



KINGSLAND NURSERY SCHOOL

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Policy: Staff Grievance
Ref:
Updated by: Sara Goddard
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Signature:

Date:

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Overview

The school accepts that there may be occasions when employees feel that they have been treated unfairly and that unless such instances are dealt with quickly, effectively and sensitively they can result in damage to and tension among staff. The aim of this policy is to ensure that all employees are aware of the procedures for raising and dealing with such complaints and that they feel confident that they will be taken seriously.

Management responsibility

The governors and management of Kingsland C.E Academy have a responsibility to ensure that employees are not harassed, bullied or discriminated against. It is in everyone's interest that matters are resolved and that a good working environment free of harassment, bullying and discrimination is maintained

Where any of the complaints of the employee are substantiated, management must take action to ensure that the behaviour complained of does not occur again. This could result in disciplinary action being taken against offenders in line with agreed procedures and following consultation with LEA Human Resources.

Confidentiality & procedures for raising complaints

Confidentiality must be maintained at all stages, with information restricted to those directly involved in the process.

To help ensure confidentiality, most complaints should be made directly to the Principal.

In situations where this is not appropriate i.e. when the complaint is against the Principal, then the complaint should be made to another member of the Senior Management Team or to the chair of Governors.

The following policy has been written to support existing local and national procedures for dealing with staff complaints and includes procedures for dealing with harassment and bullying and reference should be made to such procedures, as identified in Appendix 1.

Complaints of Harassment & Bullying

- The definition of Harassment and Bullying

These terms are used interchangeably by most people, and many definitions include bullying as a form of harassment.

Harassment, in general terms is:

"Unwanted conduct affecting the dignity of men and women in the workplace. It may be related to sex, race, disability, religion, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient"

Harassment can also have a specific meaning under certain laws (for instance if harassment is related to sex, race or disability it may be unlawful discrimination).

Bullying may be characterised as:

"Offensive, intimidating, malicious or insulting behaviour, and abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient."

Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority) or involve groups of people. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Legal Responsibilities

The Governing Body has a legal responsibility to ensure that bullying and harassment are not tolerated within the school. In accordance with:

The Health & Safety at Work Act 1974, which states that there is a legal responsibility to ensure that employees' health, safety and welfare at work are protected.

The Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 1995 all make unlawful any bullying or harassment that includes elements of discrimination.

The Protection from Harassment Act 1997 and the Criminal Justice and Public Order Act 1994 make certain types of harassment a criminal act.

The Employment Rights Act 1996 gives employees a right to complain 'unfair constructive dismissal' if forced to leave because of the actions of their employer. Such actions might include failure to deal with harassment or bullying.

Codes of Practice from the CRE, the EOC, the DfE and the EC are all used within the legal framework and provide guidelines on interpreting the law on harassment, bullying and discrimination.

The School Policy

The Governing Body is committed to creating a working environment which encourages improved performance, understanding, trust and co-operation between all stakeholders in the school.

Everyone should be treated with dignity and respect at work irrespective of age, sex, race, disability, religion, marital status or sexual orientation.

Bullying and harassment of any kind are in no-one's interest and will not be tolerated in the school.

The school is under a legal obligation of a duty of care to provide a safe place of work for all employees. Any allegations of bullying will be dealt with seriously, confidentially and as speedily as possible and may lead to disciplinary action.

Retaliation or victimisation against an employee for bringing a complaint will not be tolerated.

Whilst the implementation of the policy is the duty of management, all employees have individual responsibility to comply with the policy.

Procedures for dealing with Harassment and Bullying:

To help ensure confidentiality, most cases of harassment and/or bullying should be made directly to the Principal. In situations where this is not appropriate i.e. when the complaint is against the Principal, then the complaint should be made to another member of the Senior Management Team or to the chair of Governors.
