

# GRIEVANCE POLICY - SUPPORT STAFF



This document sets out the University's grievance policy.

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<b>Officer Responsible for Policy/ Procedures</b>	Richard Billingham, Executive Director of Human Resources and Organisational Development
<b>Consultation Process</b>	Joint Union Consultative Committee
<b>Date of Approval and Committee and/or Executive Officer</b>	Joint Union Consultative Committee

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# 1. PURPOSE

- 1.1 The grievance procedure shall apply to all support staff, except to staff defined in Section XXV of the Statutes of the University.
- 1.2 The procedure is intended to assist the resolution of individual grievances in a fair, consistent and effective manner.
- 1.3 The University will make every effort to deal with individual grievances as quickly as possible and at the earliest possible stage in the procedure.
- 1.4 Employees who have an individual grievance have the right, other than at Stage one of the procedure, to be accompanied by a Trade Union Representative or by a work colleague of their choice.
- 1.5 In the case of a grievance being considered under Stage 3 of the procedure, an employee will be entitled to be represented by a full time officer of a Trade Union recognised by the University, to deal with such matters for that group of staff.
- 1.6 The procedure does not apply to matters which are normally subject to national terms and conditions of service or local agreements. The procedure should not be used for appeals against any decision reached under the disciplinary procedure, for any appeals against re-grading decisions, or against redundancy selection. Any such appeals should be raised under the separate and distinct procedures agreed for such matters. The procedure should also not be used for collective disputes. This procedure does not affect an employee's right under Internal Dispute Resolution Procedures, set out in the University's pension scheme.
- 1.7 It is the responsibility of Heads of Schools/Departments, in conjunction with Human Resources Management, to ensure that staff are aware of this procedure. This will be done by giving existing staff their own copy of the procedure and by issuing a copy to all new staff on commencement of their employment.
- 1.8 Staff in Human Resources will provide advice and guidance to Heads of Schools/Department, Supervisors and employees on the operation of the procedure.
- 1.9 For issues involving complaints of harassment, the Code of Practice and Guidelines for dealing with Harassment should be referred to. This does not affect an individual's right to invoke the University's formal Grievance Procedure at any time.
- 1.10 The timescales referred to in the procedure may, by mutual agreement, be treated flexibly, and meetings held at any stage may be adjourned to allow for further investigation.

## 2. FORMAL PROCEDURE

### 2.1 Stage One

1. If an employee has a grievance relating to his/her employment, the matter should be raised initially with the employee's immediate Supervisor. The grievance should be raised orally in the first instance.
2. In the event that the grievance relates to the employee's immediate Supervisor, stage two of the grievance procedure may be invoked immediately.
3. The Supervisor will enquire into the grievance and attempt to resolve the complaint informally within five working days of the grievance being raised. The Supervisor will inform the employee of his/her decision within five working days following receipt of the complaint. The decision will normally be communicated verbally to the employee. However, the Supervisor should make a written record that an issue has been raised and dealt with at this stage.
4. If the matter is not resolved during this stage and the employee remains aggrieved, he/she may progress the grievance to stage two of the procedure within five working days.

### 2.2 Stage Two

1. If the grievance has not been resolved at stage one, the employee may refer the grievance in writing to the appropriate Head of School/Department. The written grievance shall provide full details of the complaint.
2. The Head of School/Department will acknowledge receipt within five working days stating when the meeting is to be arranged. The meeting will be attended by:-
  - The Head of School/Department who may request a member of the Human Resources Management Team to be present.
  - The employee who may be accompanied by a local Trade Union Representative or by a work colleague.

In the event of the Head of School/Department not being available, a nominated deputy will hear the grievance.

3. The Head of School/Department will consider the issues raised at the meeting and will issue a written decision within ten working days.
4. If the grievance is not resolved to the satisfaction of both parties during this stage, the employee may request in writing that the grievance progress to stage three of the procedure. This request should be submitted within five working days.

### 2.3 Stage Three

1. If the grievance has not been resolved at stage two, the employee may refer the grievance in writing to a senior member of staff (should be more senior than, or equivalent to, the manager who dealt with the case at stage two).
2. The senior member of staff will acknowledge receipt of a grievance within five working days and a meeting will be arranged to hear the grievance within fourteen working days. The meeting will be attended by:
  - The senior member of staff
  - The Director of Human Resources or a designated representative

- The employee who may be accompanied by a Trade Union Representative, or by a work colleague
- 3. The senior member of staff will consider the issues raised at the meeting and will issue a written decision within ten working days.

## **2.4 Appeal against Stage Three Outcome**

Employees have the right to appeal against any formal action under the Grievance Procedure, except for a decision following an appeal hearing.

- Appeals must be lodged in writing within 10 working days of receipt of the written confirmation of the Stage Three Grievance, to the Director of HR. The employee is required to provide grounds of their appeal, and any relevant details.
- Appeals can be made on the following grounds:
  - a) There is new evidence not already considered. The employee should say why it was not produced at the original hearing.
  - b) The severity of the outcome.
  - c) The correct procedure was not followed.
  - d) The decision was unfair because the evidence did not support it.
- Two Appeal Managers will be appointed and will have had no prior involvement in the case. The appeal managers will be of an equivalent or more senior grade than the decision maker.
- The employee will be given at least seven calendar days' notice to attend an appeal hearing.
- If the employee has any further written submissions, and/or documents to provide, these should be received by the Appeal Managers and HR at least 2 working days in advance of the meeting.
- Any documentation referred to in the appeal will be made available to the employee, at least 2 working days in advance of the meeting.
- A member of HR will be present and a note-taker may be present.
- The Decision Maker may be called to explain the decision being appealed.
- On appeal, the Appeal Managers will have the power to uphold, overturn or reduce the penalty imposed. The decision is final.
- The appeal decision is final and shall be confirmed in writing to the employee within seven calendar working days of the hearing. A copy of the notes will also be provided where appropriate.
- Whilst every endeavour will be made to comply with timescales, due to the complexity and/or specific circumstances of cases, timescales may be extended. In such circumstances the employee will be advised of the reasons for any delay.

This will be the final level at which a grievance may be addressed under the terms of the procedure



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