

GRIEVANCE PROCEDURE

1. About this procedure

- 1.1 The University of Reading recognises that from time to time individual employees may have concerns, problems or complaints in relation to their employment. The University wishes to ensure that grievances are resolved quickly to the satisfaction of all concerned.
- 1.2 The Grievance Procedure is one of a suite of procedures ([Policies and Procedures](#)) that facilitate the resolution of problems at work. The Grievance Procedure sits alongside the Disciplinary Procedure, the Performance Management Procedure and the Ill-Health Procedure. They share the common intention to provide a framework that ensures such issues are addressed fairly and reasonably. Disciplinary, ill-health and performance management processes will normally be initiated by the relevant line manager. A grievance process is normally initiated by an individual employee who wishes to raise a concern in relation to their employment, across a range of potential issues such as those noted at 2.1.
- 1.3 It is our policy to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. The University encourages open communication at all stages of this procedure so that difficulties arising during employment can be brought out into the open. The University aims to investigate any formal grievances using the procedures set out below. Those raising a grievance will be entitled to meet with those investigating, be informed of the outcome in writing and have a right of appeal if they are not satisfied.
- 1.4 All steps taken under this procedure by the University will be carried out in accordance with the University's principles relating to equality and academic freedom, as enshrined in the Charter of Incorporation and the principles of fairness, reasonableness and natural justice.
- 1.5 This procedure applies to all employees including full and part-time employees, those on fixed term and temporary contracts of employment regardless of length of service. This procedure does not apply to Campus Jobs workers, self-employed contractors or agency workers.
- 1.6 Employees are excluded from using this procedure to raise substantively the same grievance again following completion of the original grievance process, except where agreed actions have not been implemented.
- 1.7 This procedure has been implemented following consultation with the University and College Union and the University of Reading Staff Forum.
- 1.8 This procedure does not form part of any employee's contract of employment and it may be amended at any time. Amendments will be subject to consultation and negotiation with the University and College Union and the University of Reading Staff Forum and the review and approval of the University's Council. Minor amendments or those necessitated by a change in the law will not be subject to this process. This procedure, including any time limits, may be varied as appropriate and reasonable in any case.

- 1.9 This procedure will be reviewed biennially with the University and College Union and the University of Reading Staff Forum and approved by the University's Council.
- 1.10 In this procedure, reference to a member of the Academic Staff means a Lecturer, Associate Professor or Professor.

2. Using this procedure

- 2.1 Issues that could cause grievances may include:
- (a) terms and conditions of employment;
 - (b) disputes regarding academic freedom;
 - (c) health and safety;
 - (d) work relations;
 - (e) bullying and harassment;
 - (f) new working practices;
 - (g) working environment;
 - (h) organisational change; and
 - (i) discrimination.
- 2.2 This Grievance Procedure should not be used as a secondary appeal process where there is an existing appeal process under the relevant policy or procedure. For example, if you are dissatisfied with any disciplinary action, you should submit an appeal under the Disciplinary Procedure, and if you are dissatisfied with a decision about grading, promotions or rewards, you should submit an appeal under the procedure governing that decision.
- 2.3 The University has a separate Harassment and Bullying Policy Statement and Procedure that may be useful if you believe you have been the victim of bullying or harassment or wish to report an incident of bullying or harassment involving other people. This procedure is available via the HR and D&I Webpages.
- 2.4 The University operates a separate Whistleblowing Policy to enable employees to report illegal activities, wrongdoing or malpractice. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of whistleblowing, you may raise the matter under this Grievance Procedure.
- 2.5 Grievances concerning two or more employees (which may be collective grievances), including those raised by the University and College Union or the University of Reading Staff Forum, will be dealt with as appropriate to the facts of the case.
- (a) Complaints concerning policy issues affecting a number of staff should be raised by the University and College Union and/or the University of Reading Staff Forum in accordance with the agreed mechanisms.
 - (b) Where grievances from two or more employees arise from the same set of facts, they may be dealt with together under this process or a reasonable and appropriate variation of it.
- 2.6 An appropriate record will be kept of written grievances, along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed in accordance with Data Protection laws.

- 2.7 It is recommended that managers seek the advice of Human Resources throughout the process

3. Principles

- 3.1 This procedure aims to ensure:
- (a) Fair and consistent treatment of employees who raise a grievance and employees who are the subject of a grievance; and
 - (b) Resolution of grievance matters as close to their point of origin and as promptly as possible.
- 3.2 All grievance issues will be investigated before a response is given. A written response will be provided to the person raising the grievance.
- 3.3 The University fully supports and recognises the right of individuals to raise a grievance and this will not prejudice your current employment or future career prospects when raising a grievance in good faith.
- 3.4 Individuals who are the subject of a grievance will be advised of the nature of the grievance in advance of any meeting to discuss the grievance unless it is reasonable in the specific circumstances not to do so (such as, for example, when so doing would impact the investigation of the grievance or reveal confidential information). Notification will be in accordance with the time frames set out for meetings below. Individuals who are the subject of a grievance will be involved in the resolution process at the earliest opportunity and all parties should act in good faith to seek a successful resolution to the grievance.
- 3.5 Members of staff raising a grievance may at any time decide to withdraw the grievance. However the University reserves the right to continue with the investigation in these circumstances.

4. Confidentiality

- 4.1 It is the University's aim to deal with grievance matters sensitively and with due respect for the privacy of any individuals involved. All parties must treat as confidential any information communicated to them in connection with a matter which is subject to this grievance procedure, subject to the need to seek appropriate advice and guidance.
- 4.2 It is not the University's normal procedure for meetings or hearings to be voice recorded by either party unless there are exceptional reasons why this should be considered. However, from time to time there may be a request to voice record a meeting. The decision to do so will be taken by the person chairing the meeting in consultation with HR and in advance of the meeting. A recording may be made only where all parties agree to the use of voice recording. If any party covertly voice records a meeting under this procedure the voice recording will not be used and the colleague may be the subject of disciplinary action. A written record will be prepared of formal meetings and a copy will be provided to the employee attending the meeting.
- 4.3 Employees who are the subject of a grievance will normally be told the names of any

witnesses whose evidence is relevant to the specific aspect of the grievance relating to them, unless the person chairing the meeting exceptionally and reasonably believes that a witness's identity should remain confidential. There should be no normal expectation that the identity of witnesses will be kept confidential and witnesses should understand that evidence provided by them will, other than in exceptional circumstances, be provided to the employee who has raised the grievance and, where applicable, to the person about whom the grievance is raised.

5. Disabilities

- 5.1 The University is committed to complying with its obligations under the Equality Act 2010. If an individual who raises or is subject to a grievance is disabled within the meaning of the Equality Act 2010, reasonable adjustments will be considered and made as appropriate.
- 5.2 The Chair in consultation with HR colleagues and advice from OH if appropriate, may consider further adjustments to this procedure to accommodate disability and ill-health. Such adjustments may include extending time limits, permitting you additional support in meetings or arranging meetings away from the campus. Employees are encouraged to contact the Chair of the meeting or Human Resources to discuss or inform them of any medical condition considered relevant. Such information will be treated sensitively and confidentially by those who need to be aware.

6. Raising grievances informally

- 6.1 Those involved should aim to resolve grievances quickly and informally through discussion with the person concerned or via a third party such as a line manager. If employees feel unable to speak to their manager, for example, because the complaint concerns them, then they can speak informally to an HR colleague in the first instance.
- 6.2 Employees are also able to speak to a University Harassment Advisers and can access the Employee Assistance Programme and may be able to seek advice from a Trade Union or Staff Forum Representative.
- 6.3 Human Resources can provide advice and arrange mediation intervention to help with the resolution of grievances. Mediation can provide a useful early opportunity to resolve grievances and avoid lengthy and potentially costly disputes and is encouraged but must be willingly agreed to by parties to the grievance. Mediation can be used at any stage of the resolution process but individuals are encouraged to use this option at an early stage. This [Guide to Workplace Mediation](#) may be useful.
- 6.4 If the grievance cannot be resolved informally, employees should follow the formal procedure below. However, the informal steps can be returned to with the agreement of all parties and can be used at any stage.

7. Formal written grievances

- 7.1 If a grievance cannot be resolved informally employees should put it in writing and submit it to their line manager with a copy to the relevant HR Partner, indicating that it is a formal grievance. If the grievance is against a line manager then it should be submitted to the line manager's manager instead. In exceptional circumstances a grievance can be submitted to the Director of HR who will decide how it should proceed.

- 7.2 The person to whom a grievance is submitted may discharge it to another appropriate and suitably senior manager to investigate and/or determine on his or her behalf in accordance with the table in Clause 9.3.
- 7.3 The written grievance should contain a brief description of the nature of the complaint, including any relevant facts, dates, and names of individuals involved. It is also helpful to include what is being sought as a resolution. In some situations employees may be asked to provide further information either at or in advance of an initial meeting.
- 7.4 The method of communications regarding meetings and outcomes will be agreed with you. In the absence of agreement, the preferred method of communication will be by email to your University email account.

8. Right to be accompanied

- 8.1 Employees may bring a companion to any grievance meetings under this procedure. A companion may be either a trade union representative, a Staff Forum representative or a colleague. You must tell the Chair conducting the meeting who the chosen companion is, in good time before the meeting, which will normally be five working days before the meeting.
- 8.2 Any student who is asked to attend a meeting as part of this procedure is entitled to bring a companion. A companion may be another student or a staff member of the University.
- 8.3 A companion is allowed reasonable time off from duties without loss of pay but no-one is obliged to act as a companion if they do not wish to do so.
- 8.4 If a companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, the University may ask that another companion is chosen instead.
- 8.5 During a meeting a companion may make representations and ask questions but they cannot answer questions on an employees' behalf. Employees may talk privately with their companion at any time during the meeting.

9. Grievance meetings

- 9.1 The University will arrange a grievance meeting as soon as reasonably practicable after receiving your written grievance. You will normally have at least 10 working days (Monday-Friday) notice of a grievance meeting.
- 9.2 Employees and their companion (if any) should make every effort to attend grievance meetings. If employees cannot attend at the time specified, they should inform the University immediately and reasonable efforts will be made to agree an alternative time.
- 9.3 The meeting will be chaired by an appropriate manager in accordance with the following table, they will be accompanied by an HR colleague:

GRIEVANCE PANEL

Staff in grades 1-5	Line Manager or other appropriate manager (with sufficient seniority) <u>and</u> an HR representative
Professional and managerial staff in grades 6-9	Head of Function (in Services) or Head of School (in Schools) <u>and</u> another appropriate manager <u>plus</u> support from HR
Academic Staff in grades 6-9	Head of School <u>and</u> another appropriate manager <u>plus</u> support from HR

- 9.4 The purpose of the first grievance meeting is to enable employees who have raised a grievance to explain the grievance and how they think it should be resolved, and to assist the University in reaching a decision based on the available evidence and the representations that have been made.
- 9.5 After an initial grievance meeting it is normally appropriate to carry out further investigation and/or hold further grievance meetings with witnesses or other parties. Such meetings will be arranged without unreasonable delay. Employees will be advised on the likely timescales for any investigation and will be kept updated on these timescales.
- 9.6 The purpose of any investigation is for the University to establish a fair and balanced view of the facts relating to the grievance. The amount of investigation required will vary from case to case. It may involve meeting with and taking statements from the employee who has raised the grievance, those who are the subject of the grievance and any witnesses, and/or reviewing relevant documents.
- 9.7 All employees must co-operate fully and promptly in any investigation. This will include providing the names of any relevant witnesses, disclosing any relevant documents and attending grievance meetings as required. Where the grievance includes other members of staff, they will be informed of the nature of the complaint and may be provided with a copy of it.
- 9.8 The University will write to the employee who has raised the grievance, usually within 10 working days of the final grievance meeting or as soon as reasonably possible, to inform them of the outcome of the grievance, any further action that it is intended to take to resolve the grievance, by whom this action will be taken and who will monitor it. This may include a recommendation that action is taken under another policy, including the disciplinary procedure. Any recommendations and agreed actions will be monitored. Where appropriate a meeting may be held to give you this information in person.
- 9.9 The University will ensure that any colleagues who are the subject of a grievance are kept informed of the process and will be informed of any outcomes relevant to them.

10. Appeals

- 10.1 Where an employee who has submitted a grievance is not satisfied with the resolution they may appeal in writing to the Director of Human Resources stating their full grounds of appeal, within 10 working days of the date on which the reasons for the decision were

received.

- 10.2 Employees who are the subject of a grievance may also, once any relevant outcomes have been informed to them and in the absence of any ongoing recommended formal action, submit comments to an appeal in relation to the outcomes related to them, this must be submitted within 10 working days of the date on which outcomes were notified to them. This will normally be considered within the appeal process as opposed to commencing a separate grievance investigation. This will be decided by the person appointed to hear the appeal
- 10.3 An appeal meeting will be held as soon as reasonable practicable and the employee will normally be given 10 working days' notice of it. This will be dealt with by the manager of the person who heard the grievance or by another appropriate senior manager who has not previously been involved in the case, they may ask anyone previously involved to be present.
- 10.4 The appeal meeting will be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. Any further investigation of the grievance will be completed as quickly as reasonably possible and may include gathering appropriate additional evidence.
- 10.5 The final decision will be confirmed in writing, usually within 10 working days of the appeal meeting. This is the end of the procedure and there is no further right of appeal.

Document control

VERSION	FUNCTION	APPROVING AUTHORITY	APPROVAL DATE	REVIEW PERIOD	NEXT REVIEW
1.0	HR	UoR/UCU Joint Committee	Spring 2021	3 years	Spring 2024
