



Grievance Policy and Procedure

Latest Review: July 2023

Review cycle: 3 years

Next Review: July 2026



Wellspring Learning Community

Grievance Policy and Procedure

Contributors to the 2023 review:

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Related Policies:

Data Safeguarding Policy

Inclusion Policy

Wellbeing Policy

Staff Handbook

Teacher Performance Review Policy

Child Protection Policy

Approvals - names and signatures:

Chairperson of the Board

Head of School

Wellspring Learning Community

Grievance Policy and Procedure

Wellspring Learning Community's Mission Statement

Wellspring Learning Community aims to establish an inquiry-based learning environment in which students from diverse backgrounds are given every opportunity to optimize their social, emotional and academic capacities and talents. Our students will become confident, resourceful, creative, caring, responsible global and local citizens prepared to use their education to contribute in meaningful ways towards improving society, both locally and internationally.

Rationale

Wellspring Learning Community (Wellspring) aims to foster good relations among all employees and management. Wellspring acknowledges that grievances can occur at any time, arising from disagreements between employees or decisions made by the leadership team. This may include any other situation where an employee feels that the terms and conditions of their employment contract have been violated. The Wellspring Grievance Policy clearly outlines below all procedures that Wellspring staff members should follow to resolve any grievance and how the school will handle a formal complaint.

Purpose

Wellspring wishes to provide an opportunity for employees to express their grievances without compromising their position. This Grievance Policy is established to foster good relations in the school and ensure that grievances are addressed effectively, respectfully, and without any delay. All Wellspring staff members should clearly understand this policy and procedure, and follow it whenever grievances arise.

Scope

This Grievance Policy and Procedure applies to all Wellspring Staff Members including but not limited to all leaders and staff (full-time, part-time and temporary) employed at Wellspring.

General Principles

Wellspring defines a grievance as a staff member's concern, problem, or complaint regarding their co-worker relationships, job, or workplace. Any Wellspring staff member may raise a grievance under this procedure and all Wellspring staff members will be treated respectfully, fairly, consistently and confidentially. The school will take seriously any reported grievance and staff members who have genuine grievances are encouraged to raise them without fear of recrimination.

All Wellspring staff members have a responsibility to raise and deal with grievances as fast as possible. The information disclosed should be treated in strict confidence as much as possible by all parties involved through every step of the process.

Where appropriate, every effort will be made to address concerns without resorting to formal procedures. Mediation using a third party may, subject to agreement, may be an alternative option for informal resolution.

While a comprehensive list of all the issues that might give rise to a grievance cannot be provided, some of the more common types are listed below:

- Health and safety issues in the workplace
- Any form of discrimination based on religion, age, disability, marital status, ethnic origin, sex, sexual orientation, race, or gender
- Workplace harassment and bullying
- Violation of the terms and conditions outlined in the employment contract by the management, supervisors, or any other colleague.
- Adverse changes in the working conditions and environment

Wellspring staff members may not raise the following as grievances:

- Requests for reasonable accommodation
- Working hours and conditions
- Salary complaints
- Promotion opportunities or benefit changes

Roles and Responsibilities

All Wellspring staff members should be aware of their own behavior and the effect it may have on other people and are committed as per the Wellspring Code of Ethical Conduct, to treat everyone with respect, dignity and professionalism.

Direct Supervisor

All direct supervisors have a responsibility to:

- Ensure a working environment where all employees are aware of the grievance procedures
- Ensure that all employees within the school are supported and assisted in resolving issues they have in terms of their employment
- Attempt to resolve all issues informally before they become formal grievances

Staff Members

All Wellspring staff members have a responsibility to:

- Seek to resolve issues informally with the concerned party(ies) before raising a formal grievance complaint
- Engage with their Direct Supervisor to genuinely seek a resolution to a grievance
- Raise a formal grievance with the HR Department within a month of the incident or event
- Clearly state the basis of their grievance using the **Formal Grievance Form (see Appendix 2)** and provide the HR Department with all related details in writing
- Cooperate in any investigation that is carried out
- Attend all grievance meetings and provide relevant details
- Maintain confidentiality throughout the process

Human Resources Department

The HR Department will have the responsibility to:

- Ensure all grievances are taken seriously and dealt with fairly, consistently, confidentially and sensitively

- Own the grievance procedure ensuring that it proceeds within the timeframes laid out in this policy
- Notify the relevant parties when an informal or formal grievance has been raised in connection to them or a decision they have made
- Ensure that the grievance procedure is followed correctly, seeking advice, when required, from the Head of School (HOS) or Legal Compliance Officer (LCO)
- Guarantee relevant parties to the grievance have access to relevant information regarding the grievance and time to respond appropriately
- Safeguard all records of investigations in the HR department in the appropriate files in line with Data Protection regulations.

Grievance Resolution Procedure

Any employee who fails to comply with procedural steps may stop the school from offering support it might otherwise be able to provide.

The first step for any grievance will be dealt with in the informal stage before the issue advances to the formal stage. Employees should take every measure to solve the problem themselves while keeping the HR Department always informed of the situation and possible outcomes.

Informal Process

In the event of a grievance, Wellspring recommends that the involved parties solve the grievance informally.

Where an employee has concerns about the behavior of an individual, they should tell them that their behavior is causing concern or offence, explain the effect that it is having on them and ask them to amend it. The employee may not be aware that their actions cause offence to others and once it is highlighted this may resolve the situation. The direct relevant supervisor(s) will evaluate the situation and assist the involved employees or parties in reaching an agreement and solving the grievance amicably.

If the matter is not resolved informally or if there are specific circumstances that make the informal stage inappropriate, the formal grievance procedure should be followed.

Mediation

All Wellspring staff members should always seek to resolve grievance issues in the workplace amongst themselves. However, where this is not possible, they should consider using an independent third party to help resolve the problem.

Participation in mediation must be by mutual agreement and in consultation with the HR Department, who will be able to provide details of potential mediation services.

Where mediation is successful and an outcome is achieved, it will be binding to both parties and will close the grievance procedure regarding the issue. The mediation process will be documented and saved in the relevant employee file.

Formal Process

Where it has not been possible to resolve a grievance informally, the Wellspring staff members can choose to raise a formal grievance. The employee must set out their concerns using the **Formal Grievance Form (see Appendix 2)**, providing as much information as possible to enable the grievance to be dealt with effectively.

The employee should document the facts of the specific complaint including any examples supporting the complaint, any steps already taken to try to reach a solution informally and how the complainant would like to see the matter resolved. Further supporting evidence may be requested from the employee where the specifics of the complaint are not clear to the person who is dealing with the grievance.

The employee Grievance Form should be submitted to the HR Department within a month of the incident or event (allowing time for the informal process), whenever the grievance concerns a colleague or the direct supervisor. Should the Head of School (HOS) wish to file a grievance, the same procedures will be followed. If the Head of School (HOS) is brought forth as a defendant, The Director of HR and Recruitment and the Wellspring Governing Board will act as the direct supervisor.

Formal Grievance Procedure

After filing a grievance formally with the HR department, the director of HR and Recruitment will adhere to the following steps:

Investigation Process and Investigation Officer

If the Director of HR and Recruitment is of the opinion that the concern falls within the remit of the grievance procedure, then an investigation should be undertaken as soon as possible led by the Director of HR and Recruitment.

The Director of HR and Recruitment within four (4) working days will contact an appropriate person within Wellspring to act as the Investigation Officer who may be Legal Compliance Officer (LCO) or any other person deemed to be appropriate. The Investigating Officer will be responsible for investigating the grievance, including the events surrounding or leading up to the submission of the grievance. This will require the Investigating Officer to meet all relevant employees, including anyone that may have witnessed or have key information on the issue.

The Investigating Officer should prepare a Report of Formal Grievance detailing the results of their investigation. The investigation report will be used by the Director of HR and Recruitment to determine the full facts and will facilitate a decision on the grievance outcome.

It is important for the investigation to be concluded as soon as reasonably feasible. The Investigating Officer should endeavor to investigate the grievance and provide the outcome to the employee who raised the grievance within 30 school days after an Investigating Officer has been appointed. All parties should be aware that an extension to this timescale may need to be agreed, depending on the complexity of the case.

Meetings and Timeframes

The Investigating Officer will arrange a meeting with the complainant to discuss the issues in more detail within 10 school days of the Formal Grievance Form being received or where an Investigating Officer is appointed, within 10 school days of that appointment.

Following this, the Investigation Officer will invite the employee who is the subject of grievance to a meeting to discuss the issue(s) in more detail as part of the investigation process. During the meeting, the Investigating Officer will explain the allegation(s) that have been made against the employee and will provide them with an opportunity to put forward their understanding of the situation.

In some circumstances, the Investigating Officer will be required to interview witnesses.

At the end of the meeting, the Investigating Officer should give both parties an indication of when they might reasonably expect a response to the grievance. If the Investigating Officer feels that a response cannot be provided within 30 school days, bearing in mind any additional investigations they feel may be necessary, an extension to the timeframes should be agreed to at this time.

Detailed meeting minutes should be taken during all investigation meetings and signed by all parties present. It is often useful to ask an independent person to accompany the Investigating Officer to take notes and act as a witness to discussions. A copy of all notes may be kept with each party upon request.

Final Report of Formal Grievance

Once the Investigating Officer feels they have all the necessary facts and evidence to enable them to make a decision, they will compile a Report of Formal Grievance summarizing their findings and recommendations. This report must be sent to the Director of HR and Recruitment for review.

This report will be used by the Director of HR and Recruitment and the Senior Leadership to determine whether or not the grievance should be upheld. If the grievance is upheld, the Director of HR and Recruitment, the Senior Leader and the LCO will also be responsible for determining what actions, if any, need to be taken.

Outcome

The outcome of the formal grievance will be confirmed in writing to the Wellspring complainant. The letter shall explain the right of appeal should he/she not be satisfied with the outcome.

The Director of HR and Recruitment responsible for the grievance, with the help of the direct supervisor, shall monitor the progress of the outcome of the grievance.

Possible outcomes of a grievance investigation:

Decision not upheld

Where the investigation has not found sufficient evidence to support any of the allegations made, the grievance will not be upheld and all parties are informed that no further action will be taken.

Decision upheld

If the investigation proves that the grievance presented is valid, Wellspring will take several actions on the employee against whom the complaint is made. These include but are not limited to:

- Asking the reported person/persons or third parties to offer an apology to the employee who raised the grievance where appropriate
- Issue a formal written warning

- Other actions as deemed appropriate

If the grievance is severe, such as repeated cases of discrimination, sexual harassment, or acts of violence that result in extreme harm or vandalism of the school's assets, Wellspring may take the following measures on the involved employee:

- Issue a formal warning
- Demote
- Ask the involved parties to pay for the damages caused
- Take disciplinary action, including suspension or termination of employment
- Inform legal authorities where relevant
- Take other actions as deemed appropriate

Appeal

If the Wellspring Staff member is dissatisfied with the decision of the grievance, he has 10 school days from receipt of this decision to submit an appeal. The employee must ensure that the **Grievance Appeal Form (see Appendix 3)** is completed in full and that it clearly demonstrates why they believe that the outcome of the grievance was not correct or that the recommended resolutions as a result of the outcome are not appropriate. The employee should send the form to the Head of School (HOS) and to the Chairperson of the Board, who will then act as the School's Appeal Committee.

The Appeals Committee of the school constitutes the final forum for consideration of grievance issues.

Further Information

Confidentiality

Written records will be kept throughout both the informal and formal stages of the procedure in line with employment legislation and data protection legislation.

All records should be treated as confidential and kept in the relevant employee's HR File.

Equality and Diversity

The school is committed to promoting equality of opportunity, valuing diversity and ensuring that discrimination, harassment or victimization is not practiced.

Wellspring's policy is to treat people fairly, with respect and dignity. Wellspring complies with legal requirements in relation to age, disability, gender, pregnancy and maternity, marriage and civil partnership, gender reassignment, race, religion or belief and sexual orientation.

Conflict of Interest

Any perceived conflicts of interest must be raised with the HR department at the earliest opportunity.

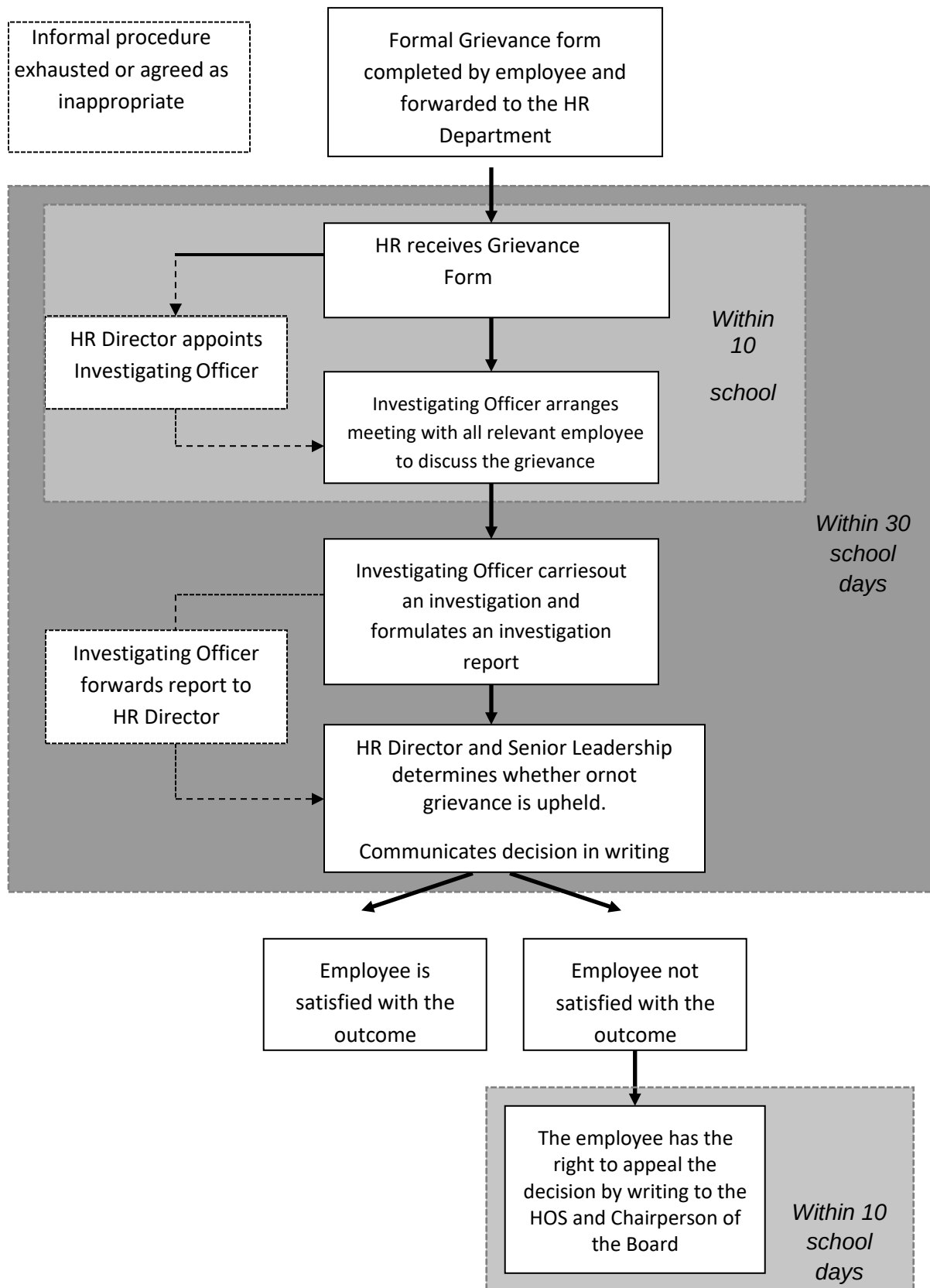
Compliance and Related Policies

The provisions of this Grievance Policy are effective throughout the working period in the school. This Policy and Procedure complies with all Lebanese Laws and international statutes, and is used in conjunction with other School policies, including:

- Wellspring Guiding Statements
- Wellspring Code of Ethical Conduct
- Data Protection Policy
- Inclusion Policy
- Wellbeing Policy
- Wellspring Staff Handbook
- Teacher Performance Review Policy
- Wellspring Child Protection Policy

Wellspring may change the provisions of this Grievance Policy and Procedure throughout the year without notice.

Appendix 1 – Formal Grievance Process



Appendix 2 – Formal Grievance Form



Formal Grievance Form

Complainant's job title:

Complainant's department:

Date:

Does your grievance relate to your line manager? Yes/No

Summary of complaint:

Please set out the details of your complaint (providing as much detail as possible, particularly dates, times, locations and the identities of those involved). You may attach additional sheets if required.

Please provide the names and contact details of any people involved in your complaint, including witnesses.

Outcome requested:

Please set out what outcome you would like to see your complaint dealt with, and why and how you believe that this will resolve the issue(s) as described above.

Declaration:

I confirm that the above statements are true and accurate to the best of my knowledge, information and belief.

Signature:

Date:

Appendix 3 - Grievance Appeal Form



Grievance Appeal Form

Appellant's job title:

Appellant's department:

Date Appeal Submitted:

Reasons for dissatisfaction with Grievance:

Please set out the grounds of appeal. You may attach additional sheets if required.

Appeal Outcome requested:

Please set out what outcome of the appeal you would like to see your complaint dealt with, and why and how you believe that this will resolve the issue(s) as described above.

Declaration:

I confirm that the above statements are true and accurate to the best of my knowledge, information and belief.

Signature:

Date: