Staff Grievance Policy and Procedure 2026

EKC Schools Trust

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1. Scope and Purpose

1.1. This procedure shall apply to all employees of the EKC Schools Trust. The procedure aims to help to resolve individual grievances in a manner which is as fair and expeditious as possible. It is the Trust's policy to find a solution to individual grievances as early in the procedure as possible.

1.2. This policy should be read in conjunction with the Equality and Diversity Policy.

2. General Principles

2.1. Employees are encouraged to raise grievances as soon as reasonably practicable (without unreasonable delay)

2.2. An employee has the right to be accompanied at formal grievance meetings by a representative of a trade union or fellow worker (a direct employee of the Trust), subject to a reasonable request being made. (Please refer to the Companion Section for further guidance).

2.3. Senior post holders are required to familiarise themselves with the grievance procedure.

2.4. Every effort will be made to resolve the grievance at the informal stage.

2.5. In the interest of ensuring that grievances are resolved as speedily as possible, time limits are given for appropriate stages in this procedure. These are for guidance. If it is not practicable to adhere to these time limits, they may be amended, ideally by mutual agreement but in the last instance at the discretion of management.

2.6. Due regard will be given to the personal circumstances of all parties involved in the procedure.

2.7. Grievances raised against senior post holders (Headteacher, CEO or Executive Team) will be resolved as outlined in Appendix A.

2.8. The Trust will digitally record meetings to ensure an accurate and verbatim record of proceedings, supporting fairness, transparency and clarity for all parties involved. Recording will be confirmed in advance and at the meeting itself, and recordings will be handled in line with data protection requirements. No employee is permitted to make any recordings of any conversations or any meeting or hearing and it will be considered gross misconduct if any covert recordings are made.

2.9. Due to the importance of fairness and maintaining the integrity of the investigation all parties interviewed or providing evidence within the process must sign a confidentiality agreement.

2.10. Grievances raised whilst someone is subject to disciplinary proceedings will usually be heard only when the disciplinary process has been completed. Insofar as a grievance has any bearing on the disciplinary proceedings, it can be raised as a relevant issue in the course of those proceedings.

2.11. Training will take place for anyone undertaking investigations. The Trust pays due regard to the ACAS Guidance on conducting workplace investigations.

2.12. The same or similar grievances cannot be raised again once determined until at least 12 months has passed since the final appeal decision has been

published.

3. Stage 1: Informal Procedure

3.1. If an employee has a grievance relating to his/her employment, the matter should be raised initially with the line manager. The grievance should be raised orally in the first instance.

3.2. The Line Manager will take appropriate steps to resolve the grievance as quickly as possible on an informal basis. They shall enquire into the grievance and will discuss it with the employee. A written record of the discussion and the outcome will be provided within 10 working days after the complaint is received. It is anticipated that most grievances will be resolved at this stage.

3.3. If the matter is very serious or in other circumstances where the employee does not wish to raise the matter informally, the employee may proceed straight to the formal stage of the procedure.

4. Stage 2: Formal Procedure

4.1. If the employee feels that the matter has not been resolved through informal discussion, or in the event that paragraph 3.3 applies, the grievance should formalised and put in writing.

4.2. The grievance should provide full details of the complaint and should be addressed to the Headteacher (for school-based staff) or CEO (central Trust-based staff).

4.3. The Headteacher or CEO will meet with the member of staff who has raised the grievance to establish the detail and as well as any desired outcome. This is to help ensure a satisfactory resolution is viable and the expectations of the process are understood.

4.4. The Headteacher or CEO will, as soon as possible, arrange a grievance meeting ideally within 10 working days of receipt of the written grievance.

4.5. The employee may be accompanied at the meeting by a trade union representative or workplace colleague (Please refer to the Companion Section for guidance). The Headteacher or CEO should remind the employee of the right to be accompanied prior to a grievance meeting. Before the meeting, the employee should tell the Headteacher or CEO who they have chosen to be a companion.

4.6. If the grievance involves another employee, the Headteacher or CEO may require the attendance of that employee or any other employees who may be able to provide relevant information. If the employee wishes to call relevant witnesses to the meeting, they should advise the Headteacher or CEO of this in advance of the meeting. The employee will be informed prior to the meeting if the Headteacher or CEO intends to call relevant witnesses.

4.7. At the meeting, the employee or their companion will be given the opportunity to explain the nature of the grievance, submit verbal/written evidence and call appropriate witnesses, i.e. relevant witnesses. A relevant witness is someone who has heard or seen matter raised in the grievance.

4.8. The Headteacher or CEO hearing the grievance will consider all of the matters

raised at the meeting and undertake all reasonable investigations into the grievance.

4.9. The Headteacher or CEO's decision will be communicated in writing to the employee as soon as reasonably practicable following the meeting; ideally within five working days of the meeting. The letter to the employee will outline, where appropriate, what action the Headteacher or CEO intends to take to resolve the grievance and will also inform them of the right to appeal. Where the decision is to not uphold the grievance, the Headteacher will explain the reasons for this in the letter. Any other parties involved in the grievance will also be appropriately informed of the outcome. If the grievance is made against the Headteacher or CEO the same procedure will follow, led by an appropriate party as outlined in Appendix A.

5. Stage 3: Appeal

5.1. If the grievance is not resolved to the satisfaction of the employee at Stage 2, they may appeal the outcome. Any such appeal must be submitted in writing, setting out the full grounds for the appeal, and sent to the CEO within 10 working days of receipt of the decision reached at Stage 2.

5.2. The CEO will, within 10 working days of receipt of the written appeal, coordinate an appeal meeting, to be chaired by the CEO (where grievances have previously heard by the Headteacher) or Chair of Trustees (for those grievances previously heard by the CEO). The employee will be entitled to be accompanied at the appeal meeting by a trade union representative or Trust workplace colleague (Please refer to the Companion Section for guidance on the role of the companion).

5.3. The CEO or Chair of Trustees will consider the appeal and may be supplied with all of the documentation submitted in relation to the earlier stages of the procedure. If the grievance involves another employee, the CEO or Chair may require the attendance of that employee at the appeal meeting, or any other employees who may be able to provide relevant information.

5.4. The appeal decision will be provided in writing within 10 working days of the appeal meeting. Any other parties involved in the grievance will also be appropriately informed of the appeal decision. Such decision will be final.

5.5. The same or similar grievances cannot be raised again once determined until at least 12 months has passed since the final appeal decision has been published.

6. The Role of the Companion

6.1. Employees have the statutory right to be accompanied by a workplace colleague or trade union representative, or an official employed by a trade union where they are invited by the employer to attend a grievance meeting and when they make a reasonable request to be so accompanied.

6.2. To exercise the statutory right to be accompanied, an employee must make a reasonable request. What is reasonable will depend on the circumstances of each individual case, however, the employee should consider the practicalities of the arrangements e.g., someone who is suitable, willing and able on site, rather than someone from a geographically remote region. A request to be accompanied does not have to be in writing or within a certain time limit,

however, the employee should provide enough time for the employer to deal with the companion's attendance at the meeting. The request should also be made in a way to ensure their request is clearly understood, by letting the employer know in advance the name of the companion where possible, and whether they are a fellow worker or trade union official or representative.

6.3. It would not normally be reasonable for an employee to insist on being accompanied by a companion whose presence would prejudice the meeting. For example, where there is a conflict of interest or the companion is a witness.

6.4. If an employee's chosen companion is not available at the time proposed by the employer, the employer must postpone the hearing to a time proposed by the worker, provided that the alternative time is both reasonable and not more than five working days after the date originally proposed.

6.5. The companion should be allowed to address the meeting to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting, confer with the employee during the meeting and ask for an adjournment during the meeting. The companion does not, however, have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it or prevent the employer from explaining their case.

7. Counter Grievances

7.1. When a grievance is lodged by an employee (A) against another employee (B), the subject of that grievance (B) will not be permitted to lodge a grievance against employee A or in respect of the Grievance Procedure that is followed. This is regarded as a 'counter grievance' and is likely to impair the integrity of the original grievance process. Anything that employee B wishes to say about employee A, the grievance or the process being followed can all be said at the Grievance meeting. If disciplinary action is taken against employee B as a result of the Grievance, B can appeal that decision through the Disciplinary Procedure.

7.2. Any grievance submitted during a disciplinary process that relates to the disciplinary matters will be considered on a case-by-case basis. A decision will be made as to whether the matters can be dealt with as part of the disciplinary process, or as a separate grievance. We will not unnecessarily postpone disciplinary proceedings to deal with a grievance where they can be combined. In either case, a letter will be sent to the employee to confirm the outcome.

7.3. Any grievance that is deemed by the hearing manager to have been submitted as a direct result of disciplinary action being taken ie is a complaint about the disciplinary action being taken against them will be deemed to be 'vexatious' and/or malicious and as a result to being disciplined. Such conduct may be regarded as serious or gross misconduct in itself. A further disciplinary hearing, or an adjournment followed by a reconvened hearing, will take place to deal with any alleged vexatious or malicious grievance.

7.4. Of course, any genuine grievance submitted at such a time which is not related to the disciplinary matter in hand will be investigated and dealt with fairness and impartially.

8. Data Protection

8.1. Under the terms of the Data Protection Act 2018, staff have the right to view what is recorded about them and may request their personal data under the terms of a Subject Access Request. However, in cases where a witness involved in a grievance does not wish to be identified and does not give consent for their statement/data to be shared, EKC School Trust reserves the right to withhold this information. Where other witnesses give their consent but the personal data of a non-consenting witness cannot be redacted to the extent of protecting the identity of that witness, all witness statements may be withheld. This practice is acceptable under the terms of the Data Protection Act and the ACAS Code of Practice on Disciplinary and Grievance Procedures.

Appendix A:

Senior Post Holders

The principles and provisions of the Grievance Policy apply to all staff. This appendix outlines the framework for dealing with grievances raised against senior postholders, i.e., Headteachers, CEO and Executive Team. Unless otherwise stated all other provisions and timescales are as per the body of the procedure above.

General Principles

Appeal meetings - The appeal meeting will be held as soon as reasonably practicable after the notice to appeal has been received. The employee will be given at least five days' notice of the meeting date to allow him or her to prepare for the hearing. The appeal meeting will be heard by a more senior leader within the Trust who will not have had involvement in the grievance at the earlier stages. Where this is not possible, the appeal may be heard by a panel of the Governing Body or Board of Trustees.

Matters Relating to the Headteacher

Stage 1: Informal action is the responsibility of the Headteacher.

Stage 2: Grievance to be heard by the Chair of Governors and one other member of the Local Board.

Stage 3: Appeals will be heard by the CEO and one other member of the Local Board.

Matters Relating to the CEO

Stage 1: Informal action is the responsibility of the CEO

Stage 2: Grievance to be heard by the Vice Chair and one other member of the Board of Trustees.

Stage 3: Appeals will be heard by the Chair of the Board of Trustees.

Matters Relating to a Member of the Executive Team

Stage 1: Informal action is the responsibility of the senior post holder

Stage 2: Grievance to be heard by the CEO and one other member of the Board of Trustees.

Stage 3: Appeals will be heard by the Chair of the Board of Trustees and one other member of the Board of Trustees.

Addendum: Written Submissions, Length and Use of AI

To ensure grievances and appeals (igrievance and disciplinary appeals) can be considered fairly and efficiently, all written submissions registering a grievance or appeal must not exceed two A4 pages. Documents exceeding this limit may be returned to the employee and resubmission requested within the page limit.

Employees may use generative AI tools to assist with drafting documents. However, responsibility for the content always remains with the employee. Any submission, whether drafted personally or with AI assistance, must:

- comply with the requirements of this procedure and any guidance issued by the Trust;
- in the case of grievances, clearly identify:
    - the date of the incident or discussion;
    - two or three sentences of what was said or written or happened;
    - how it made you feel;
    - when and whether you reported this and to whom;
    - whether there were any witnesses and if so their names;
    - Where the incident or discussion took place
- in the case of appeals, clearly identify the grounds of appeal, normally being:
    - procedural unfairness or bias;
    - significant new evidence that was not reasonably available at the original hearing; or
    - a sanction that is disproportionate to the circumstances;
- be checked carefully for factual accuracy and ensure that evidence, dates, events, and any references to policy are correctly stated;
- focus on the key issues relevant to the case, presenting arguments clearly and concisely without unnecessary repetition; and
- not be submitted without appropriate review and verification by the employee.

Where a submission does not comply with these requirements, including where it is excessively lengthy, repetitive, inaccurate, or appears to have been generated using AI without adequate review, the Trust may return the document and request that it is revised before it is considered.