# LEEDS CITY COUNCIL
# MODEL GRIEVANCE POLICY AND PROCEDURE FOR SCHOOLS BASED STAFF

Adopted by Iveson Primary governing body on 15/07/25

To be reviewed by governors Summer 2 2026

**All school governing bodies should note that this policy has been agreed between Leeds City Council and the teacher and support staff trade unions. Please note it is best practice to consult with staff and Leeds union officers in the event of any changes to this model Grievance policy.**

Grievance Policy & Procedure Collectively Agreed with Unions Sept 2024 – Originator: Leeds City Council HR Schools Team

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# INDIVIDUAL AND COLLECTIVE GRIEVANCE POLICY AND PROCEDURE

## 1. INTRODUCTION

1.0 This policy complies with the ACAS Code of Practice on Disciplinary and Grievance Procedures

**1.1** The aim of the Grievance Policy is to ensure that the school meets its legal and moral responsibilities in providing a straightforward and accessible method for members of staff to raise and resolve concerns. This Policy takes into account employment legislation and guidance issued by ACAS (Advisory, Conciliation and Arbitration Service).

**1.2** The aim of the school's Grievance Procedure is to resolve any staff grievances fairly, consistently and quickly, in order to minimise any conflict or disruption in the workplace.

## 2. DEFINITION

**2.1 Grievance** - a complaint by an individual employee (or group of employees) about a matter related to their employment, for example concerns about:

- Terms and conditions of employment
- Pay discrimination
- Health and safety within the school
- Working relationships
- Bullying and harassment
- Changes to working practices
- Working conditions or working culture
- Organisational change
- Discrimination

Any complaint from an employee that cannot be resolved through normal management procedures which relates to their employment, should be considered under this policy and procedure.

Complaints about wrongdoing that are deemed to be in the public interest and are not about a member of staff's employment should be referred to the Schools Whistleblowing Policy, a copy of which is available from the school.

Any repeated grievance (that is a grievance which has already been investigated under the policy), will not need to be re-investigated. Where a grievance may have limited grounds for investigation, a meeting should be held in conjunction with the employee, trade union representative and the nominated person, supported by HR. This will be to agree the key issues for investigation and to determine whether a lower-level resolution could be achieved. In these instances, schools are encouraged to contact their HR provider for advice.

**Types of Grievance**

**2.2 Collective Grievance** – a complaint by a group of employees about a matter relating to their employment.

Where one or more employee raises a collective grievance the case for the employees can be prepared and submitted by one Trade Union representative on behalf of the relevant group of employees. The nature of the grievance and the desired resolution should be agreed upon. Raising a collective grievance on behalf of a group of employees will need their written consent A collective grievance will be considered under the full scope of this policy and procedure.

One representative of each Trade Union has the right to attend a grievance meeting and/or appeal meeting.

**2.3 Bullying and Harassment -** The school is committed to providing a working environment that ensures all employees are treated with dignity and respect at work. The school also recognises its duty to provide employees with a safe and healthy working environment and culture.

The school recognises that bullying and harassment can result in low morale, under- performance and absenteeism and will make every effort to provide a working environment free from any form of unacceptable behaviour that is offensive.

This policy intends to address all forms of offensive and unfair behaviour, whether or not such behaviour is unlawful. It aims to underpin the standard of behaviour expected from all employees and provides practical guidance on how to deal with bullying and harassment.

The Policy allows staff to raise concerns through an informal or formal process (as the individual prefers).

The school may, at any stage during the procedure, initiate a formal disciplinary process in cases where alleged misconduct is identified.

The purpose of this policy is not to inhibit the use of legitimate management systems or to prevent leaders and managers from using authority where necessary.

**2. 4 Definition of Bullying and Harassment**

Although there is no legal definition of bullying, it can be described as unwanted behaviour from a person or group that is either:

- offensive, intimidating, malicious or insulting
- an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone

The bullying might:

- be a regular pattern of behaviour or a one-off incident
- happen face-to-face, on social media, in emails or calls
- happen at work or in other work-related situations
- not always be obvious or noticed by others

**2.4.1** Examples of bullying might include:

- someone has spread a malicious rumour about you
- someone keeps putting you down in meetings
- your boss keeps giving you a heavier workload than others
- someone has put humiliating, offensive or threatening comments or photos on social media
- someone at the same or more junior level as you keeps undermining your authority

**2.4.2** From 26 October 2024 the Worker Protection (Amendment of Equality Act 2010) Act 2023 (the new Act) places a duty on schools to take reasonable steps to prevent sexual harassment of employees in the course of their employment.

The following are some examples of behaviour which can be viewed as sexual harassment: -

- Unnecessary touching, patting, brushing against another person's body
- Sexual advances, propositions, suggestive remarks, jokes which may be referred to as 'banter', or other gestures
- Suggestive looks, staring or leering
- Display of pornographic or sexually suggestive pin-ups, posters or photo's etc
- Inappropriate communications by email or on the internet e.g. on social media (for further guidance please refer to the Leeds City Council Schools Guidance for Staff working in Educational Settings on the Use of Digital Technologies and Social Media, a copy of which can be requested from school).
- Spreading sexual rumours about a person
- Making promises in return for sexual favours
- Intrusive questions about a person's private or sex life or a person discussing their own sex life

Harassment may not be targeted at an individual(s) but consist of a general culture, which, for instance, appears to tolerate the telling of homophobic jokes.

The lists are not intended to be exhaustive and other types of behaviour may clearly constitute bullying or harassment.

The school operates a zero tolerance approach to sexual harassment and may deal with incidents of sexual harassment under the schools disciplinary policy and procedure.

Individuals who believe they have been sexually harassed, or have witnessed sexual harassment, we encourage them to tell us so that we can deal with the matter swiftly.

**2.5** The school has a duty of care to its employees and any Bullying or Harassment complaint will be considered in accordance with all statutory rights and responsibilities.

**2.6** Individuals who consider that they are being subjected to bullying or harassment should keep a note of any incident, including the date, time, place, witnesses and details of what happened on each occasion. All other rights and procedures as stated in this document apply.

## 3. SCOPE

**3.1** The procedure will apply to all staff employed by the school.

The procedure does not apply to:

- issues raised by people who are not an employee of the school, as this would fall under the complaints procedure
- redundancy dismissals
- non-renewal of fixed-term contracts

Where the grievance is regarding the actions of a member of staff other than the Headteacher the employee must refer to Section 8. 'Informal Grievance Resolution'.

**3.2** Where the Headteacher is submitting a grievance or the Grievance is regarding the actions of the Headteacher and informal processes outlined in section 8 have failed to resolve the situation, it should be given directly to the Chair of Governors who will assume responsibility for ensuring the policy and procedure are adhered to. The Chair of Governors must refer to Section 9 Formal Grievance Resolution and may nominate an appropriate member of the Governing Body to respond on behalf of the school. All other rights and procedures as stated in this document apply to all staff in the school.

## 4. RIGHT TO BE ACCOMPANIED

**4.1** At every stage in the procedure, the employee, and any person against whom a complaint is made, may be accompanied by a Trade Union representative or colleague, not employed in a legal capacity. If the chosen representative cannot attend on the proposed date, an alternative date will be agreed. This will not normally be more than five working days after the date originally proposed by the employer. Both parties must ensure there are no unreasonable delays to the process.

**4.2** The representative may participate in meetings to support the employee and where necessary may present the employee's case, but they may not answer questions on the employee's behalf.

**4.3** When arranging a meeting, the school should be conscious of the need of the employee and of his/her representative, to be given adequate time to prepare the case.

## 5. TIME LIMITS

**5.1** Where an employee is uncertain about whether to raise an issue with their employer they should seek advice from a trade union representative.

Where regular supervision takes place between employee and line manager, it is expected that the employee will raise concerns at an early stage as part of normal management processes, as ongoing and professional dialogue.

In all cases, the more time that elapses, the more difficult it will be for the school to establish the details of what happened and why. An aggrieved employee should submit their grievance/s as soon as practical and within 90 working days of the last incident.

## 6. RESPONSIBILITIES

### 6.1 Governors:

- Respond promptly and effectively to any complaint submitted by the Headteacher or about the Headteacher.
- Establish panels of three Governors if required, who will retain responsibility for hearing any grievances under this procedure and /or subsequent appeals.
- Respond promptly and effectively to any complaint referred to a meeting and or subsequent appeal.
- Ensure that the Grievance Policy and Procedure are adhered to.
- Consider resolutions to any complaint and ensure that they are implemented quickly and effectively.
- Refer any employee complaint to the lowest appropriate level of authority who may resolve it.
- Inform HR and obtain advice if required.

### 6.2 Headteacher:

- Respond promptly and give due consideration to any employee complaint, either verbal or written.
- Try to resolve the grievance at the earliest opportunity where it is appropriate to do so and using the lowest level of the procedure.
- Ensure that the Grievance Policy and Procedure are adhered to.
- Consider resolutions to any complaint and ensure that they are implemented quickly and effectively.
- Provide required information, if appropriate when requested by the employee submitting the grievance.
- Inform HR and obtain advice if required.

### 6.3 Employees:

- Make every reasonable effort to resolve their grievance at the earliest possible opportunity, where it is appropriate to do so and using the lowest level of the procedure.
- Present a clear and detailed account of their complaint with a suggested resolution.
- May at any time withdraw their grievance by confirming this in writing.
- Where an ex-employee has an ongoing grievance at the time of leaving, they should inform the Headteacher or nominated person if they wish to pursue the grievance.

## 7. SUPPORT

**7.1** Raising a complaint at work can be a very difficult time both for the employee/s involved and their colleagues, whether it is tackled informally or formally. The school is committed to supporting all members of staff and will ensure that additional support is provided as requested, for example through the Vivup employee assistance programme or Occupational Health.

**7.2** When an employee or employees choose to raise a grievance, it is recommended that they first contact their Trade Union or other representative for advice or seek guidance from ACAS www.acas.org.uk or 08457474747, from the outset.

## 8. INFORMAL GRIEVANCE RESOLUTION

**8.1** It is expected that wherever possible employees will have attempted to address grievances informally before pursuing the formal procedure. This is because the purpose of this procedure is to resolve issues of concern at the lowest level. Failure to resolve it at the lowest level can result in a referral to the formal procedure which can:

- Extend the process for longer than necessary
- Increase the feelings of conflict between the parties
- Increase the feelings of anxiety for all parties

**8.2** Where an employee or group of employees are aggrieved about a matter and have been unable to resolve it through normal management procedures, they must raise it either verbally or in writing to the Headteacher in the first instance. If the grievance is against the Headteacher it should be raised with the Chair of Governors. The employee must be clear about the nature and details of the grievance and a possible resolution. Where there is any documentation relevant to the grievance this should be provided at this stage.

**8.3** On receipt of the informal grievance the nominated person or Headteacher, in consultation with the employee and or trade union representative, will agree how the grievance will be progressed. This should be completed as soon as possible.

This can include but is not limited to:

- Continue using the informal procedure
- Refer to other processes (see 9.2 of the policy)
- Where no agreement is made between the employee and employer using some or all of methods 1-5 of the informal procedure, a formal grievance can be submitted.

The employee should inform the Headteacher or nominated person of their preferred method to allow the Headteacher or nominated person to seek agreement from the other party in participating (via their Trade Union where applicable).

### Informal Method 1 – Raising the matter directly

If it is agreed that the appropriate resolution is for the employee to raise the matter directly with the person against whom they have raised the grievance, and they feel comfortable in doing so, they must choose an appropriate time and use a non-confrontational manner. It may be helpful to outline the particular action which is causing concern and try to make clear exactly what it is they find unacceptable. It is important to allow the other party to have the opportunity to respond from their point of view. The employee may find that shared information with the other person will throw a new light onto the situation and allow both parties to reflect on things differently. It is expected that there will be an agreed method of moving forward at the end of this process.

**Informal Method 2 – Involve a colleague**

As an alternative to Method 1 the employee could request a colleague, manager or other school representative to outline the matter on their behalf by speaking directly to the person involved. After the initial meeting the employee may choose to become more involved at that stage. It is expected that there will be an agreed method of moving forward at the end of this process.

**Informal Method 3 – Put it in writing**

Where the employee feels unable to use method 1 or 2, they can choose to put their concerns in writing explaining how the particular action is affecting them. It is recommended that they seek advice from a Trade Union Representative about the wording of the letter. Once the employee has taken this step it may be appropriate to arrange for the matter to be taken forward using one of the other informal methods. The other party will also be given an opportunity to respond in an appropriate manner and this may include a written response. It is expected that there will be an agreed method of moving forward at the end of this process.

**Informal Method 4 – Restorative meeting**

It may be appropriate to ask the Headteacher, nominated person or other suitable individual to arrange for a meeting between the employee and the individual against whom the complaint is raised. A restorative meeting is a way of encouraging dialogue with the aim of exploring feelings and solving difficulties between two or more people. The meeting or meetings should take place in a location suitable to both parties. It is expected that there will be an agreed method of moving forward at the end of this process. Further advice can be provided by the Leeds City Council Schools HR Team.

**Informal Method 5 – Mediation**

This is a meeting where a trained independent mediator can help both parties raise issues of concern, assist with understanding the issues and help both parties plan a way of working together effectively in the future. This can only happen if both parties agree and if other informal methods haven't been successful. Mediation can be arranged through the Leeds City Council HR Schools Team.

**8.4** If either party is unhappy with the method, at any stage, they may adopt the use of one of the alternative methods 1-5. If informal methods fail to resolve the situation an employee may wish to pursue a formal grievance, but sufficient time should be allowed for all parties to reflect on the matter and to try to reach an agreeable way forward before the formal route is pursued. If the Headteacher or nominated person is involved in the process thus far, they should consider if there are other ways in which a resolution can be found by seeking advice from their HR provider.

Do be aware that people often become defensive, and relationships can become more strained when going through the grievance process, which can lead to further tensions and additional stress. For these reasons it is recommended that every effort is made to try and resolve the issue informally as soon as possible, where appropriate.

If the grievance is not resolved at the informal stage, the employee may then progress the matter to the Formal Grievance stage by completing sections 1-4 of the Grievance Form (see Appendix 3).

## 9. FORMAL GRIEVANCE RESOLUTION

**9.1** Where the employee is dissatisfied with the outcome of the informal resolution or it has not been possible to pursue the informal method, the employee should complete sections 1 to 4 of the Grievance Form (Appendix 3). This should be no later than 10 working days from date the informal resolution method was undertaken, and it should be submitted to the Headteacher or nominated person. The form should state specific details of the complaint and the resolution the employee is seeking. An Informal Grievance Resolution Checklist (Appendix 1) must be completed and submitted along with the Grievance Form (Appendix 3). Where a grievance is being raised against the Headteacher, this should be submitted to the Chair of Governors. Where the Headteacher wishes to submit a formal grievance, they should follow the same procedure but submit the form to the Chair of Governors.

Please note, grievances about the Governing Body do not fall under the remit of this policy and procedure.

**9.2** On receipt of the formal grievance the Headteacher or nominated person, in consultation with the employee and or their trade union representative, will agree how the grievance will be progressed. This can include but is not limited to the following options:

- **Refer back to the informal stage if this has not been explored**

Where the employee has submitted a grievance without attempting to resolve it informally using methods 1-4 above, the Headteacher or nominated person will decide if it is appropriate to refer back to the informal resolution as detailed in section 8, following a discussion with the employee and their Trade Union representative, where applicable.

- **Refer to other processes**

There will be occasions when an employee's grievance would be better addressed through another procedure. The Headteacher or nominated person must establish that there is some evidence to support the aggrieved persons claims before referring to another process.

Procedures likely to be referred to:

- Disciplinary
- Capability
- Alcohol and Drugs Misuse Policy

It is not necessary to obtain the employees consent to refer the subject of their grievance to another procedure. Where a grievance has been referred to another procedure the Headteacher or nominated person should discuss with the employee, or their Trade Union representative where applicable, whether this referral itself has satisfied the grievance.

- **Raising a grievance during a disciplinary procedure**

If an employee submits a grievance after disciplinary allegations have been raised against them, the disciplinary proceedings may be temporarily paused to consider whether the grievance is investigated before the disciplinary procedure is progressed / completed. Concerns about the disciplinary allegations or the application of the disciplinary procedure should be raised through the disciplinary procedure itself.

- **Formal Investigation**

The Headteacher or nominated person will arrange for an appropriate person to investigate the issues raised. In most cases this should be a senior member of staff with no prior knowledge of the issues raised. Where the grievance is regarding the actions of the Headteacher the school should refer to Appendix 5 for further guidance on identifying an investigating Officer. The Investigating Officer's brief is to establish the facts of the case by gathering information and to make recommendations to the school or employee, where necessary. Before commencing an investigation, advice and guidance should be sought from the school's HR provider on how to conduct an investigation. The investigation should be undertaken in the strictest confidence. In all cases the school should refer to Appendix 4 of the policy before an investigation commences.

**Outcome of the formal investigation**
The outcome of the investigation will be confirmed in writing by the Investigating Officer, summarising key findings and any recommendations.

Outcomes available to the Investigation Officer:

- Evidence supports the employee's grievance.
- Evidence does not support the employee's grievance- right of appeal (see below and Section 11)
- Unable to reach a decision on some or all of the issues- Formal Meeting (see below and Section 10)

**Appealing the outcome of the formal investigation**
Where the employee wishes to appeal the outcome of the formal investigation, they must do so within 10 working days of receipt of the investigation outcome. The employee must complete section 6 of the Grievance Appeal Form at Appendix 3 and submit it to the investigating officer. The form should state specifically why the employee feels that the outcome of the investigation is unsatisfactory and what resolution they are seeking through the appeal process. The school will arrange an appeal meeting in accordance with Section 11.

**Formal Meeting**
If the Investigating Officer is unable to reach a decision regarding some or all of the issues raised, they will recommend for the matter to be referred to a formal meeting, to be heard by a panel of three Governors (see Section 10). The Investigating Officer will seek agreement from the employee before requesting that the school arrange this meeting.

**10. Formal Meeting**

Circumstances in which a formal meeting may be arranged are:

Where the investigating officer has been unable to reach a decision on some, or all of the issues, following the formal investigation.

**10.1** The formal meeting will normally be held within 20 working days of the school and the employee agreeing to hold a formal meeting, ensuring that the employee has a minimum of 7 working days to prepare. Options available to the formal meeting panel:

Evidence does not support the employee's grievance

Evidence supports some or all of the employee's grievance

The panel will also decide whether they agree with the resolution proposed by the employee, or they may decide on an alternative resolution.

**10.2** The Headteacher or Chair of Panel may adjourn the meeting to request more information or evidence at any point, but the meeting should be reconvened within 5 working days where practical.

**10.3** The Headteacher or Chair of Panel will then confirm the outcome of the meeting to both parties, and their representatives where appropriate, in writing within 5 working days.

The employee may appeal the outcome of the Formal Meeting. They must do so within 10 working days of receipt of the Formal Meeting outcome. The employee must complete section 6 of the Grievance Appeal Form at Appendix 3 and submit it to the HR Adviser to the panel. The form should state specifically why the employee feels that the outcome of the formal meeting is unsatisfactory and what resolution they are seeking through the appeal process. The school will arrange an appeal meeting in accordance with Section 11.

No other party has a right to appeal against the decision of the formal meeting panel.

## 11. Appeal Meeting

**11.1** Circumstances in which an appeal meeting may be arranged are:

- Where the employee appeals the outcome of the formal meeting
- Where the employee appeals the outcome of the formal investigation

**11.2** The meeting will normally be held within 20 working days, ensuring that the employee has a minimum of 7 working days to prepare.

Options available to the appeal panel:

- Uphold the appeal and implement the resolution proposed by the employee.
- Uphold the appeal and implement an alternative resolution.
- Dismiss the appeal and accept the decision of the Formal Meeting panel.
- Dismiss the appeal and accept the outcome of the formal investigation.

**11.3** The Appeal Panel may adjourn the meeting to request more information or evidence at any point, but the meeting should be reconvened within 5 working days where practical.

**11.4** The Headteacher or Chair of the panel will then confirm the outcome of the meeting to both parties and their representatives, where appropriate, in writing within 5 working days.

## 12.0 GRIEVANCE post-employment

**12.1** Where the employee has left employment with the school they must complete the sections 1-5 of the Grievance Form (Appendix 3) and submit it to the Headteacher or nominated person. Where the grievance is regarding the actions of the Headteacher the form should be submitted to the Chair of Governors. This must be done as soon as possible or within 90 working days of the original cause for grievance. The form should state specific details of the complaint and the

resolution they are seeking. At this point, the previous employee should also include any evidence they can provide in support of the complaint.

**12.2** The Headteacher or nominated person will collect any further information required to clarify the grievance and produce a written response to the individual who raised the grievance, normally within 20 working days.

**12.3** Where an individual who has left employment has a live grievance, they must indicate to the nominated person if they are still seeking a resolution to their grievance. Ongoing grievances will be concluded under Section 12 of the procedure.

**12.4** A former employee has no right of appeal under this procedure.

**13. RECORDS**

**13.1** Records of meetings and discussions relating to the grievance should be either audio recorded or written notes taken during meetings with staff, or as soon after the event as possible, to ensure accurate recordings are made. Written records should be circulated to all parties requesting the witnesses signature and to allow amendments or clarifications as required.

**13.2** All records relating to grievances should be kept on the individual's personal file in school. No duplicate records should be kept. All records will be retained in accordance with GDPR. The employee may also wish to keep records of events to support their case.

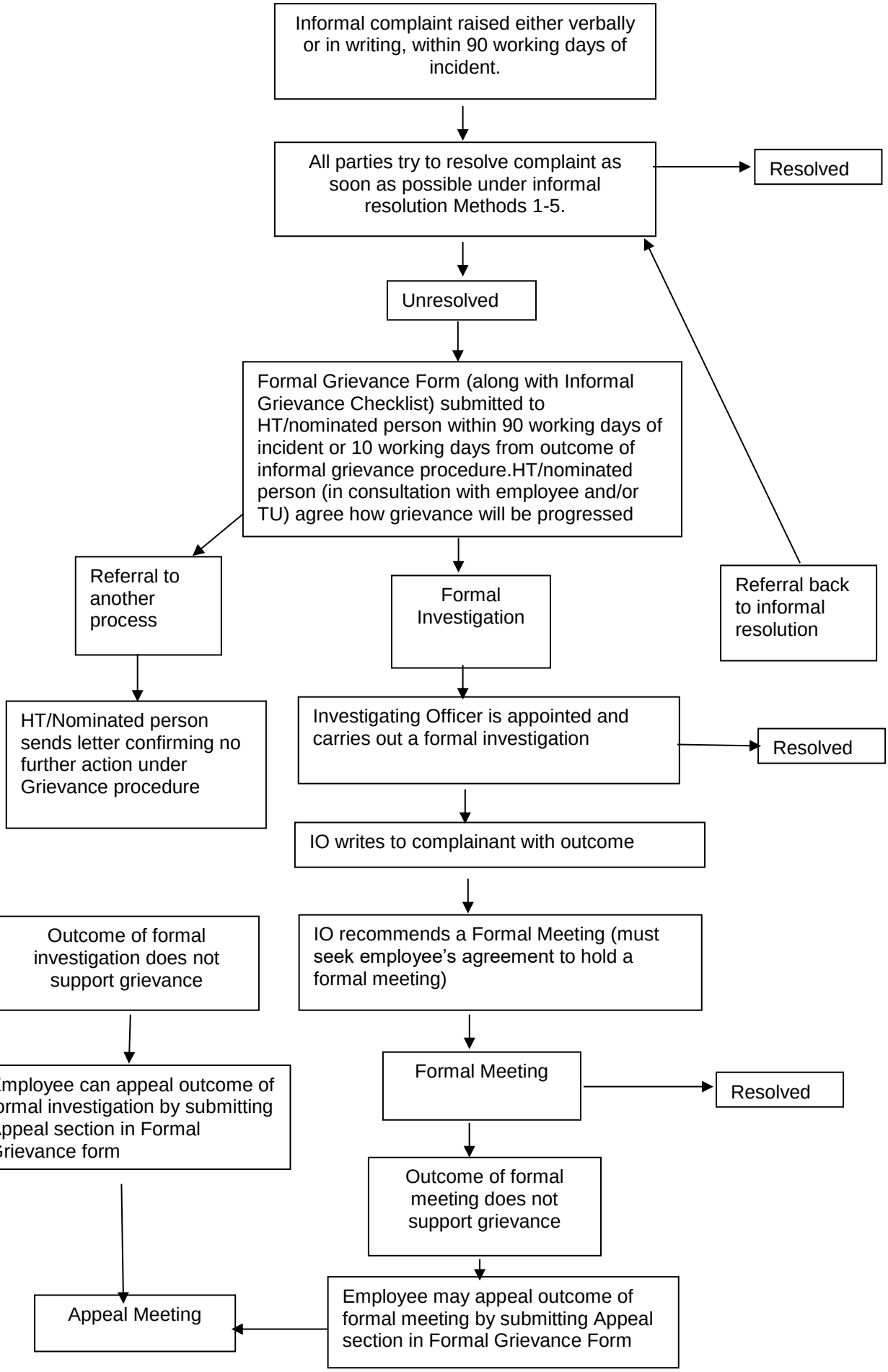
**Appendix 1**

## INFORMAL GRIEVANCE CHECKLIST

As outlined in the Grievance Policy it is expected that wherever possible employees will have attempted to address grievances informally **before** pursuing the formal procedure.
Please complete this grievance checklist below to indicate and record what informal method(s) were undertaken, detailing the nature of the informal grievance, the incident(s) that gave rise to concern, the date(s) on which these occurred, and any outcome. This should be agreed between the line manager and employee and retained by them for future reference, if necessary. This checklist must be completed and submitted along with Appendix 3 Grievance Form.

| |
|---|
| 1. Raising the matter with the person against whom they have raised the grievance |
| 2. Involve a colleague, manager or other school representative to outline the matter on their behalf by speaking directly to the person involved |
| 3. Instead of options 1 & 2 above you choose to put your concerns in writing explaining how the particular action is affecting you |
| 4. Restorative meeting – This is a meeting between the employee and the individual against whom the complaint was raised. |
| 5. Mediation - This is a meeting/s where a trained independent mediator can help both parties raise issues of concern, assist with understanding the issues and help both parties plan a way of working together effectively in the future. |
| Signature: Date: |

**Appendix 2**
**Grievance Procedure Flowchart**



**Appendix 3**

# Formal Grievance Form

You should use this form to submit a Formal Grievance. Make sure you read and understand the guidance notes accompanying this form before you fill it in. **(Appendix 1) must be completed and submitted along with the Grievance Form (Appendix 3).**

**1. About you**

Your name: _____ Where you work: _____

Your job title: _____

How can we get in touch with you (e.g., phone number, email)?

| |
|---|
| |

**2. Representation**

If you have already got a representative:

Their name and Trade Union: _____ Their phone number: _____

If you haven't got a representative yet, but are a member of a union, we can contact them for you. If you would like us to do that, give us the name of your union:

Your union: _____

**3. Your grievance**

Does this relate to Bullying and Harassment: Yes/No

Explain the issue you want to resolve:

| |
|---|
| (Attach further sheets if required) |

**4. Desired outcome**

What needs to happen to resolve this issue? What outcome are you hoping to achieve?

| |
|---|
| (Attach further sheets if required) |

**5. Attempts to resolve the issue informally, using Informal Methods 1-5**
Tell us what you have done so far to try to resolve the matter, and who has been involved.

| |
|---|
| (Attach further sheets if required) |

**6. APPEAL**
Date of outcome of Formal Investigation or Formal Meeting:

| |
|---|
| Reasons for appeal – please state why you are appealing the outcome and specifically which issues you would like to appeal:<br><br>(Attach further sheets if required) |

**7. Sending the form in**
Send this form to the Headteacher or the Chair of Governors (where the grievance is against the Headteacher)

Your signature: _____ Date sent: _____

**Appendix 4**

## Procedure for Formal Meeting and Appeal Meeting

**1 On receipt of notification of a Formal Meeting or an Appeal of the Formal investigation** the Headteacher or Chair of Governors or nominated person where the grievance is against the Headteacher, will convene a meeting within 20 working days of the receipt of the notification but giving the employee at least 7 working days' notice of the date of the meeting.

**3** The employee, and their Trade Union representative (where applicable), the panel and the representative of the school (where relevant) will be provided with all appropriate documentation and asked to produce any supporting documents and/or call witnesses. Copies of the documents should be provided, via the HR Adviser to the panel and to all parties, as soon as practicable before the meeting. Should this prove impossible, full consideration will be given to documents produced at the meeting although an adjournment may be called for all parties to consider new evidence. Details of the witnesses to be called should be provided prior to the meeting, if possible.

**NB:** Witnesses can be asked to attend the meeting by either party but are under no obligation to do so.

**4** At the outset only the panel and the HR Adviser to the panel will be in the room. The panel should arrange for someone to take notes at the meeting, or the meeting should be digitally recorded.

**5** The panel will invite the parties to enter. The witnesses will remain outside the room until they are called. The Meeting should be conducted as follows:

a. The employee or their representative will present their case, calling witnesses and producing documents, as necessary.

b. The witnesses may be questioned by the representative of the school. Also the HR Adviser/s to the panel may, through the chair of the panel only seek to clarify points made in evidence.

c. The school representative, where present, will then be given the opportunity to clarify any aspects of the grievance and present any evidence as appropriate.

d. The same procedure will be followed as for the employee, as regards witnesses, documents and questions.

e. Where appropriate, the school representative will then make a concluding statement.

f. The employee or their representative will make a concluding statement. If the representative has presented the case, the employee will be given the opportunity to make a final statement in support of the case if they so wish.

g. After hearing the case the panel will ask all parties to withdraw so that they may consider their decision.

h. The Panel may seek guidance from the HR Adviser to the panel on matters of procedure but not on matters of fact. The Panel may wish to seek clarification from one or both parties, in either case both sides should be recalled.

i. All parties may request an adjournment to proceedings at any time.

j. After the panel has reached a decision, both parties will be recalled, and the decision will be given. The decision will be confirmed in writing within five working days of the meeting and the employee will be informed of their right of appeal.

**Appendix 5**

## THE ROLE OF THE INVESTIGATING OFFICER

### Nominating the Investigating Officer

**Concerns about the conduct of a member of staff (except the Headteacher)**

Where it has been agreed that a grievance requires investigation the Headteacher or nominated person should nominate an investigating officer, bearing in mind the following points:

1. Wherever possible, they should be a person with no involvement whatsoever in the matter under investigation.

2. The person nominated should wherever possible be a senior member of the school staff. This would not normally be the Headteacher.

3. In certain exceptional cases the Headteacher may choose to act as Investigating Officer. It is recommended that the Headteacher fulfils the role only in those cases where:

    a) a senior member of staff is the subject of the investigation;

    b) other senior members of staff may be called as a witness;

    c) where there is no senior member of staff available who does not have detailed prior knowledge of the case.

4. In exceptional cases, where there are no appropriate senior staff members, the Headteacher may ask Leeds City Council HR Service or their HR provider to identify an Investigating Officer. Governors with no prior knowledge of the issues may also act as the investigating officer where there no appropriate senior staff members.

**Concerns about the conduct of the Headteacher**

The Chair of Governors should determine who should act as Investigating Officer e.g. a member of the governing body or in exceptional circumstances an independent person identified by Leeds City Council's HR Service or the school's HR provider.

### Role of the Investigating Officer

The Investigating Officer's brief is to establish the facts of the case by gathering information. Before commencing an investigation, advice and guidance should be sought from the school's HR provider on how to conduct an investigation.

The Investigating Officer will inform all parties involved, in writing that they are carrying out an investigation and give sufficient information regarding what the investigation relates to. The Investigating Officer should indicate that a meeting will be arranged after information

has been gathered, at which point the relevant parties will be given the opportunity to respond.

Evidence to be collected may be in the form of:

- Receiving written accounts from witnesses which are signed and dated or by conducting interviews with anyone who may have knowledge of the case which is recorded in the form of questions and answers but is not necessarily verbatim. Records should be verified by the person who has been interviewed.

- Obtaining any other relevant documents e.g. guidelines and procedures, conditions of service, contracts, notes of meetings.

The whole process of the investigation should be undertaken in the strictest confidence and as expediently as possible.