

Grievance Policy



EYFS Key Themes and Commitments

<u>A Unique Child</u>	<u>Positive Relationships</u>	<u>Enabling Environments</u>	<u>Learning and Development</u>
1.2 Inclusive Practice	2.1 Respecting Each Other 2.2 Parents as Partners	3.2 Supporting Every Child 3.4 The Wider Context	

Policy Statement

Warwick Community Playschool aims to support staff to uphold the aims and ethos of the setting. The following policy states the procedure which will be followed if any concerns arise. Wherever possible, a grievance should be raised informally. Where the informal process fails or is inappropriate, the formal procedure should be invoked.

Grievance procedures are entirely separate from other procedures such as those relating to appraisal, capability, competency, discipline or harassment. The rights of employees under the grievance procedures should not be overridden by actions taken or proposed to be taken under the other procedures.

This policy has been adopted by the Committee and is designed to enable grievances to be resolved as efficiently and quickly as possible and to minimise the prospect of long term damage to relationships at the Playschool.

Procedures

When the procedure is used

Grievances are concerns, problems or complaints that employees raise with their employer. This procedure can be used for individual and collective grievances, but must not be used for matters which should more properly be discussed within the normal joint consultative processes agreed with trade unions. In some cases outside help such as an independent mediator can help to resolve problems, especially those involving working relationships.

Informal Stage – all staff

- ☀ Day-to-day issues will normally be resolved through dialogue between the employee and their immediate supervisor / manager; or the other party to the grievance if this is not the employee's manager or supervisor. This will be more effective if the employee raises the issue as soon as possible.
- ☀ An informal meeting between the immediate supervisor / manager and the employee will allow them to discuss the issue on a **one-to-one** basis outside of the formal process outlined below. Although the date of any informal discussions and any actions agreed should be recorded, no formal notes of these meetings will be made as these discussions do not form any part of the formal processes.
- ☀ If the grievance is not resolved through the informal process, the employee may invoke the formal procedure. To raise a formal grievance the employee

must register the grievance, in writing, with the manager, clearly setting out the nature of the grievance. The formal grievance must normally be **raised within 3 months of the event** giving rise to the grievance.

Raising a formal grievance

- ☀ To raise a formal grievance the employee must register the grievance, in writing, with the manager, clearly setting out the nature of the grievance. A formal grievance must normally be **raised within 3 months of the event** giving rise to the grievance. This will constitute a Stage 1 grievance.
- ☀ In the first instance, a formal grievance should be raised with the manager. Where the grievance concerns the manager, the employee should address the grievance to the Chair of the Committee.
- ☀ Where the grievance is raised by the manager, this should be sent to the Chair of the Committee. If the grievance concerns the Chair of the Committee, the manager should address the grievance to OFSTED or the Corporate Director of Children and Young People's Service.
- ☀ We seek advice from Lawcall at the Preschool Learning Alliance.

Formal Procedure – Stage 1

On receipt of a Stage 1 grievance, the Manager or Chair of the Committee will:

- ☀ Consider whether to offer independent mediation;
- ☀ Acknowledge the receipt of the grievance and arrange a meeting with the employee normally within 7 calendar days; ensuring that the employee is advised of their right to be accompanied by a work colleague at the meeting;
- ☀ Consider arranging for someone who is not involved in the case to take an accurate note of the meeting and to act as a witness to what has been said;
- ☀ Seek advice on whether similar grievances have been raised before, how they have been resolved, and any follow-up action that has been necessary, to allow for consistency of treatment; and
- ☀ Consider whether any reasonable adjustments are necessary to enable a person who is disabled, and/or their companion, to participate in the Stage 1 meeting.

The Meeting

The manager or Chair of the Committee should

- ☀ Make introductions as necessary;
- ☀ Invite the employee to explain their grievance and how they would like to see it resolved;
- ☀ Sum up the main points
- ☀ Adjourn the meeting prior to taking any decisions in order to reflect and consider all the points raised.
- ☀ Advise the employee or manager of the action they propose to take and the time-scale. This response can be oral and then confirmed in writing, within 7 calendar days. If it is not possible to respond within these time periods, the employee must be told why and when a response can be expected and;
- ☀ Let the employee know that they may appeal against the outcome of Stage 1 and progress to the next and final stage of the formal grievance procedure if they consider that the grievance has not been satisfactorily resolved.

Stage 2 – Appeal Stage

If the employee/manager considers that their grievance has not been satisfactorily resolved at stage 1, the person can appeal. The employee/manager must do this in

writing, within 7 calendar days of receipt of a written outcome from the manager/Chair of the Committee following the Stage 1 grievance.

The standard grievance form can be used by employees/manager wishing to progress their grievance to the appeals stage. The notice of appeal must clearly set out the grounds of appeal and sent to the manager/Chair of the Committee.

On receipt of a Stage 2 appeal, the manager/Chair of the Committee will:

- ☀ Acknowledge the receipt of the appeal and arrange for a panel of the Committee to hear the appeal;
- ☀ Write to the employee/manager, normally within 7 calendar days to advise of the date of the hearing; ensuring that the employee is advised to their right to be accompanied by a work colleague, and advising that this stage constitutes the final stage of the Playschool Grievance Procedure;
- ☀ Discuss the grievance with appropriate sources.
- ☀ Consider arranging for someone who is not involved in the case to take an accurate note of the meeting and to act as a witness to what has been said; and
- ☀ Consider whether any reasonable adjustments are necessary to enable a person who is disabled and/or their companion to participate in the appeal meeting.

The Meeting

The Chair of the panel should:

- ☀ Make introductions as necessary;
- ☀ Invite the employee to explain the reasons for their appeal;
- ☀ sum up the main points;
- ☀ adjourn the meeting prior to taking any decisions in order to reflect and consider all the points raised;
- ☀ advise the employee/manager of their decision / action they propose to take and the time-scales for this. This response can be oral and then confirmed in writing, within a further 7 calendar days. If it is not possible to respond within these time periods, the employee/manager must be told why, and when a reply can be expected; and
- ☀ let the employee/manager know that the decision of the Governors is final.

Handling Grievances

☀ **Grievance Meetings**

Grievance meetings should be planned to ensure that timings and locations are reasonable to both parties. The employee/manager should be given sufficient time before any meeting to prepare. In the event that the employee falls ill or other circumstances beyond the employee's/manager's control prevent him/her from attending the meeting, then an alternative date should be arranged.

☀ **Record Keeping**

A written record must be kept of any grievance that is dealt with. Records will include: the nature of the grievance, what was decided and the actions taken, the reasons for the actions, whether an appeal was lodged, the outcome of the appeal; and any subsequent developments. These records are confidential and will be stored in accordance with Data Protection guidelines. Copies of any meeting records should be given to the employee/manager, including any copies of formal minutes that may have been taken.

☀ **Overlapping grievance and disciplinary cases**

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 concurrently. Contact your Senior HR and Change Advisor for further advice on this matter.

☀ **Abuse of the grievance procedure**

Employees who abuse the grievance resolution procedure by making malicious complaints or operating the procedure vexatiously may be liable to disciplinary action.

☀ **Grievances resulting in disciplinary action**

If the employee's grievance results in disciplinary proceedings against another employee, these will be handled in accordance with the disciplinary procedure. The employee raising the grievance has no right to influence or be informed of the outcome of disciplinary proceedings. However, the employee raising the grievance may be called as a witness to any disciplinary hearing which may subsequently occur.

This policy was adopted at a meeting of: Warwick Community Association

Reviewed on: May 2017

This policy will be reviewed annually in December.

This policy will be reviewed annually, with changes made as required. The manager of the setting will be responsible for maintaining this and sharing with the committee members of Warwick Community Association to be verified. This will be shown in the minutes of the meeting.