Regent's Park College

Grievance Policy and Procedure (Staff)

1. Introduction

1.1 The College recognises that employees may, from time to time, have concerns or complaints about their work, working relationships or working environment. In this event employees can raise a grievance under this policy, unless the matter is subject to other agreed procedures.

1.2 The College aims to deal with grievances promptly, fairly, consistently, and without unreasonable delay. It will carry out necessary investigations, meet with the employee to discuss their grievance, and inform them of the outcome. An employee has the right to appeal any formal decision if they are not satisfied.

1.3 The College encourages individuals and managers to make every effort to resolve problems informally in the first instance as this is often the most effective method of addressing grievances. However, if the issue is serious, or has not been resolved in this way, a formal grievance may be raised.

1.4 This policy is not contractual and may be amended from time to time, in light of changes in legislation or operational requirements.

2. Scope

2.1. This procedure applies to all employees at Regent's Park College, including those who are still within their probationary periods or on casual contracts. It does not apply to agency workers or self-employed contractors.

2.2. Grievances are concerns, problems or complaints that are work-related. They may relate to action taken or contemplated by the College in relation to an employee or actions of colleagues. They may relate to a wide range of issues including but not limited to terms and conditions of employment, health and safety, work relations, new working practices, working environment, organisational change, equality & diversity, or bullying/harassment. If the grievance relates to bullying/harassment, our Harassment policy may be more appropriate.

2.3. Any member of staff who believes they have a grievance against a student member, should normally discuss this with the Senior Tutor or Dean in the first instance.

3. Informal Resolution

3.1. Before raising a grievance under this procedure, employees are encouraged (where appropriate) to seek to resolve the matter informally by discussing the concern with their line manager. The manager will the listen to the Employee's concern and the proposed solution and attempt to resolve the issue in a manner acceptable to both parties.

3.2. Where the concern(s) raised involve inter-personal relationships, the manager may recommend either a facilitated discussion or mediation. Both of these routes are voluntary and will only take place if all parties agree. It is however hoped that employees will recognise the benefits of seeking to resolve issues by either of these routes and will be amenable to and co-operate with this approach.

3.3. Should an informal approach not result in a satisfactory resolution, employees should follow the formal procedure set out below.

4. Formal Grievance

4.1. If informal resolution has not possible, or would not be appropriate given the nature of the complaint, the Employee should normally raise a formal grievance without unreasonable delay. This should be in writing to the relevant Responsible Person (see Section 9) setting out:

- the nature of the grievance including any relevant facts, dates, and names of individuals involved;
- any evidence in support of the grievance;
- any attempts at informal resolution; and
- the resolution they are seeking.

4.2. The Responsible Person or a suitably experienced manager (as delegated by the Responsible Person) will be responsible for hearing the grievance and will be referred to throughout the procedure as the "Responsible Person". They should have no conflict of interest with the grievance and no prior involvement with the issue.

5. Formal Grievance Meeting

5.1. The Responsible Person will invite the Employee to a formal grievance meeting. The grievance meeting should be held without unreasonable delay and the Employee should make every effort to attend. The Employee may be accompanied by a colleague (see section 10.2).

5.2. The purpose of the meeting is to allow the Employee to explain their grievance in more detail and how they suggest it could be resolved. The meeting should be conciliatory rather than adversarial in nature and remain focused on the resolution of the Employee's grievance. The Employee must provide any evidence in support of their grievance within a reasonable timeframe. Failure to do so may result in a decision being made on the evidence available.

5.3. Notes will be taken at the Formal Grievance Meeting and shared with the Employee after the meeting.

5.4. Following the formal grievance meeting, it will usually be considered necessary to conduct an investigation, which may be a brief fact-finding exercise or may involve the preparation of a formal report depending upon the nature of the matter raised. The Responsible Person may carry out the investigation themselves or appoint someone from within or outside the department, or someone external, to do so (the "Investigator").

6. Investigation

6.1. The Investigator will meet with the Employee again, if necessary, and any other individuals as they see appropriate (the "Interviewees"), including any individual against whom the complaint is made, referred to as "the Respondent". The Respondent and any Interviewees will be entitled to submit any relevant documentary evidence to the person investigating within a reasonable timeframe.

6.2. The content of the Employee's grievance should only be disclosed to the Respondent and other Interviewees, to the extent that is necessary for the Respondent to understand the allegations against them and to enable a reasonable and comprehensive investigation to take place.

6.3. Any investigation should be conducted without unreasonable delay. Where there are unavoidable delays, all parties should be kept informed of progress

6.4. Notes will be taken of investigation meetings and a separate notetaker or HR may attend for this purpose. Interviewees will be asked to review the notes as soon as reasonably possible after the meeting in order to comment on any inaccuracies or omissions. Interviewees should be aware that the meeting notes will form part of the Investigator's findings and may be used in any subsequent formal procedures such as disciplinary procedures.

6.5. The Investigator will document their findings, detailing the facts established and attaching any relevant meeting notes and documentary evidence collected as part of their investigation (the investigation report). Where a separate investigator has been appointed, this should be submitted to the Responsible Person without unreasonable delay. The Responsible Person will carefully consider all the evidence.

7. Decision

7.1. After the investigation or fact-finding exercise, The Responsible Person will re-convene the formal grievance meeting with the Employee to discuss the findings made. The investigation report or findings will usually be sent to the Employee, together with any relevant evidence, in advance of the meeting.

7.2. At or after the formal grievance meeting, the Responsible Person will decide on the outcome of the grievance and what action will be taken to resolve the issue(s) (where appropriate). Where the grievance is upheld, the Responsible Person may instigate appropriate measures such as:

- a requirement to attend training;
- disciplinary procedures (the investigation report may be used in the disciplinary process);
- changes to College policy or procedure;
- investigation into other matters found;
- counselling or mediation.

7.3. The Responsible Person will provide written confirmation of their decision to the Employee (and any Respondent) without unreasonable delay and wherever possible within 10 working days of the completion of the formal grievance meeting. The letter should set out clearly the outcome and any action that is to be taken to resolve the grievance. The Employee will also be informed that they can appeal if they are not satisfied with the outcome.

7.4. If the Responsible Person concludes that the complaint was malicious or vexatious, this will be treated as misconduct and addressed under our Disciplinary Procedures. Employees will not be treated less favourably because they have made or supported a grievance in good faith.

8. Appeal

7.1. Should the Employee who raised the grievance wish to appeal the formal outcome of their grievance, they should appeal in writing within 10 working days, wherever possible, of the receipt of the outcome letter, to the Human Resource Manager. The Employee should set out the grounds of appeal and state whether the appeal is in respect of the whole or in respect of any specified part of any finding of fact or decision. During the appeal proceedings, the

Employee will not be entitled to rely on any grounds of appeal not specified in their written appeal.

7.2. Appeals will normally be heard by a senior manager of equal or greater responsibility than the Responsible Person (see Section 9). The Appeal Manager will receive a full set of documents relied upon in the Responsible Person's decision

7.3. An appeal hearing should be arranged without unreasonable delay. HR or suitable representative should attend to take notes. The Employee may make representations in person and/or in writing at the appeal hearing. Copies of the investigation summary, outcome letter and any supporting documentation should be supplied to all parties in good time ahead of the hearing. The employee may be accompanied at the hearing (see section 10).

7.4. Others involved in the investigation (e.g. the Responsible Person, the Investigator or the Interviewees), may be asked to attend the appeal hearing by the Appeal Manager if there are any questions they wish to ask them.

7.5. The appeal hearing may be adjourned to gather further information, provided that any adjournment will not lead to unreasonable delay.

7.6. Following the appeal hearing, the Appeal Manager will consider the facts of the case and may uphold or dismiss the appeal, in whole or in part.

7.7. The Appeal Manager will notify the Employee of their decision in writing, setting out reasons for the decision. This should occur without unreasonable delay and wherever possible within 10 working days of the appeal hearing. A copy of the letter will be sent to the Human Resource Manager. The Respondent should be advised of any parts of the decision relevant to them.

7.8. The Appeal Manager may decide to vary the above procedure as they deem appropriate, provided the appeal is dealt with fairly and impartially and without unreasonable delay.

7.9. There is no further right to appeal.

8. Responsible Officer

8.1. The appropriate manager will be responsible for hearing the formal grievance and will be referred to throughout this procedure as "the Responsible Person'. This will normally be:

- for academic-related staff: the Senior Tutor;
- for administrative and domestic and catering staff: the Department Manager or Director;
- for financial matters: the Director of Finance;
- for matters involving Senior College Officers: the Principal;
- for matters involving the Principal, the Chair of Governing Body;
- for matters involving Undergraduate or Postgraduate student members: the Dean, Senior Tutor or Tutor for Graduates;
- for matters involving Ministerial Students: the Dean or the Tutorial Fellow in Pastoral Studies.

8.2. If a grievance or complaint is against the Responsible Person indicated above, they may approach a manager of equivalent or greater responsibility, as appropriate.

8.3. Appeals will be heard by a manager of equal or greater responsibility than the Responsible Person for the grievance hearing, referred to as the "Appeals Manager".

9. General Guidance

9.1. It is recommended that at least 5 working days' notice is given to attend any meeting under the formal resolution process, including investigation meetings, grievance meetings and appeal hearings. Where the Employee or companion are unable to attend for unforeseeable reasons there will be an attempt to rearrange the meeting for a date within 5 days of the original date. Where circumstances require, and to avoid delay, the meeting or hearing may be held by way of video or teleconference with the agreement of all parties.

9.2. The Employee may be accompanied by a work colleague to any meetings under the formal resolution process. The Employee must inform the Responsible Person within 2 days of the meeting with the individual's identity. The companion will be allowed to address the meeting, 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 meeting. The companion does not, however, have the right to answer questions on the Employee's behalf, address the hearing if the Employee does not wish it or prevent the employer from explaining their case.

9.3. The Responsible Person must ensure there is clear, regular and confidential communication with the Employee and anyone else involved in the grievance throughout the process. This helps to avoid misunderstandings, stress or other mental health issues, and further action, such as subsequent grievances.

9.4. In order to safeguard individuals, confidentiality must be strictly respected and information limited to those who need to know (and only to the extent necessary) for the purposes of the operation of these procedures. The obligation of confidentiality should be made clear to all involved in the process.

10. **Records**.

10.1. Notes will be made of all formal meetings held under this procedure with a copy kept on file. Such documents will be regarded as confidential and processed in accordance with Data Protection law (UK GDPR).

10.2. No party may record meetings on electronic, digital or other device without the explicit prior consent of all concerned. Unauthorised recording may be considered misconduct and as such addressed under the College's Disciplinary Procedures.

10.3. Each Responsible Officer will keep a register of formal complaints made in an academic year, and a summary of numbers of complaints and outcomes will be collected by the Director of the Principal's Office and submitted to Governing Body and the Equality Committee.