



## GRIEVANCE POLICY FOR SENIOR POSTHOLDERS

<b>Purpose of Policy/Document</b>	This document provides a detailed procedure for senior post holders who wish to raise a grievance relating to their employment and it aims to help to resolve individual grievances in a manner which is as fair and expeditious as possible.
<b>Target Audience (staff/students/visitors/contractors)</b>	The policy applies to senior post holders
<b>Particular Legal Requirements/Issues outside of EDD</b>	Equality Act 2010 Health & safety at Work Act 1974
<b>Links with Other Policies/Documents</b>	Disciplinary Procedure for Senior Post Holders Redundancy Policy for Senior Post Holders

For completion by The Executive	
<b>Policy/Document Reference No.</b>	<b>EMP13</b>
<b>Category</b>	<b>Employment</b>
<b>Owner (job title)</b>	<b>Clerk to the Corporation</b>
<b>Issue Date</b>	<b>October 2024</b>
<b>Review Date</b>	<b>October 2027</b>
<b>Postholder Responsible for Review (job title)</b>	<b>HR Manager</b>
<b>Authorised By: (ELT/Corporation)</b>	<b>Corporation – 12 December 2024</b>
<b>Communicated via/Location: (Policy Acceptance software/website/ portal etc)</b>	<b>Staff Portal Governor Portal</b>
<b>Equality Impact Assessment Statement</b>	The Equality Act 2010 does not require public authorities to carry out EIAs by law. The College does however, carefully consider the impact, when creating or amending its policies, on all concerned parties regarding Equality, Diversity and Inclusion and records this at ELT meetings in order to demonstrate compliance with Public Sector Equality Duty (PSED).

## **1 SCOPE AND PURPOSE**

- 1.1 All Senior Post Holders of the College have the right to express grievances relating to their employment and the following procedure has been adopted to deal with such grievances.
- 1.2 This procedure applies to holders of senior posts as defined in the Corporation's Articles of Government.
- 1.3 It is the College's policy to try to find a solution to individual grievances as early in the procedure as possible. The level at which grievances are heard under the formal procedure depends upon the level at which their grievance has already been heard.
- 1.4 The procedure aims to help to resolve individual grievances in a manner which is as fair and expeditious as possible.
- 1.5 If a Senior Post Holder wishes to raise a grievance relating directly to a disciplinary, capability or redundancy procedure after the procedure has commenced, the grievance should be raised immediately with the Clerk to the Corporation. The grievance will then be dealt with as part of the disciplinary, capability or redundancy process.
- 1.6 Where the Clerk to the Corporation is a Senior Post Holder and should they have a grievance, the Corporation shall appoint an appropriate person to fulfil the tasks of the Clerk to the Corporation detailed in this policy.

## **2 GENERAL**

- 2.1 A Senior Post Holder has the right to be accompanied at formal grievance meetings by a representative of a trade union or work colleague of their choice, subject to a reasonable request being made.
- 2.2 The Senior Post Holder's companion may:
  - address the hearing to put the Senior Post Holder's case;
  - confer with the Senior Post Holder during the hearing;
  - sum up the Senior Post Holder's case;
  - respond on the Senior Post Holder's behalf to any view expressed at the hearingbut may not answer questions on the Senior Post Holder's behalf.
- 2.3 If the individual who is subject to this procedure has a disability, due consideration will be given – in conjunction with them – to providing suitable support in the holding of meetings under the procedure. The services of an interpreter will be available if required.
- 2.4 A Senior Post Holder wishing to raise a grievance should do so promptly and without unreasonable delay.

- 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. Due regard will be given to the personal circumstances of all parties involved in the procedure.
- 2.6 Every effort will be made to resolve the grievance at the informal stage.
- 2.7 Senior Post Holders will normally be invited to resolve their grievance through mediation. This approach may be exercised at any stage of the procedure and will be a voluntary option.
- 2.8 Any individual who has a grievance raised against them will be informed by the Clerk to the Corporation of the details of that formal grievance and will be told the outcome of grievances at the formal stages.
- 2.9 Attempts to misuse the Grievance Procedure by raising complaints which are both malicious and unsubstantiated may lead to disciplinary action being taken.
- 2.10 Any steps which the Corporation Chair can take may also be taken by another member of the Corporation and the provisions of this procedure will be read accordingly.

### **3 HANDLING A GRIEVANCE – THE PROCEDURE**

#### **Informal – Stage 1**

- 3.1 Where a Senior Post Holder has a grievance they should first attempt to resolve the matter without unreasonably delay by direct approach to the other person against whom they have the grievance. If the grievance is not against an individual, the Senior Post Holder should raise it with the Clerk to the Corporation who will arrange for a Governor (excluding the Corporation Chair and Vice Chair) to consider the grievance.
- 3.2 The grievance should normally be raised orally in the first instance.
- 3.3 The Governor will take appropriate steps to resolve the grievance as quickly as possible on an informal basis. He/she will enquire into the grievance and will discuss it with the Senior Post Holder. It is anticipated that most grievances will be resolved at this stage.
- 3.4 If the complainant is dissatisfied with the outcome of informal attempts at reconciliation, he/she may progress the grievance to the formal stage.
- 3.5 If the matter is very serious or in other circumstances where the Senior Post Holder does not wish to raise the matter informally, the Senior Post Holder may proceed straight to the formal stage of the procedure.

#### **Formal – Stage 2**

- 3.6 If the Senior Post Holder feels that the matter has not been resolved through informal discussion, or in the event that paragraph 3.5 applies, they should put their grievance in writing without unreasonable delay by submitting a completed Grievance Form (see

Appendix 1) to the Clerk to the Corporation. The individual should retain a copy of this form.

- 3.7 The Clerk to the Corporation will arrange for the matter to be investigated promptly by a panel of the Corporation consisting of 3 governors (excluding the Principal, staff and student Governors) with the panel members and chair to be appointed by the Corporation. This investigation will include, at least, meetings with the aggrieved Senior Post Holder and any person being complained about.
- 3.8 Senior Post Holders should make every effort to attend such a meeting.
- 3.9 The Senior Post Holder may be accompanied at the meeting by a trade union representative or work colleague. Before the meeting, the Senior Post Holder is required to tell the Clerk to the Corporation the name of their companion.
- 3.10 However, if their companion is unable to attend on the date given for the hearing and the individual proposes an alternative date, that new date will be used so long as it is reasonable and is no later than five working days after the original date. If the Senior Post Holder fails to attend that rearranged meeting for a similar reason, the grievance procedure will end.
- 3.11 The panel's decision will be communicated in writing to the Senior Post Holder as soon as reasonably practicable following their investigation.
- 3.12 The letter to the Senior Post Holder will outline, where appropriate, what action the Corporation intends to take to resolve the grievance and will set out the right to appeal. Where the decision is to not uphold the grievance, the Chair of the hearing panel, will explain the reasons for this in the letter. Any other parties involved in the grievance will also be appropriately informed of the outcome.

### **Appeal – Stage 3**

- 3.13 If the grievance is not resolved to the satisfaction of the Senior Post Holder at the Formal Stage, he or she may appeal. Any such appeal must be submitted in writing, setting out the full grounds for the appeal and sent to the Clerk to the Corporation within five working days of receipt of the decision reached at the formal stage.
- 3.14 The appeal stage provides a means of reviewing the decision made at the earlier formal stage. The Complainant will not normally be given an opportunity to reiterate their original complaint again, nor to introduce at this appeal stage new information which was not considered at the formal stage.
- 3.15 The Clerk to the Corporation will arrange for the appeal to be heard by a panel of 3 Governors who have not been involved in the grievance process in question so far with the Panel Members and Chair to be appointed by the Corporation. The panel will not include the Principal, staff or Student Governors.
- 3.16 The Senior Post Holder will be invited as soon as possible to an appeal meeting. The Senior Post Holder will be entitled to be accompanied at the appeal meeting by a trade union representative or work colleague.
- 3.17 The panel will be supplied with all of the documentation submitted in relation to the earlier stage of the procedure. The panel will review the documents and outcome from the formal stage, meet the Chair of the hearing at the formal stage and interview the complainant to consider the grounds of their appeal.

- 3.18 The appeal decision will be provided in writing as soon as reasonably practicable following the appeal meeting. The decision will be final. Any other parties involved in the grievance will also be appropriately informed of the appeal decision.

#### **4 RECORDS**

- 4.1 At all stages of the formal procedure records will be kept.

#### **5 REVIEW**

- 5.1 The operation of this procedure will be monitored and reviewed. This procedure will remain in force until amended or withdrawn by the Corporation after consultation with staff.

**HEART OF WORCESTERSHIRE COLLEGE**

**GRIEVANCE FORM - FOR USE BY SENIOR POST HOLDERS**

MAKE A COPY OF THIS FORM AT THE SAME TIME AS YOU FILL IT IN. KEEP ONE COPY. SEND IT TO THE CLERK TO THE CORPORATION. YOU MAY ATTACH ADDITIONAL SHEETS OR DOCUMENTS IF YOU WISH.

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NAME: .....

JOB TITLE: .....

DEPARTMENT: .....

LINE MANAGER: .....

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WHAT IS YOUR GRIEVANCE?

WHAT ACTION HAS ALREADY BEEN TAKEN ON YOUR GRIEVANCE?  
WHO HAS CONSIDERED IT?

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WHAT WAS THE RESULT?

PLEASE STATE THE ACTION THAT YOU WOULD REQUIRE TO BE TAKEN ON YOUR GRIEVANCE TO RESOLVE IT TO YOUR SATISFACTION.



SIGNED: ..... DATE .....

RECEIVED BY CLERK TO THE CORPORATION .....

DATE .....