



GRIEVANCE POLICY AND PROCEDURE
(for all staff except those covered by Statute 25)

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1. POLICY STATEMENT

- 1.1 It is the policy of Royal Holloway, University of London (The College), to ensure that fair and effective arrangements exist for dealing with grievances. The College is committed to promoting effective working relationships and an environment in which employees feel able to raise work related issues with their managers. The College expects all managers to treat seriously approaches from staff wishing to raise grievances. Equally, staff members are expected to be responsible in their recourse to this procedure. The efficient and quick handling of a grievance is of paramount importance for the conduct of the College's affairs and for the safety and wellbeing of all employees.
- 1.2 This policy applies to all staff, except those covered by Statute 25, and should be applied in accordance with the College's policies regarding Equality and Diversity. It is thus essential that any action resulting from a grievance is considered and applied equitably and fairly and conforms to all provisions as laid out in legislation promoting equality and diversity.
- 1.3 This policy follows prevailing legislation and the ACAS Code of Practice on Disciplinary and Grievance Procedures and Guide for Dealing with Discipline and Grievances in the Workplace. Compliance with the code is not a legal requirement, although breach of its provisions may be taken into account by any tribunal considering a claim where the code is relevant. Grievances have been described by ACAS as "concerns, problems or complaints raised by a staff member. Any member of staff may at some time have problems or concerns with their work, working conditions or relationships with colleagues that they wish to raise with management."

Issues that may give rise to grievances include:

- terms and conditions of employment
- health and safety
- working conditions
- working hours
- work relations
- bullying and harassment
- new working practices/organisational changes
- discrimination
- a breach of statutory employment rights

This list is not exhaustive nor is it an attempt to give a definition of a grievance.

- 1.4 The College recognises that a formal grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated calmly and with respect. The College will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and will treat any such behaviour as misconduct under the disciplinary procedure.
- 1.5 At all stages of the grievance procedure, a member of staff has the right to be accompanied by a companion. The chosen companion may be a Trade Union Representative or a fellow worker.

1.6 All managers with responsibility for the conduct of grievance procedures will have due regard to the requirements of the ACAS Code of Practice on Disciplinary and Grievance Procedures. Managers will be provided with training to ensure as far as possible that grievance matters are handled properly and fairly.

1.7 Statistical data is collected monitored by HR as part of the annual monitoring arrangements which are reported to the Equality and Diversity Committee.

2. PRINCIPLES

2.1. The purpose of this policy and procedure is to:

- Explain the procedures to be followed in the event of a grievance, the remedial action which may be taken and the rights of representation.
- Ensure that the obligations placed on the College are recognised and carried out in a reasonable, prompt and consistent manner.

2.2 The College seeks to actively promote the resolution of grievances informally without recourse to the formal stages of the procedure wherever possible. Both managers and members of staff have responsibilities within the Grievance Policy and Procedure.

- Line managers are responsible for the conduct of the procedure and will:
 - try to resolve all issues informally before they become formal grievances.
 - ensure the grievance procedures are followed correctly, seeking advice from the HR Department.
 - treat all grievances seriously, dealing with each one fairly, consistently and sensitively.
 - address any grievances promptly and within the given timelines
 - where appropriate, consider alternative working arrangements with the aggrieved member of staff where it is not possible, or appropriate, for the member of staff to continue to work as before.
- Staff members will:
 - work with the manager to genuinely seek resolution
 - co-operate with any investigation
 - wherever possible try to raise a grievance at the earliest opportunity

2.3 It is the expectation that a grievance will be handled and resolved at the lowest level of management possible within as short a period of time as possible. In the first instance, any concerns should be raised with the line manager or the line manager's manager when the concern relates to the line manager.

2.4 A grievance may be raised by a member of staff at any time during their employment at the College including during probationary periods, within 6 months of the grievance arising or being discovered.

- 2.5 Subject to the agreement of all parties involved in the grievance, the procedure may be suspended at any stage for mediation, or alternative non adversarial discussions with the aim of promoting a more speedy resolution of the grievance. See Section 3.
- 2.6 This procedure cannot be used to challenge formal outcomes in other procedures which have an appeal process, for example:
- Disciplinary Policy and Procedure
 - Capability Procedure
 - Job Evaluation
 - Redundancy Procedure
 - Probation Guidelines

This list is not exhaustive

- 2.7 This procedure applies to grievances by employees concerning their employment. If an employee raises a grievance prior to leaving the College an investigation will be conducted to the end of the stage started as per the procedure and a written response will be provided to the complainant.
- 2.8. In circumstances where a grievance applies to more than one employee and where one of the College's recognised trade unions is involved, it may be appropriate for the matter to be dealt with through a collective grievance raised by the union (with the consent of the staff) using this procedure. (See also Section 10.2).
- 2.9 The disclosure by a member of staff of confidential information, which relates to some danger, fraud or other illegal or unethical conduct, be it of the Council or fellow members of staff is covered by the Public Interest Disclosure Protocol.
<http://www.rhul.ac.uk/iquad/collegetpolicies/documents/pdf/compliance/publicinterestdisclosureprotocol.pdf>
- 2.10 The manager (s) hearing the grievance (the Panel) at any point in the procedure may recommend that a disciplinary hearing be held if a prima facie case is thought to exist. Once this decision has been made the meeting will be adjourned and the matter will then dealt with under the College's disciplinary procedure.
<http://www.rhul.ac.uk/iquad/collegetpolicies/documents/pdf/humanresources/disciplinaryprocedure.pdf>
Once the disciplinary process is concluded the grievance meeting may be concluded (if appropriate).
- 2.11 All genuine grievances raised will be treated seriously. However, member of staff should be aware that they must not use the policy to raise concerns without just cause and with the intent of causing distress to others. Use of the grievance procedure to raise vexatious or malicious grievances could result in disciplinary action against the complainant.
- 2.12 If, at the Informal Stage, the person bringing the case feels the matter has not been dealt with to their satisfaction they may take the grievance to the Formal Stage of the procedure.

(See Section 8) If, after the Formal Stage, the employee is unhappy with the decision they may appeal to the Director of Human Resources as detailed in Section 9.

- 2.13 Grievance meetings will be conducted in accordance with the procedures set out at each stage, which will be applied consistently throughout the College.
- 2.14 Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate for the grievance and disciplinary issues to be dealt with concurrently and be heard by the same hearing manager(s) / (the Panel).
- 2.15 All records pertaining to an individual's grievance will be kept on their confidential file in the Human Resources Department. Records will be treated as confidential and kept no longer than necessary in accordance with the Data Protection Act 1998.
- 2.16 Reasonable adjustments will be made to cater for an employee or their companion with a disability to enable them to formulate a written grievance if they are unable to do so themselves and to attend a formal meeting.
- 2.17 Members of the Human Resources Department are available to give advice to all parties and assistance to Managers in grievance action prior to informal or formal meetings. They will attend all grievance meetings to advise and assist the Managers hearing the case as necessary.
- 2.18 This Grievance Policy and Procedure focuses on resolving disputes with employees. However should a former employee have a dispute with the College it may be appropriate to meet with the individual to discuss their concerns in the hope of resolving the issue. Any meeting arrangements are outside of this formal grievance procedure.

3 MEDIATION

- 3.1 An independent third party or mediators can sometimes help resolve grievance issues. Mediation is a voluntary process where the mediator helps 2 or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator. The mediator is in charge of the process of seeking to resolve the problem but not the outcome.
- 3.2 At any stage in this procedure, the parties to the grievance may request that the matter be referred for mediation. Mediation is likely to be most appropriate in cases involving personal relationships. There, may however, be circumstances in which alternative non-adversarial discussions may be undertaken with the aim of promoting a speedy resolution.
- 3.3 Mediation will take place only if all parties agree. It is, however, hoped that employees will recognise the benefits of seeking to resolve issues via mediation and will be amenable to and cooperate with this approach.
- 3.4 Mediation may be used:

- for conflict involving colleagues of a similar job or grade, or between a line manager and their staff
- at any stage in the conflict as long as any ongoing formal procedures are put in abeyance, or where mediation is included as a stage in the procedures themselves
- to rebuild relationships after a formal dispute has been resolved
- to address a range of issues, including relationship breakdown, personality clashes, communication problems, bullying and harassment.

3.5 Managers with responsibility for the conduct of grievance procedures may, in consultation with the Human Resources Department, decide to appoint a suitably qualified person or agency to assist in resolving a grievance, for example:

- ACAS
- An independent mediation service
- The Centre for Dispute Resolution

ACAS trained Mediators can also be accessed via the HR Department.

4 DIGNITY AT WORK

4.1 The College is committed to protecting members of staff from discrimination, harassment and bullying in the workplace and recognises that members of staff who feel they are subject to such behaviour may need additional support and advice in relation to raising concerns or grievances about these matters.

4.2 If a member of staff feels that they are subject to discrimination, harassment or bullying, they should seek advice from Human Resources on the sources of support available and on raising issues either informally or formally under this Policy.

4.3 It should also be noted that complaints of discrimination, harassment or bullying may be dealt with under the College's disciplinary policy and procedure.

5 CONFIDENTIALITY AT ALL STAGES

5.1 Where a grievance has been brought against an individual member of staff, that member of staff will be informed of the nature of the grievance and in accordance with the principles of natural justice will be provided with a copy of the written grievance by their line manager, or their line manager's manager where the line manager is implicated, following the investigation meeting held with the complainant.

5.2 As far as reasonably practicable, confidentiality will be maintained throughout the grievance procedure. However, there may be a need to directly involve others e.g. witnesses. Where it is necessary to directly involve others the importance of confidentiality within the procedure will be emphasised. It will also be explained to the others involved that any breach of confidentiality may lead to disciplinary action. All meetings and investigations will be treated confidentially, subject to any statutory requirements.

5.3 In exceptional circumstances it may be difficult for confidentiality to be respected, for instance where a possible criminal offence has been disclosed. Members of staff should also understand that in some circumstances any demand for confidentiality may make it difficult

for the College to deal with the matters raised. If confidentiality is a problem, members of staff are advised to discuss this with their HR Manager.

6 RIGHT TO BE ACCOMPANIED

- 6.1 At all stages of the grievance procedure, all parties will have the right to be accompanied by a companion. The chosen companion may be a Trade union representative or fellow worker of their choice. .
- 6.2 If the companion is not available the employee may offer an alternative time and date as long as it is reasonable and it is not more than five working days after the original date. The companion is allowed to address the hearing to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the hearing. The companion does not however, have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it or prevent the employer or employee from explaining their case.

7 PROCEDURE – INFORMAL STAGE

- 7.1 Unless there are good reasons not to do so, a member of staff bringing forward a grievance should, in the first instance, seek to resolve the matter on an informal basis within their department or through mediation. Solutions on some issues may require an element of compromise and it should be accepted that it may not always be possible to resolve an issue to the total satisfaction of everyone involved.
- 7.2 A grievance should be raised with the line manager of the accused party, unless the line manager is the subject of a grievance, when a manager from the next level of management should be approached. If there is any doubt as to with whom the grievance should be raised, the complainant should seek advice from the Human Resources Department.
- 7.3 In contrast to the formal grievance process the informal stage should not involve detailed investigation into the grievance or attributing blame. The aim of the informal stage is to explore whether the concern can be resolved through discussion and by agreement on ways of avoiding similar issues arising in the future.
- 7.4 Managers will discuss an employee's concerns in confidence with them, and may meet with other members of staff, or seek advice as appropriate, before attempting to address these concerns fairly and promptly.
- 7.5 Managers will seek a resolution by recommending such action as appropriate to resolve the issue. This may include mediation, reallocation of duties, setting standards etc.
- 7.6 The informal stage will normally be completed within 10 working days of a matter being raised. Where this is not possible, the reasons for the delay will be communicated to the employee by the manager.
- 7.7 A note of any discussions should be kept by the manager detailing the nature of the informal grievance, the incident(s) that gave rise to concern, the date(s) on which these

occurred and the outcome. A copy will be given to the staff member bringing the grievance and will be placed on their personal file.

- 7.8 If the member of staff is not satisfied with the outcome, they may wish to pursue the formal stage of the grievance procedure.

8 PROCEDURE - FORMAL STAGE

- 8.1 If a grievance is not resolved at the informal stage, the member of staff, or their representative, may raise the grievance in writing to the line manager, without unreasonable delay. This should be copied to Human Resources. Where the grievance relates to the immediate line manager, it should be submitted to that person's manager, or if that person is also involved, to the Director of Human Resources who will nominate a manager outside of the immediate area of work.
- 8.2 The grievance letter, written by the member of staff with the grievance, should set out as fully as possible the specific grievance including any available evidence in support of the grievance. It should also include details as to why actions taken at the informal stage were dissatisfactory and specify how the member of staff would like to see the matter resolved. (See Appendix 1 – Raising a Formal Grievance Employee Checklist)
- 8.3 If there is any doubt as to with whom the grievance should be raised, advice should be sought from the Human Resources Department.
- 8.4 The line manager with whom the grievance was raised may appoint an investigating manager to undertake an investigation, if deemed appropriate, into the circumstances surrounding the grievance and this might include investigative interviews (see Appendix 2 - Investigation Checklist) with the employees concerned and any witnesses identified during these investigations. The line manager will determine the scope and terms of reference of the investigation. Members of the Human Resources Department are available to assist with the investigations.
- 8.5 Once the investigation has concluded, the investigating manager will provide the line manager with a copy of a report, summarising the nature of the grievance and the investigation that has taken place, so that the line manager can determine the outcome of the grievance and any recommendations. The line manager will liaise with HR to arrange a formal grievance hearing, if appropriate, within a reasonable time, ideally within 10 working days of receiving the report. The investigation report will normally be produced within 10 working days of the conclusion of the investigation.
- 8.6 All parties directly involved with the grievance will receive written notification from HR to attend a formal hearing, which should include:
- (a) the reason for the hearing;
 - (b) the date, time and place of the hearing;
 - (c) the right of the employee to be represented at the hearing by a Trade Union Representative (or a fellow worker of their choice. (See Section 6).
 - (d) If applicable, copies of any available support documentary evidence, including the grievance letter, any witnesses' statements and investigating manager's report, to

which reference is to be made at the hearing. Where possible, witnesses should be available to attend the hearing, unless the employee accepts in advance that any available witness statements are statements of fact.

- (e) The identity of the manager hearing the grievance and of the Human Resources representative attending to advise and guide the manager. In exceptional cases where the grievance is sensitive and complicated it may be appropriate for another manager to sit on the panel.

The employee should also make available to the Hearing Manager any documentation which they intend to refer to no later than 3 working days prior to the hearing.

- 8.7 It should be remembered that a grievance meeting is not the same as a disciplinary hearing and is an opportunity for a discussion and dialogue that may lead to the resolution of an issue. (See Appendix 3 – Formal Stage Order of Proceedings).
- 8.8 At the discretion of the line manager, or the manager dealing with the grievance, a further meeting may take place with the member of staff who raised the grievance in order to orally communicate the decision that has been taken. In any event, a formal written response to the grievance should be sent to the employee by the Hearing Manager who chaired the hearing within a reasonable timeframe and without unreasonable delay. If applicable, a copy of the investigating manager's report should be given to the employee and any member of staff against whom a grievance has been brought.

9. APPEAL STAGE

- 9.1 An employee may appeal against a decision reached at the Formal Stage of the Grievance Procedure if they are dissatisfied with the outcome. They may appeal to the Director of Human Resources within 10 working days. This appeal should be formulated in writing and include full grounds for the appeal.
- 9.2 An appeal panel will consider the grounds put forward to assess whether or not the conclusion reached in the original grievance meeting was appropriate and fair. The appeal is not a re-hearing of the original evidence, but rather a consideration of the specific areas of dissatisfaction in relation to the original grievance meeting and may include an assessment of any new evidence or whether procedures were followed correctly. The appeal panel may, therefore, confine discussion to those specific areas rather than reconsider the whole matter afresh.
- 9.3 Once notification of an appeal has been received a Grievance Appeal Panel will be convened within a reasonable timeframe and without unreasonable delay.
- 9.4 The appeal will be heard by a panel of three, which will include the next level of management not previously involved in the grievance and a representative from the Human Resources Department to advise and guide the panel.
- 9.5 A Human Resources representative will notify all parties who need to be present including the Hearing Manager who chaired the Formal Grievance Hearing. Parties directly involved

in the grievance will receive written notification to attend the appeal hearing. This will include:

- (a) the date, time and place of the appeal hearing;
- (b) the right of the employee to be represented at the hearing by a Trade Union Representative or a fellow worker of their choice. See Section 5.
- (c) copies of any supporting documentation which may affect the judgement of the original panel.
- (d) the identity of the appeal panel.

The employee should also make available to the Hearing Manager any documentation which they intend to refer to no later than 3 working days prior to the hearing.

9.6 Having heard the appeal (See Appendix 4 –Appeal Hearing Order of Proceedings) the Chair of the appeal hearing will notify the employee concerned of the panel’s decision within a reasonable timeframe, and without unreasonable delay.

9.7 The decision of the appeal panel is final.

10. GRIEVANCES IN SPECIAL CASES

10.1 Trade Union Representatives

10.1.1 The procedure shall apply equally to those members of staff who are appointed or elected by a Trade Union recognised by the College. However, on any occasion where such a Trade Union Representative is to be the subject of an informal or formal grievance meeting, the Director of Human Resources (or delegated representative), in addition to informing the member of staff of their right to be accompanied, shall inform the appropriate full-time union official as quickly as is reasonably practical and, in any case, before the date of a meeting is fixed.

10.1.2 The full-time official shall also be given a copy of any communication containing the result of such grievance meeting which is sent to the member of staff.

10.2 Collective Grievances

10.2.1 Where a group of employees have a collective grievance relating to the same incident of dispute they may seek to have the grievance addressed as a group rather than individually. They may opt to appoint a spokesperson(s) from the group. In this instance the matter should still be raised in accordance with the steps set out in this procedure. If the group of employees are all members of the same recognised Trade union, a Trade union representative can raise a grievance on their behalf.

10.2.1 A collective grievance may be concerned with a wide range of issues, including the allocation of work, working environment or conditions, the opportunities for career development or the way a group of employees have been managed. However, issues that are the subject of collective negotiation or consultation with the recognised Trade unions will not be considered under this grievance procedure.

Policy Schedule	
Policy Title	Grievance Policy and Procedure
Policy Owner	Human Resources
Policy lead contact	HR Manager
Consultation with College Unions	UCU, UNITE and GMB
Approving Body	College Executive and Council
Date of Approval	
Date of implementation	16 th April 2014
Version Number	9
Review Interval	Every three years

RAISING A FORMAL GRIEVANCE EMPLOYEE'S CHECKLIST

Representatives of the HR Department are available to give advice and guidance to all parties at all stages.

The way a grievance is presented can help to get a problem sorted out more quickly. This checklist sets out some basic rules for gathering information in order to prepare a grievance letter and make sure all the relevant information is included.

BASIC RULES

- keep the letter to the point. There needs to be enough detail for a line manager to be able to consider and/or investigate a grievance properly. Going off the point can be confusing and won't help your case
- keep to the facts. Don't make allegations or accusations that cannot be proved
- never use abusive or offensive language.
- explain how you felt about the behaviour you are aggrieved about
- explain how you would like the grievance to be resolved

WHAT TO PUT IN A GRIEVANCE LETTER

- your name, address and contact number
- make sure the letter is addressed to the right person. The College's grievance policy and procedure Section 8 states:
 - If a grievance is not resolved at the informal stage the member of staff, or their representative, may raise the grievance in writing to the line manager, without unreasonable delay. This should be copied to Human Resources. Where the grievance relates to the immediate line manager, it should be submitted to that person's line manager, or if that person is also involved, to the Director of Human Resources who will nominate an investigating manager outside of the immediate area of work.
- if you've tried to resolve the matter informally first, for example, by talking to your line manager, set out what happened. If anything was agreed then, but has not resolved the situation, say why it didn't work
- clearly set out the key facts of your grievance. Say what happened and try to include the following details:
 - the date and time of incidents
 - where they took place
 - the names of the people involved
 - the names of any witnesses.

- include any evidence you have to support your grievance. If you have any information to support your grievance, include it in your letter or say that you have it and can provide it if needed. For example, you may have documents showing how much you should be paid, or a statement from someone who was in the same situation as you but was treated differently
- if your grievance is that you haven't been paid, or not paid enough, set out how much you think the College owes you
- if your grievance is about a series of events, try to set them out in the order in which they took place
- if you can't remember an exact date, but know that it happened before a certain event, just say that. For example, you could say 'A few days before I went on leave on 14 February ...', or 'Just before the Christmas party'
- if you have a reasonable solution to your grievance, include this in your letter for your line manager to consider. For example, you may want training or for your line manager to provide certain equipment to accommodate a disability. Be reasonable, though, your line manager may not have the resources to agree to what you are asking for, or may not be able to send you off for training during a busy period. Remember that you are trying to work together with your line manager to resolve the issue
- sign and date the letter.

If you do not feel able to write a grievance letter on your own, you can get help from an HR representative or from your trade union if you are a member of one.

WHAT HAPPENS DURING AN INVESTIGATION?

You should receive prior notice in writing of the date, time and nature of the investigation meeting. You should have been informed that you may bring a Trade union representative or fellow worker with you. You have the right to be accompanied at all stages of this process.

For further details as to what happens during an investigation please see Appendix 2 – Investigation Interviews Checklist

INVESTIGATION INTERVIEWS CHECKLIST

Representatives of the HR Department are available to give advice and assistance to all parties at all stages

Before starting an investigation, prepare an investigation plan, setting down who will conduct any subsequent meeting/hearing, whether or not suspension should be considered, where relevant, who needs to be interviewed, what documentary evidence or other evidence is required and what the timescales are.

During the course of an investigation a member of staff/witness should have received prior notice in writing of the date, time and nature of the meeting. They should also be informed that they may bring a Trade Union Representative or a fellow worker (acting in a non-legal capacity) along with them.

PURPOSE OF INVESTIGATION INTERVIEWS

Open the investigatory meeting by thanking the member of staff for attending and explaining that the purpose of the meeting is to:

- Gain a fuller picture of the situation
- Establish the facts
- Gain evidence which supports/refutes the points in the case
- Gain interviewee's reaction to documents/statements that conflict with their account
- Identify complainant's preferred solution
- Inform member of staff that the investigation stage does not form part of a disciplinary process but advise that disciplinary proceedings could follow should this become necessary
- Investigating manager to keep notes of all discussions at all stages

SUGGESTED STRUCTURE

Opening

Explain:

- Roles – Chair, HR support, Complainant/Member of staff subject of the grievance, Witnesses, TU Representative/Workplace colleague & Note taker
- Context of interview
- The meaning of confidentiality
- How the interview will be conducted

Main Body of Interview

- Clearly set out what are the specific grievances and/or allegations made. Either during the interview, or before the end of the investigation, the staff member will be given copies of all statements or grievances or supporting evidence and will be given the

opportunity to reply to them, or to put forward his or her own witnesses, statements or other evidence to support their case.

- Refer to the staff member's statement: outlining the allegations when meeting with the member of staff against whom allegation(s) have been made to ensure that they are given time to present a defence.
- Ask the witnesses to follow events through in chronological order. Obtain signed notes/witness statements from member of staff, witnesses and affected parties countersigned by the investigating manager.
- Make notes – Tape recording not allowed unless needed as a reasonable adjustment

Close

- Summarise to confirm understanding
- Answer questions from interviewee
- Inform the staff member that the investigating manager will investigate the grievance(s) and what the likely timescale will be for those investigations to be concluded. In most cases, this would be within 14 working days.

Preparing Notes/Report

- Write up notes quickly or ask note taker to produce immediately – these don't need to be verbatim but recommend written in 1st person past.
- Individual to check and sign to confirm agree contents. Send in pdf format and keep handwritten notes.
- If appropriate, ascertain if prima facie case exists for any disciplinary action – against member of staff subject to allegation(s) or member of staff bringing the case.
- Decide whether need for suspension from duty – power to suspend rests with Head of Department unless involves more senior academic member of staff when power to suspend rests with the Principal.
- At the end of the investigation, the investigating manager(s) will produce a report summarising their findings, which will include all the supporting evidence. The report should be submitted to the Line Manager who requested the investigation and will be used to make a decision. The decision will be made, normally within ten working days of receiving it.

FORMAL STAGE ORDER OF PROCEEDINGS

The purpose of a formal grievance hearing will normally be to establish the facts about the employee's grievance and determine what (if any) action can reasonably be taken to resolve it. The Hearing Manager (the Chair) will introduce the hearing, and explain its purpose and how it will be conducted. The employee will be entitled to be accompanied at the meeting, if they wish, by a fellow worker or Trade Union Representative of their choice.

The order of proceedings for any formal grievance hearing conducted by the College should be as follows:

- The parties present at the hearing will introduce themselves and confirm their respective roles in the hearing. A Human Resources representative will be present to advise and guide the panel and another Human Resources representative will be present to take notes of the hearing.
- The Chair will state that the hearing is being conducted as part of the College's formal grievance procedure and confirm that a written record of the hearing is being made.
- The Chair will invite the employee to state their case, i.e. the circumstances that have led to the grievance, the nature of the grievance, why they feel aggrieved and what outcome they are seeking. The employee may do this personally, or the employee's representative (if they have elected to be represented) may do this on their behalf.
- The employee will refer to any documentation on which they are seeking to rely. The Chair will refer to any written evidence that has been gathered in the course of any investigation that has taken place, including the consideration of witness statements where appropriate.
- The Chair may ask the employee (and any witnesses) questions about the circumstances of the grievance in order to establish all the relevant facts, background and surrounding circumstances.
- The Chair has the right to ask the employee personally to answer such questions, although the employee may on request confer with their representative at any time during the grievance hearing.
- The Chair will then invite the member of staff against whom the grievance has been made to respond. The employee may refer to any documentation on which they are seeking to rely.
- The Chair may ask the member of staff against whom the grievance has been made (and any witnesses) questions about the circumstances of the grievance in order to establish all the relevant facts, background and surrounding circumstances.

- The Chair has the right to ask the member of staff personally to answer such questions, although the employee may on request confer with their representative at any time during the grievance hearing.
- Once all the evidence has been heard, the Chair will sum up the key points of the hearing.
- The Chair will inform the employee who raised the grievance of when a decision will be made about what, if any, action will be taken to resolve or otherwise deal with the grievance.
- The Chair will inform the employee that they will have the right to appeal against the outcome of the grievance hearing if they are not satisfied with it.
- The Chair will thank the parties for attending and close the hearing.
- At any point during the hearing, the Chair may adjourn the proceedings if it appears necessary or desirable to do so, including for the purpose of gathering further information or investigating any allegations made.

APPEAL STAGE ORDER OF PROCEEDINGS

The purpose of a formal grievance appeal hearing will normally be to consider an employee's grounds for appealing the College's original decision regarding their grievance and determine whether or not the College should amend its decision.

The employee should submit their grounds of appeal to the Director of Human Resources in writing in advance of the hearing, with any supporting documentation.

The order of proceedings for any formal grievance appeal hearing conducted by the College should be as follows:

- The appeal hearing manager appointed as Chair will introduce the hearing, explain its purpose and how it will be conducted. The Chair should be accompanied by 2 other senior managers. A Human Resources representative will be present to advise and guide the panel and another Human Resources representative will be present to take notes of the hearing.
- The parties present at the appeal hearing will introduce themselves and confirm their respective roles in the appeal hearing.
- The Chair will state that the appeal hearing is being conducted as part of the College's formal grievance procedure and confirm that a written record of the hearing is being made.
- The Chair will invite the employee to state their case, i.e. the grounds for the appeal against the College's decision regarding their grievance, what outcome they are seeking and why. The employee will refer to any documentation on which they are seeking to rely. The Chair will refer to any written evidence that has been gathered in the course of any investigation that took place into the original grievance and (if applicable) following the appeal, including the consideration of witness statements where appropriate.
- The Chair may ask the employee (and any witnesses) questions about the circumstances of the grievance to establish all the relevant facts, background and surrounding circumstances. The Chair has the right to ask the employee personally to answer such questions, although the employee may on request confer with his/her representative at any time during the appeal hearing.
- The Chair will invite the line manager who determined the outcome regarding the grievance to state their case, i.e. the outcome of any investigation and reasons for their decision.
- The line manager may refer to any documentation on which they are seeking to rely up at the appeal hearing
- The Chair may ask the line manager (and any witnesses) questions. The line manager may on request confer with their HR representative at any time during the appeal hearing.

- At any point during the hearing, the Chair may adjourn the proceedings if it appears necessary or desirable to do so, including for the purpose of gathering further information or investigating any allegations made.
- Once all the evidence has been heard, the Chair will sum up the key points of the appeal hearing.
- The Chair will inform the employee of when a decision will be made about the merits of the employee's appeal and what action will be taken to resolve or otherwise deal with the grievance if their appeal is upheld.
- The Chair will inform the employee that there is no further right of appeal against the outcome. The Chair will thank the parties for attending and close the hearing.

Grievance Procedure Flowchart

Appendix 5

