

APPROVED BY COUNCIL  
September 2002

**ROYAL HOLLOWAY**  
University of London

**GRIEVANCE POLICY AND PROCEDURE**  
(for all staff other than academic teaching staff)

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**1. INTRODUCTION**

**1.1 Policy Statement**

It is the policy of Royal Holloway, University of London to ensure that fair and effective arrangements exist for dealing with grievances. 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. It is thus essential that any action resulting from a grievance is considered and applied equitably and fairly. This procedure meets the requirements of the Employment Rights Act 1996, the Employment Relations Act 1999 and the ACAS Code of Practice on Disciplinary and Grievance Procedures 2000.

**1.2 Principles**

1.2.1 The purposes of this document are:

- (a) To ensure that the obligations placed on the College are recognised and carried out in a reasonable and consistent manner.
- (b) 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.

1.2.2 This procedure applies to all staff employed by the College, except academic teaching staff, who are covered by Statute 25.

1.2.3 Grievance arrangements on behalf of Senior Administrative staff of the College who report directly to the Principal are set out in Section 6 of the procedure.

1.2.4 A grievance may be raised by a member of staff at any time during their employment at the College including during probationary periods.

1.2.5 The following are not dealt with under the grievance procedure

- (a) 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. This is covered by the Public Interest Disclosure Protocol.
- (b) Harassment and Bullying are dealt with as a disciplinary matter and are dealt with in accordance with the Code of Practice on Personal Harassment.
- (c) Employment issues where a more appropriate form of dispute resolution exists e.g. Pay and Grading issues, Redundancy.

1.2.6 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.

1.2.7 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.

1.2.8 At all formal stages of the grievance procedure, all parties will have the right to be accompanied by a trade union representative or workplace colleague of their choice.

- 1.2.9 The manager/panel hearing the grievance may recommend at any point that disciplinary action be taken if a prima facie case is thought to exist. Once this decision has been made the meeting/hearing is adjourned and the matter is then dealt with under the disciplinary procedure.
- 1.2.10 The manager/panel hearing the grievance may recommend that disciplinary action be taken against the person bringing the case if it is found to have been brought maliciously or with vexatious intent.
- 1.2.11 There is no formal right of appeal during the grievance procedure. If at any stage the person bringing the case feels the matter has not been dealt with to their satisfaction, they may take the grievance to the next stage of the procedure.
- 1.2.12 Grievance hearings will be conducted in accordance with the procedures set out at each stage which will be applied consistently throughout the College.
- 1.2.13 A record of formal grievance hearings' and resultant action or recommendations will be kept on the employee's confidential file in the Personnel Department.
- 1.2.14 Training will be provided as appropriate to ensure as far as possible that grievance matters are handled properly and fairly.
- 1.2.15 Officers of the Personnel Department are available to give advice and assistance to all parties in grievance action prior to meetings/hearings. They will attend all formal grievance hearings to advise and assist the Managers hearing the case as necessary.

## **2. INFORMAL DISCUSSIONS**

- 2.1 Most routine complaints and grievances are best resolved where possible by informal discussions with the employee's line manager.
- 2.2 A grievance should be raised with the line manager of the accused party, unless the line manager is the accused, when a more senior manager should be approached. If there is any doubt as to with whom the grievance should be raised, advice should be sought from the Personnel Department.
- 2.3 A note of any discussions should be kept by the manager.
- 2.4 If the grievance is not resolved by informal mechanisms then the formal procedure should be followed.

## **3. FIRST FORMAL STAGE**

- 3.1 The grievance should be raised in writing with the line manager of the accused party, unless the line manager/Head of Department is the accused party, when a more senior manager should be approached. If there is any doubt as to with whom the grievance should be raised, advice should be sought from the Personnel Department. This grievance letter should include details of actions taken at the Informal Stage.
- 3.2 The person with whom the grievance has been raised (the Manager) should call a hearing within 5 working days of receiving the grievance. The aim of this hearing is to try to find a resolution to the grievance by discussion.
- 3.3 The notification to attend a hearing must 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 (including the trade union solicitor) or a workplace colleague of their choice. If the representative is not available the employee can offer an alternative time and date so long as it is reasonable and falls before the end of the period of five working days beginning with the first working day after the day proposed by the Manager / Head of Personnel;
  - (d) copies of any available supporting documentary evidence, including the grievance letter, witnesses' statements, to which reference is to be made at the hearing. Where possible, witnesses should be available to attend the interview, unless the employee accepts in advance that the witness statements are statements of fact. The employee should also make available to the manager any documentation which he/she intends to refer to at the interview;
  - (e) The identity of the person(s) hearing the grievance and of the personnel representative attending.
- 3.4 If a prima facie case is found or thought to exist then the Manager (or representative) will adjourn the hearing and action will be taken in accordance with the Disciplinary Procedure in consultation with an Officer of the Personnel Department.
- 3.5 If a prima facie case is not found then the Manager will seek to resolve the issue by recommending such action as to resolve the issue. This may include counselling, reallocation of duties, setting standards etc.
- 3.6 If necessary, additional hearings will be held to try and resolve the issue.
- 3.7 A formal response to the grievance should be sent to the employee within five working days of the final hearing being held. This should include a summary of the findings and details of any recommendations.
- 3.8 The Manager should go back to the employee bringing the grievance and see whether they are happy with the outcome of the hearing. If the employee does not feel that the matter has been satisfactorily resolved or if there is a reoccurrence of the action which resulted in the grievance being brought then the employee may request that the next stage of the procedure be implemented.

#### **4. SECOND FORMAL STAGE**

- 4.1 The grievance should be raised in writing with the Head of Department of the accused party, unless the line manager/Head of Department is the accused party, when a more senior manager should be approached. If there is any doubt as to with whom the grievance should be raised, advice should be sought from the Personnel Department.
- 4.2 The person with whom the grievance has been raised (the Head of Department) should call a hearing within 5 working days of receiving the grievance. The aim of this hearing is to try to find a resolution to the grievance by discussion.
- 4.3 The notification to attend a hearing must 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 (including the trade union solicitor) or a workplace colleague of their choice. If the representative is not available the employee can offer an alternative time and date so long as it is reasonable and falls before the end of the period of five working days beginning with the first working day after the day proposed by the Manager / Head of Personnel;

- (d) copies of any available supporting documentary evidence, including the grievance letter, witnesses' statements, to which reference is to be made at the hearing. Where possible, witnesses should be available to attend the interview, unless the employee accepts in advance that the witness statements are statements of fact. The employee should also make available to the manager any documentation which he/she intends to refer to at the interview;
  - (e) The identity of the person(s) hearing the grievance and of the personnel representative attending.
- 4.4 If a prima facie case is found or thought to exist then the Head of Department (or representative) will adjourn the hearing and action will be taken in accordance with the Disciplinary Procedure in consultation with an Officer of the Personnel Department.
- 4.5 If a prima facie case is not found then the Head of Department will seek to resolve the issue by recommending such action as to resolve the issue. This may include counselling, reallocation of duties, setting standards etc.
- 4.6 If necessary, additional hearings will be held to try and resolve the issue.
- 4.7 A formal response to the grievance should be sent to the employee within five working days of the final hearing being held. This should include a summary of the findings and details of any recommendations.
- 4.8 The Head of Department should go back to the employee bringing the grievance and see whether they are happy with the outcome of the hearing. If the employee does not feel that the matter has been satisfactorily resolved or if there is a reoccurrence of the action which resulted in the grievance being brought then the employee may request that the next stage of the procedure be implemented.

## **5. FINAL FORMAL STAGE**

- 5.1 The grievance should be raised in writing with the Head of Personnel, unless the Head of Personnel is the accused party, when the Director of Resources should be approached. This grievance letter should include details of the actions taken at the Second Formal Stage.
- 5.2 The grievance will be heard by a panel of three to include an appropriate senior member of staff to chair the panel, a representative from the Personnel Department and a representative nominated by the Union.
- 5.3 The Head of Personnel (or representative) should call a hearing within 5 working days of receiving the grievance. The aim of this hearing is to try to find a resolution to the grievance by discussion.
- 5.4 The notification to attend a hearing must 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 (including the trade union solicitor) or a workplace colleague of their choice. If the representative is not available the employee can offer an alternative time and date so long as it is reasonable and falls before the end of the period of five working days beginning with the first working day after the day proposed by the Head of Personnel;
  - (d) copies of any available supporting documentary evidence, including the grievance letter, witnesses' statements, to which reference is to be made at the hearing. Where possible, witnesses should be available to attend the interview, unless the employee accepts in advance that the witness statements are statements of fact. The employee

should also make available to the manager any documentation which he/she intends to refer to at the interview;

- (e) The identity of the person(s) hearing the grievance and of the personnel representative attending

5.5 If a prima facie case is found or thought to exist then the Panel will adjourn the hearing and action will be taken in accordance with the Disciplinary Procedure.

5.6 A formal response to the grievance should be sent to the employee within five working days of the final hearing being held. This should include a summary of the findings and details of any appropriate action to be taken.

5.7 The decision of the Panel is final.

## **6. GRIEVANCE IN SPECIAL CASES**

### **6.1 Senior Administrative Staff of the College**

6.1.1 A grievance against a member of the Senior Administrative staff who reports directly to the Principal should be raised in writing with the Principal.

6.1.2 Where possible complaints and grievances are best resolved by informal discussions with the Principal (or representative)

6.1.3 A note of any discussions should be kept by the Principal (or representative).

6.1.4 If the grievance is not resolved by informal mechanisms then the following formal procedure should be followed.

6.1.5 The Principal (or representative) should call a hearing within 5 working days of receiving the grievance. The aim of this hearing is to try to find a resolution to the grievance by discussion.

6.1.6 The Principal (or representative) may request additional person(s) to sit as a panel, as appropriate.

6.1.7 The notification to attend a hearing must 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 (including the trade union solicitor) or a workplace colleague of their choice. If the representative is not available the employee can offer an alternative time and date so long as it is reasonable and falls before the end of the period of five working days beginning with the first working day after the day proposed by the Principal;
- (d) copies of any available supporting documentary evidence, including the grievance letter, witnesses' statements, to which reference is to be made at the hearing. Where possible, witnesses should be available to attend the interview, unless the employee accepts in advance that the witness statements are statements of fact. The employee should also make available to the manager any documentation which he/she intends to refer to at the interview;
- (e) The identity of the person(s) hearing the grievance and of the personnel representative attending.

6.1.8 If a prima facie case is found or thought to exist then the Principal will adjourn the hearing and action will be taken in accordance with the Disciplinary Procedure in consultation with an Officer of the Personnel Department.

- 6.1.9 If a prima facie case is not found then the Principal will seek to resolve the issue by recommending such action as to resolve the issue. This may include counselling, reallocation of duties, setting standards etc.
- 6.1.10 If necessary, additional hearings will be held to try and resolve the issue.
- 6.1.11 A formal response to the grievance should be sent to the employee within five working days of the final meeting being held. This should include a summary of the findings and details of any appropriate action to be taken.
- 6.1.12 The Principal (or representative) should go back to the employee bringing the grievance and see whether they are happy with the outcome of the meeting. If the employee does not feel that the matter has been satisfactorily resolved or if there is a reoccurrence of the action which resulted in the grievance being brought then the employee may request that a Council panel be set up to hear the grievance.
- 6.1.13 Formal notification should be received by the Principal that the grievance has not been resolved to the satisfaction of the employee and they wish a Council panel to hear the grievance.
- 6.1.14 The Principal will request the Council to appoint a Panel to hear the charge or charges and to determine whether the conduct of the member of staff concerned warrants disciplinary action being taken.
- 6.1.15 The Panel appointed by the Council will comprise of two lay members of Council, one of whom will chair the panel and a senior member of staff nominated by the Principal. The Head of Personnel (or representative) will be in attendance in an advisory capacity.
- 6.1.16 A hearing will be called as soon as possible but normally within twenty working days of receipt of the letter.

The notification to attend a hearing must 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 (including the trade union solicitor) or a workplace colleague of their choice. If the representative is not available the employee can offer an alternative time and date so long as it is reasonable and falls before the end of the period of five working days beginning with the first working day after the day proposed by the Principal;
  - (d) copies of any available supporting documentary evidence, including the grievance letter, witnesses' statements, to which reference is to be made at the hearing. Where possible, witnesses should be available to attend the interview, unless the employee accepts in advance that the witness statements are statements of fact. The employee should also make available to the manager any documentation which he/she intends to refer to at the interview;
  - (e) The identity of the person(s) hearing the grievance and of the personnel representative attending.
- 6.1.17 If a prima facie case is found or thought to exist then the Panel will stop the hearing and action will be taken in accordance with the Disciplinary Procedure.
- 6.1.18 If a prima facie case is not found then the Panel will seek to resolve the issue by recommending such action as to resolve the issue. This may include counselling, reallocation of duties, setting standards etc.

- 6.1.19 If necessary, additional hearings will be held to try and resolve the issue.
- 6.1.20 A formal response to the grievance should be sent to the employee within five working days of the final meeting being held. This should include a summary of the findings and details of any appropriate action to be taken.
- 6.1.21 The decision of the Panel is final.

## **7. Trade Union Representatives**

- 7.1 These procedures shall apply equally to those members of staff who are appointed or elected, under a trade union's rule, to represent members of the trade union employed by the College. However, on any occasion where such a trade union representative is to be the subject of a grievance meeting or hearing, the Head of Personnel, in addition to informing the member of staff of their right to be accompanied by a trade union representative (including the trade union solicitor) or colleague, shall inform the appropriate full-time union official as quickly as is reasonably practical and, in any case, before the date of the meeting or hearing is fixed.
- 7.2 The full-time official shall also be given a copy of any communication containing the result of such grievance meeting or hearing, which is sent to the member of staff.