

# Grievance Procedure

For Clerical & Related, Technical and Manual Staff

## 1 Policy Statement

The University aims to deal with grievances promptly, fairly, consistently and as near as possible to the point of origin.

## 2 General Principles

The Grievance procedure conforms to the Employment Act 2002 (Dispute Resolution) Regulations 2004 and the Advisory, Conciliation and Arbitration Service Code of Practice on Grievance Procedures at Work.

Employees should aim to resolve most grievances informally with their line manager/supervisor. The line manager/supervisor should respond to the grievance as soon as possible but certainly no longer than three working days after it was first raised. If the complaint concerns the immediate supervisor, the grievance should be raised with the supervisor's line-manager.

If a grievance cannot be settled informally, the employees should raise it formally in writing with their Head of Department/School /Division.

The University has separate procedures for dealing with grievances on particular issues (for example, harassment and bullying). In these circumstances, the Dignity at Work and Study procedures should be used instead of the normal grievance procedure.

Those bringing forward a grievance will be protected against retaliation. An allegation of victimisation will be dealt with under the relevant disciplinary procedures.

## 3 Procedure

In the event of a formal grievance being raised the following procedure must take place:

### Step One : The employee notifies the employer of their grievance in writing

- When an employee has a grievance, dispute or is aggrieved on any matter, and it has not been resolved informally, it should be raised in writing with the employee's Head of Department / School / Division. If the complaint relates to the Head of Department/School/Division, the complaint should be raised with the Head of Department/School/Division's line manager.
- The employee will be invited to a meeting to discuss the matter and will be advised of their right to be accompanied.

## **Step Two : Meeting to discuss the grievance**

- A meeting will be arranged within 7 working days of receiving the written complaint (or an alternative date agreed by both parties) and at a reasonable location.
- The employee may, if they wish, be accompanied to the meeting by a Trade Union representative/official or a University colleague.
- A representative from Personnel Services would also normally be present.
- If the employee or their representative can not attend on a proposed date, the Head of Department/School/Division will suggest another date not more than five working days after the date originally proposed (unless mutually agreed).
- The employee should be allowed to explain their complaint and how they think it should be settled.
- It may be necessary to adjourn the meeting to undertake further investigation or to allow more detailed consideration of the grievance.
- A written response will be given to the employee within 7 working days following the meeting
- Potential outcomes will be that the grievance is upheld, partially upheld or not upheld.
- If the grievance is upheld, notice will be given as to how the grievance will be addressed
- The employee will be advised in the letter that they have the right to appeal against the decision if not satisfied with it.

## **Step Three : Appeal**

- If an employee is unhappy with the decision after a grievance meeting, the employee has the right of appeal.
- An intention to appeal should be made in writing to the University Secretary within 7 days of receipt of the letter confirming the outcome of the grievance meeting. This letter should also state the grounds of the appeal.
- On receipt of an intention to Appeal, the University Secretary will set up an Appeal Committee consisting of 3 senior University employees, one of whom should have knowledge of the field of work of the employee, and who has not previously been involved in the case. The Committee will hear the appeal within 4 weeks of the intention to appeal being lodged.
- The employee must make all reasonable steps to attend this meeting.
- The Head of Department/School/Division and the employee, or his or her representative, will submit a written statement of case relating to the grievance, and the names of any witnesses, if appropriate, to the University Secretary at least 5 working days prior to the hearing of the Appeal. The cases will be circulated together with the names of any witnesses, prior to the hearing of the appeal, to the members of the Appeal Committee, to the Head of Department/School/Division and to the employee or his or her representative.
- The result of the Appeal Hearing will be communicated to the employee in writing.

This procedure complies with the minimum statutory requirements as set out in the Employment 2002 (Dispute Resolution) Regulations 2004 for dealing with grievances i.e. the Standard (Three Step) Procedure.

## **3 Collective Issues**

Where issues are of general application affecting some or all of the employees within a category of staff covered in the Procedure Agreement, they should be raised initially with the the Head of Department/School/ Division so steps can be taken to resolve the matter informally at a local level.

If however a collective grievance can not be settled informally, the complaint should be put in writing in the first instance by the Union Secretary, or full time Officer, of the appropriate trade union, to the Secretary of the University. The written submission should clarify the details and should normally be signed by all employees who are party to the grievance.

If a collective grievance arises the 'status quo' will prevail and there shall be no stoppage of work or any other industrial action by either party and no alteration shall be made by the University to the terms and conditions of employment, procedures and working practices at issue until all the procedures specified in this procedure have been exhausted. The matter will then be referred to the Local Joint Committee who shall meet within 4 weeks after receipt of the collective grievance by the University Secretary. A decision will be jointly agreed at the Local Joint Committee as to how the matter will be resolved.

## **4 Issues not Resolved at Local Level**

The matter will end and the procedure will be deemed exhausted at the University Court unless an important issue of principle arises which should be referred by either side to the appropriate National Negotiating Body or ACAS for resolution.

*The Grievance Procedure for Clerical and Related, Technical and Manual Staff was revised on 18.05.06 to take account of the statutory dismissal, disciplinary and grievance procedures however it should be noted that the Procedure is now under a wider review and an update policy with associated guidelines will be issued in due course.*

(js/misc/final)