# Dignity at Work (Grievance) Policy & Procedure

Halley Primary School

September 2026

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# 1. POLICY STATEMENT

1.1 Every employee has the right to be treated with dignity and respect in the workplace and the governing body is committed to providing a supportiveworking environment. It is recognised and accepted however that there will be situations where employee complaints arise and accordingly, this policy and procedure sets out a framework for the management of such complaints.

1.2 The Governing Body and Headteacher will seek to:

- Ensure that all employees are able to achieve their full potential at work by creating a working environment where everyone is treated with dignity and respect.
- Encourage open and honest conversations between managers and employees, so that both can work together to ensure the right support is in place to meet the aims of this policy and where possible, remedy any causes of conflict.
- Increase awareness of the unacceptability of any form of unfair treatment including harassment and bullying.
- Create a working environment in which employees feel confident to bring forward any complaints without fear of victimisation.
- Ensure that complaints are dealt with effectively, investigated appropriately and without unnecessary delay.

1.3 The school recognises that employee disputes can be a stressful and upsetting experience for all affected parties. Everyone involved in the process is entitled to be treated with respect. The matters under investigation will remain confidential at all times throughout the procedure. Putting pressure on or canvassing other parties to join in with a complaint or to not form part of a complaint, will be seen as inappropriate and will be regarded as inconsistent with the key principles in this policy and procedure. In many cases complaints will be individual but, in some cases, they may arise from issues or behaviour affecting more than person. Staff will not be prohibited from raising collective grievances where appropriate.

1.4 The school will not tolerate abusive or threatening behaviour at any time, including during the management of this process. Any such behaviour will be treated as misconduct and will be dealt with in accordance with the school's disciplinary procedure. Depending on the nature of the complaint, the manager may decide that the disciplinary process is a more appropriate way of dealing with this matter at this point.

1.5 This procedure is intended to deal with matters of genuine concern and substance where no other procedure would be appropriate. It cannot be used to challenge formal outcomes from other procedures which have their own agreed appeal process. This includes, but is not limited to, the outcomes of disciplinary, capability, ill health dismissal, and/or redundancy proceedings. However, staff should not be discouraged to lodge their grievance if they have genuine reasons of complaint which includes bullying, harassment etc. during the other procedures i.e. disciplinary procedure; capability procedures etc.

1.6 No employee will suffer detriment for raising a concern in good faith, or for assisting a colleague to do so. Everyone should be able to work without the fear of mischievous or malicious allegations and anyone found to be making a deliberately false or vexatious complaint or attempts to use this procedure to pursue a personal grievance not related to their employment, may be subject to disciplinary action.

1.7 All person(s) involved in the investigation of complaints under this procedure will be mindful of their obligations and duties under the Equality Act 2010. Reasonable adjustments will be made where required, to assist an employee or their companion with a disability. If there are any language issues affecting an employee and/or their companion, these will be reasonably addressed so matters can proceed fairly.

1.8 Conflict at work has a disruptive effect on all employees involved and their ability to deliver a consistently high standard of service. Therefore, this policy and procedure sets out a consistent and proactive approach to the management of these situations.

## 2. SCOPE

2.1 This policy and procedure applies to all school employees. It does not apply to self- employed staff, contractors, external consultants, agency staff and school governors, trustees, or members. However, such workers should raise any concerns directly with their hiring manager, or HR if this is more appropriate, who will advise on how these matters can be addressed.

2.2 The procedure applies to all complaints made by an employee relating to his/her employment which may be either:

- A grievance regarding a relevant issue arising in the workplace, or
- Any dignity at work issue involving alleged incidents of bullying and/or harassment

2.3 For ease of reference, in this procedure references to complaints will include grievances and bullying and/or harassment issues.

2.4 This procedure also applies to collective grievances concerning workplace issues and to collective dignity at work issues involving alleged incidents of bullying and/or harassment. Where a collective grievance is raised, the group should nominate a representative to represent the group at any hearings and appeals. This representative may be accompanied by a trade union representative or work colleague.

2.5 The following issues will also not be considered under this procedure; these are issues that:

- are normally subject to national conditions of service or local agreement.
- are the subject of collective negotiation or consultation with recognised trade unions
- have been or are being dealt with under the school's Disciplinary procedure
- are about any disciplinary action taken against an employee (as this should be dealt with as an appeal under the disciplinary procedure)
- in most cases are over 3 months old, (however employees may refer to earlier matters if they believe that they support the complaint)
- are part of issues which have previously been investigated
- are covered by statutory controls such as Income Tax, National Insurance and Pension Schemes
- are covered by other national or local appeals procedures
- Complaints that might be covered by the Public Interest Disclosure Act 1998 (whistle blowing complaints)

Please note, it is reasonable to expect that in general complaints should be made in good time, and it may be reasonable to discount a complaint when there is no good reason that it could not have been raised earlier. It is also appropriate to point out that in most cases employment tribunals only consider complaints that are raised within three months of the incident complained about.

## 3. AIMS AND OBJECTIVES

3.1 This Dignity at Work (Grievance) Policy and Procedure provides a process for addressing complaints by school employees including grievances and also including dignity at work issues involving alleged incidents of bullying and harassment.

3.2 This procedure accords with education and employment legislation and also takes into account the provisions of the ACAS Code of Practice on disciplinary and grievance procedures, the related ACAS Guide, the ACAS Guide on bullying and harassment at work and the rules of natural justice.

3.3 The objective of this procedure is to ensure that, as far as possible, complaints are dealt with and resolved informally through discussion between the employee and their line manager and as near as possible to their point of origin. Also, that the management of employee complaints:

- Are fair, consistent, and proactive and without discrimination in relation to any of the protected characteristics i.e.: *(Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Race, Religion or Belief, Sex, Sexual Orientation, Pregnancy and Maternity – only some elements apply).*
- Take the individual's circumstances and needs into consideration
- Ensure that expectations about employee behaviour are clear to all
- Ensure that employees understand how to seek and redress where they have a complaint and who to contact for support
- Is carried out in a timely manner without unnecessary delay
- Is carried out in line with the Equality Act 2010
- Are monitored to identify effectiveness of implementation

3.4 This procedure does not replace the normal interaction between management and employees and recognises that any complaint about the treatment an employee has received or about any aspect of his/her work should, in the first instance, be dealt with promptly and informally and without reference to formal procedures.

3.5 The formal stage of this procedure should only be used when it has not been possible to resolve an issue informally, when it is not reasonably practicable for the matter to be resolved informally or when the informal process is not being progressed at a reasonable speed.

## 4. DEFINITIONS

### 4.1 Grievance

A grievance is defined within the ACAS Code of Practice on Disciplinary and Grievance Procedures as "*concerns, problems or complaints that employees raise with their employers".*

A grievance under this procedure could relate to any of the following:

- Terms and conditions of employment
- Working environment
- Working conditions
- New working practices
- Organisational change
- Health and safety
- Working relationships
- Discrimination
- A breach of statutory employment rights

4.2 Bullying and Harassment

In the ACAS Guide on the management of bullying and harassment at work, bullying and harassment are defined as follows:

> Bullying is characterised as: **"*offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient*".**
>
> Harassment is defined by reference to the definition in the Equality Act 2010, as: **"*unwanted conduct relating to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading humiliating or offensive environment for that individual*".**

4.3 The relevant protected characteristics under the Equality Act 2010 are age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnerships and pregnancy and maternity.

4.4 Behaviour which constitutes bullying and/or harassment may occur on a single occasion; it may be sporadic, or it may take the form of a continuing process.

4.5 The ACAS Guide makes clear that bullying and harassment does not necessarily occur face to face. It may occur for example through written communications, social media, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues) by email or by telephone.

4.6 It should be noted that it is inevitable that there will be instances where an employee dislikes or disagrees with an instruction given by their manager. Notwithstanding the above, where a manager is legitimately carrying out their

management responsibility in an appropriate and reasonable manner this will not constitute bullying and/or harassment, e.g. legitimate, constructive, and fair criticism of an employee´s performance or behaviour at work is not bullying or harassment. However, managers must carry out these functions fairly, consistently and in a professional manner. An initial investigation of the actions complained of will be used to determine if the actions are legitimate or warrant further action.

4.7 Where an employee is assertive in a reasonable manner about issues at work, this will not be considered bullying or harassment.

4.8 Examples of unacceptable behaviour as detailed in the ACAS Guide include, but are not limited to, the following:

- spreading malicious rumours, or insulting someone by word or behaviour;
- copying memos that are critical about someone to others who do not need to know;
- ridiculing or demeaning someone – picking on them or setting them up to fail;
- exclusion or victimisation;
- unfair treatment;
- overbearing supervision or other misuse of power or position;
- unwelcome sexual advances - touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected;
- making threats or comments about job security without foundation;
- deliberately undermining a competent employee by overloading and constant criticism;
- preventing an employee's progress by intentionally blocking promotion or training opportunities.

## 5. INFORMAL RESOLUTION

5.1 Where an employee has a complaint that involves another individual or individuals, they may wish to try to resolve the matter by a direct approach to the individual(s) involved. There is an expectation that employees will, in the first instance, aim to resolve complaints informally by advising the employee(s) involved of their concerns.

5.2 An informal complaint should be raised as soon as possible (and within a reasonable time frame) following the act or decision complained about, or

following the last act or decision complained about if the complaint relates to a series of linked events.

5.3 The employee's line manager may be able to resolve a complaint informally as part of their day to day management responsibilities. It may be beneficial for the parties involved to explore the informal route, to encourage them to communicate and agree a way of working together for the future.

5.4 If an employee has a complaint and a direct approach is considered inappropriate or if the direct approach has failed and the matter remains unresolved, the employee may ask their line manager to look into matters and try to resolve the issue informally within a reasonable timeframe.

5.5 Employees, who feel they are being harassed, bullied, or made to feel uncomfortable at work and who feel confident enough, may choose to explain to the individual(s) involved that their conduct is unwelcome and offensive, and ask for it to cease. Employees may do so on their own or ask for a third party to accompany them, for example, a colleague, who may be able to help to resolve the complaint informally.

5.6 Mediation through an independent third party or mediator is a possible option as an alternative way to resolve employee complaints before invoking the formal procedure. Mediation is a voluntary process, where the mediator helps two or more people in dispute to attempt to reach an agreement. It is not the place of the mediator to judge, to say one person is right and the other wrong, or to tell those involved in the mediation what they should do. The mediator will facilitate the process of seeking to resolve the problem. The overriding aim of workplace mediation is to restore and maintain professional working relationships. Any Mediation Guidance adopted by the school should be referred to. The school should also contact its HR provider for advice and guidance.

5.7 Where an informal approach is not possible or where it is not appropriate or has been unsuccessful in resolving the complaint, then formal action may be necessary.

## 6. INITIATING A FORMAL COMPLAINT

6.1 Where, for whatever reason, it is not possible to resolve a complaint informally then the employee may initiate a formal complaint. The employee raising a formal complaint is referred to as the Complainant. A formal complaint should be raised without unreasonable delay and in any event, normally **within three months** of the incident or decision which gives rise to the complaint. The

person(s) against whom the complaint(s) has/have been made is/are referred to as the Respondent(s). Usually respondents should be made aware of the written complaint made against them at this time. Complainants should raise formal complaints in the first instance with the Headteacher. The Headteacher may investigate the complaint or may nominate a member of that school's senior leadership team to investigate the complaint. The person with responsibility for investigating and considering the Complainant's complaint is referred to as the Nominated Manager. In some circumstances, an external investigator may be commissioned by the Nominated manager.

6.2 If the complaint concerns the Headteacher, the formal complaint should be raised with the Chair of Governors who may investigate the complaint, or who may appoint a governor from that school's governing body to investigate the complaint or commission an external investigator.

6.3 The Nominated Manager may be assisted in the investigation process by the school's HR provider. The HR Adviser should ensure advice is limited to matters of law and procedure, and to ensuring that all necessary matters have been addressed and achieve clarity, HR involvement should not stray into assessments of an employee's credibility or culpability.

6.4 In all cases, to initiate the formal process the complainant will be required to put their complaint in writing (see Appendix 1 - Statement of Complaint pro-forma). The written Statement of Complaint will form the basis of the formal complaint, the subsequent investigation and decision making process, so it is important that it clearly sets out:

- The nature of the complaint – what is alleged to have occurred, where and when;
- The reason for dissatisfaction with the informal solution (if the complainant has attempted to resolve the matter informally);
- The remedy the Complainant is seeking;
- Any witnesses to the matter(s) complained about.

6.5 Following receipt of the written Statement of Complaint, further attempts may be made to resolve the matter informally if this is considered appropriate and depending on the nature of the complaint.

## 7. THE FORMAL MEETING (Grievance Hearing)

7.1 On receiving a formal Statement of Complaint the Nominated Manager should contact the Complainant **within five school working days** to arrange a date, time, and venue for a formal meeting with the Complainant to explore the nature of the complaint. The meeting should take place as soon as is reasonably possible. The Complainant is entitled to be accompanied at the meeting by a colleague or trade union representative. The Nominated Manager may be accompanied at the meeting by the school's HR adviser. The role of the HR advisor will be to provide procedural advice only. The purpose of the meeting will be to clarify the nature of the formal complaint and any issues in relation to the information submitted. The Complainant should confine their explanations to matters which are directly relevant to the complaint, and only raise other matters if they are materially relevant for example to evidencing a pattern of behaviour.

7.2 In the case of collective complaints about the same issue, the Nominated Manager should contact the representative nominated by the Complainants to agree on how to approach the collection and presentation of evidence to the Nominated Manager either through an investigation or at the formal meeting.

7.3 At the formal meeting, the Complainant (or the Complainants' representative in the case of collective complaints) will be asked to confirm what the Complainant(s) is/are seeking by way of a resolution. The Nominated Manager will give serious consideration to the resolution sought by the Complainant(s) when looking at possible outcomes and recommendations.

7.4 If the Nominated Manager feels that a wider investigation is required, before they can make a decision, then the scope of that wider investigation should be explored. An estimated and realistic date should be set for the completion of the wider investigation and this should be confirmed to the Complainant(s) in writing. The Nominated Manager may be assisted in the investigation by the school's HR adviser, in a solely advisory capacity on procedural matters (see 6.3 above) or an external investigator may be commissioned.

7.5 If a wider investigation is required, the Nominated Manager should explain to the Complainant or to the Complainants' representative, that the details of the formal Statement of Complaint will need to be shared with the Respondent(s) in order to allow the Respondent(s) the opportunity to reply.

7.6 In normal circumstances, the investigation will include interview(s) with the Respondent(s). The investigation may also include conducting interviews with other individuals including members of staff and/or witnesses external to the school.

7.7 The Respondent(s) shall be notified of the date, time, and venue for the investigation meeting in writing and be provided with details of the complaint

made against him/her. These details should be provided to the Respondent(s) at least **five school working days** in advance of the investigation meeting. The Respondent(s) has/have the right to be accompanied at the meeting by a colleague or trade union representative. The Respondent(s) should confine responses to matters that are directly relevant to the complaint.

7.8 If further allegations or information come to light during the course of the investigation process, the Nominated Manager/external investigator will investigate them appropriately and document their findings.

7.9 Meetings should be held privately, in confidence and without interruptions and should be fully documented by the Nominated Manager or external investigator.

7.10 If during the investigation process, counter allegations are made by the Respondent(s), where the counter allegations concern the same issues raised by the Complainant(s) in the Statement of Complaint, the matter will be investigated as part of the same process. If the counter allegations are unrelated to the issues raised in the Statement of Complaint, the issues will be dealt with separately. Advice should be taken from the school's HR provider in cases where counter allegations are made.

## 8. THE OUTCOME

8.1 Where an investigation is carried out by an external investigating officer, they will present their report to the Nominated Manager who will decide whether or not to accept any recommendations made in the report. An Investigation should be fair and objective and establish the essential facts of the matter and reach a conclusion on what did or did not happen.

8.2 Following the completion of an investigation, (whether carried out by an external investigating officer or the Nominated Manager), the Nominated Manager, will with appropriate advice, give the matter serious consideration and will decide on the appropriate action, focusing on how best to resolve the complaint. This will take into account the impact on the Complainant(s) and the Respondent(s) and on the school as a whole. There will always be a formal meeting/hearing before any decision is made.

8.3 The Nominated Manager should consider any action that may help to re-establish positive working relationships for all parties to a complaint and the Complainant(s) and the Respondent(s) are expected to agree to any reasonable resulting recommendations.

8.4 The Nominated Manager may decide to reconvene the Formal meeting (Grievance hearing) at the completion of an investigation, to provide the complainant with an opportunity to respond to the investigation findings. This is likely to be dependent on the complexity and breadth of the investigation.

8.5 The Complainant(s) should be notified of the outcome of the complaint within **ten school working days** of the conclusion of the investigation or the reconvened Formal Meeting, or within alternative timescales as previously agreed with the Complainant(s). If for any reason it is not reasonably possible to respond within the timescales detailed in this paragraph, the Complainant(s) should be advised when a written response can be expected.

8.6 The outcome may be given verbally to the Complainant(s) but should always be confirmed in writing along with the reasons for the decision reached. The written outcome letter will summarise the findings and should include details of the complaints and the attempts to resolve the situation. The conclusion/s recommendations, including whether the Complainant's suggestedremedies are acceptable and any actions to be taken going forward will beset out in any recommendations. It will also set out any further action to be takenand will outline the right to appeal.

8.7 Where it is considered that allegations of discrimination, bullying, victimisation, or harassment are substantiated, the findings should recommend one or more of the following:

- if the potential misconduct involved is deemed to be a less serious breach of conduct it can be dealt with under the informal measures of the disciplinary procedure. This involves drawing to the employee's attention the unsatisfactory conduct, explaining what conduct is required and allowing a reasonable period for the employee's conduct/behaviour to improve. Any resulting professional advice and/or management instruction may be confirmed in writing to the employee.

- that formal disciplinary proceedings are instigated against the alleged perpetrator under the school's Disciplinary Code, this will include a disciplinary investigation which should review information and evidence obtained via the investigation into the Grievance.

8.8 Where the Respondent(s) has/have been interviewed as part of the formal investigation process, the written outcome of the Formal stage will also be copied to the Respondent(s) as appropriate.

## 9. APPEAL

9.1 If the Complainant(s) is/are dissatisfied with the outcome of the Formal stage, there is a right of appeal to an Appeal Manager or the Governing Body Appeal Committee. Confirmation of the position will be detailed in the outcome letter. Appellants should say why they are dissatisfied with outcome, this could include:

- procedural irregularities prejudiced the outcome
- there was bias amongst the original decision makers
- new information/evidence has come to light that should be investigated; the appellant should also explain why this information/evidence has only just become available
- the proposed action (e.g. mediation) is inappropriate in the circumstances

9.2 The Appeal Manager will usually be the Headteacher, however if there is a recommendation that disciplinary action is taken, it may be more appropriate for a member of SLT to consider an appeal, as the Headteacher is likely to be involved in any subsequent disciplinary decisions. In cases where the Headteacher has been involved in the investigation of the complaint as the Nominated Manager, or where the complaint concerns the Headteacher, the appeal will be heard by an Appeal Committee.

9.3 The Appeal Committee will be a committee of three governors from the school's governing body. None of the governors sitting on the Appeal Committee will have had any prior involvement in the investigation of the complaint as Nominated Manager or otherwise.

9.4 The Appeal Manager/Appeal Committee may request the assistance of the school's HR adviser, for advice on procedural matters only, in connection with the appeal.

9.5 Detailed grounds for appeal should be submitted in writing to the Appeal Manager/Appeal Committee within **ten school working days** of the date of the outcome letter. The Complainant should use the Appeal Form attached to this procedure at Appendix 2.

9.6 When lodging an appeal, the Complainant(s) should state why they are dissatisfied with the outcome, this could include the following:

- procedural irregularities prejudiced the outcome of the complaint;
- there was bias amongst the original decision maker(s);
- new information/evidence has come to light that should be investigated;

- the proposed action (e.g. mediation) is inappropriate in all the circumstances.

9.7 If the Appeal Manager/Appeal Committee considers it appropriate for an appeal meeting to be held, an appeal meeting will be arranged as soon as is reasonably practicable following receipt by the Appeal Manager/Appeal Committee of the written appeal.

9.8 There may be cases where the Appeal Manager/ Appeal Committee considers that it is appropriate for the appeal to be dealt with without the need for an appeal meeting.

9.9 Any appeal meeting will, in normal circumstances, be held no later than **twenty school working days** following receipt by the Appeal Manager/Appeal Committee of the written appeal. If it is not possible for an appeal meeting to be held within this timeframe, the Complainant(s) should be advised when the appeal meeting can reasonably be expected to take place.

9.10 In the case of an appeal concerning collective complaints about the same issue, there should be a meeting with the representative nominated by the Complainants about how the appeal process will be managed and in particular whether an appeal meeting should take place and if so, who should attend the appeal meeting.

9.11 Where the Appeal Manager/Appeal Committee determines that further investigation(s) is/are necessary in order for the appeal to be considered, the Complainant(s) will be advised of this along with an estimated timescale for completion of the further investigation(s). If there has been an appeal meeting, the appeal meeting will be adjourned pending the outcome of the further investigation(s) and will be reconvened once the further investigation(s) has/have been completed.

9.12 The Appeal Manager/Appeal Committee will consider the grounds of appeal put forward by the Complainant(s) and will consider whether or not to uphold the grounds of the appeal. The appeal process will **not** involve a reconsideration of the original complaint(s) but will focus on the specific areas with which the Complainant(s) is/are dissatisfied.

9.13 The Appeal Manager/Appeal Committee will give the appeal serious consideration and following the conclusion of the appeal process, will write to the Complainant(s) without unreasonable delay to inform the Complainant(s) of the outcome of the appeal and of any action proposed.

9.14 The Complainant(s) will be informed that the decision of the Appeal

Manager/Appeal Committee is final and that there is no further right of appeal.

9.15 Where appropriate, the written appeal outcome will also be copied to the Respondent(s).

## 10. SUPPORT FOR EMPLOYEES

10.1 Allegations of bullying and harassment can be upsetting and stressful for all parties and managers have a responsibility for making sure all individuals involved are offered appropriate support. This can be provided by offering additional one to one meetings or by assigning a key contact for the employee. The Employee Assistance Programme is also available for all employees in subscribing schools.

10.2 Employees who are members of a trade union may wish to contact their representative for support.

## 11. FURTHER INFORMATION

For further information please contact your HR provider.

## APPENDIX 1: STATEMENT OF COMPLAINT

| STATEMENT OF COMPLAINT | |
|---|---|
| Name: | |
| Job title: | |
| Work location: | |
| Outline of issues including what is alleged to have occurred, where and when. *(Please continue on a separate sheet if necessary)* | |
| | |
| Name(s) of any witness(es): | |
| Supporting documents attached (if any): | |
| Outcome sought: | |
| Signature: | |
| Date: | |
| *This form should be submitted to the Headteacher no later than three months of the issue/decision concerned for investigation and action. If the complaint concerns the Headteacher, this form should be submitted to the Chair of Governors. You will be contacted within five school working days to arrange an initial investigation meeting to discuss your complaint.* | |

## APPENDIX 2: APPEAL AGAINST OUTCOME

| APPEAL FORM | |
|---|---|
| Name: | |
| Job title: | |
| Work location: | |

*Please complete this form in full if you are dissatisfied with the outcome of your complaint. You may complete it personally or with your permission, your representative may complete it on your behalf.*

*Please return this form, together with any supporting documents to the Appeal Manager/ Appeal Committee* ***within 10 school working days*** *of the date of the letter advising you of the outcome of your complaint.*

*You must clearly state why you wish to appeal and specify why you are dissatisfied with the outcome of your complaint. This could include:*

a) *procedural irregularities prejudiced the outcome*
b) *there was bias amongst the original decision makers*
c) *new information/evidence has come to light that should be investigated*
d) *the proposed action (e.g., mediation) is inappropriate in the circumstances*

*In all cases, you must give full details for your reasons. If you are appealing on the grounds that new information/evidence is available, you should also explain why this information/evidence has only just become available.*

***Please note that appeal process will focus on the specified grounds of appeal and will not be a reconsideration of the original complaint.***

I wish to appeal against the outcome of my complaint because …

*(Please continue on a separate sheet if more space is needed).*

| | |
|---|---|
| Signature: | |
| Date: | |