



Grievance Policy (Including Dignity at Work)

This Policy applies to all staff employed by Discovery Schools Trust and should be read in conjunction with the associated Guidance

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V1.0	August 2020	Director of Operations	Full review of 20 July 2017 policy. Additional guidance produced to support policy. Approved by the HR Committee
V1.1	October 2023	Assistant HR Advisor	Full review of November 2020 policy. Updates to Appendix A&B.

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1. Purpose

The purpose of the policy is to provide a framework within which employees can raise individual or collective grievances and managers can deal with those grievances in an appropriate manner. A useful flowchart can be found in Appendix A.

Under this policy, all complaints relating to the following will be fully considered and investigated by the Trust:

Dignity at Work: includes complaints regarding unacceptable behaviour such as bullying, harassment and victimisation. See Appendix B

Grievance: includes concerns, problems or complaints raised by an employee regarding their working conditions or relationship with colleagues.

2. Mediation

Mediation can play an important role in resolving problems between employees. Mediation is an informal, voluntary process, which can be used to resolve disagreements in the workplace.

Employees are encouraged to consider using mediation at both the informal stages of a grievance, or if necessary, as a result of the formal stages being invoked.

3. Day to Day Management

Wherever possible, employees should be supported in trying to resolve the problem informally. This can often be done effectively by the individual raising the issue directly with their line manager, either orally or in writing.

If the grievance relates to the individual's line manager, it should be referred to the line manager's manager.

Whilst the grievance is being considered the status quo will apply.

4. Investigating Officer

An investigating officer may need to be appointed in order to carry out a thorough investigation and collation of appropriate information to establish the facts of the case.

The role of the investigator will be to investigate the issues raised, interview witnesses as appropriate, establish the facts and make any recommendations for resolution. Schools must ensure that the investigating officer is impartial.

Investigations will vary in the level of detail required, this must be proportionate to the matter in question.

5. Formal Process

Where the employee feels that their grievance has not been resolved informally or where it is sufficiently serious enough, the grievance should be put in writing to a manager (the Decision-Making Manager or DMM) who is not the subject of the grievance. The letter should specify the exact nature of the complaint and the resolution that the employee wishes to see whilst attaching any relevant evidence.

Following the receipt of the grievance, a letter of acknowledgement will be sent to the employee and a meeting arranged without unreasonable delay.

Individuals have the statutory right to be accompanied at formal meetings by either a work colleague or trade union representative. The meeting will allow the individual to elaborate on the points raised in their written grievance and will inform the next steps of the investigation.

The purpose of the investigation is to establish the facts of the case and collate appropriate and relevant evidence in order to establish whether there is an issue that needs to be addressed. All parties will be given an opportunity to respond to the points raised and may direct the investigating officer to any relevant witnesses to support their case.

Where an investigating officer has been appointed, they will produce a report outlining their findings, summary, and recommendations.

Based on the outcome of the investigation the Decision-Making Manager will give one of the following outcomes:

- The grievance is upheld
- The grievance is partially upheld
- The grievance is not upheld

A summary of the findings should be provided to the complainant and where necessary any other individuals that the complaint is against. The outcome to the process must be confirmed to the complainant in writing outlining their right of appeal against the decision.

If the grievance has been raised against another individual(s) consideration should be given as to how the parties are going to work together moving forward.

6. Withdrawing the Grievance

If at any point the employee who has instigated the grievance procedure wishes to withdraw his/her grievance, they should confirm this in writing and submit this to the same individual they originally submitted the grievance letter to.

7. Appeal

Where an individual is not satisfied with the outcome of their grievances at the formal stage, the individual will have the right of appeal and in order to proceed to an appeal hearing will need to provide the reasoning for appeal with any relevant evidence.

The appeal will be held in line with the Trust Appeals Policy.

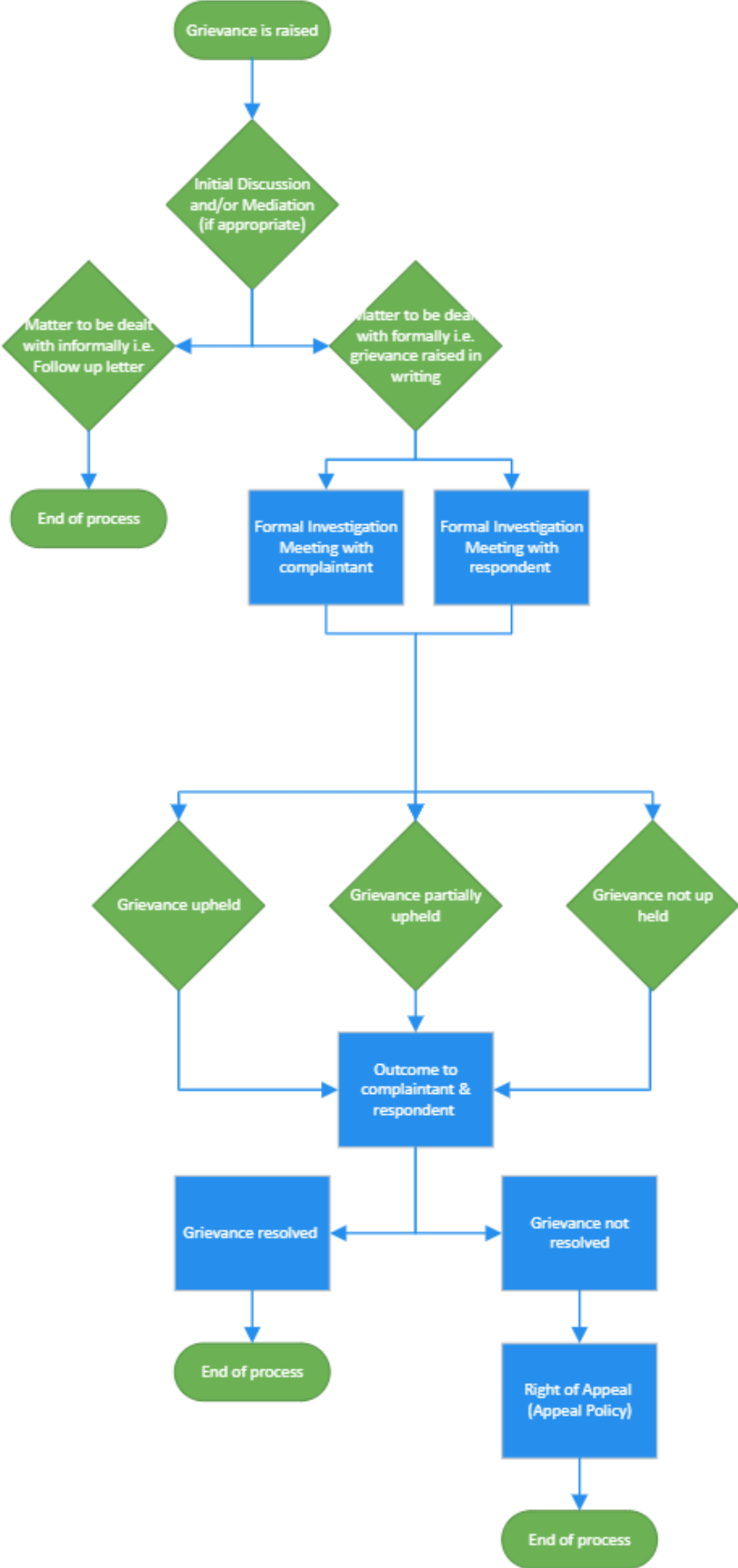
8. Re-establishing Working Relationships

Regardless of the outcome, the alleged perpetrator and the recipient **must** attend a mandatory joint meeting to discuss what support or action is required to assist them to re-establish their working relationship. The Decision-Making Manager should ensure that this meeting is scheduled to take place as soon as possible after the parties have been advised of the investigation outcome. A third party (e.g., People Manager, Senior Leader) should be involved in this meeting to help facilitate a solution.

The purpose of the meeting is to agree strategies to assist the parties to resume and repair their working relationship. A potential outline of the meeting might include:

- Explaining the purpose of the meeting (i.e., it is not to revisit the complaint previously investigated, it is about moving forward).
- Identifying potential areas of concern and explore these with the parties.
- Encouraging open and honest communication.
- Confirming the key points agreed to help move forward.
- Re-affirming that both parties have a responsibility to ensure good working relations are maintained and that failure to do so could lead to disciplinary action being considered.

Appendix A - Grievance Flowchart



Appendix B – Grievance Definitions

(The following lists are not exclusive or exhaustive)

Bullying

People who are bullied find they are:

- Constantly criticised and subjected to destructive criticism.
- Subjected to nit-picking and trivial fault finding.
- Singled out and treated differently.
- Belittled, degraded, demeaned, ridiculed, patronised, subject to disparaging remarks.
- Regularly the target of offensive language, personal remarks, or inappropriate bad language.
- Set unrealistic goals and deadlines which are unachievable or are changed without notice.
- Denied information or knowledge necessary for undertaking work and achieving objectives.
- Either excessive and/or persistent over-loading of work, or having their work taken away unreasonably.

Harassment

Harassment is defined as unwanted conduct that has the purpose or effect of violating the dignity of people in the workplace or of creating an intimidating, hostile, degrading, humiliating or offensive environment.

It may be an isolated incident or come up again and again.

Harassment includes bullying if it relates to one of the protected characteristics listed under the Equality Act.

A key factor in determining whether harassment has occurred is whether the actions or comments are viewed as demeaning and unacceptable to the recipient.

The following lists provides some examples of harassment or discriminatory behaviour.

Sexual harassment

- Unwelcome sexual advances and propositions.
- Physical contact such as the invasion of personal space and unnecessary touching through to sexual assault.
- Unwanted or derogatory comments about clothing or appearance.
- Asking questions of a sexual nature.
- Jokes, gestures, and language of a lewd/sexual nature.
- Displaying sexually suggestive or sexually explicit material in the workplace or circulating such material in emails.
- Comments regarding an individual's appearance or body.
- Office gossip or detrimental speculation about private sexual activities.
- Treating a person less favourably because they have rejected, or submitted to, unwanted conduct that is related to sex or is of a sexual nature (including blocking promotion and refusal of training or other development opportunities).

Racial harassment

- Any incident which is perceived to be racist by the victim or any other person.
- Refusing to work with someone or deliberately isolating them because of their race, colour, nationality, or ethnic origin.

- Displaying racially offensive material including graffiti, graphics, slogans, or logos that have racial undertones (e.g., t-shirts or mugs).
- Racist jokes, banter, insinuations, insults, and taunts.
- Verbal and physical abuse/attacks on individuals because of their race, colour, nationality, or ethnic origin.
- Assaults motivated by race, colour, ethnic or national origins.
- Using language that is offensive or derogatory on the basis of race or making racist remarks to or about a person.

Harassment of workers with disabilities

- Asking inappropriate questions about a person's impairment such as how it occurred and what it is like to be disabled.
- Name calling, jokes, taunts, and use of offensive language.
- Assuming that a physical disability means that the individual is inferior.
- Assuming that a mental disability means that the individual lacks intelligence.
- Banter relating to the disability of a person or mocking a person with a disability.
- Excluding a person because of their disability.
- Using upsetting words about, or being offensive when describing, a person's disability, or when generally describing the person.

Harassment on the grounds of sexual orientation

- Homophobic or bi-phobic comments, jokes and name-calling made generally or to/about a person based on their sexual orientation, or that of their partner or any relative.
- Dissemination of homophobic or bi-phobic materials.
- Repeated references to a person's sexual orientation.
- Spreading perceptions/rumours about somebody's sexual orientation, either actual or perceived.
- Outing a person without their consent or spreading rumours.
- Prejudiced views.
- Excluding a person from conversation and activities because of their sexual orientation.
- Excluding a same sex partner when opposite sex partners are included.
- Intrusive questioning about an individual's personal or sex life.
- Being offensive or making offensive gestures a person on their sexual orientation.
- Homophobic remarks or banter.

Harassment of the grounds of gender identity (including transgender and non-binary)

- Transphobic or bi-phobic comments, jokes, and name-calling.
- Refusing to treat a person as the gender they identify.
- Failing to address a person by their preferred name and correct gender pronouns.
- Denying people access to the appropriate single sex facilities such as changing rooms.
- Outing a person as transgender without their consent or spreading rumours (this may also be a criminal offence).
- Intrusive questioning.

Age harassment

- Derogatory comments relating to age made to or about a person.
- Ageist jokes.
- Assumptions about a person based on their age.
- Being dismissive towards a person because of their age.
- Excluding a person from work social events because of their age.
- Banter relating to the decline of a person's physical/mental abilities on account of age.

- Banter relating to the age of a person's partner, such as an older or a younger partner.

Harassment on the grounds of religion

- Making remarks about religions generally and their practices or specifically mocking a person's religious beliefs.
- Making unwanted comments on dress.
- Making it unnecessarily difficult for people to conform to their religious beliefs.
- Exacerbating or causing arguments over religious differences between religious groups or people following particular faiths.
- Gossiping/chatting about a person's religious views or beliefs.
- Excluding a person because of their religious views or beliefs or treating somebody differently because of their views.
- Sectarian views, beliefs and violence.
- Displaying symbolism and slogans that are offensive or could be interpreted as offensive.

Victimisation

Victimisation is when someone is subject to a detriment because they have brought, or it is believed they are about to bring, or support, a claim relating to either disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, or belief, as well as sex and sexual orientation.

Ways someone could be victimised include:

- being labelled a troublemaker.
- being left out.
- not being allowed to do something.