

GRIEVANCE POLICY

1. INTRODUCTION

The university is committed to providing a positive working environment where employees are treated fairly and with dignity and respect. We appreciate that sometimes concerns, and issues occur, and you may need support to resolve them. This policy explains how to raise a grievance and the steps that will be taken to find a resolution as swiftly as possible and as close to the point of its origin.

2. SCOPE

This policy applies to all employees of the University of Suffolk and relates to issues or incidents that have occurred in work or in a work-related situation.

It does not apply to matters collectively agreed with the University's recognised trade unions.

3. ROLES & RESPONSIBILITIES

Employee: The individual who has a concern and is raising the grievance. Your role is to explain the basis of the grievance and resolution sought and actively engage in the process and do what you can to assist in resolving your grievance.

The Person Complained About: The person (or people) identified by the Employee as responsible for the issues being raised.

Line Manager: The Employee's line manager may be the Respondent or if not involved in the grievance may take the role of the Grievance Manager. They may also have responsibility for delivering or supporting the delivery of any recommendations arising from the formal stages of a grievance.

Grievance Manager: The manager assigned to consider the Grievance. Their role is to seek to resolve the grievance, in a transparent and impartial manner.

Appeal Manager: The manager assigned to consider any Appeal of the Formal Process. Their role is to review the paperwork and process conducted and consider any additional information provided by the Employee to reach a conclusion on the grievance appeal. They are not assigned to re-hear the original grievance but to consider whether the process followed was robust and fair and whether the outcome and recommendations were reasonable.

POD (People and Organisational Development) Representative: To Support the Grievance and Appeal Manager in their considerations, providing advice on the process and conduct of any investigation. They do not make the decision on the outcome.

Accompanying Trade Union Representative or Colleague: To support those involved in the process and assist them in preparing for any meetings, presenting information, and supporting the Employee. They may present information on behalf of the Employee at meetings although they may not answer questions on behalf of the Employee.

4. PRINCIPLES

This policy is underpinned by the following principles:

- 4.1 The ability to discuss issues openly and respectfully is essential to the well-being of our people and the success of the University.
- 4.2 The grievance procedure does not take the place of normal communication with your manager or colleagues. You should try and resolve most issues by talking informally to your manager at an early stage.
- 4.3 Wherever possible the informal resolution of differences is preferable, but a formal process is sometimes required to enable all parties to work together to find a mutually acceptable resolution.
- 4.4 A formal grievance can be difficult for all those involved, and the University is committed to supporting all participants, keeping them informed of progress as appropriate and treating everyone with dignity and respect.
- 4.5 The process will be kept as confidential as possible and information about a case will only be shared with those directly involved or affected.
- 4.6 All genuine grievances will be dealt with promptly and fairly. Deliberate misuse of the Grievance Procedure may lead to disciplinary action against the employee concerned.
- 4.7 The people identified to investigate, or review grievances will have the relevant training to carefully consider cases.
- 4.8 If your concern relates to another University policy, you must follow the procedure specified in that policy.
- 4.9 In circumstances where a grievance may apply to more than one person it may be appropriate for the problem to be resolved through the agreed negotiating machinery or by collective agreements between the trade union(s) and the employer rather than by recourse to the above procedure.

4.10 Where a grievance relates to your immediate line manager it will normally be possible to raise the issue with someone outside, the management line. If you are unsure about who an appropriate person may be in these circumstances, please contact the POD Team for clarification.

5. WITHDRAWAL OF GRIEVANCE

A formal grievance may be withdrawn at any stage of the process. However, the University may decide to continue to investigate and deal with any issues raised, for example if matters of potential misconduct have been identified.

6. LINKS TO OTHER RELEVANT POLICIES & GUIDANCE

You may find it useful to refer to other relevant University policies and guidance which you can find on the Intranet home page:

- Disciplinary Policy
- Dignity & Respect Policy

7. INCLUSIONS/EXCLUSIONS

Inclusions

Grievances may be raised about:

- The nature of duties
- Conditions of service
- Working relationships
- Bias or unfair discrimination on employment decisions

Exclusions

This policy will not apply to complaints which should be dealt with under other policies. These include:

- Dismissal - it would be expected that this is dealt with under appropriate appeal process dependant on reason for dismissal
- Discipline – it would be expected that this is dealt with under the appeal process associated with the Disciplinary policy
- Performance (Capability) issues– it would be expected that this is dealt with under the appeal process associated with the Capability policy
- Redundancy– it would be expected that this is dealt with under the appeals section of the Organisational Change policy
- Bullying and Harassment - it would be expected that this is dealt with under the Dignity at Work policy
- Statutory matters over which UoS has no control e.g. income tax or national insurance

Informal Resolution

All University employees should seek to resolve differences informally where possible. If the concern relates to a matter involving another colleague, you should ideally raise this with them directly with a view to resolving it. Similarly, if the concern relates to your role or work you should typically first discuss this with your line manager. If the matter relates to your line manager, you may raise it with a more senior manager.

If you are not sure who to speak to you may approach the any of the following:

- Dean of School/Department/Directorate or area in which you work.
- Local Officers of the Trade Unions: UCU or Unison
- POD team

It is hoped that most concerns will be resolved at this stage. Alternatively, you may find that the Dignity and Respect at Work policy may be more appropriate for dealing with your matter.

Formal Resolution – Stage 1

If you feel that the matter has not been resolved through informal discussions, you may raise a formal grievance. This should be done in writing as soon as possible and in any case within 5 working days to your line manager or another manager you feel able to approach, providing the following details: -

- When the incident(s) happened (date and time).
- What/Who the complaint is being made against.
- The nature of the incident and specific details.
- The names of any witnesses to the incident; and
- Any action which has already been taken.

A copy of the complaint will be provided to the person the complaint has been made against.

The Grievance manager will write to you normally with 48 hours' notice, to confirm the date for the meeting to discuss your grievance with you. At the meeting you may be accompanied by a trade union representative or a work colleague if you wish.

The meeting allows the Employee to explain the background to their grievance and the resolution they are seeking. It is also for the Grievance Manager to ensure they understand the issues and to mutually explore potential options for resolution. The Grievance Manager should also seek to understand who else they may need to speak to prior to reaching a recommendation.

A summary note, recording the key points, will be taken of the meeting, and shared with the Employee. The Employee may comment on the notes to ensure they are accurate.

If the Employee or their trade union representative is unable to attend the initial Grievance meeting, steps will be taken to rearrange this within 5 working days. However, if the Employee is persistently unable or unwilling to attend a meeting, the Grievance Manager may investigate and reach an outcome based on the information available to them. A decision to proceed in this way will be communicated in writing to the Employee.

The Grievance Manager may decide it is necessary to meet with the Employee raising the grievance again prior to deciding. This could be to seek additional information or to give the Employee an opportunity to respond if contrary information has been provided by a Respondent or witnesses.

Once the Grievance manager has reached a conclusion they will respond in writing to the Employee. This will set out the issues under consideration, the steps they have taken to investigate and assess them, their conclusions, and the resolution they are recommending.

Formal Resolution– Stage 2 - Appeal

If an employee wishes to appeal the outcome of a Stage 1 grievance, they should submit an appeal in writing outlining their full grounds for appeal, in writing to the manager who heard the grievance within 5 working days of being notified of the outcome of Stage 1. Arrangements will then be made for an appeal hearing to be conducted by another manager not involved in the original grievance.

Employees will be notified that their appeal has been received within 5 working days. The person complained about will also be informed that an appeal has been received and may be advised of the appeal grounds and context.

The appeal stage is not intended to be a rehearing of the original case. Hence the grounds for appeal should typically fall within one of the following:

- Procedural error.
- The outcome and recommendations are unreasonable and significantly out of line with the issues considered.
- Added information is now available which could not have been provided when the original outcome was communicated.

Where the appeal relates to new evidence there should be a clear statement provided outlining the reason this was not available for consideration at the previous stage.

Appeals will be heard by a more senior manager or the same level manager from a different team. For more complex cases an additional manager will join the chair to form a panel to hear the grievance. A People Business Partner will be appointed to advise the Chair/panel in matters of process and available options; the People Business Partner will not be part of the decision making.

The appeal meeting allows the employee to explain why they think the outcome from the initial grievance was incorrect or failed to resolve the grievance. The Appeal Manager will ask questions to ensure they understand the grounds for the appeal and any added information being presented along with the resolution being sought. A summary note, recording the key points, will be taken of the meeting, and shared with the employee. The employee may comment on the accuracy of the note.

The Chair may adjourn the meeting to consider the information and conduct any additional investigations they feel necessary. This is likely to involve meeting with the original Grievance Manager and potentially the Respondent(s) but only where this is felt necessary to reach a conclusion. If the Chair decides longer time for adjournment is needed to collate more evidence, the members of the meeting will be advised accordingly. However, decisions should be made promptly, and the meeting reconvened at the earliest opportunity.

Once the Chair has considered all the points raised, they will provide a written response to the employee within 10 working days of the meeting to confirm the outcome of the appeal. No further appeals are permitted.

Keeping Records

At the end of each stage, a complete record of all appropriate documentation generated during the various stages of the formal procedure must be passed to the People Business Partner. These

records should be kept confidential and held electronically on the individual's personal file and retained in accordance with the General Data Protection Regulations 2018.