

Thomas Coram Centre and Nursery School

GRIEVANCE PROCEDURE FOR SCHOOLS



Thomas Coram Centre
and Nursery School
49 Mecklenburgh Square
London WC1N 2NY



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Review date- pending Camden recommendations

Introduction

1.1 Procedural Aims and Purpose

This procedure describes a fair and reasonable way of addressing grievances and work issues. The grievance procedure will operate in conjunction with the grievance policy. Employees are advised to familiarise themselves with the grievance policy first before using this procedure and other supporting documents.

The procedure applies to all employees at the school. The procedure does not apply to collective disputes, which may be raised and dealt with in accordance with the agreed collective bargaining process. This procedure is issued by the school and aims to provide a formal means for promptly hearing a grievance. It also outlines the steps which should be taken by the school.

It should be noted that informal resolution is actively encouraged in the first instance, and if appropriate the use of mediation may be considered.

1.2 Definition

For the purposes of this procedure, a grievance is defined as a formal complaint, concern or problem that an employee raises with the school.

1.3 Overlapping Issues

Where an employee raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues at the same time.

Informal Resolution

Where an employee has a grievance or complaint about their work or colleague(s), wherever possible, they should start by discussing the matter with their school manager. They may be able to agree a solution informally and should give the proposed solution time to work.

Informal resolution of work issues does not form part of the formal grievance procedure. It is referred to here given the importance such informal processes can play in resolving work concerns and also for the purpose of clarifying how it relates to the formal grievance procedure.

Where work issues are raised informally the manager will explore these and discuss a proposed solution to mutually benefit the parties. The manager should keep a note of any of these discussions. A copy should be retained by the manager and kept on the

employee's personal file. This record will only be relevant in the event that formal action subsequently becomes necessary.

Where appropriate; informal resolution through mediation, training, counselling and coaching will be considered prior to taking formal action under the grievance procedure. In deciding whether an attempt should be made to resolve the issue informally, account will be taken of relevant issues, such as:

- the nature of the work issue;
 - the willingness of both parties to consider alternative ways of reaching resolution; and
 - the impact on the education service and/or colleagues.
 - Where an informal approach, resolution and/or actions have been agreed, the manager should confirm this in writing. A copy should be retained by the manager and kept on the employee's personal file. This record will only be relevant in the event that formal action subsequently becomes necessary.
 - Where informal resolution is initiated, it is important that there is an opportunity to resolve the issue(s). However, the employee can invoke the formal procedure by raising a grievance at any time.
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- Work issues and grievances should always be addressed as early as possible. Employees should therefore, not delay in raising their informal concerns, or, where an informal approach has not succeeded in finding resolution, the next step is to raise a formal grievance.

3.0 The Formal Process

3.1 Managing a Grievance

- Under normal circumstances, the school manager will chair the grievance hearing, although in some complex cases they may ask an (independent) manager on the same or higher level as the manager involved to chair the hearing, (**note:** this does not have to be the manager's manager).
- Where it becomes evident that the chair of the hearing will need to arrange an **investigation**, s/he will decide whether to investigate the concerns or ask a colleague of the same level of seniority or lower to investigate the matter. Under normal circumstances however, the manager will investigate. Where the grievance includes complaints of bullying, harassment, victimisation, or there is some other particular need for impartiality, the manager should seek advice from HR on the best way to manage the grievance.

3.2 Stage 1: Grievance Statement

An employee can formally raise their work concern by submitting a formal grievance in writing using the grievance template where they believe that their concern has not been satisfactorily¹ addressed through the informal route.

3.3 Stage 2: Convening a Grievance Hearing

- Usually within **10** working days of receiving notification of a formal grievance, the chair will convene a grievance hearing. Please also see **section 3.5** 'Procedure at the Grievance Hearing' for further information. All parties including the grievant, the respondent(s), and their representative will be given reasonable notice in advance of the hearing. Normal practice is that between **5 - 8 working days' notice** in advance of a hearing will be provided.

Table showing responsibilities for grievance hearings and appeals

Grievance against	Grievance hearing conducted by	Appeal Heard by
Headteacher	The Chair of Governors	A panel of three governors, where possible, who have not been involved in the case.
Member of the School Leadership Team	Headteacher, or	A panel of three governors, where possible, who have not been involved in the case.
	Deputy Head ²	Headteacher
Any other employee	Member of the leadership team	Deputy or Headteacher
	Deputy Head	Headteacher
	Headteacher	Wherever possible, a panel of three governors, who have not

¹ A concern has been satisfactorily addressed if all relevant parties agree that it has been managed fully and fairly, even if the grievant does not agree with the outcome.

² The deputy head forms part of the school leadership team. If the deputy head has heard the grievance, the headteacher will hear any subsequent appeal where an appeal is lodged.

		been involved in the case.
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For grievances raised by a headteacher or against a headteacher and/or governors, **appendices 5 and 6** will apply.

3.3.1 Written Notice of a Hearing

The notification of the requirement to attend a hearing must be confirmed in writing to all parties. The written notice will:

- provide a brief summary of the issue(s) raised, including a copy of the original grievance;
- advise that the grievant and respondent(s) may be represented at the hearing;
- advise who will chair the hearing;
- advise that the parties may provide evidence in advance and request to call relevant witnesses;
- provide a copy of any available relevant written evidence; and
- provide a copy of the grievance policy and procedure.

3.4 Documentation and Witnesses

Where available, all parties will be provided with a copy of the relevant written evidence to be referred to during the hearing.

If the parties intend to refer to any documentation or wish to call any relevant witnesses as part of their response to the case, they must provide this information to the chair of the hearing at least **2 working days** before the hearing.

The chair of the hearing may decide not to consider information supplied by either party outside of these timescales and their decision on this matter is final.

3.4.1 Issues relating to the Equality Act 2010

There are nine characteristics which are protected under the Equality Act 2010: Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

In cases which cover issues relating to any of these nine protected characteristics or any matters that may relate to harassment, it may be necessary for the chair to spend time with the grievant clarifying the exact nature of the concern and agree the language that will be used. It may also be necessary for the chair to hear evidence presented by

the grievant and the respondent(s) separately in the absence of the other party, although a single hearing will still suffice.

3.5 Procedure at the Grievance Hearing

At the hearing, the chair will present the grievance to both grievant and respondent, and ensure that:

- each party is given the opportunity to respond to the grievance;
- each party is given the opportunity to ask questions; and
- the grievant is satisfied that all aspects of their grievance have been covered.

At the end of the hearing the chair will adjourn the hearing in order to consider the matter carefully and assess any equality or diversity issues that may need to be taken into account. After reconvening the hearing, the chair will advise the grievant and respondent (and any other relevant attendees) on:

- the need to investigate further;
- suggestions for alternative solutions (like mediation); or
- the decision made.

Where further investigation is required, the chair will set up an investigation. School management will carry out such investigations as appropriate to establish the facts or circumstances. Under normal circumstances the chair will do the investigation, or may choose to assign another manager at the same or lower level of seniority, (as referred to in section 3.1).

The investigation can be in the form of an investigation meeting(s) with the relevant parties, however in some cases a meeting may not be required and the investigation will be the collation of evidence by the investigating manager. Evidence or relevant facts related to the grievance may include appropriate documented records of informal action taken.

Following a hearing and/or investigation, the decision or suggested solutions made could be:

- taking no action;
- securing an apology;
- training and development for any of the parties involved;
- an action plan for change - with review times;
- invoking the disciplinary procedure;
- consideration of moving an employee from one job to another if working relationships have broken down irretrievably; and/or
- suggesting mediation.

The outcome will be confirmed in writing to the grievant, the respondent(s) and any other relevant parties. The chair will decide whether the outcome is communicated solely by letter, or whether to reconvene the hearing to meet the parties in person to explain the decision made.

The decision letter will provide a written outcome of the hearing and/or investigation, the decision made and the reasons why the decision was arrived at. If formal meeting notes were taken, they shall be provided as well.

The chair should ensure that a copy of the letter is sent to HR or other appropriate department. As a guide; the grievant and respondent(s) should be notified of the decision within **10 working days** of the hearing.

The decision letter will be retained in both the grievant's and respondent's personal file for a period of **18 rolling months**. After this period, whilst the decision will not remain active for any future grievance matters, a record of what has occurred will be kept. Both parties can ask for their comments to be attached to the decision letter for future reference, (even if they are not appealing against the decision).

The chair of the hearing will ensure that any relevant equality or diversity issues are considered.

3.6 Right of Appeal

A grievant has the right to appeal against the decision of a formal grievance hearing if they believe the grievance has not been satisfactorily addressed, provided they meet the requirements of the accepted grounds for appeal in **section 3.6.1**.

The request for an appeal must be made by completing and returning an appeal form within **10 working days** of receipt of the decision letter, giving the grounds for appeal.

Appeals will not be allowed on any grounds other than those stated below. For an appeal to be heard, the grounds for the appeal must be properly and fully substantiated. Any appeal submissions which are not properly substantiated within **10 working days** of the original decision will be considered invalid for appeal purposes and the decision of the designated manager on this matter will be final.

The chart in **section 3.6.3** stipulates to whom the appeal form should be sent and copied to.

3.6.1 Grounds of Appeal

The appeal form should set out the grounds on which the appeal is based, clearly stating how the appeal relates to one or more of the following:

- A belief that the manager did not follow the relevant procedure properly, and that this significantly affected the decision. (A small procedural flaw that would not have significantly influenced the decision is not sufficient grounds for upholding an appeal).
- A belief that the manager made a decision about a significant fact, which it was not reasonable for him or her to take. (For example, where a manager unreasonably decides that a particular event must have taken place).
- A belief that the outcome of the hearing was one which no reasonable person could have come to. (The fact that the employee disagrees with the appeal outcome is not sufficient grounds for conducting an appeal hearing).
- The fact that new evidence has come to light, which the employee could not have introduced at an earlier stage and which could have a significant effect on the decision taken. (Employees cannot present new evidence which was previously available and they could have presented at an earlier stage).

3.6.2 Notice of Appeal Hearing

Within **10 working days** of receiving a form requesting an appeal, the headteacher or panel of governors will organise the appeal hearing and inform the employee of the details. Appeal hearings will be arranged as soon as is reasonably practicable and should be confirmed in writing to the employee, giving between **5-8 working days' notice** in advance of the hearing.

3.6.3 The Hearing of Appeals

Grievance Hearing Conducted by	Appeal Heard by	Appeal Form sent to
Headteacher	A panel of three governors, where possible, including the chair of governors, who have not been involved in the case.	Chair of Governors with a copy to HR.
Deputy Head	Headteacher	Headteacher with a copy to HR.
Member of the Leadership Team	Deputy or Headteacher	Headteacher with a copy to HR.

The chair of the original hearing will attend the appeal hearing to present their response to the appeal and any questions raised.

The appeal panel will consider relevant information including the facts presented at the grievance hearing that were relevant to the decision taken and any new written evidence presented to them. It is not a re-hearing of the facts, but a hearing to determine that the decision was fair and appropriate.

The appeal panel may decide to:

- uphold the original decision;
- allow the appeal entirely; or
- vary the conditions attached to the decision or substitute a lesser decision in place of the original decision.

The decision of the appeal panel will be given to the grievant in writing, normally within **10 working days**. The decision of the appeal panel is final.

Where the grievance case was referred to the disciplinary procedure prior to the appeal hearing and the appeal against the decision is subsequently upheld, the appeal decision will be introduced into the disciplinary case and where relevant contribute towards any action being considered.

4.0 Mediation

Mediation is a confidential, voluntary process in which an independent mediator helps two or more people in dispute attempt to reach an agreement. This does not necessarily mean that the complaint is resolved in its entirety, but that a workable agreement is developed and honoured by all parties.

Mediation can only be considered where both parties voluntarily agree to participate. A decision not to attempt a mediation process will not have any bearing on any formal proceedings, although the organisation strongly encourages parties to consider such a course of action.

Mediation services can be offered by HR, management or be requested by either party. However, mediation is not suitable for all work issues and circumstances. HR will have the final decision on whether mediation should be offered.

Within this procedure, mediation can be considered at different stages:

- within the informal process (before a grievance is raised); or
- after a grievance hearing (as a suggested way forward); or
- after a grievance is raised but before a grievance hearing.

To request mediation; or for more information, contact HR.

5.0 Frivolous and Vexatious Grievances

5.1 Frivolous Grievances

Formal grievances which are unreasonably raised more than three months after the concern first arose may be considered to be frivolous. Frivolous grievances are also those raised when the issue would have been more appropriately resolved through informal discussions. Frivolous grievances hold no implication of malice, but they cause wasted time on behalf of both the employee and the school. The number of frivolous grievances can be minimised by the proper use of informal processes.

5.2 Vexatious Grievances

A vexatious grievance is one which is raised maliciously in bad faith. For example, a grievance may be considered vexatious where it is based on deliberate misrepresentations or untruths, with the malicious intent of causing harm to the person against whom the grievance is raised. Similarly, the raising of a series of unjustified grievances, or a number of grievances raised simultaneously against many different people, may be considered vexatious.

The school takes all grievances seriously, but will not tolerate the behaviour of anyone who maliciously raises a grievance they know to be false. Vexatious grievances may result in the disciplinary procedure being invoked. The school should always contact HR for advice if they are concerned that a grievance may be vexatious.

6.0 Accompaniment, Representation and Postponements

6.1 Accompaniment

The grievant and respondent can be accompanied to investigation meetings by a trade union representative, a representative from a self-organised employee group or a work colleague.

6.2 Representation

The grievant and respondent can be represented at formal grievance or appeal hearings only by a trade union representative, a representative from a self-organised employee group or a work colleague. In cases relating to alleged discrimination the grievant may bring a second representative from a self-organised employee group. In these circumstances the grievant must confirm which representative will present their case.

The grievant and respondent and their representative(s) will be allowed to address the hearing to put and sum up the case, respond on behalf of the grievant and/or respondent(s) to any views expressed at the meeting and confer with the grievant and/or

respondent(s) during the hearing. The representative does not, however, have the right to answer questions on behalf of the grievant and/or respondent(s), address the hearing if the grievant and/or respondent(s) does not wish it or prevent management from explaining their case.

Being accompanied is different from being represented. The companion will not be allowed to speak on behalf of the grievant and/or respondent(s) but may ask for clarification on the questions asked. At the end of the meeting, the companion may raise any other issues that are important to the case with the investigating officer, but the grievant and/or respondent(s) must answer any questions that result from this.

6.3 Notice of Accompaniment or Representation

Where a grievant and/or respondent(s) is to be accompanied or represented, they should provide any other material that they view as relevant evidence to the manager convening the meeting **2 working days** in advance of the meeting. It is the grievant's and/or respondent's responsibility to supply a copy of any documentation for their representative or companion.

Where a formal meeting has been scheduled, all parties including the representative(s) or companion(s) should make every effort to attend.

6.4 Postponement

In some circumstances a request for the postponement of an **investigation meeting** for reasons of non-availability of a companion will be considered where reasonable. The grievant and/or respondent(s) can request for a **formal grievance or appeal hearing** to be postponed by up to **5 working days** (beginning with the day after the day on which the meeting was originally due to be held) and only for reasons of non-availability of a chosen representative or companion. One postponement of a formal meeting on these grounds may be allowed. In exceptional circumstances, other reasons for postponement may be considered. However, there is no entitlement and it cannot be guaranteed. If the grievant and/or respondent(s) fails to attend a meeting, it may be held in his or her absence.

7.0 Grievance raised by the Headteacher

Where the headteacher has a grievance against another employee, governor, the chair of governors or the governing body they should first try to resolve the matter by a direct approach. If this does not settle the problem, they should discuss the matter with the relevant person depending on who the grievance is against. Please see **appendix 5** for further details on the procedure to be followed.

8.0 Grievance against the Headteacher and/or Governors

Where the headteacher (and/or governors) is the subject of a grievance, the procedures described in this document are modified so that the chair of the governing body (or

other designated governor) replaces the headteacher in initiating any action which has to be taken. References in the grievance policy and procedure to the chair of the governing body could include another designated governor in place of the chair, if for any reason the chair is unavailable. Please see **appendix 6** for further details on the procedure to be followed.

9.0 Roles and Responsibilities

9.1 Authority

Where this procedure refers to the Director of Children's Services and HR, this can include any officer authorised to act on their behalf. Any person who is required to take formal decisions under this procedure must, wherever possible, ensure that they have not had any previous involvement in the case prior to an investigation, formal interview or hearing, as this could influence their conclusions.

Where this procedure refers to **managers**, this refers to any employee who has school's management responsibilities. This can include the headteacher or a designated member of the school's leadership team.

Delegation of responsibilities in terms of carrying out a formal grievance process can be devolved to a member of the leadership team.

9.2 Governing Body

Governing bodies of schools with delegated budgets are responsible for grievance matters at their school and have a legal obligation to adopt grievance procedures for employees. Governing bodies are also required to establish a **panel** to consider grievance appeals. If a grievance is heard by the headteacher the appeal will be heard by a panel which will consist of three members of the governing body, who should have no prior knowledge of the matter. The appeal panel where possible will be made up of different members depending on who conducted the grievance hearing, who the grievance has been raised by and who it has been raised against.

Governing bodies can delegate their powers and responsibilities in relation to grievance matters, other than the hearing of appeals to:

- the headteacher;
- one or more governors; or
- one or more governors and the headteacher.

By adopting this procedure, governing bodies are assumed to have formally delegated their responsibility for grievance matters (excluding appeals) to the headteacher, except where delegation is withdrawn or suspended as set out in **appendix 4**. Where a grievance has been raised against or by the headteacher **appendix 5** and **6** will apply. Please note

that appendix 6 also applies to grievances raised against governors (as well as the headteacher).

References in the grievance policy and procedure to the chair of the governing body could include another designated governor in place of the chair, if for any reason the chair is unavailable.

9.3 Headteacher

In cases where the headteacher feels it is inappropriate for the matter to be dealt with by them, the matter can be dealt with by the governing body, for example in cases where the grievance concerns them. There may be circumstances in which the headteacher is personally involved in issues that give rise to the need to carry out an investigation. Where it is not appropriate for the headteacher to undertake or to arrange the investigation, the chair of the governing body should liaise with HR in order to appoint someone else to fulfil this function.

Where a headteacher is on long-term sick leave, secondment or other long-term absence, the governing body should consider whether it is necessary to confer full or partial delegated responsibility to the person acting in the headteacher's absence.

Appeals against the outcome of a grievance determined by the headteacher should be heard by the governing body appeal panel in accordance with **section 3.3** of this procedure.

9.4 Local Authority

In the case of community and special schools, the local authority has a statutory right to send a representative to all formal grievance proceedings relating to the employee (including grievances relating to the head or deputy head) to offer advice.

For voluntary-aided, foundation and foundation special schools, the local authority does not have a statutory right to attend formal grievance proceedings but may do so by agreement in writing from the governing body of the school.

10.0 Human Resources

HR can:

- provide advice to managers on the interpretation and application of this procedure as and when required;
- provide advice to managers attending any formal grievance hearings;
- provide advice and support in relation to grievance handling; and

- monitor and report on the issuing of outcomes of formal grievances to ensure consistency with due regard to equality and diversity issues.

11.0 Document Control

This procedure will be reviewed on a regular basis in line with legislative changes and the school's policy. As a consequence the procedure may need to change in the future. If changes are required, consultation with the recognised trade unions will take place and employees will be notified. If the local authority needs to do something different, it will always be fair and reasonable.

Appendix 4: Alternative Arrangements for Grievance Matters

In certain circumstances the governing body may decide that it is not appropriate for the headteacher to exercise delegated responsibility for some or all grievance matters and may consider applying alternative arrangements. This would involve a governing body grievance panel exercising responsibility in place of the headteacher. The circumstances in which delegated responsibility for employee grievance matters may be suspended in whole or in part and exercised by the governing body are:

- where a headteacher is subject to suspension, disciplinary or underperformance procedures;
- where the local authority has made representations to the chair of the governing body on grounds of serious concerns about the performance of the headteacher; and/or
- where the headteacher has applied to the governing body to suspend delegation in a particular case because the headteacher's prior involvement in the matter has significantly prejudiced the headteacher's impartiality.

The governing body should review regularly (at least annually) the continuation of any circumstances where the headteacher does not lead on grievance matters. In these circumstances the headteacher should have the opportunity to make representations on any decisions to discontinue or continue delegated responsibility.

Appendix 5: Grievances raised by the Headteacher

The main grievance procedure will apply where grievance(s) have been raised by the headteacher, except for the processes outlined below.

1. Informal Process

Where the headteacher has a grievance, s/he should first endeavour to resolve the matter informally with to the relevant person(s). If the grievance remains unresolved and arises from actions/decisions of the governing body, s/he should initially seek to resolve it in discussion with the chair of the governing body.

If the grievance is against the chair of the governing body then the discussion should take place with the Director of Children's Services or delegate.

2. Mediation

Please refer to **section 4** of the main grievance procedure.

3. Formal Process

Should the grievance remain unresolved, the headteacher should then lodge a formal grievance in writing to the chair of the governing body with a copy to HR or where the grievance is against the chair of governors or the governing body, only to the Director of Children's Services.

4. Grievance Hearing Panel

The chair of governors, Director of Children's Services or delegate will arrange a grievance hearing chaired by a panel of governors within **20 working days** (where practicable) of receipt of written notification of the grievance. It is important that those on the panel have no prior involvement in the case. The process for the hearing will follow the same format as per **section 3** of the main grievance procedure. The panel of governors convened to consider grievances raised by the headteacher shall comprise of no less than **three** governors.

If a grievance has been raised against the governing body, a panel will be arranged consisting of three members.

The headteacher, and any other staff member who may be involved, is entitled to be accompanied or represented at the meeting by a workplace colleague, a representative

from a self-organised employee group or a trade union representative. **Section 3** of the main grievance procedure will apply.

5. Right of Appeal

If the grievance is still unresolved, the headteacher will have a right to appeal to the chair of the governing body. If the grievance is against the chair or the governing body, the appeal should be sent to the relevant person. Please refer to the table in **section 5** below for further information.

The process for the appeal will follow the same format as per **section 3.6** of the main grievance procedure. The headteacher must confirm the grounds for appeal in writing, within **10 working days** of receipt of the outcome of the grievance.

6. Appeal Panel Decisions and Responsibilities

The decision of the appeal panel may be given at the hearing and confirmed in writing usually within **10 working days**.

The decision of the appeal panel will be final.

The table below outlines who would be responsible for hearing a grievance hearing and appeal.

At any stage of the procedure, the headteacher is recommended to seek advice from an appropriate source such as their professional association or the Local Authority.

Grievance raised by the headteacher against	Grievance hearing conducted by	Appeal Heard by	Appeal Form to be sent to
A colleague or other employee	A panel of three governors not involved in the case.	A panel of three governors, including the chair of governors (where possible) who have not been involved in the case.	Chair of Governors. Copied to HR.
Governor(s) excluding chair	A panel of three governors not involved in the case.	A panel of three governors, including the chair of governors (where possible) who have not been involved in the case.	Chair of Governors and to HR.

Chair of Governors	A panel of three governors not involved in the case.	A panel of three members, to include the director of children schools and families or delegate and two governors not involved in the case.	Director of children schools and families or delegate and HR.
The Governing Body	A panel of three members.	A panel of three members to include the director of children, schools and families or delegate and two associate governors.	Director of Children Schools and Families or delegate and HR.

Appendix 6: Grievances raised against the Headteacher and/or Governors

The main grievance procedure will apply where grievance(s) have been raised by an employee against the headteacher and/or governors, except for the processes outlined below.

1. Informal Process

Where an employee has a grievance against the headteacher and/or governors s/he should first endeavour to resolve the matter informally with the relevant person(s). If the grievance remains unresolved and arises from actions/decisions of the governing body, s/he should initially seek to resolve it in discussion with the chair of the governing body. If the grievance is against the chair of the governing body then the discussion should take place with the headteacher.

2. Mediation

Please refer to **section 4** of the main grievance procedure.

3. Formal Process

Should the grievance remain unresolved, the employee may then lodge the formal grievance in writing to the chair of the governing body with a copy to HR. If the grievance is against the chair of governors or the governing body, it should only be lodged to the Director of Children's Services.

4. Grievance Hearing Panel

The chair of governors and the Director of Children's Services or delegate will arrange a grievance hearing chaired by a panel of governors within **20 working days** (where practicable) of having received the grievance. It is important that those on the panel have no prior involvement in the case. The process for the hearing will follow the same format as per **section 3** of the main grievance procedure. The panel of governors convened to consider grievances raised against the headteacher shall comprise of no less than **three** governors.

If a grievance has been raised against the governing body, a panel will be arranged of three members.

The headteacher, and any other staff member who may be involved, is entitled to be accompanied or represented at the hearing by a workplace colleague, a representative from a self-organised employee group or a trade union representative. **Section 3** of the main grievance procedure will apply.

5. Right of Appeal

If the grievance is still unresolved, the employee will have a right to appeal to the chair of the governing body. If the grievance is against the chair or the governing body, the appeal should be sent to HR.

The process for the appeal will follow the same format as per **section 3.6** of the grievance procedure. The employee must confirm the grounds for appeal in writing within **10 working days** of receipt of the outcome of the grievance.

6. Appeal Panel Decisions and Responsibilities

The decision of the appeal panel may be given at the hearing and confirmed in writing usually within **10 working days**.

The decision of the appeal panel will be final.

The table below outlines who would be responsible for hearing a grievance hearing and appeal.

Grievance raised by the employee against	Grievance hearing conducted by	Appeal Heard by	Appeal Form to be sent
Headteacher	A panel of three governors not involved in the case.	A panel of three governors, including the chair of governors, where possible, who have not been involved in the case.	Chair of Governors. Copied to HR.

Chair of Governors	A panel of three members to include the headteacher and two governors.	A panel of three governors, where possible, who have not been involved in the case.	Director of Children Schools and Families or delegate and to HR.
The governing body and headteacher	A panel of three associate members.	A panel of three members to include the director of children, schools and families or delegate and two associate governors.	Director of Children Schools and Families or delegate and HR.