Belthorn Academy Primary School

Grievance Procedure Policy for Teachers

November 2026
Review November 2027

LANCASHIRE COUNTY COUNCIL

GRIEVANCE

A MODEL PROCEDURE (TEACHERS) IN SCHOOL WITH DELEGATED BUDGETS (AUGUST 2026)

1. PURPOSE

1.1 This document sets out the procedures to be followed in situations where a member of the teaching staff has a grievance. This procedure is intended to:

- give clear guidance to all concerned in grievance situations;
- enable grievances to be resolved as efficiently and quickly as possible;
- minimise the prospect of damage to relationships at the school.

1.2 This procedure has been agreed between the Authority and the recognised Teachers' Associations. It takes account of the statutory requirements arising out of the Employment Act 2008.

1.3 This procedure has been adopted and is published as part of the staffing policies of the Governing Body of Belthorn Academy Primary School.

1.4 This procedure may be used to deal with claims of sexual, racial and other forms of harassment and bullying. Teachers may wish to seek advice from their trade unions.

2 APPLICATION

2.1 Under the ACAS Code of Practice, a grievance is defined as ‘a concern, problem or complaint that an employee raises with their employer’.in relation to another member of staff, the Headteacher, the governors or the Local Authority and not a matter which has been raised for clarification.

2.2 This procedure applies to all teachers employed in Belthorn Academy Primary School.

2.3 Where possible, grievances should be resolved informally (see informal stage, paragraph 4). Where the informal stage fails or is considered by the teacher to be inappropriate, the formal stage should be invoked (see formal stage, paragraph 5).

2.4 The grievance procedure is entirely separate from discipline and competence procedures.

3 GENERAL PRINCIPLES

3.1 All documentation and discussions at meetings within this procedure are confidential. The School processes personal data collected during informal complaints and the formal grievance procedure in accordance with its data protection policy. In particular, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting

the grievance procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the school's data protection policy. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

3.2 All teachers will have access to a copy of this procedure and will be provided with an individual copy on request.

3.3 All teachers will be made aware of the existence of the procedure and will receive a copy at the informal stage of any grievance.

3.4 It is expected that a grievance will be raised as soon as possible and in normal circumstances, within one month of the event occurring. The school reserves the right not to pursue historic matters ie. Those over three months old.

3.5 At any meeting convened under this procedure a teacher/Headteacher has the right to attend and be represented by a companion who may be a fellow worker, a trade union representative, or an official employed by a trade union. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany a worker.

3.6 At any meeting convened under this procedure, access to an adjournment should not be unreasonably refused.

3.7 With the exception of a grievance against the Headteacher or Governing Body, governors are not involved prior to the formal stage of a grievance.

3.8 The Clerk to the Governors, in setting a date for a meeting to consider the formal stage of a grievance, will inform the Governors that a full report is to be submitted to them. An attempt by any Governor to elicit further details, at that stage, would be inappropriate.

3.9 When a teacher has a grievance relating to the actions of another member of the staff of the school, the teacher should, first of all, endeavour to resolve the matter by a personal direct approach to the member of staff concerned. Where such an approach does not succeed or is inappropriate the informal stage should be invoked.

4. INFORMAL PROCEDURE

4.1 The Teacher should discuss the grievance with their immediate supervisor.

4.2 The supervisor should reply orally as soon as possible but within two working days*.

5. FORMAL PROCEDURE – STEP 1

5.1 If the Teacher continues to be aggrieved, they should set out the full nature of the grievance in writing within 5 working days of the supervisor’s response. The grievance should be forwarded to the Headteacher (or representative e.g. Deputy Headteacher).

6. FORMAL PROCEDURE – STEP 2 - HEADTEACHER MEETING

6.1 The Headteacher (or representative) will call a meeting of all parties within ten working days. A note shall be taken of the meeting and the decision, including the right of appeal, shall be confirmed in writing within five working days.

*Note - For the purposes of this procedure, a working day is defined as one when a teacher (excluding members of the Leadership Group) would be required to be available for work under the Teachers' Pay and Conditions Document

6.2 If the Headteacher is the subject of the grievance, in exceptional circumstances, the meeting of all parties may be facilitated and chaired by the Chair of Governors. In all circumstances the Grievance should be submitted to the Headteacher. Advice should be sought from a member of the Schools' HR Team. The Chair's decision, including the right of appeal, should be confirmed in writing normally within five working days.

7. FORMAL PROCEDURE – STEP 3 – MEETING OF THE GRIEVANCE COMMITTEE

7.1 If the Teacher is not satisfied with the decision taken in respect of their grievance, s/he must, within 5 working days of the date of formal notification of the decision, inform the Clerk to Governors, in writing, of their wish to appeal. The employee must enclose a copy of the original statement of grievance (see Step 1 above), grounds of appeal and any related documentation and decisions. The Clerk to Governors will then refer the matter to Grievance Committee of the Governing Body, which shall be established for this purpose.

7.2 The Grievance Committee shall be arranged, wherever possible, within fifteen working days with the interested parties. The meeting shall be documented and the decision normally confirmed in writing within five working days.

7.3 The procedure to be followed at the meeting of the Grievance Committee is outlined in Annex 1.

7.4 The decision of the Grievance Committee will be final, and no further right of appeal or hearing will be allowed under this procedure.

8. GRIEVANCE AGAINST THE GOVERNING BODY

8.1 Informal Meeting Stage

(i) Where a teacher's or Headteacher's grievance relates to the functions of the Governing Body, there is provision under the School Standards and Framework Act (Schedules 16 and 17) and the Articles of Government for members of staff to make representation to the Governing Body on matters of concern.

(ii) The teacher or Headteacher should submit a note initiating the informal stage of the procedure to the Clerk to the Governors who will contact the Schools' HR Team.

(iii) A meeting will be arranged between the teacher/Headteacher and Chair of Governors or other Governor nominated by the Governing Body to attempt to resolve the grievance, to be called within 20 working days of the matter being raised. Arrangements will also be made for a record of the meeting to be taken.

(iv) Advice and support will be available to the Chair of Governors from the Authority and to both parties from the Diocese, as appropriate.

(v) Where the Headteacher is not cited in the grievance, it must be clear in what capacity they are present at the meeting.

(vi) The record of the meeting, together with any recommendation for the resolution of the grievance, will be shared with all parties. A report on the recommendation will be made to the Governing Body, normally within 20 working days.

(vii) The grievance may be withdrawn at this informal stage, in which case there is no need to report the details to other Governors.

(viii) The Governing Body will determine whether to ratify any recommendation for resolution and will communicate this, in writing, to the teacher/Headteacher and their representative.

(ix) Where the grievance is not resolved, the details should not be reported to other Governors, at this stage, in order to avoid tainting and to preserve the ability of Governors to deal with the matter formally.

8.2 Formal Hearing Stage

(a) Where the informal meeting stage in 8.1 above does not resolve the grievance there will be a right to a hearing by the Governing Body or a Committee of the Governing Body.

This may be an existing Committee which may comprise the members of the Grievance/Complaints Committee but should not involve any governors who have taken part in the informal meeting stage (8.1) or any member of staff who is both a governor and has an involvement in the matter which is the subject of the grievance.

(b) Where the Headteacher is not cited in the grievance it must be clear in what capacity they are present at the hearing.

(c) With the agreement of both the Governing Body and the teacher/ Headteacher, an independent person will be invited to chair the meeting. This could be an appropriate senior officer of the Authority. The independent Chair will not withdraw with either side at stage 8.2(g)(viii) but will not be entitled to vote.

(d) The teacher/Headteacher will submit a formal written notice of grievance together with any supporting documents to the Clerk to the Governors.

(e) A submission will be prepared by/on behalf of the Governing Body in response to the formal written details of the grievance.

(f) The Clerk to the Governors will arrange for a meeting of the Governing Body/Committee to be called and to take place no later than 20 working days after receipt, by the Clerk to the Governors, of the formal written details of the grievance.

No later than 5 working days prior to the meeting, all interested parties will receive a copy of the written details of the grievance, the Governing Body submission and any supporting documents, together with a copy of this Procedure.

(g) **Procedure at the Hearing**

(i) The procedure at the hearing will provide for the teacher/Headteacher and the presenter of the Governors' case to be present at all times except when any matter falls solely to the Governing Body/Committee to consider or adjudicate upon.

(ii) The Chair will allow the teacher/Headteacher and the presenter of the Governors' case, in that order, to make submissions to the meeting, and for questioning to occur.

(iii) The introduction of related and relevant additional documentary evidence will be allowed.

(iv) The teacher/Headteacher and the presenter of the Governors' case will in that order, have the right to call witnesses, who will be available to be questioned by both sides and by the Governing Body/Committee.

(v) The Chair will ensure that the members of the Governing Body/Committee may ask questions of the teacher/Headteacher and/or the presenter of the Governors' case and witnesses.

(vi) Witnesses will only remain at the hearing for so long as they are giving evidence or being questioned.

(vii) The teacher/Headteacher and the presenter of the Governors' case will, in that order, have the right to make a final or closing statement to the Governing Body/Committee.

(viii) All other parties will then withdraw, and the Governing Body/Committee will consider the grievance and reach a decision. The Chair will not withdraw with either side. Advice offered by the Director, Children's Services or representative will be available to the Committee (a different officer from the one who may be acting as an independent chair).

(ix) If, for any reason, the Chair or either side wishes to ask further questions, or clarification is required, the Chair will reconvene the full hearing.

(x) The Chair and/or advisers to either side may act as an intermediary during the course of the deliberations.

(xi) When the Governing Body/Committee has a proposed resolution for an agreement the Chair will reconvene the hearing and will facilitate the communication of the proposal.

(xii) The Clerk will document the proceedings of the hearing.

(xiii) Within 5 days of the hearing the Clerk will write to the parties involved, the teacher/Headteacher, their representatives and any other interested parties, to communicate the Governing Body/Committee's proposal.

(xiv) 15 working days will be allowed for any views to be expressed by the Teacher/Headteacher, their representatives and any other interested parties about the proposal in 8.2.g.(xiii) above. A report will be made to the full Governing Body, normally within a further 5 working days, of the proposal for the resolution of the grievance and any views expressed.

(xv) The full Governing Body will then meet to determine whether to accept the proposed resolution of the grievance.

8.3 Conciliation/Mediation Stage

Where the Governing Body is unable to resolve the grievance then the assistance of a third party may be sought by either party. This could be an appropriate member of the Schools' HR Team, Diocesan Officer or some other agreed, suitable person.

It would be open to the third party to seek technical assistance from Schools' HR Team and an officer of a recognised Teacher Association.

9. GRIEVANCES RAISED WHERE DIFFERENT PROCEDURES HAVE ALREADY COMMENCED

(a) Where a grievance is raised during the formal stages of a different procedure and the grievance relates to matters already under consideration as part of that procedure, this would normally be dealt with as part of that procedure.

(b) Where the grievance is deemed not to be related to the matters being considered under different procedure, the provisions of this grievance procedure will apply.

10. GRIEVANCES RAISED WHERE AN EMPLOYEE IS LEAVING/HAS LEFT EMPLOYMENT

There is no legal requirement for employers to hear grievances from ex-employees. However, where an employee who has formally raised a grievance then leaves employment prior to their grievance being considered and finalised, they should be asked to confirm in writing whether they wish to pursue their grievance. It remains at the school's absolute discretion to deal and conclude the matter and provide a written response.

Grievances will not be considered if they are received after employment has ended.

11. REVIEW

This procedure will be reviewed after 1 year of operation and, thereafter, as required.

ANNEX 1

PROCEDURE TO BE FOLLOWED AT THE MEETING OF THE GRIEVANCE COMMITTEE

1. The employee and Headteacher/Chair of Governors are entitled to be present except when any matter falls solely to the Committee to consider.

2. Both parties may be accompanied by a representative and all references to the employee and Headteacher/Chair of Governors shall be taken to include their representatives.

3. The Chair of the Committee will invite the employee and Headteacher/Chair of Governors, in that order, to make submissions to the meeting and invite cross examination.

4. The introduction of related and relevant additional documentary evidence will be allowed.

5. The employee and Headteacher/Chair of Governors, in that order, will have the right to call witnesses, who will be available for questioning by both the employee and Headteacher/Chair of Governors and by the Governors.

6. Witnesses will only remain at the meeting for so long as they are giving evidence or being questioned.

7. The Chair of the Committee will invite the members of the Committee to ask questions of the employee and/or Headteacher/Chair of Governors and witnesses.

8. The employee and Headteacher/Chair of Governors will, in that order, have the right to make a final or closing statement to the Committee.

9. All other parties will then withdraw, and the Committee will consider the Appeal and reach a decision.

10. The Clerk to the Governors, if present, should take no part in the proceedings, but will remain with the Committee. They will make available any notes taken of the evidence and will record the decision of the Committee.

11. If the Chair of the Committee decides that further questions need to be asked, or clarification is required, the full meeting will be resumed.

12. Any CSA or Diocesan officer present will provide advice, as requested, to assist the Committee in coming to a decision.

13. When the Committee of Governors have reached a decision the employee and Headteacher/Chair of Governors will be asked to return to the meeting and the decision will be communicated.

14. The Clerk to the Governors will document the proceedings of the meeting. The decision will be confirmed in writing to the employee with a copy to the Headteacher/Chair of Governors and the Chair of the panel that heard the case, within five working days of the conclusion of the meeting.

15. **Note** Where the Clerk to the Governors is not present, an alternative clerk nominated by the school will carry out the Clerking function.