

GRIEVANCE RESOLUTION PROCEDURE

This procedure should be read in conjunction with: Grievance Resolution Guidelines (Managers and Staff) and Employee Relations Appeals Procedure

1 INTRODUCTION

We are committed to promoting effective working relationships between colleagues and fostering a culture in which staff can raise their concerns through the Grievance Resolution Procedure. Staff should feel confident that their concerns will be dealt with fairly, consistently and quickly.

Our procedure has been developed in accordance with the ACAS Code of Practice on Disciplinary and Grievance Procedures (2015) with a real emphasis on informal resolution.

In line with the ACAS Code of Practice we will always try to resolve issues informally. However, in situations where that is not possible or informal resolution has resulted in no improvement, the formal grievance procedure may be initiated.

A grievance may be raised about any work-related issue concerning work except in the circumstances below:

- The outcome of any case in which the disciplinary, supporting performance improvement or sickness absence management procedure has been followed. If an employee is dissatisfied with the decision on such matters, they should appeal under the relevant procedure.
- Salary or grading appeal where an alternative procedure has been established to deal with such issues.
- There is a separate procedure to follow where an employee has a concern about malpractice or impropriety which they believe is a matter of public interest which should be investigated. Please Accountability Code of Practice (Whistleblowing).

Mediation will be considered at any time during the procedure.

Individuals can seek advice and support from their Line Manager, HR Business Partner or Trade Union Representative throughout both the informal and formal procedure. They may also contact Occupational Health and the [Employee Assistance Programme](#).

Individuals have the right to be accompanied by a Trade Union Representative or colleague, throughout all stages of the grievance procedure.

A flowchart of the overarching procedure is available in Appendix 1.

2 OBJECTIVES OF PROCEDURE

The objectives of this procedure is to provide a framework that:

- encourages a working environment where concerns are managed positively and appropriately;
- encourages informal resolution of issues;
- ensures that issues raised are dealt with quickly and fairly.

3 GRIEVANCE RESOLUTION PROCEDURE

3.1 Informal Resolution

In line with the ACAS Code of Practice for Disciplinary and Grievance Procedures (2015), the individual should firstly attempt to resolve issues that arise in the workplace informally where possible.

Where the grievance relates to their Line Manager, and an individual feels unable to raise this with them, they should discuss the issue with their Line Manager's Line Manager. Alternatively they can seek advice from their HR Business Partner or Trade Union Representative.

The appropriate Manager will arrange to meet with the individual on a one to one basis, listen to their concerns and seek advice from an HR Business Partner as appropriate. The Manager will discuss potential approaches for resolving the issue with the individual and establish an appropriate process to effect a resolution.

The HR Business Partner and/or Trade Union Representative may be involved as appropriate in developing a resolution. An indicative timescale will be given by the Manager within which the proposed resolution will be implemented.

Only agreed outcomes and action points will be recorded and held in People & OD. In terms of confidentiality other parties involved will be advised as appropriate and only to the extent required to enable the outcome. The Manager is responsible for progressing and monitoring any actions relating to the outcome, if necessary through liaison with the HR Business Partner and other appropriate parties. Actions will include an acknowledgement where appropriate of the importance of maintaining or re-establishing positive employee relationships following a grievance.

If the individual is not content with the proposed way forward, they should contact their HR Business Partner or Trade Union Representative to discuss options. At the conclusion of the informal resolution process the individual will be required to confirm that they are satisfied with the outcome.

3.2 Formal Procedure

If it is not possible to resolve a grievance informally, the individual should raise the issue in writing, without unreasonable delay using **Form GR1**. An individual raising a formal grievance must support this with constructive information which serves to demonstrate the case being made and the desired outcome.

The Manager responsible for hearing the grievance will as soon as is possible and without unreasonable delay:

- Ensure there is appropriate investigation to establish the facts of the case, including ensuring that relevant witnesses statements are obtained
- Meet the individual as a matter of urgency and **no later than 15 working days** of receipt of their written grievance. Where it is not possible to comply with the 15 working day timescale the manager will refer to the HR Business Partner who will review the situation and determine appropriate action.
- Advise any other relevant individual(s) that a formal grievance has been received, provide details of the grievance insofar as it relates to them and arrange a meeting to discuss the grievance, and provide an opportunity to respond and obtain a statement.

Depending on the nature of the grievance, further attempts may be made to resolve the matter informally.

3.3 Notification

The individual will be provided with at least 5 working days' notice of the Meeting and will notified in writing of:

- the date, time and location of the meeting
- who will be hearing the Grievance
- their right to be accompanied by a trade union representative or work colleague
- their right to call any witnesses and
- the possible outcomes as a result of the meeting

Prior to the meeting, the individual will also receive a copy of all the relevant paperwork along with any witness statements or information relating to the case. Witness statements may be anonymised if appropriate.

Should the individual or their representative/work colleague have any additional information that they wish to be considered at the meeting, they should submit this to the HR Business Partner at least 2 days in advance of the meeting.

3.4 The Grievance Meeting

In some cases it may be possible to resolve a grievance, without the need to convene a grievance meeting. This option will only be exercised with the employee's agreement, and may be deemed appropriate, for example, in simple cases where the evidence and circumstances are very clear and not disputed. However, in the majority of cases a grievance meeting will be necessary to provide all parties with the opportunity to discuss fully and to avoid the potential for misunderstandings or for matters to be left unresolved.

A representative from People & OD will attend all meetings. Exceptionally, the manager hearing the grievance may propose joint meeting(s). Participation in a joint meeting will be subject to the consent of relevant parties.

The meeting will normally be heard by the Line Manager (See Appendix 2) unless he/she is the subject of the grievance or has already been involved in an informal stage. Where necessary the Head of HR Services will determine an appropriate manager to hear the grievance, taking account of:

- the nature of the grievance,
- relevant knowledge, expertise and experience
- availability within the required timeframe
- the seniority of those involved,
- whether any previous involvement might impact on the ability to provide a fair hearing.

If the person accompanying the individual cannot attend on a proposed date, an alternative date may be considered so long as it is reasonable and it is not more than five working days after the original date.

The Manager will keep both the individual raising the grievance and the person(s) responding to the grievance updated on timescales for conducting the formal process.

At the grievance meeting, the individual will be provided with the opportunity to explain their concern/issue and what their preferred resolution is. The Manager hearing the grievance will seek to gain a full understanding of the case by asking questions or seeking clarification on evidence presented.

Once all of the evidence has been heard, the Manager will fully consider it before reaching a decision.

Potential outcomes include the following:

- The grievance is upheld
- The grievance is partially upheld
- The grievance is not upheld.

The Manager will confirm in writing the outcome of the grievance within 15 working days of the meeting. Where appropriate, the Manager may include recommendations as to how the situation may be managed to prevent any recurrence or how a positive working environment may be achieved for future working. Any recommendations will be reviewed by the HR Business Partner and where appropriate support measures will be put in place.

Action, informal or formal, under another University process may be considered in addition to, or as an alternative to the above outcomes.

The Manager will be responsible for progressing/monitoring any required actions relating to the outcome, if necessary through liaison with HR Business Partner and other appropriate parties.

If dissatisfied with the outcome of the grievance, the individual has the right of appeal.

4 OTHER CONSIDERATIONS

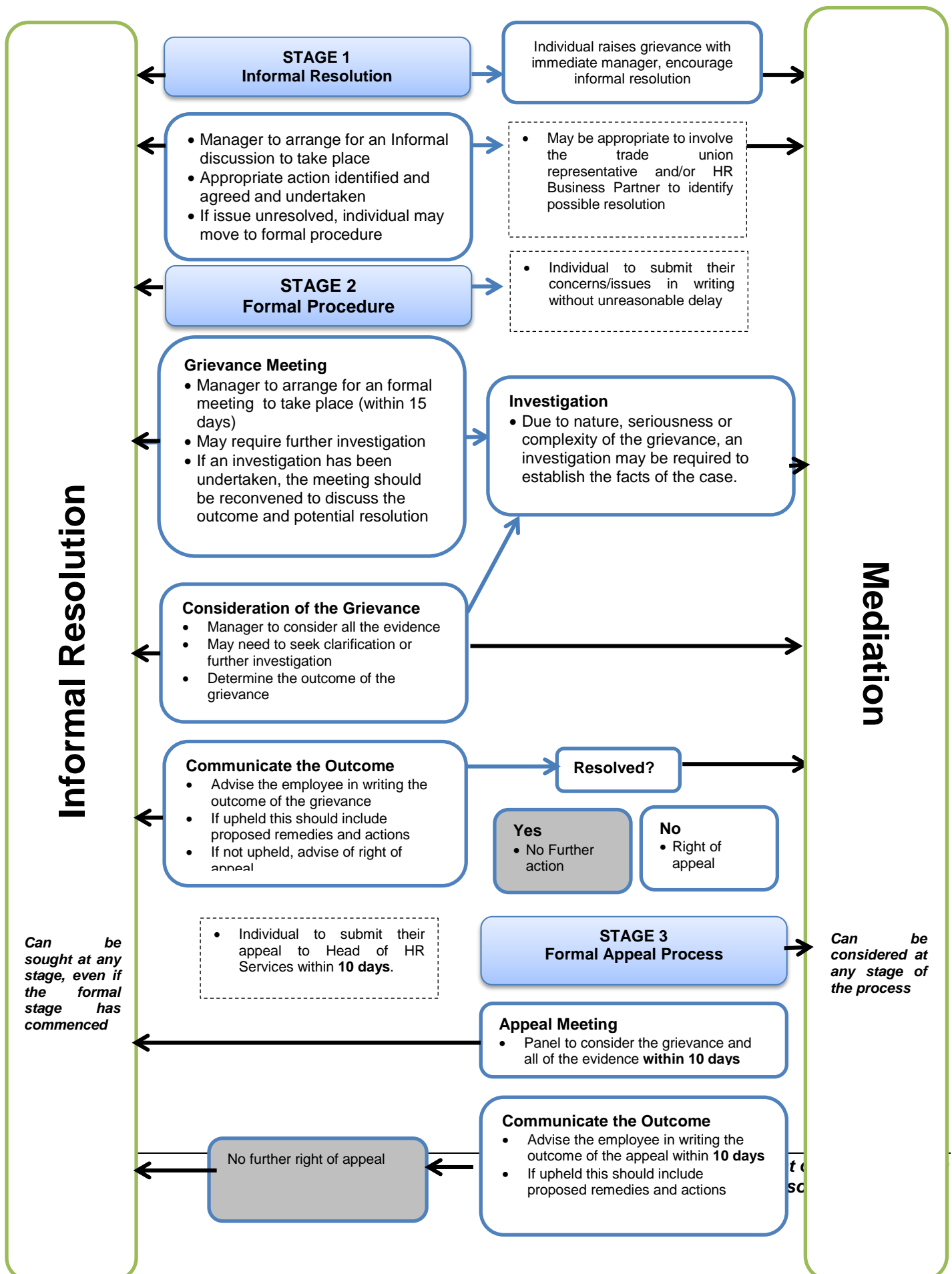
Reasonable adjustments will be made in the operation of this Policy for employees or companions who have a disability within the scope of the Equality Act 2010.

A record of the grievance will be held in the department of People & OD and may include: the nature of the grievance; what was decided and any actions; the reasons for the actions; whether an appeal was lodged; the outcome of the appeal and any subsequent developments. The records will be treated as confidential and in accordance with the Data Protection Act 2018.

The procedure applies to individuals or to a group of staff who share a common Grievance. Where a collective grievance is raised by or on behalf of a group of staff, those raising the grievance must complete the Grievance Submission Form including the names and signatures of all the employees on whose behalf the grievance is being raised. We will always aim to resolve collective issues through our partnership framework by escalating it through the Partnership Secretariat.

Procedure Author – Employee Relations & Performance Adviser	Procedure Owner – Director of People and OD
Parent Policy Statement - Human Resources	Public Access or Staff Only Access - Public
Version 3 – Approved June 2018	Changes and Reason for Changes – POD Policy Review

Appendix 1: Overarching Grievance Resolution Procedure



Appendix 2: Authority to Take Action

Appendix 2

Authority to Take Action

	Academic and Professional Support Services Staff	ULT/Leadership Forum	Direct Reports to Principal	Principal
Stage 1 - Informal	Line Manager	Line Manager	Line Manager (Principal)	Line Manager (Chair of Court)
Stage 2 - Formal	Line Manager	Line Manager	Line Manager (Principal)	Line Manager (Chair of Court)
Stage 3 - Appeal	Grievance Appeal Panel	Grievance Appeal Panel	Court Appeals Committee (3 lay members of Court)	Court Appeals Committee (3 lay members of Court) (c)

Grievances will normally be heard by the line manager. This is subject to exceptions as noted at paragraphs collective grievance or where the line manager is involved of the grievance resolution procedure.

(a) Grievance Appeals panels will comprise :

- A manager who is senior to both the aggrieved individual and the manager who heard the formal grievance, a member of SMT in the chair
- A representative from People & OD will be in attendance to ensure procedure is adhered to.

(b) Court Appeals Committee will consist of 3 lay members of Court and with Director of P&OD or designated nominee in attendance.