



University of  
St Andrews

## Grievance policy

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1.7	New para added at 2.3 and 5.2.3. (Minor change)	Published	Lisa Stewart HR	07/12/2022

- British Sign Language (BSL) users can contact the University via the online BSL Video Relay Interpreting Service: <https://contactscotland-bsl.org>.
- This document is available in an alternative format upon request

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## 1. 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 wherever possible. A formal grievance should only be invoked if no informal resolution has been found, or the matter is significantly serious to be managed informally.
- 1.2 If more than one employee wishes to raise the same concern, and the employees 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).
- 1.3 In the case of anonymous reports where investigation may not possible or feasible, systemic options/campaigns will be considered where appropriate.

## 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](#). If a complaint relates to gender-based violence or sexual misconduct, please refer to the [Gender-Based Violence \(including sexual misconduct\) policy for further information and support](#).
- 2.3 Where a complaint or concern directly relates to ongoing disciplinary proceedings, the employee should raise this during the disciplinary procedure e.g., during the disciplinary or appeal hearing. If a grievance is raised during disciplinary proceedings that is unrelated to the ongoing proceedings, both procedures will normally run independently in parallel.
- 2.4 Any complaint investigated that amounts to misconduct may lead to action taken under the [Disciplinary procedure](#).

## 3. Scope

### 3.1 University employees

- 3.1.1 This policy applies to all University employees who are currently employed at the University. Employees should report any matters following the reporting options outlined in this policy.
- 3.1.2 If an employee has a complaint regarding a student, the employee should raise the matter using [Report & Support](#) or, if preferred, contact the University Discipline Officer directly ([discipline@st-andrews.ac.uk](mailto:discipline@st-andrews.ac.uk)).

### 3.2 Other members of the University community

- 3.2.1 Other members of the University community who are not employees (bank workers, agency workers, other casual workers, honorary staff, visiting fellows, scholars and any third party engaged to work at the University) should report their concerns using [Report & Support](#) or, if preferred, directly to their Head of School/Unit or [Human Resources](#).

- 3.2.2 Any external party who has a complaint should raise the matter via the University's [Complaints Handling Procedure \(CHP\)](#).
- 3.2.3 Student should raise complaints using [Report & Support](#) or, if preferred, contact [Student Services](#) directly ([theasc@st-andrews.ac.uk](mailto:theasc@st-andrews.ac.uk)).
- 3.2.4 Any complaint received regarding an employee will be passed to HR to investigate accordingly.
- 3.2.5 If a complaint relates to a worker supplied by an external agency, supplier, auditor or any third-party company, the University will transfer the matter to the agency/company to manage on behalf of the University. It will be the responsibility of Human Resources (HR), to notify the external agency/company of the complaint and ensure appropriate support is provided to the employee who has disclosed the matter. It will be the responsibility of that agency/company to investigate and conclude matters as appropriate in line with their existing policies. Depending on the outcome, the University reserves the right not to engage the services of that individual or company again.

## **4. How to report a complaint**

### **4.1 Informal resolution**

- 4.1.1 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.
- 4.1.2 It is expected that employees will raise their concerns informally with their line manager 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.
- 4.1.3 The line manager (or appropriate other) will discuss the employee's concerns in confidence and undertake the necessary enquiries in order to address the issue. The line manager (or appropriate other) 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 or recommend referral to the University's [mediation](#) service.
- 4.1.4 It is the line manager's responsibility to seek prompt and informal resolution where possible and update the employee, providing a summary note of the action taken ideally via email.
- 4.1.5 If the complaint or concern remain/continues after informal measures have been taken, or the employee feels it cannot be resolved informally due to the seriousness of the complaint, the employee may want to consider discussing the matter with a member of the [mediation team](#) and/or [raise a formal complaint](#).

### **4.2 Mediation**

#### **4.2.1 Purpose of mediation**

- Mediation is an important consideration for resolving issues at an early stage and the University strongly encourages employees to participate if this is recommended as a way of resolving the complaint. It is a voluntary process where an impartial third party enables two or more people to work through conflict or disagreement, with a view to finding a mutually agreeable solution.

- Sometimes certain behaviours can be perceived as discrimination, harassment or bullying, when that is not how they were intended. Mediation can be a good way to help see the other person's perspective and help the other side see how their behaviour is impacting others.
- The [Resolution policy](#) provides further information about mediation and the process.

#### 4.2.2 How to arrange mediation

- Mediation can only take place when all parties are willing to mediate. The University may recommend mediation in responding to informal and formal approaches.
- Employees and students can contact the in-house mediation service directly by email [mediation@st-andrews.ac.uk](mailto:mediation@st-andrews.ac.uk). Employees can also be referred to the service by their line manager or HR. Students can be referred by employees in academic schools, by Student Services or other professional units in the University. Members of the public may be referred by the [Complaints Handling Procedure](#) or by other units or schools within the University.

### 4.3 Formal resolution

4.3.1 There are several ways to formally report a complaint to the University. These are listed below in sections 4.3.3 and 4.3.4.

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

#### 4.3.3 Report & Support

- Report and support is an online reporting tool which allows anyone to report matters which are deemed to be unacceptable. Reports can be submitted with contact details (identifiable) or anonymously (unidentifiable). To make a report, or for further details visit the [Report & Support webpage](#).

##### 4.3.3.1 Reporting openly to an appropriate adviser (recommended)

- Reporting with contact details (openly) through [Report & Support](#) provides the employee with the opportunity to disclose personal details about themselves, the incident and, the reported perpetrator (if applicable).
- It allows University staff ("an appropriate adviser"), such as HR, Student Services or the Student Conduct Officer, experienced in managing complaints, the ability to respond to the person who raised the report, discuss support options and, if necessary, take appropriate action, such as investigation to seek a resolution.
- The University encourages employees, wherever possible, to disclose incidents openly to ensure that appropriate support and action can be taken.

##### 4.3.3.2 Anonymous reporting

- Employees can choose to report matters anonymously to the University if they feel that it is appropriate in their circumstances.
- Anonymous reporting provides the University with statistical information, which is used to identify and monitor trends of any issues that arise at the University.
- It is important to note that the University will not be able to offer direct support and advice to the employee if an anonymous report is received however employees are still

encouraged to access appropriate support services as listed on the [Report & Support webpage](#).

- The University will not normally act upon anonymous reports, notably where there is insufficient information to advance a fair and thorough investigation. However, there may be circumstances, including if the reported perpetrator has been named anonymously in one or more instances, where it will be necessary for the University to assess whether further action can be taken, as part of the University's obligations to provide a duty of care, to all parties who may be affected. Further action may include one or more of the following: risk assessment, advising staff where concerns about their behaviour have been raised, and/or assessing the matters raised under formal procedures.

#### 4.3.4 Report directly (out with Report & Support)

4.3.4.1 If preferred, the employee may submit a formal grievance. Employees are encouraged to use the [formal grievance template](#) to structure their complaint.

4.3.4.2 The grievance should be addressed to the employee's line manager (or the person 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.

4.3.4.3 The grievance should:

- State clearly that the grievance procedure is being invoked;
- Contain a brief description of the reasons for the complaint, including relevant facts, dates, and names of individuals involved;
- Indicate what steps have been taken to try and resolve the grievance informally; and
- Indicate what outcome is being sought as a result of raising this grievance.

## 5. What to expect after a complaint is made to the University

### 5.1 Setting up a grievance meeting

5.1.1 Once a formal complaint has been received, (whether via [Report & Support](#) or using the [formal grievance template](#)), the following steps will occur:

1. The Director of HR (or appropriate delegate) will pass the grievance to a member of Human Resources (HR) to progress.
2. HR will send an acknowledgement email within **3 working days\*** to confirm the complaint has been received and action will be taken.
3. HR will arrange for an appropriate person to hear the grievance. This person will be the grievance manager and will have no conflict of interest and had no prior involvement in the case. Usually, they 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 acts as grievance manager. This will be at the discretion of the Director of HR.
4. Depending on the level of detail provided on the initial report/grievance template, the employee may be required to submit further details however this will vary from case to case and will be confirmed to the employee by the grievance manager or HR.

5. 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. The meeting will be convened by sending an invitation to the employee. The invitation letter will be sent by HR which will detail the date, time and location of the meeting.
7. The meeting will be held with the employee as soon as possible; however, employees should be aware that it can be a time-consuming process to arrange for a grievance manager to hear the grievance. In addition, a grievance manager may choose to carry out an investigation of any allegations made before the formal grievance meeting takes place. In this instance, employees will be informed of this in advance.

## **5.2 The Grievance meeting**

- 5.2.1 A member of 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.
- 5.2.2 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.
- 5.2.3 If the employee (or their accompanying person) require any special requirements/ adjustments e.g., due to a disability or medical condition, then they must notify the HR representative who will make the appropriate arrangements.
- 5.2.4 At the meeting, the employee will be asked to explain the reasons for their grievance and explore the suggested resolutions.
- 5.2.5 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.
- 5.2.6 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.

## **5.3 Investigation**

- 5.3.1 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 grievance manager will be required to meet with others 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). The [Investigation procedure](#) provides detailed guidance on this process.
- 5.3.2 All members of the University community are required to:
  - participate and cooperate with any investigation that they may be involved in or witness to. This is a reasonable expectation of anyone who may have information that could assist an investigation. Any individual who unreasonably refuses to follow a request to

participate in an investigation without a legitimate reason in doing so may be subject to disciplinary action being taken against them.

- maintain confidentiality and not disclose any information discussed or shared with others. Breaches to confidentiality will be taken seriously and may be subject to disciplinary action being taken against them.

5.3.3 Employees required to participate and cooperate with an investigation are encouraged to read the [Witness Guidance](#) for information on the process.

5.3.4 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 taken on the advice of HR.

## 5.4 Key information

5.4.1 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.

5.4.2 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. Further information on the Freedom of Expression Legal Framework including what circumstances are not protected under this Act can be accessed on the [Equality, Diversity & Inclusion webpage](#).

5.4.3 If there is a demonstrable and appropriate need to vary proceedings, the grievance manager should seek approval from HR.

## 5.5 The outcome

5.5.1 The employee will be notified of the outcome of their grievance in writing, without unreasonable delay. The outcome letter will confirm:

- The outcome of the grievance including rationale;
- Any actions the University intends to take upon completion of the grievance (e.g. invoking the Disciplinary procedure);
- The employee's [right to appeal](#) the decision.
- The employee will not be informed of the outcome of any action taken against a fellow employee as a result of this grievance.

5.5.2 If the grievance relates to another employee, that employee will also be informed of the grievance outcome and of any actions relating to them. The outcome of any further process will not be shared with the complainant, the grievance manager, or any other party involved in the grievance process (e.g. witnesses) in order to protect confidentiality.

5.5.3 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 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 the grievance manager 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.

## **5.6 Withdrawing a grievance**

5.6.1 If, at any time, the employee wishes to withdraw their lodged grievance, they must make their intentions known, in writing, to the grievance manager or the HR person dealing with the grievance. The University reserves the right to investigate the original complaint if it is considered prudent to do so, even if the employee withdraws the grievance.

## **6. Right of appeal**

6.1 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. The written appeal should clearly confirm the grounds for the appeal i.e. reason(s) for why the employee is dissatisfied with the outcome of the formal stage of the procedure.

6.2 A request for an appeal must be lodged, in writing, within 10 working days\* of the employee being notified of the decision i.e. the date on the outcome letter and be addressed to the [Director of HR](#).

6.3 The appeal will be acknowledged in writing with the employee and HR will arrange for an appropriate person to hear the appeal. This person will be the appeal manager and will have no conflict of interest and have had no prior involvement in the case. The appeal manager will review the circumstances and respond with an outcome based on the findings. In advance of the hearing, the appeal manager will receive the original grievance, outcome letter and the appeal letter.

6.4 The appeal hearing will be held with the employee as soon as possible; however, employees should be aware that it can be a time-consuming process to arrange for an appeal manager to hear the appeal.

6.5 The hearing will be convened by sending an invitation to the employee, usually electronically. The invitation letter will be sent by HR and will indicate the logistics of the hearing (date, time and location), state the right to be accompanied, and confirm who will hear the appeal.

6.6 The grievance manager will be invited to the appeal hearing to present their rationale for the decision.

6.7 The employee will be invited to attend the appeal hearing to explain the reasons for their appeal and why they are not content with the outcome. The appeal manager may carry out further investigation after the appeal hearing based on what was discussed. The employee will be informed if any further investigation is required.

6.8 The employee will be notified of the outcome of their appeal in writing, usually electronically, without unreasonable delay, normally within 10 working days\* of the appeal hearing, unless further investigation is required. The decision following appeal is final and there will be no further internal right of appeal.

## 7. Confidentiality

- 7.1 The University aims to keep information confidential to the maximum extent possible. Confidentiality will be maintained as far as reasonably possible and information will only be shared with others on a need to know basis. There will however be information that is required to be shared. For instance:
- The complainant's identity and the nature of the allegations must be revealed to the person causing the offence so they can appropriately respond to the allegations;
  - Some details may have to be provided to potential witnesses (if applicable). However, the importance of confidentiality will be emphasised to all witnesses and, if breached, may result in disciplinary action;
  - Line managers may need to be provided with information if, for instance, employees are recommended to move departments/roles as part of the outcome into the grievance.
- 7.2 All employees have a duty to maintain a safe and equitable workplace. As such, any report that raises a concern for the safety of any member of the University community or others may require police or external authority intervention. The University will not usually report the matter to the police or other external authorities without employee consent; however, in exceptional circumstances, the University may exercise the right to pass information on. The grievance manager must document reasons for their decision to share this information, and inform the person who disclosed the matter of the reason why confidentiality cannot be contained and of the steps that will be taken upon reporting to the police (or other external authority).

## 8. Support

- 8.1 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 A](#) provides a list of support contacts available to employees.

## 9. Version control

- 9.1 This policy will be reviewed regularly. Any feedback on the policy content should be directed in the first instance to the [HRBP team](#), who will consider this as part of the review.
- 9.2 This policy is not contractual and may be amended by the University from time to time.

Version number	Purpose/changes	Document status	Author of changes, role and school/unit	Date
1.0	Migration of policy to the Governance Zone	Published	Lisa Stewart, Human Resources	19/06/2019
1.1	Minor changes to wording in 6.2, 6.4 and 6.5	Published	Lisa Stewart HR	09/12/2019
1.2	Inclusion of Report & Support tool and change to layout	Published	Lisa Stewart HR	28/10/2020

1.3	Change to Section 3: Scope and minor tweaks to wording.	Published	Lisa Stewart	03/12/2020
1.4	Added link to Resolution Policy @ 4.2.1.	Published	Lisa Stewart HR	20/05/2021
1.5	Added link to the new Investigation procedure (5.3.1).	Published	Lisa Stewart HR	04/04/2022
1.6	Added sections 5.3.2 and 5.3.3 ( <i>duplicate sections taken from the Investigation Procedure</i> ) and 5.3.4 (wording removed in error from previous policy version).	Published	Lisa Stewart HR	19/04/2022
1.7	New para added at 2.3 and 5.2.3. (Minor change)	Published	Lisa Stewart HR	07/12/2022

**Note:**

- For the purposes of this document, a working day is defined as a weekday (Monday to Friday) excluding public holidays and such additional days when the University is deemed closed.
- Where time limits are referred to in this policy, they may be varied by agreement between the University and the employee.
- Meetings may take place face-to-face or virtually via Microsoft Teams.
- This policy is compliant with the [ACAS Code of Practice on disciplinary & grievance procedures \(March 2015\)](#).

## Appendix A: List of internal support

Name of Department	Contact details	Service provided
<b>Chaplaincy</b>	<a href="https://www.st-andrews.ac.uk/chaplaincy/">https://www.st-andrews.ac.uk/chaplaincy/</a> (Tel) 01334 462866 (E-mail) <a href="mailto:chaplaincy@st-andrews.ac.uk">chaplaincy@st-andrews.ac.uk</a>	The Chaplaincy provides guidance and support to all students and staff regardless of their faith or philosophy of life.
<b>Equality and Diversity</b>	<a href="https://www.st-andrews.ac.uk/hr/edi/">https://www.st-andrews.ac.uk/hr/edi/</a> (Tel) 01334 461649 (E-mail) <a href="mailto:diversity@st-andrews.ac.uk">diversity@st-andrews.ac.uk</a>	Provides a confidential service of advice to individuals (staff, students, visitors) on any aspect of ED&I.
<b>Human Resources</b>	<a href="https://www.st-andrews.ac.uk/hr/">https://www.st-andrews.ac.uk/hr/</a> (Tel) 01334 463096 (E-mail) <a href="mailto:hr.general@st-andrews.ac.uk">hr.general@st-andrews.ac.uk</a>	Provides support to employees of University of St Andrews. <ul style="list-style-type: none"> <li>• HR website and <a href="#">policy page</a></li> <li>• Dedicated <a href="#">HR Business Partner</a> team for each School/Unit</li> </ul>
<b>Occupational Health</b>	<a href="https://www.st-andrews.ac.uk/ehss/occupationalhealth/">https://www.st-andrews.ac.uk/ehss/occupationalhealth/</a> (Tel) 01334 462750 or 01334 462752 (E-mail) <a href="mailto:occhealth@st-andrews.ac.uk">occhealth@st-andrews.ac.uk</a>	Employees can refer themselves to OH for confidential health advice at any time. <ul style="list-style-type: none"> <li>• One-to-one consultation/appointments</li> <li>• Expert support and advice provided</li> <li>• Recommended adjustments to support the employee</li> <li>• Partnership with external health practitioners i.e. counselling services and CBT.</li> </ul>
<b>Information Assurance and Governance</b>	<a href="https://www.st-andrews.ac.uk/terms/data-protection/">https://www.st-andrews.ac.uk/terms/data-protection/</a> (E-mail) <a href="mailto:Dataprot@st-andrews.ac.uk">Dataprot@st-andrews.ac.uk</a>	Provides details of and can explain what rights an individual has and does not have in terms of access to their personal data and to other information held by the University.
<b>Student Services</b>	<a href="https://www.st-andrews.ac.uk/student-services/">https://www.st-andrews.ac.uk/student-services/</a> (Tel) 01334 462020 (E-mail) <a href="mailto:theasc@st-andrews.ac.uk">theasc@st-andrews.ac.uk</a>	Employees can contact Student Services for any student related guidance, support or advice. <ul style="list-style-type: none"> <li>• Open Monday to Friday; 09:30am to 16:30pm</li> <li>• <a href="#">Student Services</a> bespoke web page</li> </ul>
<b>Trade Union Representatives</b>	<a href="https://www.st-andrews.ac.uk/staff/wellbeing/workplace-wellbeing/#tradeunions">https://www.st-andrews.ac.uk/staff/wellbeing/workplace-wellbeing/#tradeunions</a>	Trade union representatives are trained to deal and support employees with any workplace related matters of concern.
<b>Wellbeing</b>	<a href="https://www.st-andrews.ac.uk/staff/wellbeing/">https://www.st-andrews.ac.uk/staff/wellbeing/</a> (Email) <a href="mailto:wellbeingforstaff@st-andrews.ac.uk">wellbeingforstaff@st-andrews.ac.uk</a>	