

SCHOOL GRIEVANCE POLICIES NASUWT CHECKLIST

PURPOSE OF THE CHECKLIST

The NASUWT believes that a fair, transparent and consistent grievance policy, which treats teachers as highly skilled professionals, is a key element in effective school management.

School grievance policies which accord with the provisions in this checklist will help to resolve concerns, problems or complaints that employees raise with their employers and minimise the risk of discrimination.

The checklist sets out the minimum requirements for an effective grievance policy and is entirely consistent with the ACAS Code of Practice.

The NASUWT model school grievance policy incorporates all of the provisions of this checklist and is consistent and compliant with all statutory requirements.

KEY ELEMENTS OF A GRIEVANCE POLICY

School grievance policies acceptable to the NASUWT will have the following provisions.

Issues that may cause grievances

The policy will permit employees to raise grievances against employers, governing bodies, individual governors, headteachers, line managers and fellow workers on:

- terms and conditions of employment;
- health and safety;
- work relations;
- bullying and harassment;
- new working practices;
- working environment;
- organisational change;
- discrimination.

Pay or grading should be dealt with under the pay policy.

Timescales

The policy will confirm that:

- grievances should be raised and dealt with promptly and there should not be any unreasonable delay of meetings, decisions or confirmation of those decisions;
- formal meetings should be held without unreasonable delay after a grievance is received;
- decisions should be communicated to the employee, in writing, without unreasonable delay and, where appropriate, should set out what action the employer intends to take to resolve the grievance.

The policy will set out appropriate timescales for all formal stages of the procedures.

Policy Content

The policy should allow grievances to be addressed and, if possible, resolved as near as possible to the point of origin and dealt with at the lowest possible level, in the first instance.

The policy should include a voluntary mediation process, where the parties mutually agree.

The policy must inform employees of the basis of the problem and give them an opportunity to put their case in response before any decisions are made.

The policy must include provisions for investigations to establish the facts of the case.

The policy must include an informal stage and at least one formal stage.

The policy will confirm that a grievance should be made in writing, signed and dated, and should include:

- the nature of the grievance;
- a description of the informal action that has already been taken, or if no action has been taken, the reasons why;
- an indication of what outcome is sought and how this might be achieved.

Representation

The policy will confirm that employees must be allowed to be accompanied by a trade union representative at all formal stages of the policy and that there will be no restrictions on the nature of the trade union representation.

The policy should allow employees to be accompanied at informal and mediation stages, where appropriate.

Appeals

The policy must include provisions for employees to appeal against any formal decision made in accordance with an appeals procedure within the policy which meets, as a minimum, the statutory requirements on disputes resolution.

Appeals should be dealt with impartially and wherever possible by a manager who has not previously been involved in the case.

Training

The policy shall commit the employer to ensure that managers dealing with grievances are properly trained for the task, familiar with the procedures and knowledgeable about how to investigate a grievance and how to conduct or represent at grievance hearings.

Collective Grievances and Disputes

The policy should also include:

- a collective grievance procedure, where a grievance is raised by more than one employee and the nature of the grievance and the desired resolution are agreed upon:
- a resource for a trade union representative to raise a collective grievance on behalf of employees:
- a procedure to facilitate the resolution of collective disputes between teachers and a school governing body.

Post-termination Grievances

Ex-employees are entitled, by law, to have any grievance considered properly by a former employer.

Where grievances are received from ex-employees, a written response will be provided.

Monitoring and Review

The policy will confirm that:

- records will be treated as confidential;
- all grievances will be dealt with in a fair and equitable manner.

The procedure will be monitored to ensure consistency of application and adherence to equalities legislation, to ensure that the policy operates in accordance with the duties to promote equality, to eliminate discrimination and to promote good relations between staff with protected characteristics as required under the Equality Act 2010.