



Grievance Policy

Approved by: Board of Trustees

Last reviewed on: November 2024

Next review due by: As Required

Policy Outline

Reviewing the Policy

Inspire Multi Academy Trust will keep the operation of this policy under review and will make such changes to the policy as deemed appropriate following consultation with the trade unions, where appropriate.

Summary of Changes

The 2023 Grievance policy has been reviewed and there were no significant changes made.

Equality Impact Assessment

As with all policies that affect service users, the wider community or employees, Academy Trusts should undertake an analysis of the potential equality impacts and record that assessment.

Contacts for help and assistance

Please contact the Inspire Multi Academy Trust Central Team for help and assistance in applying the content of this policy.

Contents

1	<u>Introduction</u>
2	<u>Data Protection</u>
3	<u>Employee Health & Wellbeing</u>
3	<u>Definition</u>
4	<u>Alternative Policies/Procedures</u>
5	<u>Grievance and other Formal Procedures</u>
6	<u>General Principles for Managing Grievances</u>
7	<u>Informal Stage</u>
8	<u>Mediation</u>
9	<u>Support</u>
10	<u>Formal Grievance Procedure</u>
11	<u>Stage 2 - Appeal</u>
12	<u>Raising a Grievance against a Headteacher</u>
13	<u>Raising a Grievance against a member of the Governing Board</u>
14	<u>Collective Grievances</u>
15	<u>Keeping and disclosing records</u>
16	<u>Post-employment grievances</u>

Appendices & Forms

Appendix 1: Grievance Statement – Stage 1

Appendix 2: Collective Grievance Statement – Stage 1

Appendix 3: Appeals Procedure

1 Introduction

- 1.1 We promote a positive working environment and encourage open communication. However, it is recognised that from time to time, employees will have concerns, problems or complaints about an aspect of their employment.
- 1.2 This procedure is designed to support employees who feel that they have an issue which they need help to resolve. It provides an opportunity for employees to resolve their grievances in a timely, fair and consistent manner, to help to maintain effective working relationships.
- 1.3 When raising a grievance, employees must follow the procedure detailed below. Employees are very much encouraged to resolve their grievance informally with line management or through a process of mediation. However, in circumstances where this is not possible, or the informal route has failed, employees should follow the formal grievance procedure.
- 1.4 Raising a complaint or being subject to a complaint can be an upsetting experience. Everyone involved can expect to be treated fairly and with respect and anyone can seek support whilst going through the process. Individuals are encouraged to contact the line manager to discuss what support is available to them.
- 1.5 Line management arrangements are as follows:
 - School based employees are line managed by the academy Headteachers.
 - Headteachers and Lead Headteachers are line managed by the Chief Executive Headteacher.
 - Central team employees are line managed by the Executive Bursar or Chief Executive Headteacher.
 - The Chief Executive Headteacher is line managed by the Chair of Trustees.
- 1.6 All employees have the right to bring a grievance, and it is a fundamental principle of this policy that no employee shall be treated any less favourably or suffer any detriment in their employment as a result of raising a grievance under this procedure. Following an investigation, where there is evidence that a grievance is raised maliciously, (i.e. where an employee raised a grievance on grounds which they knew to have been false with the intention of harming another person), this will be considered in line with the school's disciplinary procedure and formal action may be taken against the employee who raised the grievance.

Consistency of Treatment and Fairness

- 1.7 The Board of Trustees is committed to ensuring consistency of treatment and fairness. It will abide by all relevant equality legislation, including where the duty to make reasonable adjustments applies. The Board of Trustees is aware of the guidance on the Equality Act issued by the Department for Education.

2 Data Protection

- 2.1 The Trust processes personal data collected during informal complaints and the formal grievance procedure in accordance with its data protection policy. In particular, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure. Inappropriate

access or disclosure of employee data constitutes a data breach and should be reported in accordance with the school's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Trust's disciplinary procedure.

3 Employee Health & Wellbeing

- 3.1 Throughout this policy it sets out the measures which the Trust will take to support all employees in maintaining their health and wellbeing at work whilst handling grievance matters. We are committed to creating an environment that promotes good mental health and where staff can thrive and feel supported. However, we recognise that whilst going through a grievance process it can be a difficult time for all staff involved.
- 3.2 Ultimately it is the Board of Trustees who are responsible for ensuring, so far as reasonably practicable, that the health and wellbeing of the affected employees is considered at all times and that the relevant officer(s) appointed to deal with a grievance are continuing to support our wellbeing strategy.
- 3.3 The Board of Trustees are also responsible for ensuring that the health and wellbeing of those officers handling grievance matters feel supported throughout the process.

4 Definition

- 4.1 A grievance is a concern, problem or complaint raised by an employee that relates to some aspect of their work, such as the terms and conditions, working environment, duties or work relations. Complaints of bullying and harassment, including sexual harassment should be raised under this procedure.

5 Alternative Policies/Procedures

- 5.1 There are a number of associated policies and procedures which the Trust may feel are more appropriate depending on the issue raised. The Trust may determine in respect of any issue raised that it will be considered under an alternative procedure, where it considers it appropriate to do so. Employees can request a copy of any alternative policies from their line manager, school office or Trust Central Team.

6 Grievance and other Formal Procedures

- 6.1 Where an employee raises a grievance during another formal procedure, for example during a disciplinary procedure, consideration should be given as to whether it is appropriate to continue with that formal procedure or whether the procedure should be halted until the grievance procedure is completed. Consideration should also be given to who is most appropriate to consider the grievance. However, where the issues are related it may be appropriate to consider both matters concurrently.

7 General Principles for Managing Grievances

- 7.1 In most cases grievances should be resolved informally in the first instance, providing the nature and seriousness of the grievance permits this. Grievances will be dealt with professionally and promptly without unreasonable delay. Employees should be kept informed of intended timescales.
- 7.2 Grievances should be taken seriously, and managers should actively look for a solution that will satisfy the employee (without causing disproportionate operational difficulties or adverse impact on colleagues). Everyone involved in the grievance should ensure that discussions are open and constructive.
- 7.3 A trade union representative or an appropriate work colleague may accompany the employee raising the grievance at all formal stages of this procedure and may assist the employee in completing a written statement where necessary. Where an employee has a mental impairment, consideration will be given to reasonable adjustments in respect of the appropriate person to accompany them in the formal meetings.
- 7.4 All meetings will be held in private. If either the employee or the person accompanying them has any special requirements, they should inform the chair of the meeting in advance and, where appropriate, reasonable adjustments will be made.
- 7.5 Employees should ensure that their grievance centres on the key issue that they are concerned about. Focusing on incidents that took place long before the matters in hand may not be helpful and could hinder the effective handling of the grievance.
- 7.6 Where further investigation is warranted, complaints that amount to an allegation of misconduct on the part of another employee should be investigated and dealt with under the school's disciplinary procedure. Where a matter is formally investigated under the disciplinary procedure, the employee that raised the grievance will, at the appropriate time, be provided a conclusion to their grievance. Where appropriate, the school will assure the employee that it will deal with the matter appropriately however, it may be unable to provide any further information.
- 7.7 Where a specific grievance has been dealt with under the formal procedure the same grievance cannot be raised again at a later date. This provision applies even where an employee feels the grievance has not been resolved to their satisfaction, following appeal.
- 7.8 Issues that have been the subject of collective negotiation or consultation with trade union representatives will not be considered under the grievance procedure.
- 7.9 This procedure cannot be used to raise a complaint that an employee may have where separate formal procedures are being followed; any complaints should be dealt with as an appeal under those procedures. For example, against the issue of a disciplinary warning or capability sanction, dismissals, redundancy, restructuring, redeployment, appraisal, pay progression, grading or requests for flexible working. Where those procedures have been exhausted, there is no recourse to consider the matter under the grievance procedure.

8 Informal Stage

- 8.1 Concerns, problems and complaints are often easily resolved informally enabling effective working relationships to be maintained.
- 8.2 Where an employee has concerns about the behaviour of a colleague, they should aim to resolve their grievance informally by speaking to the person concerned, clearly explaining what the concern or problem is and the effect it is having on them. Many people may not be aware that their actions cause offence to others and once it is highlighted this may resolve the situation.
- 8.3 If an employee feels unable to discuss the matter with the person involved, they should raise the matter promptly and informally with their line manager. Managers should still attempt to deal with the issues informally and may wish to speak to the person concerned on the employee's behalf. A quiet word is often all that is required, and many problems can be raised and settled at an early stage during the course of everyday working relationships. If the line manager is unavailable (i.e. due to holiday, sickness etc), or is not the most appropriate person to discuss the matter with, or is the subject of the grievance, an employee should contact the next most appropriate line manager in the school or wider Academy Trust as outlined in paragraph 1.5.
- 8.4 A Trade Union representative or a work colleague may also be able to support the employee in exploring an informal approach to resolving the issue.
- 8.5 Line managers should ensure that issues raised informally are given the same level of due care and attention as issues raised formally. Escalation to the formal process should be a last resort.

9 Mediation

- 9.1 Mediation should always be considered before invoking the formal procedure.
- 9.2 Mediation involves an independent, impartial person working with both sides to find a solution. It has been proven to effectively resolve issues especially if utilised before conflict escalates and views become entrenched.
- 9.3 Mediation is a voluntary, confidential way of helping two or more individuals or groups reach a solution that's acceptable to everyone. The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past. Mediation can be used at any stage but is most effective before situations become formal.
- 9.4 The mediator can be someone internal or external to Trust, and it is ultimately for the Trust to decide if mediation is appropriate given the circumstance of the case and will only be entered into with all/both parties agreement.

10 Support

- 10.1 A range of support is also available to employees which could include coaching, counselling and/or a referral to the Occupational Health Service.

11 Formal Grievance Procedure

- 11.1 When a matter cannot be resolved informally, via mediation, or is too serious to be considered informally, the employee should then follow the formal procedure detailed below.

Stage 1

- 11.2 To raise a formal grievance an employee must submit a written statement detailing the grievance to the line manager without unreasonable delay (unless the line manager is the subject of the grievance, in which case it should be submitted to the Chief Executive Headteacher, or if against Chief Executive Headteacher, submitted to Chair of Trustees). Wherever possible, the grievance should be made using the form attached at [Appendix 1](#). This written statement will form the basis of the subsequent grievance meeting and any investigations, so it is important that the employee sets out clearly the nature of their grievance and indicates the outcome that they are seeking.
- 11.3 Where it is unclear if a written statement received is intended to be treated as a grievance the recipient of the written statement shall seek to clarify this, without unreasonable delay.
- 11.4 Further attempts may be made to resolve the matter informally, depending on the nature of the complaint. However, if the employee is not satisfied with the outcome or if the employee does not feel their grievance can be dealt with informally, then a grievance meeting should be arranged.
- 11.5 Where a grievance is raised against another employee, it is important to approach the situation sensitively and carefully. The line manager should generally start by speaking privately to the employee to alert them to the fact that a concern has been raised against them by a fellow employee and offering any necessary support.
- 11.6 Where the complaint amounts to an allegation of misconduct on the part of another employee, consideration should be given to formally investigating those complaints under the disciplinary procedure (see paragraph 7.6). If a determination whether to deal with matters under the disciplinary procedure, is not able to be made on first receipt of the grievance statement, this should be kept under review throughout the grievance process.
- 11.7 Before proceeding to a grievance meeting, it may be appropriate to carry out an investigation into matters raised within the grievance statement (See section 11.12). Where it is deemed appropriate to conduct an investigation ahead of the grievance meeting the employee should be notified of this and the timescale for completion. The level of investigation and time this will take will vary depending on the nature of the grievance. However, it may in most cases be appropriate to hold the grievance meeting before determining whether further investigation into matters raised within the grievance statement is required.

Stage 1 - Grievance Meeting

- 11.8 The meeting will be held as soon as is reasonably practicable, subject to any need to carry out prior investigations. It will be chaired by the line manager (or another authorised officer) and attended by an HR representative. The employee will be invited to attend in writing and will be advised of their right to be accompanied by a Trade Union representative or an appropriate work colleague. The employee and the person accompanying them must take all reasonable steps to attend the meeting.

- 11.9 The purpose of the grievance meeting is to allow the employee to restate and fully explain the details of the grievance, share any supporting evidence, and set out how they think it should be resolved. The main task for the line manager chairing the meeting is to gain a clear understanding of the grievance by listening to the employee and asking questions to clarify the facts.
- 11.10 The line manager might need to take some time to investigate the grievance so they can make a fair and robust decision. Where an investigation has been conducted ahead of the grievance meeting and where more information comes to light, or where the grievance meeting was arranged before any investigation was carried out, it may at that point be necessary to adjourn the grievance meeting to investigate further. (See section 11.12) The employee will be informed if further investigation is required before a decision can be reached. The line manager should be clear about the main issues which are to be investigated and responded to, and it would be appropriate to share with the employee what these are understood to be on concluding the grievance meeting.
- 11.11 Notes of the grievance meeting should be taken and shared with the employee.

Grievance Investigation

- 11.12 For a grievance investigation, it is usually best for the person determining the outcome of the grievance to investigate the issue. Where it is deemed appropriate for a separate investigating officer to undertake an investigation, clear terms of reference will be drafted, and the employee will be advised of the remit of the investigating officer.
- 11.13 Where the grievance is against another employee, the investigation should include interviewing that person and any other relevant witnesses. The employee who the grievance is against will be invited to a meeting to discuss the issue(s) in more detail as part of the investigation process. The employee is entitled to be accompanied at the meeting by a work colleague or trade union representative. During the grievance investigation meeting, the allegation(s) that have been made against the employee will be explained and the employee will be afforded the opportunity to put forward their understanding of the situation. Employees will not be provided with a copy of the grievance statement.
- 11.14 Where a grievance is raised against another employee and that employee leaves employment before the process is concluded, the aggrieved employee will still have the right to have their grievance concluded should that be their wish. It may be necessary however at this stage to review the need for a conclusion to be reached, and where necessary to review the employees initial desired outcome. Where the employee is happy for the grievance process to cease, it is not necessary for the Trust to conclude the process. The decision to cease the grievance procedure should be confirmed in writing to all parties.
- 11.15 Witnesses should usually be interviewed as part of the investigation stage. It is not usual for witnesses to attend the grievance meeting.
- 11.16 It would not usually be appropriate to share full details of any investigation undertaken. The aim of this procedure is to resolve issues, therefore enough information should be given to enable the employee to understand the decision reached. Where disclosure is considered, and a third party is identified in the notes, for example a witness who was interviewed as part of the investigation, the

information can be disclosed only with that person's consent or after redacting parts which identifies the third party.

- 11.17 Once they are satisfied that they have all the available facts, the line manager will decide if it is necessary to reconvene the grievance meeting to allow the employee to comment/respond to the evidence collected as part of the investigation or if they feel they are able to conclude their investigation without further discussion. Where the grievance meeting is reconvened the line manager will then adjourn the meeting to make a decision. The decision should be advised by HR and provided to the employee in writing along with details of their right of appeal.
- 11.18 The reasoning for the decision will also be set out within the letter, as well as any specific recommendations or follow up actions.

12 Stage 2 - Appeal

- 12.1 Employees have a right to appeal against the decision made formally at stage 1. In order to do this, the employee must provide a written statement setting out their grounds of appeal to the Clerk to the Board of Trustees within 10 working days from receipt of the letter confirming the decision. The employee must make clear the grounds for their appeal, for example, why they think the decision was wrong or unfair and the appeal should also include what the employee would like to happen next, for example to look at the new evidence which wasn't originally available. No new complaints can be raised at the appeal.
- 12.2 Only in very exceptional circumstances will an appeal be considered after this timescale, and there must be a valid and reasonable reason for the delay.
- 12.3 Upon receipt of a written statement of appeal, an Appeal Hearing will be arranged without unreasonable delay. The employee will be invited in writing to attend the Appeal Hearing, which will include notification of their right to be accompanied by a trade union representative or an appropriate work colleague. The line manager (or authorised officer) who made the decision at stage 1 will be present at the appeal to explain their decision.
- 12.4 The appeal hearing will be conducted in line with the arrangements set out in the Trust's Scheme of Delegation, usually involving the Appeals Committee of the Board of Trustees. The hearing officer/panel, advised by a HR representative, will consider the grounds of appeal that the employee has put forward and assess whether or not the conclusion reached in the original grievance hearing was appropriate.
- 12.5 The procedure to be followed at the appeal hearing is as set out in [Appendix 3](#).
- 12.6 The decision made at the Appeal will be confirmed in writing to the employee, without unreasonable delay, and will be final with no further internal right of appeal.
- 12.7 Possible appeal outcomes are:
- Uphold the appeal
 - Partially uphold the appeal on specific points
 - Do not uphold the appeal

13 Raising a Grievance against a Headteacher

Stage 1 – Grievance Hearing

- 13.1 In the event that an employee wishes to raise a grievance against the Headteacher, the written statement ([Appendix 1](#)) should be submitted to the CEO of the Trust or other authorised officer in line with the school’s terms of reference. The employee must include specific details of the grievance and how they think it could be resolved.
- 13.2 Consideration should be given to the appropriate person/governor to investigate and/or determine the grievance. In some circumstances, it may be appropriate to appoint an independent investigating officer. In which case clear terms of reference will be drafted, and all parties will be advised of the remit of the investigating officer.
- 13.3 The principles as set out in section 11 should be followed when dealing with a grievance against a Headteacher (with the exception of the Headteacher investigating and determining the outcome of the grievance). This includes making attempts to resolve the matter informally, depending on the nature of the complaint.

Stage 2 – Appeal

- 13.4 The process for appeals will be as in section 12 with the person who determined the outcome at stage 1 attending to explain the basis of their decision.

14 Raising a Grievance against a member of the Board of Directors

- 14.1 Should a grievance be received against a member (or members) of the Board of Trustees, the Trust, with advice from HR will determine an appropriate method for hearing the grievance, in line with the Trust’s scheme of delegation.
- 14.2 The appeal mechanism will also be considered according to the individual circumstances of each case at the time of submission.

15 Collective Grievances

- 15.1 There may be occasions where two or more employees wish to raise the same grievance together. This will be treated as a “collective grievance”, and the grievance will be dealt with in one process. This has advantages for all parties ensuring connecting grievances are dealt with in a consistent and timely manner. Where it is determined that two or more individual grievances are connected and where all employees have the same desired outcome, we may determine that the grievances are dealt with as a “collective grievance”. Before determining whether grievances will be dealt with as a collective grievance a discussion should take place with each individual to be clear on what they want as an outcome from the grievance. In cases where it has been determined that the grievance will be dealt with as a collective grievance, the employees must nominate a trade union representative to act on the employee’s behalf. (In cases where none of the employees are in a trade union, they may nominate one person to represent the group).
- 15.2 The collective grievance procedure reflects the individual grievance procedure. Wherever possible, the aim should be to resolve the grievance informally. Where this is not possible, the collective grievance should then be raised using the Formal

Grievance Procedure set out above. However, the form attached at [Appendix 2](#) should be used, as appropriate.

- 15.3 Employees raising a collective grievance must be aware that they cannot then raise an individual grievance for the same issue.
- 15.4 If the Trust determines that a collective issue raised would be better dealt with under the alternative procedure it will advise of this accordingly.

16 Keeping and disclosing records

- 16.1 Whether dealing with grievances formally or informally, it is advisable for all parties to keep a record of discussions and agreed actions.
- 16.2 In particular records, should include:
- the nature of the grievance
 - what was decided and actions taken
 - the reason for the actions
 - whether an appeal was lodged and the corresponding documents
 - the outcome of the appeal
 - any subsequent developments
- 16.3 Copies of meeting notes must be given to the employees concerned.
- 16.4 Electronic, audio or video recording, by any device, of all meetings associated with the grievance process will not be permitted, unless express authorisation has been given from the most appropriate person prior to any such meeting taking place.
- 16.5 In certain circumstances, the Trust may decide to protect the identity of an individual or to withhold some information, for example where information is of a sensitive personal nature or considered to be irrelevant.
- 16.6 Records should be held in a secure and confidential manner and kept no longer than necessary in accordance with General Data Protection Regulations.

17 Post-employment grievances

- 17.1 An aggrieved employee who has ended their employment with the Trust and had not submitted their grievance before their employment ended, should ensure they submit their grievance in writing within 3 months of the effective date of termination. Grievances received after this date may not be considered.
- 17.2 A grievance from a former employee should be submitted to the line manager. Where the grievance is against the line manager, for example, the Headteacher, the grievance should be submitted to Chief Executive Headteacher (or in the case of the Chief Executive Headteacher to the Chair of Trustees or in the case of the Chair of Trustees to the Board of Members), setting out clearly the nature of their grievance and the outcome that they are seeking to achieve.
- 17.3 Where it is unclear if the written statement received is intended to be treated as a post-employment grievance the recipient of the written statement shall seek to clarify this, without unreasonable delay.

- 17.4 Upon receipt of a post-employment grievance, consideration will be made as to whether any further investigation is necessary before a written response can be provided. There is no requirement to meet with the former employee as part of an investigation, unless determined by the investigating person that it is necessary before a conclusion can be reached.
- 17.5 The grievance should be responded to in writing within 10 working days of receipt of the grievance. Where this is not possible, the former employee should be notified as early as possible, setting out the expected timescales for a conclusion to be reached. This is the end of this procedure; there is no right of appeal.
- 17.6 Where an employee has raised a grievance but their employment with the Trust ends before the process is concluded, they will still have the right to have their grievance concluded should that be their wish, with a right of appeal. It may be necessary therefore, once their employment has ended, or when it is known that their employment is due to end, to review the need for a conclusion to be reached, and where necessary to review the employees initial desired outcome. Where the employee is happy for the grievance process to cease, on termination of employment, it is not necessary for the school to conclude the process. However, the Trust reserves the right to continue with the investigation in the absence of the former employee where it is deemed appropriate to do so. The decision to cease the grievance procedure should be confirmed in writing to all parties.

Grievance Statement – Stage 1 (Please complete this form in full)

DETAILS

Name	
Job Title	
School	
Signature	
Date	

GRIEVANCE

Set out specifically the details of the grievance. Include all relevant details that will support the grievance including the name of person you are raising the grievance about (if relevant), any relevant information you are referring to, dates of relevant incidents, witnesses etc.

INFORMAL STAGE

Set out how you have tried to resolve your grievance informally and the outcome of this stage. Alternatively, set out why you consider that the grievance cannot be dealt with informally.

DESIRED OUTCOME

Set out how you think the grievance can be appropriately resolved.

Notes on completion:

- Each box can be extended or additional sheets can be attached if more space is required.
- All 3 sections should be completed in full.
- Retain a copy for your information.
- Seek assistance if you need help to complete the form.

Collective Grievance Statement – Stage 1 (Please complete this form in full)

DETAILS

Each employee submitting this collective grievance must complete and sign this section (please extend this table or continue on a separate sheet if required)		
Name	Job Title	Signature
Date:		

GRIEVANCE

Set out specifically the details of the grievance. Include all relevant details that will support the grievance including the name of person you are raising the grievance about (if relevant), any relevant information you are referring to, dates of relevant incidents, witnesses etc.

INFORMAL STAGE

Set out how you have tried to resolve your grievance informally and the outcome of this stage. Alternatively, set out why you consider that the grievance cannot be dealt with informally.

DESIRED OUTCOME

Set out how you think the grievance can be appropriately resolved.

Notes on completion:

- Each box can be extended or additional sheets can be attached if more space is required.
- All 3 sections should be completed in full.
- Retain a copy for your information.
- Seek assistance if you need help to complete the form.

The following procedure will be followed by the Appeal Hearing:

- i) Both parties to enter the meeting.
- ii) The employee or their representative to present the employee's case for the appeal, in accordance with the grounds for appeal.
- iii) The authorised officer who made the decision at the Stage 1 grievance hearing to explain their decision.
- iv) The Members of the Appeal panel shall have the opportunity to ask questions of both parties.
- v) The employee or their representative shall have the opportunity to sum up the case.
- vi) Hearing is adjourned to allow the panel to consider the information presented - both employee and original decision maker should withdraw.
- vii) Further information required
If it is determined that the panel is unable to make a decision because further information is required, briefly reconvene the hearing and inform the employee.
Extended deliberations
If the committee members require more time for deliberation, briefly reconvene the hearing and inform the employee.
The hearing can then be closed, ensuring that everyone understands what is going to happen and when the employee will be notified of the outcome.
- viii) The Appeal Hearing make the decision.
- ix) The decision made at the Appeal will be confirmed in writing to the employee, without unreasonable delay

The matter will end at this level, except where it is agreed between the parties that an important issue of principle arises that could be considered through the appropriate conciliation machinery.