



# Grievance Procedure

## Overview

The University is committed to addressing the concerns of employees promptly and as close to the source of the concern as possible. As a general principle employees are encouraged to raise and resolve grievances informally, normally with their line manager, during the course of their day to day interactions. Employees should not be discouraged from raising grievances and no punitive action will be taken against an employee who raises a concern in good faith.

### Definitions and Principles

For the purpose of this document a 'grievance' is defined as a problem, concern or complaint which relates to the individual's employment. Throughout this document:

- 'complainant' refers to the employee with a grievance
- 'respondent' refers to the person who initially responds to the grievance
- 'parties' refers to the complainant and the respondent

This document is intended to be interpreted in line with the principles of fairness outlined in the [ACAS Code of Practice on Disciplinary and Grievance Procedures](#).

Employees have a right to be accompanied to a meeting or hearing in which their complaint is considered. This may be by a trade union representative or work colleague. There will not be a formal record of the meetings at which a complaint is considered however notes may be taken by either party during any meeting or hearing. The time limits stated are intended as a guide and may be varied by mutual agreement in individual cases. Managers will have appropriate training and guidance before responding to a grievance.

### Application of the Procedure

This procedure is relevant to all staff however the [Grievance Procedure in relation to Senior Post-holders](#) is used to consider a grievance raised by a Senior Post-holder (as defined in the Instrument and Articles of Government) or to consider complaints against a Senior Post-holder. A grievance may be raised about any matters concerning work or conditions of employment except:

- Actions or decisions which relate to another University procedure.
- Grading decisions which should be addressed via the [Grading of Posts](#) process.

Grievances may not be raised by former employees. This procedure shall cease to apply if, during the course of a grievance being considered, the employee leaves the employment of the University.

### Mediation

In some circumstances mediation may be an appropriate way of resolving a workplace difficulty. Mediation is a method of conflict resolution which brings the individuals together with an independent third party with the aim of finding a solution. [Further information](#).

Mediation requires both parties to enter the process voluntarily and encourages the individuals to identify their own solutions and agreements. A request for mediation can be made at any stage of the grievance process (including before it has started). If both parties agree Human Resources will arrange the mediation as soon as possible. If mediation does not result in the grievance being resolved satisfactorily the grievance procedure can commence or be re-started.

# Stages

## Informal Stage

An employee who has a complaint or concern must raise and discuss it promptly, usually via a meeting, with the individual to whom the complaint or concern relates. The employee must make it clear that they are raising the issue as a grievance. The discussion should be initiated as soon as possible after the incident or action which resulted in them feeling aggrieved. If it is unclear who the grievance should be addressed to a Human Resources Manager can provide advice.

A number of support measures are available to help managers and employees to resolve problems informally. Human Resources Managers can provide advice on ways to address concerns and take steps to avoid any deterioration in the working relationship, which may include mediation.

Following the meeting to consider the grievance the person with whom the grievance was raised will confirm the outcome. It is preferable that this is in writing however this is not a requirement unless it has been specifically asked for by the complainant.

## Formal Stage

Where the grievance has not been resolved via the informal stage the employee may request that it be considered by the manager of the respondent (who considered the grievance at the informal stage) The employee should set out details of the grievance clearly, in writing, including why previous attempts to resolve the issue have been unsuccessful. The [Grievance Form](#) should be completed and sent to the manager of the respondent (who considered the grievance at the informal stage) and a copy sent to the respondent. If a specific outcome is being sought this should be stated. The employee should do this promptly so issues can be explored as quickly as possible to increase the chance of a successful resolution and minimise the impact on all those involved.

Any relevant documents the employee wants to be considered as part of the grievance should be submitted with the Grievance Form. The manager hearing the grievance will be unable to accept additional papers provided at the Grievance hearing where these have not been submitted at least five days in advance of the date of the hearing.

The following is the sequence of stages once a Grievance Form is received:

- The senior manager will acknowledge receipt of the Grievance Form within five working days.
- The senior manager will check that a copy of the Grievance Form was given to the respondent by the person raising the grievance.
- The respondent will be asked to provide a response to the senior manager and the person raising the grievance, within five working days, unless there are exceptional circumstances (e.g. annual leave).
- A Grievance Hearing will be convened as soon as practicable
- The parties will be given written notice of at least five working days of the Hearing, and will be provided with copies of all relevant documentation.
- The parties may ask for witnesses to present information at the Hearing and the complainant and respondent must advise the senior manager of the names of any witnesses, and an indication of the evidence they will give, at least three working days before the Hearing.
- The senior manager will chair the Hearing and will ensure that all aspects of the grievance are considered. They will normally be supported by a Human Resources representative.

The format of the Hearing will be as follows:

- The Chair will introduce the parties, explain the purpose of the Hearing and check that the parties were/are aware of their right to be accompanied (if unrepresented).
- The complainant (or his/her representative) will be asked to set out the grievance (calling any witnesses as appropriate). Only one witness will be called and attend at any time and will leave once they have made their statement and answered any questions.
- The Chair (with the support of the HR representative) will ask questions of the complainant and any witnesses.
- The respondent (or his/her representative) will ask questions of the complainant and any witnesses.
- The respondent will be asked to respond to the grievance (calling witnesses as appropriate). Only one witness will be called and attend at any time and will leave once they have made their statement and answered any questions.
- The Chair (with the support of the HR representative) will ask questions of the respondent and any witnesses.
- The complainant will ask questions of the respondent and any witnesses.
- If information is brought forward which needs further investigation, the Hearing may be adjourned and a date agreed to reconvene.
- Both parties will be asked to summarise their case.
- The Hearing will be closed to allow the Chair make a decision.
- The Chair will notify both parties in writing of the decision, within five working days. The outcome will include whether the grievance was upheld, the reasons for the decision and, where appropriate, any proposals for redress. Where the grievance has not been upheld, the complainant will be informed of their right to appeal against the decision.

## Appeal

An employee who wishes to appeal against the outcome of a Grievance Hearing should submit an appeal, in writing, to the Director of Human Resources within ten working days of receipt of the written outcome of the Grievance Hearing.

The Appeal will be heard in line with the University's [Appeals Procedure](#) which states that the Appeal Panel will determine whether to uphold the original decision or overturn the original decision. The Chair of the Appeal Panel will notify the complainant of the decision in writing within five working days.

### Collective Grievances

A collective grievance is defined as two or more employees with the same complaint. Complaints which are not identical should be raised as individual grievances.

A group with some issues which are the same and some issues which are different must agree whether some of the issues can be heard collectively prior to the specific individual issues being considered.

The stages of the process to consider a collective grievance will be the same as for individual grievances.

A maximum of two elected employees will represent the collective group at the meeting or hearing in order to present the case on behalf of the group. The group will provide a list of all those employees who are part of the collective grievance. The other members of the group may wish to attend the meeting but will not take part in it.

The group may be accompanied by a union representative. Where there are members of more than one trade union in the group, the group may be supported by a union representative from each trade union. Where some of the group are union members and others are not, the group may all agree that a union representative should attend to support

the collective group. Where the group does not agree to be represented in this way, the grievance will be heard via two separate meetings of union and non union members. However, there will only be one decision made in response to the collective grievance.

The timescales may be extended when dealing with collective grievances due to the additional numbers of staff involved.

## **Record Keeping**

The outcomes of Grievance Hearings and Appeals will be retained within Human Resources for six years. Anonymised data relating to grievances will be collected and monitored.

### **Links to other procedures**

Where an employee feels they have been bullied or harassed, this should be addressed under the [Anti-harassment and Anti-bullying Policy](#).

If during the Grievance Procedure there is evidence of misconduct this will be addressed under the [Disciplinary Procedure](#).

If a grievance is raised whilst a disciplinary process is underway the merits of sequencing the procedures will be considered on a case by case basis. There is no automatic requirement for the disciplinary process to be halted.

This Policy was reviewed in July 2022