Pathway Trust

Grievance Procedure

Policy effective from	1 September 2026
Policy owner	Director of People
Policy applies to	Berrow Church Primary School Burnham-on-Sea Infant School Castle Batch Primary School Charfield Primary School Cherry Garden Primary School Downend School East Huntspill Primary School Lyde Green Primary School Mangotsfield School Marlwood School Pawlett Primary School Priory Community School Severn Beach Primary School St Andrew's Church Junior School St Anne's Church Primary School The Castle School The King Alfred School Tortworth Primary School West Huntspill Primary School Worle Community School Pathway Partnership Teams
Policy changes since last version	New policy

1. Policy statement

1.1 It is Pathway Trust's policy to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. If you make us aware that you have a concern or complaint we will hold a meeting to discuss it with you, carry out any necessary investigation where required, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied.

1.2 Issues that may cause grievances include:

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

1.3 This procedure does not form part of an employee's contract of employment and it may be amended at any time following consultation. The employer may also vary application of this procedure, including any time scales for action, as appropriate.

1.4 Employees who transfer to the trust on their pre-existing terms and conditions of employment by way of a TUPE transfer may have enhanced contractual entitlements. Where this is the case, those enhanced contractual entitlements will continue to apply, unless superseded by subsequent arrangements.

1.5 The trust is committed to ensuring any policy and procedure does not disadvantage any individual with protected characteristics in line with Equality Act 2010. All policies and procedures are checked to ensure they do not discriminate either directly or indirectly or present any barriers.

2. Who is covered by the procedure?

2.1 This procedure applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors.

3. Using this procedure

3.1 Employees should raise concerns or complaints promptly and without unreasonable delay. The employer will deal with matters in the same way. In exceptional circumstances, matters that occurred over 3 months ago may not be considered.

3.2 Concerns or complaints that may amount to an allegation of misconduct on the part of another employee will be investigated in accordance with this procedure and may

be referred to and dealt with under the Disciplinary Procedure if appropriate, and you will be informed if this is the case.

3.3 This Grievance Procedure should not be used to raise a concern or complaint about pay or performance and review process, dismissal or disciplinary action or the outcomes of other procedures where there will be relevant appeal procedures in place. If you are dissatisfied with any disciplinary action, you should submit an appeal under the Disciplinary Procedure.

3.4 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 concurrently and will be resourced appropriately to provide impartiality.

3.5 There is a separate Anti-harassment and Bullying Policy that may be useful if you believe you have been the victim of bullying or harassment or wish to report an incident of bullying or harassment involving other people.

3.6 The trust operates a separate Whistleblowing Policy to enable employees to report illegal activities, wrongdoing or malpractice. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of whistleblowing, you may raise the matter under this grievance procedure.

3.7 The ACAS code of practice does not expressly state that it applies to grievances raised by employees who have already left the organisation. The trust may consider a grievance raised by an ex-employee but the trust reserves the right to adjust the procedure accordingly.

3.8 Collective grievances (Section 12) can be made where there are two or more employees with the same grievance. However, collective grievances which are related to collective bargaining issues will not be considered under this procedure and should be addressed through the collective bargaining process and negotiation arrangements.

3.9 This procedure should not be used in situations where the employee simply disagrees with a reasonable management instruction from a manager.

3.10 It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of your grievance. This is an informal process which involves the appointment of a third-party mediator, who will discuss the issues raised by your grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

3.11 We offer access to confidential counselling, which is available on request.

4. Confidentiality and data protection

4.1 It is the aim of the trust to deal with grievance matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat any information communicated to them in connection with grievance matters as confidential.

4.2 Employees, and anyone accompanying them (including witnesses), must not make electronic recordings of any meetings conducted under this procedure, without consent.

4.3 During any action, including any decisions taken under this procedure, the school/trust will collect, process and store personal data in accordance with our data protection policy. The data will be held securely and accessed by, and disclosed to, individuals only for the purposes of completing the grievance procedure. Records will be kept in accordance with our Privacy Notice our Retention and Destruction Policy and in line with the requirements and in line with the requirements of the **Data Protection Legislation** (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018).Low level concerns

4.4 All staff are encouraged to report complaints that amount to low level concerns. Low level concerns are defined as any concern - no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' – that an adult working in or on behalf of the school or college may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Local Authority Designated Officer (LADO).

4.5 Examples of such behaviour could include, but are not limited to:

- Being over friendly with children.
- Having favourites.
- Taking photographs of children on their mobile phone.
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door.
- Humiliating children.

4.6 Where staff wish to raise or report a low level concern, they should refer to the Allegations and Concerns policy in the first instance, which can be found on the trust website.

5. Raising grievances informally - Step 1

5.1 We would always aim to resolve your grievance informally where possible and employees are encouraged to seek informal resolution. If you feel unable to speak to your manager, for example, because the concern or complaint relates to them, then you should speak informally to a more senior manager which could include the Headteacher/Director. If this does not resolve the issue, you should follow the formal procedure below.

5.2 Whilst we encourage the informal resolution of concerns or complaints, we recognise that this is not always possible or appropriate. In such a situation, we will consider matters that are raised and we may, depending on the severity and in discussion with you, deal with the matter formally at Step 2 (below).

6. Formal written grievances - Step 2

6.1 If your grievance cannot be resolved informally you should put it in writing and submit it to the Headteacher/Director indicating that it is a formal grievance. If the grievance concerns the Headteacher or a Director it should be submitted to the Chief Executive. If the grievance concerns the Chief Executive, it should normally be submitted to the Chair of the Board of Trustees.

6.2 The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations we may need to ask you to provide further information. You should also state what your desired outcome would be to resolve the situation. You should note that where your grievance relates to another employee, in order for them to provide a response they will be given a copy of your grievance and where there are elements to the grievance that do not relate to the other employee they will be redacted. If you have any concerns and queries in respect of raising a formal grievance, you should contact hr@pathwaytrust.uk for advice.

7. Investigations

7.1 In some cases it may be necessary for us to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the issue/complaint and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents. The investigation will usually be carried out by the Headteacher/Director or another senior employee appointed by the Headteacher/Director. In the case of an investigation into an issue/ complaint against a Headteacher or Director the Chief Executive will normally determine who will carry out the investigation. In the case of an investigation into an issue/ complaint against the Chief Executive, the Chair of the Board of Trustees will normally determine who will carry out the investigation.

7.2 You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.

7.3 The trust may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before

deciding what investigation (if any) to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

8. Role of Companion at Meetings

8.1 You may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either an official trade union representative or a work colleague. You must tell the person holding the grievance meeting who your chosen companion is, in good time before the meeting.

8.2 Should you choose to bring a companion to the hearing, you will be responsible for making these arrangements and for providing your companion with any paperwork that they require for the meeting.

8.3 At the meeting, your companion may make representations to us and ask questions, but should not answer questions on your behalf. You may request an adjournment to speak to them privately at any time during the meeting.

8.4 Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.

8.5 If your chosen companion is unavailable at the time a meeting is scheduled, you may propose an alternative time for the meeting to take place and so long as the alternative time is reasonable and within five working days after the original scheduled date, we will postpone the meeting. If your chosen companion will not be available for more than five working days afterwards, we may ask you to choose someone else.

8.6 We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) as a reasonable adjustment if you have a disability.

9. Grievance meeting

9.1 We will arrange a grievance meeting, normally within 10 working days of receiving your written grievance. The grievance meeting will be chaired by the Headteacher/Director or another senior employee appointed by the Headteacher/Director. A member of the trust HR team may also be present.

9.2 You and your companion (if any) should make every effort to attend the grievance meeting. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time (see paragraph 9.5)

9.3 The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made. Everyone involved in the process is entitled to be treated calmly and with respect. Whilst we understand that the situation may be stressful, the trust will not tolerate unreasonable behaviour from anyone taking part in grievance procedures and will treat any such behaviour as misconduct under the disciplinary procedure.

9.4 After an initial grievance meeting we may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.

9.5 We will write to you, usually within 5 working days of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal. Where appropriate we may hold a meeting to give you this information in person.

10. Appeals - Step 3

10.1 If the grievance has not been resolved to your satisfaction you may appeal in writing to the Headteacher/Director stating your full grounds of appeal, within 10 working days of the date on which the decision was sent or given to you.

10.2 We will hold an appeal meeting without unreasonable delay, usually within 10 working days of receiving your written appeal. This will be dealt with impartially by, wherever possible a panel of councillors/trustees who have not previously been involved in the case (although they may ask anyone previously involved to be present). You have a right to bring a companion to the meeting (see paragraph 9).

10.3 The panel will confirm a final decision in writing, usually within 5 working days of the appeal hearing. This is the end of the procedure and there is no further appeal.

11. Collective Grievances

11.1 If you and another employee (or more than two of you) have identical grievances and all wish them to be addressed in the same grievance process, you and your colleagues can raise a collective grievance via this grievance procedure. You and all your colleagues must agree (without any pressure being exerted on staff members to join the collective process) to do this.

11.2 If you and your colleagues do not agree to this arrangement or and/or if your grievances are not identical, the school/trust will arrange to hear your grievances on an individual basis.

11.3 If you and your colleagues are all members of the same trade union, your trade union representative can (if you all wish him or her to do so) raise the grievance on your behalf. Alternatively, you and your colleagues can agree to nominate one of you to act on behalf of all of you.

11.4 Your collective grievance will be managed in accordance with Steps 1 to 3 above. However, the written collective grievance statement should also:

- Identify you and each of your colleagues who wish to raise the grievance
- Wherever possible, identify a nominated trade union representative or colleague to represent you all
- State that you have all voluntarily consented to use the collective grievance procedure

- Confirm that you understand that the grievance will give each of you the right to only one collective grievance meeting, one identical outcome (if applicable), one appeal meeting and one identical appeal outcome

11.5 If, following the grievance outcome, some employees are satisfied with the outcome and do not wish to proceed to an appeal, the request for an appeal should clearly identify those withdrawing from the process and those wishing to pursue the appeal.

12. Disciplinary Proceedings

In the event the grievance is upheld (either following the hearing or after an appeal), and if there is evidence to support such a course of action, the nature of the allegations may result in school/trust instigating the Disciplinary Procedure against individuals identified of potential misconduct as a consequence of this procedure.

13. Review of policy

This policy is reviewed and amended annually by the trust. We will monitor the application and outcomes of this policy to ensure it is working effectively.