



Education Trust

‘Inspiring the individuals of today, for a better society tomorrow,
“Aspire, Belong, Collaborate”

RET GRIEVANCE POLICY

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Introduction

Riviera Education Trust is committed to fostering positive working relationships and resolving workplace concerns fairly, promptly and consistently. The Trust encourages employees to raise concerns at the earliest opportunity and, where appropriate, to seek informal resolution before using the formal grievance procedure. Where a formal grievance is raised, it will be considered impartially and in accordance with this policy.

In many cases, third-party mediation can help resolve problems, especially those involving working relationships.

The purpose of this Grievance procedure is to provide a formal means for an individual to raise a grievance and have the matter explored fairly and promptly.

This procedure has been developed in accordance with the ACAS Code of Practice on Disciplinary and Grievance Procedures and relevant employment legislation.

Generally, a grievance can be raised by an individual about any matter concerning their employment or about how conditions of service are applied to them, although specific matters will be dealt with under separate arrangements.

The following are common issues that may be addressed through the grievance procedure:

- Terms and conditions of employment
- Health and Safety
- Work relations
- New working practices
- Working environment
- Organisational change
- Discrimination

Grievance matters can be complex and advice should be sought from Human Resources before commencing any formal grievance process.



Scope

This policy applies to all employees of Riviera Education Trust. Agency workers, contractors, volunteers, trustees, governors and other individuals working with or on behalf of the Trust are not covered by this grievance procedure. Any concerns raised by or about these individuals will be managed through the appropriate contractual, governance, safeguarding or other relevant procedures. Where concerns relate to a student teacher or trainee, the Trust will liaise with the relevant training provider or placement organisation to determine the appropriate course of action.

The following matters will normally be dealt with under separate policies and procedures:

- Pay issues (*Pay Policy*)
- Fraud, corruption and malpractice (*Whistleblowing Policy*)
- Selection for redundancy (*Redundancy Policy*)
- Discipline and capability issues (*Disciplinary and Capability Procedures*)
- Bullying and Harassment issues (*Acceptable Behaviour Policy / Sexual Harassment Prevention and Action Policy*)
- Absence (*Managing Stress and Absence Policy*)

Equality Statement

Riviera Education Trust is committed to promoting equality, diversity and inclusion. This policy will be applied fairly, consistently and without discrimination. The Trust will ensure that no employee is treated less favourably on the grounds of any protected characteristic as defined by the Equality Act 2010 and will make reasonable adjustments where required.

Confidentiality and information handling

The Trust will treat all grievance matters confidentially and expects all employees involved in the process to do the same. Information will be shared only on a need-to-know basis where necessary to manage the matter, ensure a fair process, fulfil safeguarding responsibilities, or comply with legal or regulatory requirements. Records will be held securely in accordance with the Trust's Data Protection Policy and Records Retention Schedule.

Responsibilities

Employees are responsible for:

- attempting, where appropriate, to resolve issues informally with their Headteacher / Line manager before invoking the formal stages of the procedure.
- co-operating with any investigation into their grievance and attending meetings as required.
- arranging their own representation for all formal meetings under this procedure.



Headteachers / Line managers are responsible for:

- attempting to resolve issues raised informally as part of their normal management processes.
- maintaining confidentiality throughout the process.
- acting as a role model, promoting a working culture where colleagues and managers treat each other with respect.
- notifying Trust's Human Resources upon receipt of a formal grievance.
- ensuring a response is made swiftly in the event of the issue being raised.

The Trust's Human Resources team is responsible for:

- providing impartial advice and support throughout the process
- monitoring the application of the procedure, reporting trends and non-compliance to the CEO / Board of Trustees, where appropriate.

General Principles

Reference to 'line manager' is made throughout this document. In the context of this document 'line manager' may be interpreted as immediate supervisor / phase leader / Assistant Head / Deputy Head and in some cases CEO / Headteacher.

Employees are encouraged to raise workplace concerns promptly so that they can be considered fairly and resolved wherever possible.

At any stage in this procedure, an employee has the right to request involvement from their Trade Union representative or work colleague in any formal discussions or meetings. To do so, the employee should let the immediate line manager know as soon as possible. Every effort should be made to accommodate the employee's companion, including the rescheduling of a grievance hearing if the original date is not suitable. The Grievance Procedure may also be followed without a representative.

All employees are entitled to a fair hearing. If an employee feels that they may be compromised by the grievance being heard by the immediate line manager, they may ask the CEO / Headteacher to arrange for another line manager to hear the grievance. The CEO / Headteacher's decision on who hears the grievance will be final.



Supervisors and managers of staff are required to give any grievance that has been raised formally proper and full consideration; Managers will be encouraged and supported to facilitate mutually acceptable solutions to genuine concerns raised by members of staff.

To ensure that grievances are dealt with quickly, the procedure sets out time limits that will normally apply. However, these time limits are a guide and due to service needs, school closure periods etc. and may not always be achievable. Therefore, these may be varied by mutual agreement and managers are responsible for ensuring that at each stage of the process, the response times are agreed by all parties before the process may proceed. Periods of school closure do not need to halt the procedure but for the procedure to actively continue during this time, all parties will need to be in agreement.

To ensure that the grievance process is managed fairly and consistently, managers should seek advice from Human Resources throughout the process. A Human Resources representative may attend formal grievance hearings where appropriate.

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

If the employee raises a grievance at the same time as a disciplinary matter is being raised, both procedures will be invoked, but not necessarily simultaneously.

As an employer, the Trust has a duty to protect individuals from harassment that may take the form of grievances submitted maliciously. Having been investigated, where a grievance is found to have been knowingly false or raised in bad faith, the matter may be considered under the Trust's Disciplinary Procedure.

In all cases the manager hearing the grievance at whatever stage should ensure that a written summary of the meeting is made and that a copy is made available to the employee, should they request it and to their representative, where one is present.

At any stage of the process, as a result of something said by a witness or an individual participating in the process, it may be necessary to return to any of the individuals involved to ask them to expand on their statements in order to discuss any issues that were not evident initially.

It is usual for grievances to be heard initially by an employee's line manager. If the issue remains unresolved and enters Stage Two of the process, it would be expected that it would then pass to a more



senior level of management. For grievances reaching Stage Three, the final appeal stage, the matter will normally be heard by a panel of three Trustees or by the relevant committee. However, depending on the seniority of the individual raising the grievance and operational issues, this pattern may not always be possible. Therefore, it is acceptable within this procedure for grievances to be heard by other Trustees where appropriate.

In exceptional circumstances, should the employee feel uncomfortable with an Appeal Hearing at Stage Three of the process being conducted by a certain individual, they have the option to request that it be heard by another Trustee. This request should be made in writing to the CEO / Headteacher, who will consider the circumstances and where appropriate nominate alternative individuals.

Grievances raised by Headteacher / Deputy Headteacher

A grievance raised by the Headteacher should initially be addressed to the CEO who will hear the grievance at the first stage.

Grievances raised by the CEO

A grievance raised by the CEO should be addressed to the Chair of Trustees, it is not expected that the Chair of Trustees would hear a grievance in the early stages, instead, they would be expected to allocate these hearings to other Trustees.

Grievances relating to a member of the Board of Trustees or Local Standards Board

If an employee wishes to raise a grievance relating to a member of the Board of Trustees or the Local Standards Board, the grievance will be heard by an appropriate panel in line with the Trust's Scheme of Delegation and, if necessary, an appeal will be heard by a separate Appeals Committee.

Witnesses

Witnesses should provide factual information only and should be aware that witness statements may be shared with those involved in the grievance process where this is necessary to ensure a fair process.

The Right to be Accompanied

Employees have a statutory right to be accompanied by a Trade Union representative or a work colleague at a grievance hearing on cases linked to issues such as the contract of employment or a breach of legislation.



However, it is viewed as good practice to allow employees to be accompanied by a Trade Union representative or work colleague at ALL formal grievance meetings, even when the statutory right does not apply.

There is a statutory right to representation at all stages of the appeal process.

The representative may be a colleague, Trade Union representative or an official employed by a Trade Union. A Trade Union representative need not be an employee of the Trust, but if they are not a fellow worker or an employee of the union, the Trust may insist on them being certified by their union as being trained to accompany an employee at grievance hearings.

The representative will be able to address the hearing, put the employee's case, sum it up and respond on the employee's behalf to any views expressed at the hearing. The representative and employee are also able to confer during the hearing. However, the representative is not permitted to answer questions on behalf of the employee or address the hearing if the employee does not wish it, or prevent the employer from explaining their case.

Partners, spouses, friends or legal representatives have no statutory or contractual right to be able to accompany individuals. In exceptional circumstances, consideration may be given to the employee bringing a companion rather than a representative. This person would not be eligible to represent the employee at the meeting.

Reasonable adjustments may be needed for an employee, or their representative, with a disability, for example, the provision of a support worker or advocate with knowledge of the disability and its effects. Consideration should also be given to employees who have language or communication difficulties to ensure that they have fair representation throughout the process. This may include ensuring that reasonable adjustments are made in the case of a disabled employee, i.e. by ensuring that the meeting is conducted in a room allowing wheelchair access, or that some form of translation service or alternative format is provided for employees where English is not their first language.

Individuals should confirm before the meeting whether or not they will be accompanied and which witnesses have been called.

Grievance Process

It is intended to try and keep Grievance Hearings as informal as possible during the initial stages as there is much more chance of a quick and successful resolution if the employee feels that they can



discuss the matter openly with their line manager. The manager hearing the grievance is responsible for the conduct of the hearing and managing the process and should ensure that:

- The individual who is raising the grievance and their representative (if applicable) have full opportunity to present their grievance;
- The relevant person responds to their grievance;
- Any witnesses attending are treated with dignity, respect and courtesy at all times, especially when responding to questions.

Informal Resolution

Where appropriate, employees are encouraged to raise concerns informally with their line manager at the earliest opportunity. Many workplace issues can be resolved through discussion without the need to invoke the formal grievance procedure. Employees may also seek advice from Human Resources or their Trade Union representative before deciding whether to raise a formal grievance. However, where the nature of the concern makes informal resolution inappropriate, employees may proceed directly to the formal grievance procedure. Where the matter cannot be resolved informally, or the employee considers informal resolution to be inappropriate, they may raise a formal grievance in accordance with Stage One below.

Stage One – Formal Grievance

When an employee wishes to raise a formal grievance, they should submit it in writing to their line manager, clearly marking it 'Formal Grievance'. The grievance should set out the nature of the concern, any relevant facts and the outcome sought. Where an employee may require assistance in preparing their written grievance they may contact their Trade Union representative.

Upon receipt of the written grievance, the line manager will normally arrange a grievance hearing within 10 working days. The outcome will normally be communicated verbally as soon as possible and confirmed in writing within 5 working days of the hearing. Where further investigation is required, the employee will be informed and provided with a revised timescale for a response.

Once the manager feels able to deliver a response the employee should be notified verbally and this should then be confirmed in writing within 5 working days, with details of the Appeal Process. In cases where the grievance relates to a work relationship matter, appropriate feedback should also be offered to any other people involved in the process to confirm that matters have been dealt with and are considered closed. This should be confirmed in writing to them.



Stage Two

If the employee is dissatisfied with how the grievance has been dealt with at the first stage, and the grievance was not heard by the CEO / Headteacher at the first stage, the employee or their representative can request a further hearing with the next level of senior management (If the grievance has already been heard by the CEO / Headteacher any appeal will be heard in line with Stage Three – below). This request should be made in writing to the person who heard the Stage One grievance, within 10 working days of the written outcome of the Stage One hearing, giving reasons for the appeal and making it clear why the outcome of the first hearing is not satisfactory. The employee must identify their reasons for pursuing the grievance and should also indicate their preferred outcome.

If the grievance relates to a working relationship matter, the person who heard the Stage One grievance should notify the person / people against whom the grievance is raised that a Stage Two hearing has been requested, this should be confirmed in writing to them.

The Stage Two hearing should take place within 10 working days. In order to be sure of the facts surrounding the grievance, the person who initially heard the grievance may also be present.

It may be necessary for the hearing to be adjourned in order that the manager can investigate the grievance more fully.

The outcome will be communicated verbally together with any proposed resolutions within 5 working days and will then confirm the outcome in writing within 5 working days, with details of the final stage appeal process.

In cases where the grievance relates to a work relationship matter, appropriate feedback should also be offered to any other people involved in the process to confirm that matters have been dealt with and are considered closed. This should be confirmed in writing to them.

Stage Three - Appeal

If a grievance remains unresolved, the employee or their representative may make a written request to the Board of Trustees for a final appeal, setting out the grounds of appeal and the outcome sought. This request must be made within 10 working days of receiving written notification of the outcome of the second hearing.

If the grievance relates to a work relationship matter, the person who heard the Stage Two Grievance should notify the person against whom the Grievance is raised that a Stage Three Appeal Hearing has been requested, this should be confirmed in writing to them.



A Stage Three appeal hearing will be heard by a panel of three Trustees and will normally take place within 10 working days of receipt of the appeal request. Following the appeal, the decision will be communicated in writing within 5 working days of the hearing.

In cases where the grievance relates to a work relationship matter, appropriate feedback should also be offered to any other people involved in the process to confirm that matters have been dealt with and are considered closed. This should be confirmed in writing to them.

The decision reached by the Trustees (which will be a Stage Three Appeal), will be the final decision within the Trust's procedures and there is no further right of appeal.

Order of proceedings for formal Grievance Hearings

It may be helpful to follow a more structured approach to ensure that all relevant information and process has been covered. An example of a more structured approach (to be followed possibly at Stages Two or Three of the grievance process) may be as follows:

- The person leading the hearing (the Chair) will introduce the hearing, and explain its purpose and how it will be conducted.
- The employee will be entitled to be accompanied at the hearing, if they wish, by a fellow worker or Trade Union official of their choice.
- The parties present at the hearing will introduce themselves and confirm their respective roles in the hearing.
- The Chair will state whether or not any witnesses have been asked to give evidence at the hearing, and if so, who they are.
- The Chair will state that the hearing is being conducted as part of the organisation's formal Grievance Procedure and confirm that a written record of the hearing is being made.
- The Chair will invite the employee to state their case, i.e. the circumstances that have led to the grievance, the nature of the grievance and why they feel aggrieved. The employee may do this personally, and / or the employee's representative (if they have elected to be represented) may do this on their behalf. They also have the opportunity to call witnesses and refer to the documents submitted (ideally) in advance.
- The Chair or members of a Grievance panel may ask the employee (and any witnesses) questions about the circumstances of the grievance in order to establish all the relevant facts, background and surrounding circumstances.
- The employee bringing the grievance and / or their representative can also ask questions of the witnesses.



- The Chair has the right to ask the employee personally to answer such questions, although the employee may on request confer with their representative at any time during the Grievance Hearing.
- Should the Chair or member of the Grievance panel feel that further questioning is required of a witness not present or a previously un-questioned individual or that subsequent investigation is required, the hearing will be adjourned to facilitate this and the meeting re-convened at a mutually agreeable time/date.
- Once all the evidence has been heard, the Chair will sum up the key points of the hearing.
- The Chair will inform the employee of when a decision will be made about what, if any, action will be taken to resolve or otherwise deal with the grievance.
- The Chair will inform the employee that they will have the right to appeal against the outcome of the Grievance Hearing if they are not satisfied with it (this is not applicable for Grievance Hearings that reach Stage Three of the process).
- The Chair will thank the parties for attending and close the meeting
- The Chair will ensure that the decision is confirmed in writing to the employee raising the grievance.

Collective Grievances

Where a group of employees share the same concern or issue, they may choose to raise it as a Collective Grievance. This allows the matter to be addressed through a single process rather than through multiple individual complaints.

The group should appoint one or two spokespersons to act on their behalf throughout the grievance process. These spokespersons may be accompanied to any grievance meetings by either a work colleague or a recognised Trade Union Representative (see *Right to Representation*).

If the group does not wish to nominate spokespersons, the grievance may instead be addressed by meeting with each employee individually and handling their concerns on a case-by-case basis.

Regardless of the approach taken, collective representation or individual meetings, the Group Grievance will follow the same procedural steps and timescales as an individual grievance. Where the investigation requires additional time due to the number of people involved or the complexity of the matter, the responsible manager will write to the nominated spokesperson(s) to confirm the revised anticipated response date.



Records

Records relating to the grievance process should be kept in confidence and held securely in accordance with the Trust's Data Protection Policy and Records Retention Schedule.

Managers should keep an accurate written record of all discussions relating to the grievance procedure, including the date and time of meetings, those present, the matters discussed and the outcome. Records relating to the grievance process will be held securely in accordance with the Trust's Data Protection Policy and Records Retention Schedule. Where appropriate, copies of grievance records and outcome letters will be retained on the employee's personnel file.



DETAILS OF AMENDMENTS

June 2019

- Updated to include Shiphay Learning Academy

June 2020

- Reviewed without change.

May 2021

- Page 4 updated so that the CEO can hear grievances raised by the Headteacher / Deputy Headteacher. If the CEO raises a grievance it should be addressed to the Chair of Trustees.

May 2022

- Reviewed without change.

February 2024

- Update to Induction
- Added responsibilities section on page 3
- Gender neutral pronouns used
- Minor formatting changes

June 2025

- Clarity around Group Grievance Procedure

August 2026

- Updated the introduction to align with the ACAS Code of Practice and current employment legislation.
- Amended Scope, and Added Equality Statement, and Confidentiality and Information Handling sections.
- Added clearer Informal Resolution stage to encourage early resolution where appropriate.
- Updated responsibilities for employees, managers and Human Resources.
- Improved guidance on Human Resources involvement throughout the grievance process.
- Modernised witness, representation and record-keeping provisions.
- Updated grievance and appeal timescales to improve consistency and clarity.
- Clarified the process for handling grievances raised during disciplinary proceedings and grievances submitted in bad faith.
- Updated wording on Group Grievances.



- Updated data protection wording and record management arrangements.
- Updated terminology throughout the policy for consistency, including references to Headteacher, Trust, and Board of Trustees.
- General drafting amendments to improve clarity, consistency, accessibility and alignment with current Trust practice.

