

Grievance Procedure

1. Policy Statement

1.1. It is the aim of the University that all staff feel able to raise concerns and problems or make complaints that relate to their employment at the University and be heard promptly and in a safe and supportive environment.

1.2. Where concerns, problems or complaints do arise it is expected that both staff member and their immediate manager/supervisor will do their best to settle them informally at a Department or Faculty level.

1.3. The formal grievance procedure should only be instigated where an informal resolution has not been achieved or is clearly inappropriate. The procedure below is designed to ensure that all members of staff are treated fairly and consistently regardless of their job and that the high standards of the University are maintained.

1.4. This procedure provides a two stage process of meeting and appeal which applies to grievances relating to individual terms and conditions of employment or personal dealings or relationships with other staff at the University. It should not be used to complain about disciplinary sanctions. If a member of staff is dissatisfied with any disciplinary sanction, an appeal should be completed under the appropriate procedure. An investigation will be commissioned where there is a formal complaint about harassment and/or bullying.

1.5. In specific circumstances mediation may be appropriate as a way of resolving a grievance matter. The Human Resources Division can provide further information and advice.

1.6. Every effort will be made to protect the dignity of all involved in a Grievance procedure and to provide a comfortable environment for witnesses.

1.7. As far as reasonably practicable all members of staff who are involved in, or subject to this procedure, and any representative, must ensure that they maintain the confidentiality of the process and of University documents, as any unjustified breach of confidentiality may be treated as a separate disciplinary offence. This is subject to an individual's right to seek and obtain appropriate confidential advice or make a disclosure under the Public Interest Disclosure Act or otherwise as required by law or any statutory authority.

2. Background

2.1. Complaints made by students against members of staff will be dealt with through the student complaints procedure. If in the opinion of the Academic Registrar the student complaint is founded, the matter will be discussed with the Director of Human Resources and, where appropriate, a disciplinary or capability procedure may subsequently be instigated by the relevant manager/supervisor.

2.2. This procedure does not preclude groups of staff raising a grievance where they have common concerns. If members of staff bring grievances jointly with students, the procedure used shall be the

staff procedure. Depending on the sensitivity, or particular circumstances of the grievance, it may be appropriate to deal with grievances raised jointly on an individual basis.

3. Scope

3.1. This procedure applies to all members of staff at the University regardless of the type of contract that they are employed under. For the avoidance of doubt this includes staff employed on indefinite, fixed term, sessional and other temporary contracts.

3.2. This procedure will only apply to staff that are jointly appointed with other institutions or are seconded from other institutions if their contract of employment or the secondment agreement specifies that this procedure pertains to them.

3.3. A copy of this policy will be made available to all members of staff via the University intranet and will be made available in hard copy form on request to the Human Resources Division.

3.4. This procedure does not apply to collective grievances raised by Trade Unions which are dealt with under separate agreements.

3.5. In all cases individual staff have a right to a meeting to discuss their grievance and where the grievance is not upheld to an appeal meeting.

3.6. Where a formal grievance is raised which involves a complaint against another member of staff, the person against whom the grievance lies will also be interviewed and given the opportunity to counter the complaints, and where appropriate, may be invited to the grievance meeting.

3.7. Where a member of staff raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance, or if the grievance is related to the disciplinary matter it may be appropriate to deal with both issues concurrently.

4. Informal Approach

4.1. All members of staff are normally expected to try and resolve any concerns or complaints informally with their manager, Head of Department or representative of the Human Resources Division prior to raising a formal grievance. Concerns that relate to an immediate manager/supervisor or Head of Department may in the first instance be informally discussed with the relevant Dean or Divisional Director.

4.2. Staff are encouraged to express concerns in an open and honest manner and to use the Grievance Procedure only when informal approaches have not resolved the issue or they feel unable to tackle concerns on an informal basis.

5. Formal Procedure

5.1. Statement of Grievance

5.1.1. Member(s) of staff should set out their grievance concisely in writing using the University Grievance form and send it to their Head of Department or manager with a copy to the relevant HR Partner. The member of staff may be asked to provide further information or clarification in relation to the grievance.

5.1.2. Where a grievance involves the staff members' immediate manager, the procedure may be invoked with the involvement of a manager in a different department, or at the next level of management in the same department.

5.1.3. The grievance may be sent to the Faculty Dean or Divisional Director in the first instance if the complaint is about, or concerns, a Head of Department or other managers in the University. Where it concerns Deans, Directors, Pro-VCs and the VC, it should be sent to the Director of HR who will agree with the Vice Chancellor appropriate persons to hear the grievance, unless the grievance concerns the Vice Chancellor directly in which case the Director of HR will make a decision.

5.2. Procedure

5.2.1. Where informal approaches have failed, or are inappropriate, and subject to the guidance above, a Stage 1 Grievance Meeting will be convened.

5.2.2. The Stage 1 Meeting will normally be chaired by the manager of the aggrieved person unless the manager is the subject of the grievance in which case the meeting will be chaired by a manager from a different department, or a more senior manager of the aggrieved person.

5.2.3. At any stage the person convening the Grievance meeting may conduct or appropriately delegate within the Faculty or Division any necessary fact-finding or formal investigation to assist them in establishing the facts surrounding the grievance. The HR Division will provide guidance on how an investigation should be conducted.

5.2.4. The Stage 1 Meeting will normally be convened within 5 working days by the manager receiving the grievance. If necessary an investigation will be completed, before a written response is sent to the member of staff. The written response will be issued to the member of staff as soon as practicable after the meeting has taken place, but not normally later than 10 working days. Where appropriate a meeting may also be arranged to discuss the outcome with the member of staff and their representative and agree on any corrective or support actions.

5.2.5. If the matter is not resolved to the satisfaction of the aggrieved member of staff, he or she may appeal against the decision, in writing within 5 working days of receiving notification of the outcome to the appropriate Head of Department, Dean or Divisional Director.

5.2.6. The appeal meeting will, where possible, be convened within 5 working days. The appeal will be heard by a panel of 3 managers as determined by a Pro-Vice Chancellor or Chief Operating Officer with advice from the Director of Human Resources. In cases involving technical or professional matters, this may mean those with the relevant technical or professional background. Where necessary further investigations may take place. The outcome of the appeal meeting will be confirmed in writing to the aggrieved person, their companion and any persons attending as witnesses, normally within 10 working days of the meeting. The outcome of the meeting will also be confirmed to any staff member who is the subject of a grievance. This decision is final and there is no further right to appeal.

5.2.7. At any point during the formal procedure a member of staff may withdraw their grievance by writing to their manager with a copy to the relevant HR partner.

6. Conduct of Meetings

6.1. These guidelines apply to formal grievance meetings at all stages:

6.1.1. Following receipt of the written grievance the aggrieved person will be invited, in writing, to attend a grievance meeting by the person chairing the meeting. The invitation will state the time, date and venue of the meeting and who will chair the meeting and confirm the aggrieved person's right to be accompanied. In addition, the purpose of the meeting, to hear and resolve the grievance, will be outlined.

6.1.2. The aggrieved person should make every effort to attend the meeting or request in good time a revised date in the event that the original date and/or time is unsuitable.

6.1.3. The member of staff involved will have the right, to be accompanied at the meeting by a colleague or trade union representative. The member of staff should notify the HR Department in advance of the identity of their chosen companion. The chosen companion should not be directly involved in the grievance and should be available for the meeting, or within 5 working days, if an alternative meeting date is required.

6.1.4. The colleague or union representative will be given the opportunity to participate in meetings and will be invited to ask questions and speak as appropriate on behalf of the member of staff concerned but will not normally have the right to answer questions on behalf of the member of staff. Notes of the meeting will be taken and will be made available to the staff member.

6.1.5. If the grievance concerns another staff member this person will be given the opportunity to speak directly to the person conducting the meeting (although not necessarily in the presence of the aggrieved person). If the latter is not present, written notes of any relevant evidence to be taken into account will be made available to all attendees.

7. Review

7.1. This policy and procedure will be kept under regular review and may be amended or withdrawn following appropriate negotiations with campus trade unions to reflect changes in legislation or changing University requirements.