



West Hill School

Aiming High Since 1927

Staff Code of Conduct, Disciplinary Procedures and Grievance Policy

Item	Author/Owner	Date Written	Approved by	Date Approved
1	C. Cronin	November 23	Board of Trustees	November 23



Key Changes

Combination of three separate policies to amalgamate for commonality and overlapped procedures and practice. Previous standalone policies were:

Staff Code of Conduct

Staff Disciplinary Procedures

Staff Grievance



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Staff Code of Conduct: Aims and Principles

This policy aims to set and maintain standards of conduct that we expect all staff to follow.

By creating this policy, we aim to ensure our school is an environment where everyone is safe, happy and treated with respect. Many of the principles in this code of conduct are based on the [Teachers' Standards](#). We expect that all teachers will act in accordance with the personal and professional behaviours set out in the Teachers' Standards.

School staff have an influential position in the school and will act as role models for pupils by consistently demonstrating high standards of behaviour.

We expect all staff, governors and volunteers to act with personal and professional integrity, respecting the safety and wellbeing of others. Our expectation of boys is that they display characteristics of respect, responsibility and readiness, we expect all adults at West Hill to display and model these characteristics too.

Failure to follow the code of conduct may result in disciplinary action being taken, as set out in our staff disciplinary procedures on pages 8-9.

Please note that this code of conduct is not exhaustive. If situations arise that are not covered by this code, staff will use their professional judgement and act in the best interests of the school and its pupils.

From page 3 of 'Guidance for safe working practices' it states that "All adults who work with, and on behalf of children, are accountable for the way in which they exercise authority; manage risk; use resources; and safeguard children and young people.

This means that adults should:

- understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
- always act, and be seen to act, in the child's best interests
- avoid any conduct which would lead any reasonable person to question their motivation and intentions
- take responsibility for their own actions and behaviour.

This means that staff should not:

- behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as an appropriate role model
- make, or encourage others to make sexual remarks to, or about, a pupil
- use inappropriate language to or in the presence of pupils
- discuss their personal or sexual relationships with or in the presence of pupils
- make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such."

These are principles that all staff and visitors should adhere to at all times.



Staff Code of Conduct: Legislation and Guidance

All staff should have read part 1 of 'Keeping Children Safe in Education' annually. West Hill School also has a Child Protection and Safeguarding Policy which includes the responsibilities we all have in ensuring pupils in our care are kept safe. Staff have a duty to safeguard pupils from harm, and to report any concerns they have. This includes physical, emotional and sexual abuse, and neglect. Staff will familiarise themselves with our Child Protection and Safeguarding Policy and procedures, and the Prevent initiative, and ensure they are aware of the processes to follow if they have concerns about a child.

In line with the statutory safeguarding guidance [Keeping Children Safe in Education](#), we should have a staff Code of Conduct, which should cover low-level concerns, allegations against staff and whistleblowing (see our Whistleblowing Policy), as well as acceptable use of technologies (including the use of mobile devices), staff/pupil relationships and communications, including the use of social media.

Adults working with young people are expected to demonstrate consistently high standards of personal and professional conduct. The following statements summarise the behaviour and attitudes which set the required standard for conduct to uphold public trust and maintain high standards of ethics and behaviour, within and outside school, by:

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries
- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- showing tolerance of and respect for the rights of others
- not undermining fundamental British values, including democracy, the rule of law
- advocating mutual respect, and tolerance of those with different faiths and beliefs
- ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.

All staff and volunteers must have proper and professional regard for the ethos, policies and practices of the school in which they teach or work, and maintain high standards in their own attendance and punctuality. In addition, teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.



Staff Code of Conduct: Responsibilities

Low-level Concerns

A low-level concern is a behaviour towards a child by a member of staff that does not meet the harm threshold, is inconsistent with the staff code of conduct, and may be as simple as causing a sense of unease or a 'nagging doubt'. For example, this may include:

- Being over-friendly with children
- Having favourites
- Taking photographs of children on a personal device
- Engaging in 1-to-1 activities where they can't easily be seen
- Humiliating pupils

Low-level concerns can include inappropriate conduct inside and outside of work.

All staff should share any low-level concerns they have using the reporting procedures set out in our Child Protection and Safeguarding Policy. We also encourage staff to self-refer if they find themselves in a situation that could be misinterpreted. If staff are not sure whether behaviour would be deemed a low-level concern, we encourage staff to report it.

Unprofessional behaviour will be addressed, and the staff member supported to correct it, at an early stage. This creates and embeds a culture of openness, trust and transparency in which our values and expected behaviour are constantly lived, monitored and reinforced by all staff, while minimising the risk of abuse.

Our procedures for dealing with allegations will be applied with common sense and judgement. All reports will be handled in a responsive, sensitive and proportionate way.

Reporting and responding to low-level concerns is covered in more detail in our Child Protection and Safeguarding Policy.

Staff-Pupil Relationships

Staff will observe proper boundaries with pupils that are appropriate to their professional position. They will act in a fair and transparent way that would not lead anyone to reasonably assume they are not doing so.

If staff members and pupils must spend time on a one-to-one basis, staff will ensure that:

- This takes place in a public place that others can access
- Others can see into the room
- A colleague or line manager knows this is taking place

Staff should avoid contact with pupils outside of school hours, if possible.

Personal contact details should not be exchanged between staff and pupils. This includes social media profiles.

While we are aware many pupils and their parents may wish to give gifts to staff, for example, at the end of the school year, gifts from staff to pupils are not acceptable.

If a staff member is concerned at any point that an interaction between themselves and a pupil may be misinterpreted, or if a staff member is concerned at any point about a fellow staff member and a pupil, this should be reported in line with the procedures set out in our **Child Protection and Safeguarding Policy**.



Communication and Social Media

School staff's social media profiles should not be available to pupils. If they have a personal profile on social media sites, they should set public profiles to private, consider not using their full name, as pupils may be able to find them, instead staff could consider using a first and middle name instead.

Staff should not attempt to contact pupils or their parents via social media, or any other means outside school, in order to develop any sort of relationship. They will not make any efforts to find pupils' or parents' social media profiles.

Staff will ensure that they do not post any images online that identify children who are pupils at the school without their consent.

Staff should be aware of the school's **E-Safety Policy**.

Acceptable Use of Technology

Staff will not use technology in school, or belonging to the school, to view material that is illegal, inappropriate or likely to be deemed offensive. This includes, but is not limited to, sending obscene emails, gambling and viewing pornography or other inappropriate content.

Staff will not use personal mobile phones and laptops, or school equipment for personal use, in directed school hours or in front of pupils. They will also not use personal mobile phones or cameras to take pictures of pupils.

We have the right to monitor emails and internet use on the school IT system.

Dress Code

Staff will dress in a professional, appropriate manner as per the Staff Dress Code within staff planners.

Confidentiality

In the course of their role, members of staff are often privy to sensitive and confidential information about the school, staff, pupils and their parents/carers.

This information should never be:

- Disclosed to anyone unless required by law or with consent from the relevant party or parties
- Used to humiliate, embarrass or blackmail others
- Used for a purpose other than what it was collected and intended for.

This does not overrule staff's duty to report child protection concerns to the appropriate channel where staff believe a child has been harmed or is at risk of harm, as detailed further in our **Child Protection and Safeguarding Policy**.

Conduct Outside of Work

Staff will not act in a way that would bring the school, or the teaching profession, into disrepute. This covers conduct including but not limited to relevant criminal offences, such as violence or sexual misconduct, as well as negative comments about the school on social media.



Whistleblowing

Whistleblowing reports wrongdoing that it is “in the public interest” to report. Examples linked to safeguarding include:

- Pupils’ or staff members’ health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Attempts to cover up the above, or any other wrongdoing in the public interest

Staff are encouraged to report suspected wrongdoing as soon as possible. Their concerns will be taken seriously and investigated, and their confidentiality will be respected.

Staff should follow whistleblowing procedures and advisories as set out in West Hill’s **Whistleblowing Policy**.

Disciplinary Procedures

If the advice in ‘Guidance for Safe Working Practice for adults who work with children and young people’, requirements in our Staff Code and Conduct or conduct suggests that part 2 of the Teacher Standards (for teaching staff) are not being met then the school disciplinary procedure may be initiated as detailed on pages 8-11 within this policy.



Staff Disciplinary Procedures: Aims, Definitions and Steps

Aims

The aim of outlining West Hill's staff disciplinary procedures is to ensure that all employees:

- achieve and maintain satisfactory standards of conduct
- know procedures for when an employee's conduct falls below the expected standard are clear
- receive the same consistent and equitable processes if a disciplinary issue is dealt with.

We are required to set out our disciplinary procedures under general employment law. These disciplinary procedures are based on the ACAS disciplinary and grievance code of practice.

Definitions

A disciplinary issue will arise when a staff member has not behaved to the standard expected of them as outlined within our Staff Code of Conduct on pages 3-8 of this policy. Additionally, Appendix A sets out a non-exhaustive list of examples of what we define as **misconduct and gross misconduct**. For the purpose of this policy, misconduct does not cover staff capability or poor performance issues. These are addressed in our Capability of Staff Policy.

Steps

Informal

Minor disciplinary issues will be dealt with informally at first, and will be escalated only where:

- There has been no resolution
- The issue is more serious
- There are repeated or multiple instances of misconduct
- There is suspected gross misconduct.

When dealing with an issue informally, the employee's line manager will organise a brief meeting with the employee and set out the concerns. They will remind the employee of the expected standard of behaviour and consider what support is needed to help them improve. Notes will be taken and retained.

Formal

If the issue cannot be dealt with informally, formal procedures will begin. The employee will be notified of this in a face-to-face meeting with a Deputy Headteacher, to be held in person or over video conferencing, if necessary. This will be followed up in writing.

Suspension

In some circumstances it will be appropriate to suspend a member of staff temporarily, for example, where there is suspected gross misconduct. This in itself does not amount to guilt or constitute disciplinary action.

Where this is necessary:



- The Headteacher must authorise the suspension. If it is the Headteacher who is the subject of the disciplinary procedure, the Trustees must authorise the suspension
- The staff member will be informed of the suspension in a face-to-face meeting, held in person or over video conferencing, if necessary, followed by a notification in writing within 3 working days
- The employee will be permitted to be accompanied to the meeting by either a colleague or trade union representative
- The staff member will be suspended on full pay.

Investigations

An independent Investigating Officer will be appointed.

Before a disciplinary hearing takes place, the Investigating Officer will gather the facts of the case and evidence. The Investigating Officer will, if necessary, hold investigatory meetings (in person or over video conferencing).

The employee will be informed of the outcome of the investigation in writing.

If the Investigating Officer determines that the matter should move forward to a formal disciplinary hearing a Disciplinary Officer will be appointed. This will be a person independent from the Investigating Officer.

Notifications

If it is decided that there is a disciplinary case to answer, the employee will receive a written notification 5 working days before the hearing. The meeting could be sooner if it is agreed by both parties. The notification will include:

- Details of the alleged misconduct and its possible consequences
- Copies of any written evidence, including witness statements
- The time, date and location of the disciplinary meeting (including the details if the meeting is to be held over video conferencing, if relevant)
- A statement that the employee has the right to be accompanied by a colleague or a trade union representative
- Notification that the employer intends to call witnesses (if relevant)

If the employee intends to call a witness, they should notify the employer.

The Headteacher will conduct the hearing. The Chair of Trustees if the hearing is regarding the Headteacher.

Disciplinary Hearing: Process

Before the hearing, the employee will receive a copy of all evidence that will be relied upon during the procedure.

At the hearing, the Headteacher/Chair of Trustees will explain the case against the employee and go through the evidence that has been gathered. The person may choose to have the Investigating Officer present the management's case.

The employee will be allowed to set out their case and answer any allegations that have been made. The employee will also be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses. They will also be given an opportunity to raise points about any information provided by witnesses.



Employees have a statutory right to be accompanied at a meeting that may result in a formal warning being issued, disciplinary action being taken, or the confirmation of either of these.

The employee has the right to be accompanied by a colleague or a trade union representative. Employees must make the request in advance of the meeting, to allow the school to prepare and to ensure the employer knows who the companion will be.

If an employee's chosen companion will not be available to meet at the proposed time, the hearing will be postponed to a time proposed by the employee, as long as the alternative time is reasonable and not more than 5 working days after the original date.

The companion can address the hearing to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the hearing and confer with the employee during the hearing. The companion does not, however, have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

Disciplinary Hearing: Outcomes

The hearing will be adjourned and a decision about whether further disciplinary action is necessary will be taken. The employee will be informed of the decision in writing within 3 working days.

Actions taken may be:

- **A verbal or informal warning** where it is decided that the action was not serious enough to warrant a formal written warning. This may be accompanied by a notification that arrangements will be put in place to improve the staff member's behaviour, such as a training course or occupational health support.
- **A first written warning** for a first instance of misconduct. A further instance may result in a final written warning. A first written warning will remain on the employee's personnel file for 18 months. The written warning will explain that a further instance of misconduct or no change in behaviour within a given timeframe will result in a final warning.
- **A final written warning** where the employee has already received a first warning, or where the employee's misconduct was sufficiently serious. A further instance may result in demotion or dismissal.
- **Dismissal** where there has been gross misconduct or a final written warning has already been given.

We will refer a case of teacher gross misconduct to the National College for Teaching and Leadership (National College) if we believe the case is so severe that the National College should consider whether the teacher should be prevented from teaching. We will also refer cases to other relevant authorities where appropriate. The power to dismiss staff in this school rests with the Headteacher and Chair of Trustees.



Disciplinary Hearing: Appeals

The employee has the right to appeal any sanction. Appeals must be made in writing within 5 working days of the decision, setting out at the same time the grounds for appeal.

A disciplinary Appeals Officer/Panel will be appointed.

Appeals will be heard without unreasonable delay and at an agreed time and place (in person, or over video conferencing if relevant). Employees' statutory right to be accompanied by a companion will apply as with formal disciplinary hearings. Notes will be taken and a copy sent to the employee.

The appeal will be dealt with impartially and by Senior Leaders or Trustees who have not previously been involved in the case.

The employee will be informed in writing of the results of the appeal hearing within 3 working days.

Disciplinary Hearing: Special Cases

If the employee involved in a disciplinary procedure is also the trade union representative, we will notify the union and discuss the matter with an official employed by the union before action is taken, after obtaining the employee's agreement. The procedure will continue as normal.

If the employee who is subject to disciplinary procedures raises a grievance about the disciplinary allegations or the procedure itself, the grievance procedure will run concurrently as outlined on pages 12-14 within this policy. If the employee who is subject to disciplinary procedures raises a grievance about something unrelated to the disciplinary, consideration will be given to pausing the disciplinary while the grievance is addressed.

Disciplinary Hearing: Record-keeping

Minutes will be kept of all interviews and meetings. Where possible, these will be confirmed as an accurate reflection of what was discussed during the meeting. Records of all materials relating to the disciplinary process will be kept securely, only for as long as necessary and in-line with data protection law and our privacy notices.

If disciplinary action is taken, a record of this will be added to the employee's personnel file.

We will disclose any proven disciplinary offences by a staff member if a reference is requested by a future employer.



Staff Grievance Procedures: Aims, Definitions and Roles

Aims

In-outlining the grievance procedures, our aim is to enable employees to raise concerns about workplace issues without fear of victimisation and repercussion, and to ensure all grievances are dealt with fairly, fully and objectively. We are required to set out grievance procedures under general employment law.

Definitions

A **grievance** is a concern, problem or complaint raised with the school by an employee. It can be caused by issues such as working conditions, health and safety concerns, bullying, discrimination or working relationships.

This policy **does not** apply to:

- Issues raised by people who are not an employee of the school, for example volunteers or parents/carers, as this would instead fall under our Complaints Policy
- Redundancy dismissals
- Non-renewal of fixed-term contracts

Roles

Being internal matters, grievances may involve a number of people in the school. There is an emphasis on dealing informally with grievances, and so it is not practicable to prescribe specific roles. However, the following guidelines may be useful.

The Line Manager

Provided they are not the subject of the grievance, the line manager will be the first point of contact for the employee raising a grievance. If the grievance is about the employee's line manager, the employee will raise the grievance with their line manager's manager.

Senior Leadership Team

Provided they are not the subject of the grievance, SLT will consider the grievance at the formal stage.

Chair of Trustees

Where the Headteacher is the subject of the grievance, the Chair of Trustees will be responsible for appointing an appropriate Trustee who has not been directly involved in the grievance, to oversee the procedure at the formal stage.

Investigating Officer

At the formal stage, the Headteacher (or appointed Trustee, if the Headteacher is the subject of the grievance) will appoint an Investigating Officer to collect and present the facts of the grievance in an investigation report. The Investigating Officer will be someone who has not been directly involved in the grievance.

Grievance Panel

The Headteacher (or appointed Trustee, if the Headteacher is the subject of the grievance) will appoint a Grievance Panel consisting of 3 people with no prior knowledge of the grievance. These people will be separate from the Investigating Officer and will be chaired by an independent individual.

Other members of staff or trade union staff

A work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings may accompany the employee raising the grievance at a formal grievance meeting.



Staff Grievance Procedures: Stages

We are committed to dealing with grievances fairly and objectively. Employees will be protected from discrimination or victimisation after raising a work-related grievance.

Informal stage

In the first instance, an employee will aim to resolve their grievance informally with their line manager through a scheduled discussion. If the employee's concerns relate to their line manager, they should discuss the issue with the line manager's manager. The line manager may need to seek guidance and clarity from their SLT line manager.

It may be necessary for the employee who has raised a grievance to attend a meeting to discuss the concerns in more detail. However, this will be determined on a case-by-case basis.

It's anticipated that a number of grievances will be resolved at this informal stage with no need to progress matters further. However, if the matter has not been resolved at the informal stage, it may then proceed to the formal stage of the procedure.

Formal stage

If it is not possible to resolve the matter informally, employees should set out their grievance in writing to their line manager, in accordance with the staff grievance notification form in Appendix 2. If the subject of the grievance is their line manager, the employee should submit the written grievance to the Headteacher.

Upon receipt of a grievance, the Headteacher (or appointed Trustee if the Headteacher is the subject of the grievance) will appoint an Investigating Officer. This will be an independent individual with no prior knowledge of the grievance.

The Headteacher (or appointed Trustee if the Headteacher is the subject of the grievance) will also appoint a Grievance Panel. This group of people will be separate from the Investigating Officer and will be chaired by an independent individual, with no prior knowledge of the grievance. This panel will usually consist of: the Headteacher, a nominated trustee and an SLT link to the area of school/specialism.

The Investigating Officer will undertake a grievance investigation and will make a recommendation. The Investigating Officer, supported by HR colleagues, will also arrange a formal meeting (to be held in person, or over video conferencing, if appropriate) within 10 days after the grievance has been raised. At the meeting, the employee will be given the opportunity to explain their grievance and how they think it should be resolved, to the grievance panel.

Employees have a statutory right to be accompanied by a companion at a grievance meeting. The companion must be a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The employee must let the Investigating Officer know that they request to be accompanied. If the chosen companion will not be available on the initial date and time proposed for the formal meeting, the Investigating Officer must move the meeting to an alternative time proposed by the employee, provided that the alternative time is both reasonable and no more than 5 working days after the date originally proposed.

The companion may address the hearing to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the hearing. The companion may not answer questions on the employee's



behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

Appropriate Action

The meeting will be adjourned and the Grievance Panel will reflect on it before coming to a decision.

The chair of the panel will communicate the decision to the employee in writing within 3 days. The decision will set out the action that will be taken to resolve the grievance. It will also inform the employee that they can appeal if they are not satisfied with the outcome, and explain how to do this.

Appeal

If the employee is not satisfied with the outcome of the grievance, they have the right to appeal the decision.

The employee should set out their grounds of appeal in writing within 5 working days and submit this to the Headteacher.

An appeal is not designed to re-hear the matter but to examine the grounds of appeal. The employee should therefore be specific about the grounds of the appeal.

However, a full re-hearing may be appropriate in exceptional circumstances.

The Headteacher (or appointed Trustee if the Headteacher is the subject of the grievance) will appoint a Grievance Appeal Panel consisting of 3 people. This will be a group of people independent from any previous stage of the grievance procedure, and the panel will be chaired by an independent individual.

Appeals will be heard without unreasonable delay and in any event within 10 working days of the date of the appeal notice. The Headteacher (or appointed Trustee if the Headteacher is the subject of the grievance) will tell the employees the time and place of the appeal meeting in advance (to be held in person, or over video conferencing, if appropriate).

Employees have the same statutory right to be accompanied to the appeal meeting by a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The outcome of the appeal will be confirmed in writing by the chair of the appeal panel to the employee within 3 working days of the appeal. The decision of the appeal panel will be final.

Overlapping Procedures

If an employee raises a grievance after disciplinary proceedings have already started against them, the disciplinary proceedings may be temporarily suspended in order to consider the implications of the grievance on the disciplinary process.

If the grievance and disciplinary proceedings address related matters, it may be possible to deal with the issues simultaneously as part of disciplinary proceedings.

Grievance Procedure: Record-keeping

Minutes will be kept of all interviews and meetings. Where possible, these will be confirmed as an accurate reflection of what was discussed during the meeting. Records of all materials relating to the disciplinary process will be kept securely, only for as long as necessary and in-line with data protection law and our privacy notices.



Appendix 1

Instances and behaviours classed as misconduct

The following lists are not exhaustive.

Instances of misconduct include:

- Unauthorised absence or persistent lateness from work
- Using bad language in front of pupils
- Failure to follow the policies, practices and requirements of the school
- Unsatisfactory standards of work (not related to capability)
- Inappropriate use of school facilities
- Failure to comply with reasonable instructions from senior staff

Instances of gross misconduct include:

- Physical violence or assault
- Discrimination, harassment, victimisation and/or bullying of pupils, colleagues or visitors
- Theft
- Sexual offences or misconduct
- Inappropriate relationships with pupils or any other actions that would be classed as a serious safeguarding issue
- Serious breaches of confidentiality
- Deliberately acting in a way that will cause damage to the school's reputation
- Deliberately damaging school property

[Teacher misconduct guidance](#) from the National College explains that, among other things, the following offences will be serious enough to warrant prohibition of teaching:

- Serious departure from the personal and professional conduct elements of the Teachers' Standards
- Misconduct seriously affecting the education and/or wellbeing of pupils, and particularly where there is a continuing risk
- Actions or behaviours that undermine fundamental British values
- Abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils
- Sustained or serious bullying, or other deliberate behaviour that undermines pupils, the profession, the school or colleagues.



Appendix 2

Staff grievance notification form

Name:	School:
Job title:	Department:
Describe the nature of your grievance, including: <ul style="list-style-type: none">• A full description of your grievance• Relevant evidence, such as facts, dates and names of individuals involved	
Please state the following:	
The date on which you first raised your grievance, and with whom	
The action taken in respect of your grievance at the informal stage	
The outcomes you are seeking and the actions you would like taken to resolve the situation	
Whether you would like to explore a resolution through mediation	
Whether you would like accompaniment at a grievance meeting by a work colleague, trade union official, or trade union representative - and if so, their name and position	
Signed:	Dated: