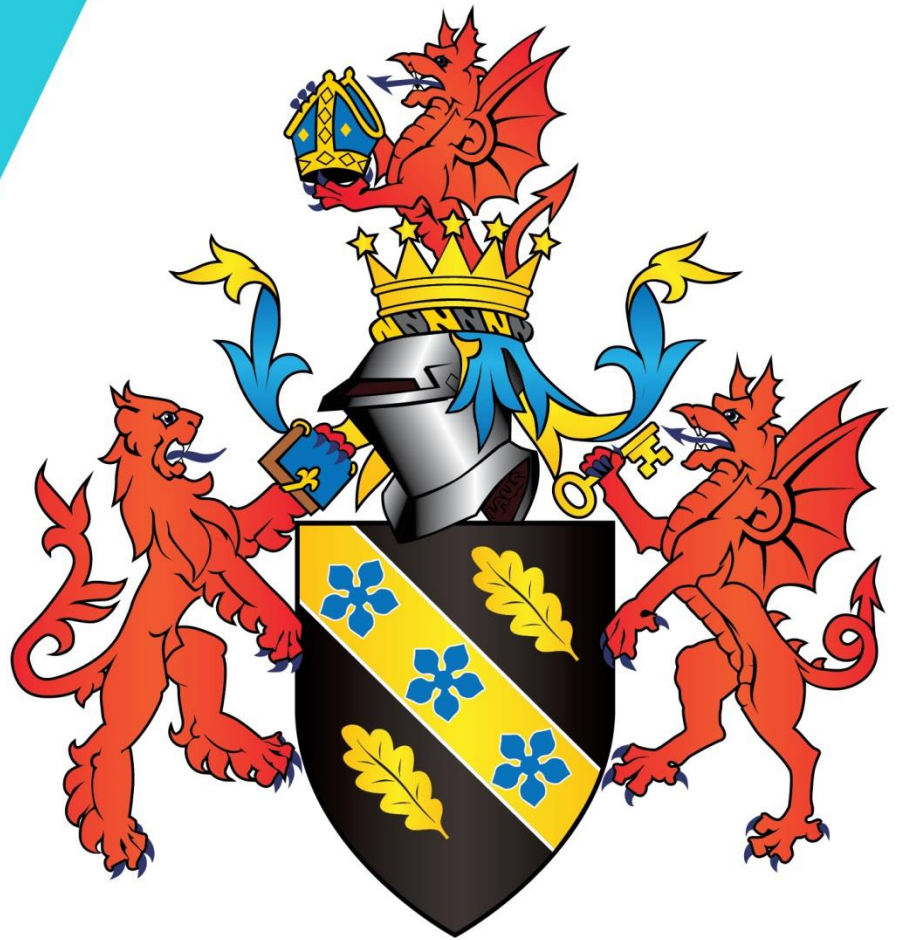




Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David



Grievance Procedure

Contents

1. Introduction
2. Purpose
3. Scope
4. Informal Resolution
5. Mediation
6. Formal Resolution
7. Appeal
8. Grievance raised under Disciplinary proceedings
9. Vexatious/Frivolous grievances
10. Monitoring
11. Links to other policies / procedures
12. Resource implications
13. Impact assessment
14. Document version control



1. Introduction

The University recognises that employees may wish to raise concerns or complaints in relation to their employment. In line with the principles of the ACAS Code of Practice this procedure sets out the steps to be followed in dealing with grievances in the workplace. Human Resources will be available to provide advice and support during the process.

2. Purpose

The purpose of this grievance procedure is to provide a fair and consistent framework for dealing with such complaints/grievances raised by employees.

3. Scope

This procedure applies to all employees of the University. This procedure does not apply to collective disputes where the Recognition and Collective Disputes procedure applies.

4. Step 1

Informal Resolution

- 4.1 An employee should as far as is reasonably possible aim to resolve matters informally through discussion.
- 4.2 In the first instance and if appropriate the matter should be raised, without unreasonable delay, with the person concerned or alternatively with the employee's line manager to seek guidance on how it could be resolved informally.
- 4.3 Where the grievance relates to their immediate line manager then the grievance should be raised with their manager's line manager.

5. Mediation



- 5.1 Prior to a formal grievance being raised consideration should also be given to the use of mediation as a tool to resolve matters.
- 5.2 If the parties involved wish to explore resolution through the use of mediation then through discussion with the Human Resources department a trained mediator may be engaged to discuss the issues raised with those involved to try and facilitate a resolution.
- 5.3 Mediation can be used as long as all parties involved give their consent, for further details about the mediation process please contact the Human Resources department.
- 5.4 If the grievance cannot be resolved informally or through the use of mediation then the formal procedure at Step 2 should be followed.

6. Step 2

Formal Resolution

- 6.1 If attempts to resolve a grievance informally have been unsuccessful or the matter is sufficiently serious that it warrants formal investigation then the grievance will be dealt with under Step 2 of the formal procedure.
- 6.2 The employee should submit a written statement of grievance to their Head of Department/Head of School, sending a copy to the Human Resources department.
- 6.3 If the grievance is against the employee's Head of Department/Head of School then the grievance should be submitted to that Head's line manager. If the grievance is against the Vice Chancellor then the grievance should be submitted to the Director of Human Resources who will appoint a University Council panel.
- 6.4 The statement must clearly set out the nature of the grievance, including any evidence that the employee intends to rely upon, and identifying any witnesses that the employee believes may have relevant information. The statement should also include what resolution the employee is seeking and what attempts if any have been made to resolve the matter informally.
- 6.5 Grievances should be raised with the relevant person without unreasonable delay and normally within 1 month of the incident/action/inaction taking place.
- 6.6 The Director of Human Resources, or nominee, in conjunction with the Faculty/Department will appoint a manager not previously involved in the matter to consider the grievance.



- 6.7 The person nominated to consider the grievance, the Investigating Officer, will arrange to meet with the employee normally within 10 working days of the grievance being received.
- 6.8 In the event that the employee is unable to meet with the Investigating Officer, he/she may, dependent upon the particular circumstances and after seeking advice from the Human Resources department, consider the grievance by reviewing the written information provided in the employee's statement.
- 6.9 If the grievance is against (an) other employee/s they will be informed that a grievance has been raised and of the allegations made against them.
- 6.10 The Investigating Officer will be accompanied at the meeting by a representative of the Human Resources department.
- 6.11 An employee invoking the Grievance Procedure will have the right to be accompanied by a Trade Union Representative or a work colleague. They will be permitted to address the meeting in order to state the case, to sum up the case, to confer with the individual or to respond on their behalf to any view expressed at the meeting, they will not have the right to answer questions on behalf of the employee.
- 6.12 The person appointed to consider the grievance may wish to meet with others to help him/her understand the facts.
- 6.13 If the employee has a disability and requires any reasonable adjustments they will need to make a request to the Human Resources representative.
- 6.14 Once the Investigating Officer has concluded their investigation he/she will confirm the outcome in writing including if appropriate, any recommendations.

7. Step 3

Appeal

- 7.1 If the employee is not satisfied with the outcome of their grievance they may appeal.
- 7.2 Employees who wish to appeal should do so in writing, setting out fully the grounds of their appeal to the Director of Human Resources within 10 working days of the date of the letter notifying them of the outcome of their grievance.



- 7.3 An appeal will be considered by a more senior manager, not previously involved in the matter.
- 7.4 The person nominated to hear the appeal, will arrange to meet with the employee, normally within 10 working days of the appeal being received.
- 7.5 The manager nominated to consider the appeal will be accompanied at the meeting by a representative of the Human Resources department. The employee may be accompanied by a recognised Trade Union representative or work colleague.
- 7.6 The outcome of the appeal will be confirmed in writing.
- 7.7 The appeal decision is final.

8. Grievances raised during Disciplinary Proceedings

- 8.1 If an employee raises a grievance during a disciplinary process the disciplinary process may, if appropriate and having been agreed with the Director of Human Resources or nominee, be temporarily suspended to allow the grievance and any appeal to be considered.

9. Vexatious or Frivolous Grievances

- 9.1 Grievances raised that are believed to be vexatious or frivolous may be investigated under the University's Disciplinary Policy.



10. Monitoring

It will be possible to monitor compliance with and effectiveness of the policy by means of collation and analysis of relevant data i.e. number of formal grievances raised.

11. Links to other policies / procedures

Disciplinary Policy
Dignity at Work Statement

12. Resource Implications

Implication	Detail
Finance	<i>Training for managers to carry out mediation, investigations and hear grievances and grievance appeals</i>
Staff	<i>No additional resource anticipated</i>
Assets	<i>There are no identified asset costs</i>
Partners	<i>Consideration will be given to the application of this policy across the dual-sector group</i>
Timescales	<i>Once approved the policy will be implemented immediately. The policy will be regularly monitored to ensure ongoing compliance with relevant legislation.</i>
Leadership	<i>Director of Human Resources/Head of HR</i>

13. Impact Assessment

Implication	Impact Considered (Yes/No)	Impact Identified
Legal		<i>The policy will ensure compliance with relevant legislation and will foster positive industrial relations.</i>
Contribution to the Strategic Plan		<i>The policy provides guiding principles and a framework which will support long term transformational change</i>
Risk Analysis		<i>Policy compliance will</i>



		<i>mitigate the risk of ET claims</i>
Equality		<i>Policy compliance and maintaining will ensure adherence to provisions of the Equality Act.</i>
Welsh Language		<i>Consideration of the Welsh Language Act will inform documentation and processes for implementation of the policy</i>
Environmental and Sustainability		<i>None identified</i>
Communication/ Media / Marketing		<i>The policy will be made available via MyDay and the HR Department</i>

Policy author: Sarah John

Head of HR

.....**Job Title**.....

Document version control

Version No:	Reason for change:	Author:	Date of change:
0.1	Draft policy	SJ	01.02.16
0.2	Approved by SMT	SJ	03.02.16
0.3	Approved by HR Committee	SJ	25.02.16
0.4	Approved by JCC	SJ	02.03.16