear points of uncertainty on evidence already given. If recall is necessary, both parties are to return notwithstanding that only one may be concerned with the point given rise to doubt.
13. Designated appeal person will reconvene the meeting and recall both the staff member and that formal grievance responder to announce their decision.
14. Designated appeal person to confirm their decision is final and there is no further right of appeal. Written confirmation of the outcome will usually be provided within 5 working days of the meeting.