GRIEVANCE POLICY AND PROCEDURE

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1. POLICY STATEMENT AND SCOPE

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 grievances raised by staff seriously. 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 well-being of all employees.

1.2. This policy applies to all employees and should be applied in accordance with the College’s policies regarding Equality and Diversity. For employees covered by Statute 9 the composition of the grievance panels shall be as specified in that statute.

1.3. This policy complies with prevailing legislation and the ACAS Code of Practice on Disciplinary and Grievance Procedures and Guide for Dealing with Discipline and Grievances in the Workplace. Grievances are defined 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 can include, but are not restricted to, the following:
• 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

1.4. Grievances 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 may treat any such behaviour as misconduct under the disciplinary procedure.

1.5. At all stages of the grievance procedure, an employee has the right to be accompanied by a Trade Union Representative or a workplace colleague.

1.6. All managers and individuals involved in the conduct of grievance procedures will have due regard to the requirements of the ACAS Code of Practice on Disciplinary and Grievance Procedures, to this policy and, where appropriate, Statute 9; they will be
provided with training to ensure as far as possible that grievance matters are handled properly and fairly.

1.7. Statistical data on the number of grievances, reasons for grievances, and outcomes of grievance complaints are collected by the Human Resources Department as part of the annual monitoring arrangements. Such data are reported to the Equality and Diversity Steering Group and Committee, and reported to the Joint Negotiating and Consultative Committees on an annual basis. Policy issues arising from monitoring the policy will be investigated by the Human Resources Department and College management as appropriate.

2. **PRINCIPLES**

2.1 The College seeks to actively promote the resolution of grievances informally without recourse to the formal stages of the procedure, wherever possible.

2.2 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. Any concerns in the first instance should be raised with the line manager or the line manager's manager when the concern relates to the line manager.

2.3 A grievance may be raised by an employee at any time during their employment at the College including during their probationary period. Grievance complaints should be raised in a timely manner and ideally within 6 months of the issue of the complaint(s).

2.4 Subject to the agreement of all parties involved in the grievance, the procedure may be suspended at any stage for mediation, with the aim of promoting a speedier and/or mutually agreed resolution of the grievance.

2.5 This procedure cannot be used to challenge formal outcomes in other procedures which have an appeal process, for example:
- Capability Procedure
- Disciplinary Policy and Procedure
- Job Evaluation
- Probation Guidelines
- Promotion and Professorial Banding
- Redundancy Procedure

(This list is not exhaustive)

2.6 If an employee leaves the College prior to a grievance being resolved, the investigation of their grievance may be concluded and a written report will be provided to the complainant.

2.7 Where a grievance is raised by more than one employee it may be dealt with as a collective grievance.
2.8 The College will deal with all grievance complaints confidentially. Where confidentiality is a problem for the investigation or resolution of a grievance, members of staff will be advised by the Human Resources Department.

2.9 A demand for complete anonymity may make it difficult for the College to deal with a grievance complaint.

2.10 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.


Managers investigating a grievance and the panel hearing a grievance complaint may recommend that the matter be dealt with under the College’s disciplinary procedure.


2.11 All grievance complaints will be treated seriously. This policy must not, however, be used to raise concerns without just cause and/or with the intention of causing distress to others. Use of the grievance procedure to raise vexatious or malicious grievances may result in disciplinary action against the complainant.

2.12 Where an employee raises a grievance during a disciplinary process, the disciplinary process will be suspended in order to allow for the grievance to be considered.

2.13 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.

2.14 Members of the Human Resources Department or Officers of recognised Trade Unions are able to give advice and assistance to all parties.

3. RESPONSIBILITIES

3.1 Both managers and members of staff have responsibilities within the Grievance Policy and Procedure.

Line managers are responsible for:
• treating all grievances seriously, dealing with each one fairly, consistently and sensitively;
• trying to resolve all issues informally before they become formal grievances;
• ensuring the grievance procedures are followed correctly, seeking advice from the Human Resources Department;
• addressing any grievances promptly and within the given timelines;
Employees are responsible for:
- working with the manager to genuinely seek resolution;
- co-operating with any investigation;
- trying to raise a grievance at the earliest opportunity, wherever possible.

4. MEDIATION

4.1. Mediation is a voluntary process that can sometimes help resolve grievance issues. A mediator assists parties in a dispute to seek a resolution. Any agreement comes from those in dispute, not from the mediator.

4.2. At any stage in this procedure, the parties to a grievance may request that the matter be referred for mediation. Mediation is only possible if all parties agree to it.

4.3. Employees are encouraged to consider mediation as a means of resolving workplace disputes without recourse to formal grievance procedures.

4.4. Mediation can be arranged through the Human Resources Department.

5. PROCEDURE – INFORMAL STAGE

5.1. 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. Solutions 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.

5.2. A grievance should be raised with the line manager of the subject of the complaint. If the complainant is unclear with whom they should raise the grievance, they should seek advice from the Human Resources Department or their Trade Union representative.

5.3. The informal stage should not involve detailed investigation into the grievance or the attribution of 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.

5.4. Managers should 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 concerns fairly and promptly.

5.5. The informal stage should 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.

5.6. A record of any such discussions, detailing the nature of the informal grievance, the incident(s) that gave rise to concern, the date(s) on which these occurred, and any
outcome, should be agreed between the line manager and employee and retained by them for future reference, if necessary.

5.7. If the issue is not resolved informally an employee may wish to consider raising a grievance under the formal stage of this procedure.

6. PROCEDURE – FORMAL STAGE

6.1. If a grievance is not resolved at the informal stage, the member of staff may raise the grievance in writing to the relevant line manager, without unreasonable delay. This should be copied to the Human Resources Department. Where the grievance relates to the complainant’s 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.

6.2. A formal grievance complaint should set out as fully as possible the specific grievance including any available supporting evidence. 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)

6.3. If there is any doubt with whom the grievance should be raised, advice should be sought from the Human Resources Department.

6.4. The line manager with whom the grievance was raised may, in consultation with the Human Resources Department, identify an appropriate investigating manager to conduct the grievance investigation. (see Appendix 2 - Investigation Checklist). The investigating manager should have no previous involvement in the matter.

The investigating manager will carry out an investigation and provide a report to the line manager and the Human Resources Department. In consultation with the Human Resources Department, the line manager will determine, in light of the investigation report, whether the matter should be dismissed, whether the matter should be addressed informally, whether mediation is recommended, or whether to proceed directly to a formal grievance hearing. The investigation report will normally be produced within 10 working days of the conclusion of the investigation.

6.5. The Human Resources Department will arrange a formal grievance hearing if the grievance remains unresolved. The hearing will take place within a reasonable time, and normally within 10 working days of receiving the investigative report.

For employees not covered by Statute 9, the panel will be chaired by a senior manager. The panel will normally be chaired by the employee’s Head of Service or Department and will also include a second senior manager from another department, neither of whom will have been previously involved in the case. Where appropriate, an independent expert or experts
relevant to the matter concerned may be appointed. They will be advised by a representative from the Human Resources Department.

For members of Academic staff covered by Statute 9, the panel will be constituted in accordance with that statute. This states that the chair will be a senior member of staff of the College, defined as a Professor, or, if appropriate, a member of the senior management team, not otherwise concerned with the matter; two members of the academic staff from the approved list nominated by the Academic Board, not otherwise concerned with the matter; and, where appropriate, an independent expert or experts relevant to the matter concerned to advise the panel.

The Human Resources Department will communicate beforehand with those involved in the grievance complaint, and may receive representations on the appropriateness of nominated panel members.

6.6. All parties directly involved with the grievance will receive written notification from the Human Resources Department 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 accompanied at the hearing by a Trade Union Representative, or a workplace colleague;
(d) copies of any available supporting documentary evidence, including the grievance complaint, any witnesses’ statements and investigating manager’s report, to which reference is to be made at the hearing;
(e) the membership of the grievance panel and the Human Resources representative attending to advise.

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

6.8. 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.

6.9. It should be noted that a grievance hearing 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).

6.10. At the discretion of the Hearing Manager/Panel, 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 making the grievance within 10 working days, as well as the person who is the subject of the grievance.
7. **APPEAL STAGE**

7.1. 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.

7.2. An appeal panel will consider the grounds put forward to assess whether or not the conclusion reached as a result of a formal grievance 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 panel decision, 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.

7.3. Once notification of an appeal has been received, a Grievance Appeal Panel will be convened within a reasonable timeframe and without unreasonable delay.

7.4. For staff not covered by statute 9, the appeal will be heard by a panel of three, which will include the next level of management and two other members of staff not previously involved in the grievance, and a representative from the Human Resources Department to advise and guide the panel.

For staff covered by statute 9, an appeals panel will consist of two Independent Members of College Council, one of whom will be chair of the panel; at least one member of the academic staff drawn from the approved list nominated by Academic Board, not otherwise concerned with the matter; and where appropriate an independent expert or experts relevant to the matter concerned to advise the panel.

The Human Resources Department will communicate beforehand with those involved in the grievance complaint, and may receive representations on the appropriateness of nominated panel members.

7.5. 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.
(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.
7.6. 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.

7.7. The decision of the appeal panel is final.

8. **RIGHT TO BE ACCOMPANIED**

8.1. 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.

8.2. 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.

9. **CONFIDENTIALITY AT ALL STAGES**

9.1. Where a formal 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.

9.2. 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.

9.3. 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 the appropriate Human Resources representative.

10. **DIGNITY AT WORK**

10.1. 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.

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

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

11. GRIEVANCES IN SPECIAL CASES

11.1. Trade Union Representatives
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.
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.

11.2. Collective Grievances
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.
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.
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RAISING A FORMAL GRIEVANCE
EMPLOYEE’S CHECKLIST

Representatives of the Human Resources 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 behavior 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:
  o 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:
  o the date and time of incidents
  o where they took place
  o the names of the people involved
the names of any witnesses.
o 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 a Human
Resources 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 Human Resources 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. Advise member of staff of right to be accompanied at all stages.

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, Human Resources 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 recommended written in 1st person past.
• Ask individual to check and sign to confirm 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 there is a need for suspension from duty – the power to suspend rests with the Head of Department unless the situation involves a senior academic member of staff, when the power to suspend rests with the Principal.
• At the end of the investigation, produce a report summarising the findings, and 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 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 original decision regarding their grievance and to determine whether or not the decision should be amended.

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. 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 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 or presented in the course of any investigation, including any relevant evidence that took place into the 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 their 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.
• The Chair may ask the line manager (and any witnesses) questions. The line manager may on request confer with their Human Resources 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 thank the parties for attending and close the hearing.
Grievance Procedure Flowchart

**Informal Stage**
- Member of staff raises matter as a grievance under the informal stage of the grievance procedure
  - Discussions, meeting(s) and resolution seeking
  - Actions aimed at addressing the grievance and normally completed within 10 working days. Manager provides member of staff with summary note.

**Formal Stage and Appeal**
- Member of staff raises grievance in writing to appropriate formal stage manager
  - Manager undertakes an investigation. Case may be investigated under other procedures if applicable.
  - Formal grievance hearing called within a reasonable time and normally within 10 working days of receiving an investigation report if applicable.
  - After hearing panel meets and decides, member of staff notified of findings and any actions or recommendations

**Appeal**
- Member of staff submits an appeal against formal outcome in writing to Director of Human Resources within 10 working days.
  - Appeal panel complainant notified of outcome within reasonable timeframe, and without unreasonable delay.

**Appendix 5**
- Issue which cannot be resolved as part of normal day-to-day management process and discussion
  - Normally to line manager or to the line manager’s manager if the line manager is implicated.
- Appropriate manager, complainant and other members of staff as appropriate to the circumstances and nature of the grievance
  - Mediation may be used to resolve issues prior to entering the formal stage.
- Issue which has not been resolved by informal resolution stage actions
  - Normally next level of management.
  - State what actions taken under previous stage and why these have not resolved the issue.

**Note:** This flowchart represents an overview of the procedure. Please refer to the full procedure on the Human Resources Department website and to your HR Manager for further guidance.

The decision of the appeal panel is the final stage of the internal grievance procedure.