

LONGLEY PARK SIXTH FORM COLLEGE

GRIEVANCE PROCEDURE FOR SENIOR POST HOLDERS

1 SCOPE AND PURPOSE

- 1.1 This procedure applies to the Principal and all senior post holders as defined in the Corporation's Articles of Government. References to section numbers are to the numbered sections of this document.
- 1.2 Where the Clerk to the Corporation is also a member of staff at the institution, the Clerk is to be treated as a senior post holder. In such circumstances the Corporation shall appoint an appropriate person to fulfil the tasks of the Clerk to the Corporation under these sections.
- 1.3 The procedure will be applied in accordance with the Articles of Government of the Corporation and in accordance with the Advisory, Conciliation and Arbitration Services (ACAS) Code of Practice, 'Disciplinary and Grievance Procedures', dated April 2009.
- 1.4 The purpose of this procedure is to:
 - Enable senior post holders who consider that they have a grievance or complaint arising from their employment to have it dealt with at the appropriate level as expediently as possible.
 - To promote fairness and consistency in the process by which grievances or complaints arising from a senior post holder's employment is considered.
- 1.5 This procedure will not apply to any grievances concerning complaints or disputes which are covered by separate procedures or arrangements of the Corporation.

2 GENERAL PRINCIPLES

- 2.1 A senior post holder has the right to be accompanied at formal grievance meetings by a representative of a trade union or fellow worker of their choice, subject to a reasonable request being made.
- 2.2 The Corporation will ensure that its members are familiar with the provisions in this procedure.
- 2.3 Every effort will be made to resolve the grievance at the informal stage.
- 2.4 In the interest of ensuring that grievances are resolved as speedily as possible, time limits are given for appropriate stages in this procedure. These are for guidance. If it is not practicable to adhere to these time limits, they may be amended, ideally by mutual agreement. Due regard will be given to the personal circumstances of all parties involved in the procedure.

3 Stage 1 - Informal Procedure

- 3.1 A senior post holder has a grievance relating to his/her employment, the matter should be raised initially with the Principal. The grievance should be raised orally in the first instance. In the event that the grievance relates to the Principal or is raised by the Principal, the grievance should be raised with the Clerk to the Corporation, who will arrange for a member of the Corporation to consider the grievance.
- 3.2 The person considering the grievance will take appropriate steps to resolve the grievance as quickly as possible, on an informal basis. He/she shall enquire into the grievance and will discuss it with the senior post holder. A written record of the discussion and the outcome will be provided within ten

working days after the complaint is received. It is anticipated that most grievances will be resolved at this stage.

- 3.3 If the matter is very serious or in other circumstances where the senior post holder does not wish to raise the matter informally, the senior post holder may proceed straight to the formal stage of the procedure.

4 Stage 2 - Formal Procedure

- 4.1 If the senior post holder feels that the matter has not been resolved through informal discussion, or in the event that 3.3 applies, the grievance should be put in writing.
- 4.2 The grievance should provide full details of the complaint and should be addressed to the Clerk to the Corporation to be considered at this stage by a member of the Corporation who did not hear the grievance at the informal stage.
- 4.3 The Corporation will, as soon as possible [ideally within five working days, but no longer than ten, of receipt of the written grievance] arrange a grievance meeting.
- 4.4 The senior post holder may be accompanied at the meeting by a trade union representative or work colleague. The Corporation should remind the senior post holder of the right to be accompanied prior to a grievance meeting. Before the meeting, the senior post holder should inform the Clerk to the Corporation who he or she has chosen to be a companion.
- 4.5 If the grievance involves another employee, the Corporation may require the attendance of that employee or any other employees who may be able to provide relevant information. If the senior post holder wishes to call relevant witnesses to the meeting, he or she should advise the Clerk to the Corporation of this in advance of the meeting. The senior post holder will be informed prior to the meeting if the Corporation intends to call relevant witnesses.
- 4.6 At the meeting the senior post holder or his or her companion will be given the opportunity to explain the nature of the grievance, submit verbal and/or written evidence and call appropriate witnesses.
- 4.7 The Corporation member hearing the grievance will consider all of the matters raised at the meeting and undertake all reasonable investigations into the grievance.
- 4.8 The Corporation member's decision will be communicated in writing to the senior post holder as soon as reasonably practicable following the meeting; ideally within five working days, and normally within ten, of the meeting. The letter to the senior post holder will outline, where appropriate, what action the Corporation intends to take to resolve the grievance, and will also inform him or her of the right to appeal.
- 4.9 If it is not possible for a decision to be reached within ten working days, the Clerk will write to the senior post holder with an explanation for the delay and when the written decision can be expected.

5 Stage 3 - Appeal

- 5.1 If the grievance is not resolved to the satisfaction of the senior post holder at Stage 2, he or she may appeal. Any such appeal must be submitted in writing, setting out the full grounds for the appeal and sent to the Clerk to the Corporation within ten working days of receipt of the decision reached at Stage 2.

- 5.2 The Corporation will, as soon as possible and in any event, within ten working days of receipt of the written appeal, appoint a committee of the Corporation (“the appeal committee”). The appeal committee will not include any member of the Corporation who has been involved with the grievance process in question so far, nor any staff or student member. The appeal committee will invite the senior post holder to an appeal meeting.
- 5.3 The senior post holder will be entitled to be accompanied at the appeal meeting by a trade union representative or work colleague.
- 5.4 The appeal committee will consider the appeal and may be supplied with all of the documentation submitted in relation to the earlier stages of the procedure. If the grievance involves another employee, the appeal committee may require the attendance of that employee at the appeal meeting, or any other employees who may be able to provide relevant information.
- 5.5 The appeal committee's decision will be provided in writing by the Clerk to the Corporation within ten working days of the appeal meeting. Any other parties involved in the grievance will also be appropriately informed of the appeal decision. If it is not possible for a decision to be reached within this period, the Clerk will write to the senior post holder on behalf of the appeal committee with an explanation for the delay and when the written decision can be expected.
- 5.6 The Appeal Committee's decision shall be final.