

Grievance policy

Content	Page no
1. Policy statement	2
2. Purpose	2
3. Scope	2
4. General principles	2
5. Mediation	3
6. Procedures for resolution	3
7. Support	5

Author	Human Resources
Approved by	Principal's Office & JNCC
Approval date(s)	27/10/17 & 09/08/18
Review date	October 2020
Version	2.0
Document type	Policy and Procedure
Activity/Task	Employees
Keywords	Grievance
Confidentiality	Public
Impact Assessment	Yes

Version Control Table

Version No	Purpose / Changes	Author	Date
1.0	Policy updated	Bronwen Jenkins	27/10/2017
2.0	Policy minor revisions	Lisa Stewart	20/08/2018

1. Policy statement

- 1.1 The University recognises that, from time to time, employees may have problems or concerns regarding their work or relationships with colleagues which they wish to raise and have addressed. The University seeks to resolve such issues informally in the first instance. A formal grievance should only be invoked if no informal resolution has been found.
- 1.2 If more than one employee wishes to raise the same concerns, and the individuals feel that it can be dealt with collectively, the same procedure will be followed as for individual grievances. Issues raised that fall under the collective bargaining process should be raised by the relevant Trade Union via the Joint Negotiating Committee (JNC).

2. Purpose

- 2.1 This policy sets out the framework for raising, addressing and resolving concerns without unreasonable delay.
- 2.2 If a complaint or concern relates to bullying, harassment, discrimination or victimisation, please refer to the [Dignity and respect at work policy](#).
- 2.3 Complaints that amount to an allegation of misconduct will be investigated and may lead to action taken under the [Disciplinary policy](#).

3. Scope

- 3.1 This policy applies to all University employees.

4. General principles

- 4.1 This policy has been updated in line with the [ACAS Code of Practice on disciplinary & grievance procedures \(March 2015\)](#).
- 4.2 A member of Human Resources (HR) will be present at all formal grievance meetings and appeals to provide professional advice on the operation and application of this policy and ensure consistency of practice.
- 4.3 Where the grievance is related to existing conditions of employment or an established working practice, in the interest of good employee relations, no alteration will be made to the existing conditions of employment or the established working practice which gives rise to the grievance until the matter has been resolved, unless business continuity dictates the alteration necessary.
- 4.4 Employees are entitled to be accompanied at any formal grievance meeting by either a trade union representative or a work colleague. Neither party involved in the grievance nor the University will have legal representation present at any University grievance related meeting.
- 4.5 If there is a demonstrable and appropriate need to vary proceedings, the individual responsible for hearing the grievance should seek approval from HR.
- 4.6 It is not the University's policy to allow audio or visual recording of meetings. Please see [Guidelines on Recording of Meetings involving University Staff and Students](#). Instead, notes will be taken which will summarise the key points. They are not intended to be a verbatim record.
- 4.7 Where the employee who has raised the grievance fails to attend a meeting without good reason, a decision may be taken in their absence based on the evidence provided, or the grievance may be treated as being abandoned.
- 4.8 The University will maintain the right of academic staff to exercise their Academic Freedom as that term is understood in accordance with the legislation, ordinances and resolutions affecting the University. The right of

Academic Freedom must be balanced by the obligation to use that freedom responsibly and professionally, and respecting other rights which staff enjoy.

4.9 For the purposes of this policy, a working day is defined as a weekday (Monday to Friday) but excluding public holidays and such additional days when the University is deemed closed.

5. Mediation

5.1 Where the grievance is in relation to a fellow employee/working relationships, mediation may be considered. The decision whether to set up a mediation process is at the discretion of the University.

5.2 Mediation is a confidential, voluntary, structured, yet informal process, facilitated by an independent person, who will assist parties with discussing their concerns, initially individually, then in a joint meeting with the aim of both parties coming to an agreeable solution. It is morally binding but normally has no legal status and is owned by the parties involved.

5.3 Mediation is most effectively used at an early stage in dispute resolution.

5.4 Mediation is based on the principle of collaborative problem solving with a focus on the future and rebuilding relationships, rather than apportioning blame.

5.5 Mediation is most suitable in situations of personal/inter-group conflict and should not be used in cases of discrimination or bullying and harassment or suggested by managers to avoid managing responsibly.

5.6 The University has access to trained mediators both internal and external to the University. If you are interested in pursuing this option please contact your [HR Business Partner \(HRBP\)](#).

6. Procedures for resolution

6.1 Informal resolution

6.1.1 Every effort should be made to resolve grievances informally at School or Unit level before progressing formally, particularly when the grievance is in relation to a fellow employee.

6.1.2 It is expected that individuals will raise their concerns informally with their line manager, supervisor or team leader in the first instance. If the complaint is regarding their immediate line manager, the complaint should be raised with the manager above the line manager.

6.1.3 The line manager will discuss the employee's concerns in confidence and undertake the necessary enquiries in order to address the issue. The line manager will also attempt to identify possible resolutions with the employee. If the grievance is against another employee the line manager may, after a discussion with both, bring together both parties to facilitate a discussion and resolution.

6.1.4 It is the line manager's responsibility to seek prompt and informal resolution where possible and update the individual providing a summary note or email of the outcome.

6.2 Formal resolution

6.2.1 If the problem has not been resolved by informal means, or the employee feels it cannot be resolved through informal means, then they may submit a formal grievance. Employees are encouraged to use Appendix A: Formal Grievance Template to structure their complaint.

6.2.2 A formal grievance must usually be made within three months of attempted informal resolution and certainly without unreasonable delay.

- 6.2.3 The grievance should be addressed to the line manager (or the individual who dealt with the issue informally if different) and copied to the Director of HR. If the complaint relates to the line manager, it should be addressed to the line manager's manager.
- 6.2.4 The Director of HR will pass the grievance to the appropriate HRBP to progress. On receipt of the grievance, the HRBP will send an acknowledgment in writing to the employee.
- 6.2.5 The HRBP will arrange for an appropriate individual to manage/hear the grievance. This individual will have no conflict of interest and have had no prior involvement in the case. Usually, this person will be a senior member of staff of the School/Unit in which the employee works however there may be circumstances when there will be a requirement to request that someone from another School or Unit manages/hears the grievance. This will be at the discretion of the Director of HR.
- 6.2.6 The formal grievance meeting will be held as soon as possible; however, employees should be aware that it can be a time-consuming process to arrange for a grievance manager to manage/hear the grievance. In addition, a grievance manager may choose to carry out an investigation of any allegations made before meeting with the employee who raised the complaint. In this instance, employees will be informed of this in advance. The meeting will be convened by sending an invitation to the employee. The invitation letter will be sent by HR who will detail the date, time and location of the meeting.
- 6.2.7 If the grievance relates to another employee, that employee will be given a copy of the complaint in order that they can prepare a response.
- 6.2.8 If, at any time, the employee wishes to withdraw their lodged grievance, they must make their intentions known, in writing, to the individual they submitted the grievance to or the HRBP dealing with the grievance. The University reserves the right to investigate the original complaint if it is considered to be prudent to do so, even although the employee withdraws the grievance.

6.3 Investigation

- 6.3.1 The amount of investigation required will depend on the nature of the allegations and will vary from case to case. There may be situations where the individual responsible for the grievance process will be required to meet with individuals as well as the person who raised the complaint to gather details of the case (e.g. the subject of the complaint, any witnesses to the complaint cited in the grievance).
- 6.3.2 All individuals are required to participate and cooperate with any investigation matter that they may be involved in or witnessed. This is a reasonable expectation of anyone who may have information which could assist an investigation. Any individual who unreasonably refuses to obey a request to participate in an investigation without a legitimate reason in doing so may be subject to disciplinary action being taken against them.
- 6.3.3 The University reserves the right to transfer the issue to a different policy either during or after an investigation should there be sufficient evidence to support this and it is deemed appropriate to do so. This will only be undertaken on the advice of HR.

6.4 Decision

- 6.4.1 The employee will be invited to a meeting with the grievance manager and the HRBP involved in the case once the grievance process has concluded. At this meeting the employee will be notified of the outcome of their grievance and their right to appeal if they feel that the grievance has not been satisfactorily resolved. The employee will also be provided with a letter confirming the decision and their right to appeal. This will either be issued at the meeting or issued to the employee within 10 working days after the grievance outcome meeting has ended. The employee against whom the grievance has been raised will also be informed of the outcome if applicable.

- 6.4.2 Where the individual managing the grievance process has decided that action should be taken against the subject of the grievance, the employee making the complaint will only be informed that further action will be taken and not any further detail, in order to protect confidentiality.
- 6.4.3 An employee should not suffer any victimisation or reprisal as a result of bringing a grievance regardless of the outcome. Any such victimisation or reprisal would be considered to be a matter for disciplinary investigation. However, if, after any stage of this grievance process has been concluded, it is the view of the Director of HR or person(s) hearing the grievance that a complaint had no merit, the grievance may be rejected. If the complaint is deemed to be vexatious then this may form the basis for disciplinary action to be taken against the employee.

6.5 Right of appeal

- 6.5.1 The employee making the complaint has the right to appeal against the decision if they are not content with the action taken or if they feel their grievance has not been satisfactorily resolved.
- 6.5.2 A request for an appeal must be lodged, in writing, within 10 working days of the employee being notified of the decision. This appeal should explain in detail the grounds for their appeal and should be addressed to the Director of HR.
- 6.5.3 The appeal will be heard by an appropriate individual who will review the circumstances and respond with an outcome based on the findings. This individual will have no conflict of interest and have had no prior involvement in the case.
- 6.5.4 The appeal meeting will be convened by sending an invitation to the employee. The invitation letter will be sent by HR who will detail the date, time and location of the meeting.
- 6.5.5 The individual hearing the appeal will receive copies of any relevant paperwork including the original grievance, outcome letter and the appeal letter. The individual who heard the original grievance will be invited to present their rationale for the decision.
- 6.5.6 The employee will be invited to a meeting with the manager hearing the appeal and the HRBP involved in the appeal once the appeal review process has concluded. At this meeting, the employee will be notified of the outcome of their appeal. The employee will also be provided with a letter confirming the decision. This will either be issued at the meeting or issued to the employee as soon as possible after the appeal outcome meeting has ended. The decision following appeal is final and there will be no further internal right of appeal.

7. Support

- 7.1 The University recognises that being involved in a grievance procedure will be difficult for all parties concerned, and is committed to providing support and assistance for employees in these circumstances. Appendix B provides a list of support contacts available to employees.

This policy is not contractual and may be amended by the University from time to time.

Appendix A: Formal Grievance Template

Name:	
Employee Number:	
School/Unit:	
Job Title:	
Date:	

1. Provide a brief summary of events leading up to your complaint.
This should include details of any informal steps taken to address the issue.

2. Details of the complaint.
Please provide the full details of the grievance, including dates and times of any incidents. This section should contain all relevant facts and circumstances that will enable the grievance to be investigated fully. This section should be clear and concise so the person hearing the grievance can articulate the key concerns. If there are several elements to your complaint, you should use separate headings to address these points.

3. Do you have any evidence or documentation to support your grievance submission?	Yes
	No

If yes, please refer to these in section 2 and attach these with your complaint submission.

4. Resolution.
Please detail how you feel your complaint can be resolved? What outcomes are you looking for?

Once complete, this document should be submitted to your line manager (or the individual who dealt with the issue informally if different) and to the Director of HR. If the complaint relates to your line manager, it should be sent to your line manager’s manager.

Appendix B: Support

Management

Individuals who have problems or concerns regarding their work or relationship with colleagues which they wish to have addressed should approach their line manager (unless the matter directly relates to the line manager). If the matter is regarding the immediate line manager, the individual should raise the matter with the next level of management.

Human Resources

If the individual feels it more appropriate in the circumstances, they can contact HR and request to meet with a member of the [HRBP team](#).

Trade Union

Trade union representatives are trained to deal and support employees with any workplace related matters of concern. If the individual would like advice on how to deal with an issue, they can contact the representatives using the contact details [here](#).

Head of Equality and Diversity

If an employee considers that they are being harassed or bullied because of a protected characteristic, the University's [Head of Equality and Diversity](#) will be able to provide confidential help, support and advice. In addition, it is encouraged that employees access the University's [equality, diversity and inclusion webpage](#) for details of support networks, helpful guidance and links to external website support.

Chaplaincy

The University [Chaplain](#) is available to offer pastoral care and support for any employee, regardless of religion or belief (including non-belief). This could be sympathetic, confidential listening and support in emotional issues or a safe place to talk to someone about any issues affecting health and wellbeing.

Occupational Health

At any time during the process, the line manager, can refer the employee to Occupational Health. Similarly, the employee can self-refer. This would be of particular importance if the employee was experiencing stress related symptoms and/or displaying signs of distress.