Grievance Procedure

**Please note, this policy is only to be used for formal grievances initiated prior to 12 September 2016. Please click here for current policy**
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1. GENERAL PRINCIPLES

1.1. The University is committed to developing and maintaining constructive relations with its employees. This non-contractual procedure provides a framework for dealing with grievances, individual and collective, arising in the course of employment or at events sufficiently connected to employment.

1.2. The University will act fairly and consistently when dealing with cases under the Grievance Procedure.

1.3. The procedure will give effect to the principle that, in their areas of academic expertise, staff engaged in teaching, the provision of learning or research will have freedom within the law to hold and express opinion, to question and test established ideas and received wisdom and to present controversial or unpopular points of view without placing in jeopardy their employment or any entitlements or privileges they enjoy.

1.4. The University will seek to resolve employment issues at the lowest possible level and, where appropriate, on an informal basis.

1.5. The University will carry out any necessary investigations to establish the facts in any particular case and will do so without unreasonable delay.

1.6. An employee has the right to be accompanied at any formal meeting and related appeal by a work colleague, a duly accredited Trade Union representative or an official employed by a Trade Union and may also be accompanied on request at investigatory meetings.

1.7. If an employee has particular requirements at any stage of the procedures because of a disability, or wishes to inform the University of any relevant medical condition, the employee should contact the appropriate Human Resources representative.

1.8. The University may commence the process using one procedure but continue the process using a different procedure if it is more appropriate and reasonable to do so.

1.9. Notes of formal meetings will be taken, these will be summaries of the key points and not a verbatim record. Copies of these notes will be given to the parties present and they should inform the University if they wish to comment on the accuracy of the notes within 5 working days of receiving them. It is normally expected that all documentation including witness statements will be shared with relevant parties [except where the University has to withhold some information to protect a witness]. The University will keep a written record of every grievance case which will be treated as confidential and kept in accordance with the Data
Protection Act 1998. Notes of informal meetings may also be taken where appropriate.

1.10. Training and coaching of managers operating the procedure will be available. Advice and guidance on the application of the Grievance Procedure will be provided by Human Resources and a Human Resources Representative may be present at any stage in the process.

2. GRIEVANCE PROCEDURE

2.1 RAISING GRIEVANCES INFORMALLY

Employees are expected to raise any grievance informally in the first instance with their line managers. If the employee feels unable to speak to the line manager and/or the grievance relates to that line manager, he/she should contact the next level of management.

The appropriate line manager should meet with the employee who has raised the grievance, clarify the issues, investigate the matter, seek to identify a resolution and make a decision. The outcome will be confirmed in writing to the employee.

It is anticipated that before the formal grievance procedure is used, reasonable effort will be made by all parties to resolve grievances informally. The emphasis should be on the identification and resolution of any problem(s) identified.

The informal route to deal with allegations of bullying and harassment is detailed in the Dignity at Work and Study Policy.

Where an employee has raised such a matter informally and it has not been resolved to the employee’s satisfaction or he/she considers the incident too serious to be resolved informally a formal grievance should be raised under this procedure.

2.2 MEDIATION

In some circumstances it may be appropriate for grievances to be addressed through mediation. This involves using a trained mediator to facilitate discussions with the parties involved to seek a satisfactory resolution. Mediation will only be used where all parties involved agree to participate.

2.3 FORMAL GRIEVANCES:

Generally, if individual grievances cannot be resolved informally or the grievance is too serious to be resolved informally the following procedure will be used.
Where a grievance has already been considered informally, and the employee believes it has not been resolved, a formal grievance should be raised within 10 working days of the outcome on the informal stage.

Where cases have not been considered informally, formal grievances should be raised as soon as possible after the issues present a difficulty up to a maximum of three months after the event.

**2.3.1 STATEMENT OF GRIEVANCE**

The employee should concisely set out their grievance in writing without unreasonable delay and send this to their Head of School / Service / Director of Research Institute. The statement should indicate that the employee is invoking this formal grievance procedure and specify the nature of the grievance, including any relevant facts, dates and the names of individuals involved and outline the desired resolution to the grievance. The University may ask an employee to provide further information to clarify the subject matter of the grievance in advance of the meeting.

Where the grievance relates to the employee's Head of School / Service / Director of Research Institute, the statement should be directed to the next level of management. In cases of dispute, the relevant HR representative will decide who the grievance should be directed to.

**2.3.2 MEETING**

Grievance meetings to hear cases will normally be convened by an appropriate member of staff nominated by the Head of School / Service / Director of Research Institute not previously involved.

The University will require a reasonable opportunity to thoroughly investigate the grievance. This investigation is likely to include interviewing the employee and any witnesses or others referred to in the grievance (if relevant).

The University will invite the employee to attend a meeting to discuss the grievance without unreasonable delay. The meeting will normally be held between two and four weeks of receiving the grievance and relevant information. The employee will be informed of his/her right to be accompanied at the grievance meeting by a work colleague or Trade Union representative.

The normal expectation is that all key parties will attend a grievance meeting. The purpose of the grievance meeting is to enable the employee to explain their grievance and how they think it should be resolved and to allow the individual the grievance has been raised against an opportunity to respond. All parties should participate in meetings appropriately, respectfully and in good faith.
The manager convening the meeting will decide on the outcome including whether the grievance has been upheld or not. Where appropriate they will seek guidance from a relevant HR representative. Following the meeting, the University will notify the relevant parties of its decision in writing and advise the employee raising the grievance of their right of appeal. This will normally be done within 10 working days of the meeting.

3. APPEAL

If the employee raising the grievance wishes to appeal, the appeal should be made in writing, setting out in full the grounds of appeal to the appropriate HR Manager. The employee has 5 working days to notify intention to lodge an appeal from the date of receipt of the University’s decision and a maximum of a further 5 working days to submit the full grounds of the appeal.

The employee will be invited to attend an appeal meeting which will normally take place without unreasonable delay following receipt of the appeal notification and grounds of appeal. The letter will advise the employee of their right to be accompanied at the meeting by a work colleague or a Trade Union representative.

Grievance appeals will be heard by a panel of two.

The employee will be informed of the outcome of the appeal meeting in writing normally within 15 working days of the meeting and that this is the final stage of the grievance procedure.

There is no further right of appeal. This exhausts the University’s procedures.

The Grievance Procedure has been agreed by Court and is effective from 15th February 2012.