

## How to – Manage Grievance Complaints

Every teacher has the right to seek redress for complaints relating to their employment in cases where normal management/employee communication has failed to resolve matters.

The Grievance Procedure for Teachers provides a mechanism through which problems in relation to work, the working environment, working relationships or dignity at work issues can be raised and addressed.

A complaint may be submitted individually or collectively by a group of employees and the same stages should be utilised in both cases.

### Informal Complaint

Teachers must raise an informal complaint with the person concerned or immediate manager without unreasonable delay, detailing the grounds of their complaint and reasonable redress or resolution sought.

If the complaint concerns the teacher's immediate manager they should approach an alternative manager, normally at an equivalent level within the Service. Every effort should be made to resolve a complaint or potential complaint using informal mechanisms e.g., discussion with a senior colleague including, as appropriate, the head teacher, or through an informal approach by a trade union representative.

The manager should respond as quickly as possible to an informal approach. This response may be delivered orally or in writing but must be within 5 working days of the complaint being raised.

Where the complaint concerns the actions or conduct of another employee the manager should:

- ✓ Discuss the complaint with the employee to ascertain if they have raised the issue with the employee concerned.
- ✓ If the employee is unwilling to approach the subject of the complaint, explain that you will make the subject of the complaint aware of the complaint and how this will be progressed.
- ✓ Advise the employee that you will review the information they have provided including the details of the reasonable redress sought and will respond with a suggested informal approach.
- ✓ If the subject of the complaint is not a member of your own team, inform their direct line manager of the complaint and then arrange to meet the employee concerned to outline the detail of the complaint and explain the process that will be followed.

Further advice and guidance are available from Human Resources.

### **Formal Complaint (Stage 1)**

If informal methods do not succeed and the teacher remains dissatisfied with the outcome or response, a teacher will normally have recourse to the formal procedure.

The teacher should submit a formal written statement of complaint to the head teacher. If the complaint relates to the head teacher, then a formal written statement should be submitted to the relevant Service Manager.

This statement should outline clearly the nature of the complaint and the reasonable redress or resolution being sought. As a representative from Human Resources **must** be in attendance at the Hearing, upon receipt of the written statement of complaint the head teacher or relevant Service Manager as appropriate, should contact Human Resources without delay.

Human Resources will appoint an Officer to support the formal grievance Hearing which is normally convened within 10 working days (or otherwise by mutual agreement) of receipt of the written statement of complaint.

### **Appeal (Stage 2)**

Should the teacher be dissatisfied with the outcome of Stage 1, they have the right of appeal to the Executive Director of Education & Children's Services.

A statement of appeal must be submitted in writing within 10 working days of receipt of the response from Stage 1 explaining the reasons for continuing dissatisfaction, providing any additional information relevant to the original complaint and the reasonable redress or resolution being sought.

The Executive Director will normally nominate an officer, such as a Head of Service to convene a formal appeal Hearing. As a representative from Human Resources **must** be in attendance at the Appeal Hearing, upon receipt of the written statement of complaint the Executive Director should contact Human Resources without delay.

Human Resources will appoint an Officer to support the grievance Appeal Hearing which is normally convened within 10 working days (or otherwise by mutual agreement) of receipt of the written statement of appeal.

The Human Resources Officer who provided support for Stage 1 will continue to provide support to the manager who heard the grievance during the appeal process.

### **Appeals Sub-Committee (Stage 3)**

If the teacher remains dissatisfied with the response provided at Stage 2 they have a right of appeal to the Appeals Sub-Committee of the Education & Children's Services Committee.

A statement of appeal should be submitted to the Executive Director of Education & Children's Services, within 10 working days of receipt of the response from Stage 2.

This statement should explain the reasons for continuing dissatisfaction; provide any additional information relevant to the complaint and reasonable redress or resolution being sought.

Upon receipt of statement of appeal, the Executive Director of Education & Children's Services will acknowledge receipt, forward it to Committee Services and advise the Human Resources Officer who was providing support at Stage 2.

The Appeals Sub Committee will normally meet to consider the teacher's appeal. Notification of the appeal date will normally be within 20 working days of notice of appeal from the employee. The decision of the Appeals Sub-Committee will normally be provided in writing within 5 working days of the date of the Hearing.