



GRIEVANCE PROCEDURE

Last Review	June 2023
Approved by Governors	June 2023
Next Review	June 2025

Vision

Loreto College is centred in God, rooted in Christ and animated by the spirit of Mary Ward, the founder of the Institute of the Blessed Virgin Mary. Our vision is that it will be an educational community where each person has the experience of being loved and valued as a sacred individual created by a loving God; a community where students enjoy an enriching and liberating education that helps them grow into the fullness of life and empowers them to be people of courage who are alive to the needs of humanity and committed to making a better world.

Introduction

The College aims to be an educational community which gives expression to the core values of Mary Ward – freedom, justice, sincerity, truth, joy, excellence and internationality.

Loreto College has the highest expectations of personal, academic and professional excellence. This document sets out the College's policy and guidance on the procedures it will follow when a staff member raises a grievance. In doing so, the College will be mindful not only of its legal responsibilities, but of its Mission and core values and of its duty of care to all its staff and students and will endeavour to act at all times with justice, compassion and respect for the dignity and worth of those involved in the process.

Procedure Statement

It is the College's policy to ensure that all employees have access to a procedure to help deal with any grievance relating to their employment fairly and without unreasonable delay. The College will investigate any formal grievance raised by a member of staff, hold a meeting to discuss the grievance, inform the member of staff of the outcome of their grievance in writing and provide them with a right of appeal if they are not satisfied with the outcome.

Issues that may cause grievances include:

- a) Terms and conditions of employment;
- b) Health and safety;
- c) Work relations;
- d) New working practices;
- e) Working environment;
- f) Organisational change; and
- g) Discrimination

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

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

Using this Procedure

Employees should raise matters promptly and without unreasonable delay. The College will deal with matters in the same way.

Complaints that amount to an allegation of misconduct on the part of another employee may be investigated and dealt with under the Disciplinary Policy if appropriate, and the member of staff raising the grievance will be informed if this is the case but would not be informed of the final outcome.

The College has a separate Whistleblowing Policy to enable employees to report illegal activities, wrongdoing or malpractice. However, where an employee is directly affected by the matter in question, or where they feel they have been victimised for an act of whistleblowing, they may raise the matter under the grievance procedure.

This Grievance Procedure should not be used to complain about dismissal or disciplinary action or the outcomes of other procedures where there will be relevant appeal procedures in place. If a member of staff is dissatisfied with any disciplinary action taken against them, they should submit an appeal under the Disciplinary Procedure.

Where an employee raises a grievance during a disciplinary process that is directly linked to that case or can impact the outcome, 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.

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

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

Confidentiality and Data Protection

It is the aim of the College 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.

Employees, and anyone accompanying them (including witnesses), must not make electronic recordings of any meetings conducted under this procedure.

During any action, including any decisions taken under this procedure, the College 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. Record will be kept in accordance with the College's Data Protection Policy and Privacy and Cookies Policy and in line with (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until it 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).

Informal Stage

We believe that most grievances can be resolved quickly and informally through open communication and discussion with the member of staff's line manager or Principal. The College will always endeavour to resolve a grievance informally where possible. If a member of staff feels unable to speak to their line manager, for example, because the complaint concerns them, then they should speak informally to the Principal or another senior manager.

The manager/Principal will deal with the matter in confidence and will seek to address concerns and reply orally as soon as possible, usually within 10 working days.

If this does not resolve the issue, then they should follow the formal process outlined below.

Formal Stage

If a member of staff's grievance cannot be resolved informally, they should complete the Notification of Formal Grievance form available on myLoreto or in **Appendix A** and submit this to the Principal.

If the matters relate to the Principal, the Notification of Formal Grievance form should be submitted to the Chair of Governors.

In some situations, the member of staff submitting the grievance may be asked to provide further information.

Grievance Procedure

Upon receipt of a formal grievance, the Principal would appoint a senior manager to hear the grievance. Where the grievance relates to the Principal, the hearing will be chaired by a member of the governing body. A member of staff submitting a grievance must co-operate fully and promptly with the procedure. This may include informing the hearing manager of the names of any relevant witnesses, disclosing any relevant documents to the hearing manager and attending interviews as part of the process.

The staff member would then be invited to a meeting to allow them the opportunity to explain their grievance and how they think it should be resolved. All members of staff being interviewed as part of the grievance investigation may be accompanied by a work colleague or trade union representative. Guidance regarding the role of the representative is outlined in **Appendix B**. The staff member and their companion (if applicable) should make every effort to attend the grievance meeting. If they are unable to attend at the time specified, they should inform the meeting organiser immediately and an attempt will be made to agree an alternative time, within reason. If the individual's chosen representative is unavailable for an unacceptable period of time, an alternative representative must be chosen so as not to delay the investigation.

Where the grievance concerns another staff member, the hearing manager will inform them without delay. The hearing manager may carry out further investigations and hold further investigative meetings as they consider appropriate. Such meetings will be arranged without unreasonable delay.

It is important to ensure that all parties involved in the grievance process are aware that the matter must remain confidential and must not be discussed with other members of staff, including those involved, other than an accompanying colleague or trade union representative. Any instances where a grievance is not kept confidential will be treated as misconduct under the disciplinary procedure.

Once all relevant parties have been met with, the hearing chair would conclude and would then confirm their findings in writing. The hearing chair would summarise the grievance, and respond to each allegation or element to confirm if this would be upheld, partially upheld, not upheld or inconclusive. There would be sufficient explanation to provide rationale behind the outcome.

Duty of Care

It is important to acknowledge that the grievance process can have a detrimental impact on the personal wellbeing of an employee regardless of whether they are the employee making the complaint, or the individual the complaint is regarding. The College has a duty of care to the wellbeing of their staff and support should be offered to the employee by signposting them to services such as the employee assistance programme and services accessible through the Occupational Health self-service dashboard.

Appeal

The member of staff raising the grievance has the right to appeal the outcome of the formal grievance process. This should be done in writing to the Principal (or to the Chair of Governors if the Principal is involved with the grievance hearing) stating the full grounds of the appeal within five working days of receipt of the outcome letter.

An appeal meeting will be held without unreasonable delay, normally within 1 calendar month of receipt of the appeal letter.

The member of staff raising the grievance can appeal on the grounds that the chair of the grievance hearing did not consider key facts or give sufficient weight to evidence in reaching their conclusion. The remit of the appeal hearing will not be to have a re-hearing of the original grievance or consider any new evidence but may address points which the member of staff considers were not properly considered at the original hearing.

The appeal hearing will be heard either by the Principal (if they did not chair the initial hearing) or panel of governors. The hearing manager may be called as a witness by the original chair at the appeal hearing.

The outcome of the appeal hearing should be communicated without delay, and in any case within seven calendar days of the appeal hearing.

Disciplinary proceedings arising out of a grievance

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 the College instigating the organisation's disciplinary policy against individuals identified of potential misconduct as a result of this procedure.

Related Policies and Procedures

- Disciplinary Policy
- Whistleblowing Policy
- Data Protection Policy GDPR
- Privacy and Cookies Policy

Appendix A

Notification of Formal Grievance

This form is to be used in conjunction with the College Grievance Policy.

Please complete all sections of this form and submit to the Principal / Chair of Governors (as appropriate).

Name	
Department	
Job Title	

1	I wish to formally complain about the behaviour, conduct or decisions of the following member/s of staff:
2	The details of my complaint are (where possible please identify dates, times and names):
3	Either I have attempted to resolve my grievance informally via the following actions: Or I have not attempted to resolve this matter informally because: (Please delete where appropriate)
4	In considering my grievance, I ask you to consider speaking to the following:
5	In considering my grievance, I ask you to look at the following attached documents (if applicable):
6	In considering my grievance, I ask you to review the following documents / evidence that I do not have access to (if applicable):
7	The outcome I am seeking to resolve this grievance is:
8	During the period in which you investigate my grievance, I would like you to consider taking the following steps (if any):

9	My grievance does/does not * include a complaint that I am subject to discrimination, bullying or harassment. (*please delete as appropriate)
10	My grievance does/does not * include a complaint that raises a child protection issue. (*please delete as appropriate)

Signed	
Print name	
Date	

Appendix B

Right to be Accompanied

The employee has the right to be accompanied to any meeting either by an impartial colleague or a trade union representative. It is the responsibility of the member of staff to advise on who their chosen companion is in good time before the meeting.

The employee is responsible for making the arrangements for their chosen companion to attend the meeting and to provide them with copies of any relevant paperwork.

At the meeting the employee's representative may make representations and ask questions, however they are not permitted to answer questions on the member of staff's behalf. The employee may also confer with their representative during the hearing and representative is permitted to request an adjournment to speak to the member of staff privately.

If the employee's chosen companion is unable to attend the date of any formal meeting, the meeting can be rescheduled once but the postponement can be for no more than seven calendar days.