



BISHOP GROSSETESTE UNIVERSITY

Document Administration

Document Title:	Grievance Policy, Procedure and Guidance
Document Category:	Policy, Procedure and Guidance
Version Number:	2
Status:	Approved
Reason for development:	Minor update
Scope:	This procedure applies to all Staff
Author / developer:	HR Adviser
Owner	Head of HR
Assessment: (where relevant)	Tick relevant assessments Tick if not applicable <input checked="" type="checkbox"/> Equality Assessment <input type="checkbox"/> Legal <input type="checkbox"/> <input type="checkbox"/> Information Governance <input type="checkbox"/> <input type="checkbox"/> Academic Governance <input type="checkbox"/>
Consultation: (where relevant)	<input type="checkbox"/> Staff Trade Unions via HR <input type="checkbox"/> Students via Bishop Grosseteste University Students' Union <input type="checkbox"/> Any relevant external statutory bodies
Authorised by (Board):	Dec 15 revision; Jan 16 JCC (final ratification Feb 16 CLT)
Date Authorised:	11.01.2016
Effective from:	December 2015, pending approval (last version February 2015)
Review due:	December 2018
Document location:	University Website
Document dissemination / communications plan	All Staff via upload to SharePoint
Document control:	All printed versions of this document are classified as uncontrolled. A controlled version is available from the University Website.

BISHOP GROSSETESTE UNIVERSITY

GRIEVANCE POLICY, PROCEDURE AND GUIDANCE

Responsibility for updating the document is with Human Resources.

This policy takes account of the ACAS Code of Practice which came into force on 6 April 2009. It is compatible with the principles of the Articles of Government of the University effective from 1 April 2010 which are available from the Library and BGU website.

Manager responsible for policy	Head of HR
Forum for initial approval (as delegated by the Governing Body)	SLT
Date revised/updated	February 2015
Equality Impact Assessment Completed	April 2010

Any records made during this procedure shall be kept in accordance with the Data Protection principles which are set out in the Data Protection Act 1998 and its subsequent revisions. The University and its staff or others who process or use personal information must ensure that they follow these principles at all times. A copy of the University Data Protection Policy is available on the BGU website.

BISHOP GROSSETESTE UNIVERSITY
GRIEVANCE POLICY, PROCEDURE AND GUIDANCE

	Page
1. Purpose and scope	3
2. Principles	3
3. Procedure	4
4. Informal stage	4
5. Formal stage	5
6. Preparing for the meeting	5
7. Conducting the meeting	5
8. Appeals	5 – 6
9. Mediation	6
10. Collective disputes	6

1. Purpose and scope

The grievance policy ensures that the University has fair and effective arrangements for dealing with employee grievances relating to their employment. The objective of this policy is to ensure that:

- lawful, non-discriminatory, and effective arrangements exist for dealing with employee concerns
- all employees are aware of their responsibilities regarding raising problems and concerns and will not suffer detriment for doing so
- managers are aware and supported in carrying out their responsibilities for resolving issues as soon as possible.

The University encourages open communication between employees and their managers to ensure that any problems that arise can be resolved quickly and to the satisfaction of all concerned.

Some common areas that may give rise to a grievance involve:

- terms and conditions of employment
- health and safety
- work relations
- bullying and harassment
- new working practices
- working environment
- organisational change
- equal opportunities.

Where the grievance relates to action taken under the disciplinary procedure this should be dealt with through the disciplinary appeals procedure. However, if a genuine grievance is raised during the course of the disciplinary procedure that process will be halted to enable the grievance to be dealt with first.

2. Principles

All employees will be treated fairly and reasonably.

Grievances should be resolved at the level closest to where they arise. It is intended that, where possible employees should discuss matters with their immediate line manager as they occur.

It is in everyone's interest that grievance is dealt with informally where possible.

Where formal procedure is followed records will be kept of the nature of the grievance raised and the response to it, any action taken and the reason for it.

Where the grievance concerns the employee's immediate line manager, the matter will be dealt with by the next level of management.

Some issues will be dealt with through other procedures; for example those involving serious health and safety risks, or unethical conduct or conduct that is a criminal offence would be more properly dealt with under the Whistle Blowing Policy.

At all stages of the formal procedure employees may be accompanied by a work colleague or trade union representative. If a grievance is about another BGU employee, that employee will have the same rights of representation; advice should be

sought from their Union representative at the earliest opportunity. All grievances will be dealt with in the strictest confidence.

3. Procedure

3.1 Raising an issue

Managers may become aware of employment related issues through a number of channels and it is better to deal with them as soon as they arise. It is in everyone's interest that issues relating to employees are dealt with informally where possible and at as low a level as possible. To achieve this, employees should be able to discuss matters openly with their line manager as they occur. The aim is to resolve routine complaints in this informal manner.

There may be occasions when a more formal approach is required, and employees should be able to raise issues using this policy without detriment. Employees are encouraged to put their concern in writing to their line manager giving full details. Where the grievance concerns their immediate line manager the matter should be referred to the next level of management.

When a grievance is escalated to the next level, whoever was dealing with the matter previously will ensure that all available information is passed on to the person dealing with it.

3.2 Determining major and minor issues

On becoming aware of an employee's concern the relevant line manager will make initial enquiries into the incident, problem or complaint as soon as possible. This will normally involve a private discussion with the individual concerned in order to establish if there is a simple resolution of the matter. Employees might raise issues about matters not entirely within the institutions control such as client or customer relationships. These should be treated the same way as grievances within the institution. Depending on the nature of the concern, it may also be sufficient to explain politely and objectively to the person with whom they have the grievance the nature of the concern and how it interferes with their work.

If this approach is unsatisfactory and does not resolve the matter, employees may use the formal procedure.

4. Informal stage

The preliminary discussion should be run along the following lines:

- the employee will be invited to outline their concerns and how they think it should be resolved
- the manager will give thorough consideration to the matter and decide what action is required. Consideration should be given to adjourning the meeting for any investigation that may be necessary
- if the matter is of a minor nature, the manager may decide to deal with it immediately during the one to one discussion
- notes should be taken throughout except in the most minor cases; the outcome of the meeting including any remedial action will be clearly stated in writing by the manager. A copy will be given to the employee and a copy retained by the manager. (Only letters relating to the formal procedure should be on the employee's personal file).

5. Formal stage

If it is not possible to resolve the matter informally the employee will be asked to notify their manager in writing of the nature of the grievance, and what action has already been taken informally to resolve the issue. The manager will arrange a formal meeting without unreasonable delay. The employee is entitled to have a colleague or trade union representative present. At this meeting the employee will be asked to explain their grievance and how they think it should be resolved. If the grievance relates to their line manager the employee should take the matter to the next highest level of management.

The manager will determine if this is a minor issue which they can satisfactorily deal with or, if it is a more major issue, a decision will be taken on how to proceed. Consideration should be given, where necessary, to adjourning the meeting for further investigation to be carried out. When this is concluded the manager will reconvene the meeting to inform the employee of the outcome. In any event the employee will be kept informed of progress.

Following this meeting the employee will receive written confirmation of what action the manager intends to take to resolve the grievance.

6. Preparing for the meeting

- The meeting should be arranged as soon as possible, in private where there will be no interruptions.
- Consider asking someone else to be present as note-taker.
- Check if the matter has been raised before and how it was resolved.

7. Conducting the meeting

- Remember that the best outcome is one where discussion and dialogue leads to an amicable solution.
- Invite the employee to restate their concern and how they would like to see it resolved.
- Make allowance for the employee "letting off steam".
- Consider adjourning the meeting if it appears that further investigation may be necessary
(At this stage managers should seek further advice from Human Resources. If an investigation is required it will begin as soon as possible. The investigation and any subsequent disciplinary action will be carried out in accordance with the disciplinary policy and procedure).
- Sum up the main points.
- Tell the employee when they might reasonably expect a response if one cannot be made at the time.
- Remain calm and objective.

8. Appeals

An employee has the right to appeal if their grievance is unresolved.

The employee should write to the HR department stating the grounds for the appeal within 10 days of the date on which the outcome is confirmed in writing.

Following notification an appeal hearing will be arranged giving at least 5 working days notice. The notice of the appeal will include:

- a clear statement of the decision which has led to the appeal

- the date, time and location of the hearing
- the names of the chair and panel members
- the name of the person who will represent the management position
- the employee's right to have representation
- the potential outcomes
- that there is no further right of appeal.

A full set of documentation to be considered at the appeal including any new statements or evidence will be sent to all parties. Employees have the right to be accompanied by a work colleague or trade union representative. If the employee wishes to attend the appeal but is absent due to sickness, or some other reason or their colleague/trade union representative is unable to attend, the meeting may be postponed and will be rearranged within 5 days or as soon as practicable. If the employee or their colleague/trade union representative is unable to attend on the second occasion their case and/or representation by their colleague/trade union representative will be considered based on written documentation. Advice should be sought from HR before deciding to proceed with an appeal in the absence of the employee and/or their representative.

Arrangements will be made for a more senior member of staff to hear the appeal; if the person bringing the appeal is a member of SLT, or a member of SLT heard the original grievance the matter will be referred to the Clerk of the University Council so that a Council Member may hear the appeal. There is no further right of appeal.

The employee will be notified of the outcome of the appeal in writing.

Records should be kept to include the following information:

- the nature of the concern
- what was decided and what action taken
- the reason for the action
- whether the employee appealed
- the outcome of the appeal.

9. Mediation

An independent third party or mediator can sometimes help to resolve grievances. Consideration will be given to whether mediation would be appropriate in the circumstances of each case. The grievance procedure will be suspended if mediation is deemed to be an appropriate method of resolving the dispute. It may also be the case that the employees concerned are willing to work together to resolve the issue and help may be required to facilitate this process.

10. Collective disputes

Grievances that are raised on behalf of two or more employees by a representative of a recognised trade union will be dealt with under the University procedures for resolving collective disputes.

Any such matters should in the first instance be raised with the Vice Chancellor with a view to achieving a satisfactory resolution.