



34. Staffing and Employment Policy Grievance Procedure

Please note that this policy complements our 'Safeguarding Children' policies (Policies 22 to 30) and should be referred to in conjunction with each other where appropriate.

Aims of Policy

Grievances are concerns, problems or complaints that employees raise. Where possible, individuals should try to settle grievances with the Pre-School Manager or Deputy. If the grievance is raised by the Pre-School Manager; or if a grievance is raised by the Deputy about the Pre-School Manager, a Committee member should try to settle the grievance. The Committee member to be used in this instance will be decided by the Committee Chairperson. If this isn't possible, then the procedure below will enable the grievance to be dealt with fairly, consistently and speedily.

The procedure

a) Let the employer know the nature of the grievance

If it is not possible to resolve a grievance informally employees should raise the matter formally and without unreasonable delay with either the Pre-School Manager or Deputy (who is not the subject of the grievance). This should be done in writing and should set out the nature of the grievance.

b) Hold a meeting with the employee to discuss the grievance

The Deputy or Pre-School Manager will arrange for a formal meeting to be held without unreasonable delay after a grievance is received.

Employees should be allowed to explain their grievance and how they think it should be resolved. Consideration should be given to adjourning the meeting for any investigation that may be necessary.

c) Allow the employee to be accompanied at the meeting

Employees have a statutory right to be accompanied by a companion at a grievance meeting which deals with a complaint about a duty owed by the employer to the employee. This would apply where the complaint is, for example, that the employer is not honouring the employee's contract, or is in breach of legislation.

The chosen companion may be a fellow employee, a trade union representative, or an official employed by a trade union. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany an employee.

To exercise the right to be accompanied an employee must first make a reasonable request. What is reasonable will depend on the circumstances of each individual case. However it would not normally be reasonable for employees to insist on being accompanied by a companion whose presence would prejudice the hearing nor would it be reasonable for an employee to ask to be accompanied by a companion from a remote geographical location if someone suitable and willing was available on site.

The companion should be allowed to address the hearing, to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the hearing. The companion does not however, have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish it, or prevent the employer from explaining their case.

d) Decide on appropriate action

Following the meeting the Deputy or Pre-School Manager will decide on what action, if any, to take. Decisions should be communicated to the employee, in writing, without unreasonable delay and, where appropriate, should set out what action the Pre-School Manager or Deputy intends to take to resolve the grievance. The employee should be informed that they can appeal if they are not content with the action taken.

e) Allow the employee to take the grievance further if not resolved

Where an employee feels that their grievance has not been satisfactorily resolved by the Pre-School Manager or Deputy they should appeal. They should let the Committee Secretary know the grounds for their appeal without unreasonable delay and in writing.

Appeals should be heard without unreasonable delay and at a time and place which should be notified to the employee in advance.

The appeal should be dealt with impartially and wherever possible by a manager who has not previously been involved in the case, for example the Committee Chairperson and/or HR Lead.

Workers have a statutory right to be accompanied at any such appeal hearing.

The outcome of the appeal should be communicated to the employee in writing without unreasonable delay.

Overlapping grievance and disciplinary cases

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.

As with all the policies for Seer Green Pre-School, the Operational Plan should be referred to for the specific details of day to day operations of the Pre-School. In addition, any issues which arise in the course of a child's time with the Pre-School and that are related to a child's health and wellbeing, parent's or staff's concern, or the overall care and safety of our children, staff, parents and equipment will be dealt with in a professional and confidential manner in order to arrive at an appropriate outcome.

This policy was adopted on (date) _____

Signed on behalf of Seer Green Pre-School (Committee Chairperson) _____

This policy was reviewed as indicated below:

- 2010 created*
- 2011, 2012, 2013, 2014, 2015, 2016 reviewed and updated as required*
- July-Nov 2017 reviewed and updated*
- June-July 2018 reviewed and updated*
- May 2019 reviewed*
- June 2020 reviewed and updated*