



**London
South Bank**
University

EST 1892

Grievance Procedure for Staff

A guide to handling staff complaints and concerns

June 2019

Become what you want to be

Grievance Procedure

Introduction

1. This procedure applies to a grievance held by a member of staff against the University as an employer, including a grievance against another member of staff acting on behalf of the University. It does not apply to collective disputes nor to disputes between members of staff in their private capacities.
2. "Grievance" in the context of this procedure means a concern, problem or complaint that a member of staff raises with the University.
3. "Representative" in the context of this procedure means a representative of the member of staff's trade unions or another member of staff of the University.
4. "Relevant manager" in the context of this procedure means a manager with the authority to hear grievances in accordance with annex 1 to this procedure.
5. Throughout this process, whilst managers and staff are encouraged to consult with Human Resources, their trades union representatives, and relevant colleagues as appropriate, all parties must act responsibly and respect the confidentiality and privacy of these proceedings.
6. Where a grievance raised, also involves or may involve a complaint by or an action against a LSBU student under any LSBU student processes, e.g. Student Complaints procedure, Student Academic Misconduct procedure and/or Student Disciplinary procedure, the University shall appoint a case manager (usually the University

Secretary or nominee) to co-ordinate the staff and student processes. The case manager shall liaise with all internal stakeholders, as necessary, whilst ensuring a responsible level of confidentiality.

7. Throughout all stages of the procedure, every attempt shall be made by all parties to settle the matter by conciliation.

Stage 1 – Informal discussion

8. Common sense and tact are essential in diffusing the problems that might arise from a grievance. The aim of this informal stage is to address a problem that has arisen in order to enable the members of staff to continue to work together. When a member of staff has a grievance, she or he should try, where possible, to resolve the matter by a direct approach to the other member of staff involved. In doing so she or he should clearly state that they are initiating the informal stage of the grievance procedure. Staff should make a reasonable attempt to resolve the matter by means of an informal discussion, before proceeding to the formal stage 2 of the grievance procedure.

Mediation

9. Mediation or other interventions may also be appropriate to try and resolve issues at this, and indeed any other, stage of the procedure. Staff should approach their HR Business Partner for advice and support to facilitate such interventions. Whilst such interventions are encouraged, it should be noted that mediation is only possible with the agreement of both parties.
10. Grievances should be raised and dealt with in a timely manner. An aggrieved member of staff should raise any issue of concern as soon as is reasonably practicable and a meeting or planned intervention should take place within ten working days of the incident occurring or

the grievance being raised if there has been an accumulation of incidents. Unless there are exceptional circumstances, a grievance cannot be raised for an incident that occurred more than three months earlier.

the grievance back to stage 1, taking advice from Human Resources as required.

- 11.** This informal stage of the procedure is an integral part of the process. It may only be omitted if the relevant HR Business Partner considers that it is not possible or appropriate to resolve the matter informally, in which case, the process will commence at stage 2 – formal process. The HR Business Partner should consult with the individuals concerned and their representatives before making such a decision to omit this stage of the procedure.

Stage 2 – Formal process

- 12.** If the matter remains unresolved, the aggrieved member of staff may request a meeting with the relevant manager authorised to hear a grievance in accordance with Annex 1 to this procedure. This may be the line management of the aggrieved member of staff or the line management of the person against whom the grievance is made depending upon who has the authority to take appropriate action. The HR Business Partner will determine who the relevant manager under the procedure is if this is not clear.
- 13.** The request for a meeting shall be made in writing within ten working days of the informal meeting or intervention and shall specify:
- (a) a comprehensive account of the facts of the case and the grounds for the grievance;
 - (b) such other background information as may appear relevant and useful;
 - (c) what action has been taken at the informal stage to resolve the matter. If no such action has been taken, the manager may refer

- 14.** The relevant manager shall:

- (a) seek the advice of their HR Business Partner;
- (b) inform and copy the grounds of the grievance to the person against whom the grievance has been raised;
- (c) hold a meeting within ten working days of receiving the request, unless this is not reasonably practicable in which case the meeting should be held as soon as is reasonably practicable. The person against whom the grievance has been brought may be requested to attend the meeting or may be interviewed at a separate meeting with the manager. If required, a broader investigation may be carried out to include interviews with other staff or witnesses. If such interviews or an investigation are to be carried out, this should normally take place within 10 working days of the initial meeting. Where this is not reasonably practicable, Human Resources should agree a timetable and inform all parties of the scope and timescales for such a process;
- (d) ensure that a member of the Human Resources Department is present at the meeting;
- (e) keep a written record of the meeting and copy it to the aggrieved member of staff within 10 working days.

- 15.** Both the aggrieved member of staff and the member of staff against whom the grievance is made may be accompanied by a representative at the meeting.

- 16.** After the meeting, the relevant manager shall:

- (a) write to the members of staff involved to record the outcome, within ten working days of the meeting (or final interview or conclusion of investigation where appropriate);
- (b) copy the letter to the Executive Director of People and Organisation and to the Vice Chancellor.

Stage 3 - Appeal to the Vice Chancellor

17. If the member of staff wishes to appeal against the decision, she or he may appeal to the Vice Chancellor. The appeal shall be made within ten working days of receiving the outcome letter from the relevant manager who heard the grievance at stage 2. She or he shall submit a full written statement of the grounds for appeal against the decision, which shall be:

- (a) the grounds and reasons for the appeal against the decision;
- (b) accompanied by relevant supporting documents.

18. Only in exceptional circumstances shall the Vice Chancellor allow additional statements to be submitted at this stage.

19. The Vice Chancellor shall:

- (a) copy the written statement and any supporting documents to the manager whose decision is being appealed as soon as is reasonably practicable;
- (b) allow the manager ten working days within which to submit written observations, which shall be submitted to the aggrieved member of staff;

- (c) hold a meeting to hear the appeal not less than ten and not more than twenty working days after receiving the written observations of the manager whose decision is being appealed, unless this is not reasonably practicable in which case the meeting should be held as soon as is reasonably practicable.
- (d) ensure that a member of the Human Resources Department is present at the appeal;
- (e) keep a written record of the appeal meeting and copy it to the aggrieved member of staff within 10 working days.

20. The Vice Chancellor may delegate this stage of the procedure to a relevant manager authorised to hear an appeal in accordance with annex 1 to this procedure. The principles governing the hearing shall be:

- (a) both the aggrieved member of staff and the manager whose decision is being appealed will attend the meeting; the manager to respond to the grounds of appeal;
- (b) if appropriate, either party may request that the member of staff against whom the original grievance was brought attends the meeting. Such a request should be made when the grounds of appeal are submitted by the aggrieved member of staff or the written observations are made by the manager whose decision is being appealed. In either case the reasons for the request should be stated;
- (c) if any facts are in dispute, either or both parties may nominate witnesses; the names of witnesses must be conveyed to the Vice Chancellor or his delegated nominee at least two working days before the hearing;

- (d) both the aggrieved member of staff and, if attending, the member of staff against whom the grievance was originally made, may be accompanied by a representative at the appeal;
- (e) refusal of any party to attend the hearing shall not invalidate the proceedings.

21. The decision of the Vice Chancellor, or his delegated nominee, shall be final and shall be notified in writing to the member of staff and other parties involved as appropriate within ten working days of the hearing.

Grievance against the Vice Chancellor

22. Where the grievance is against the Vice Chancellor and the matter has not been resolved under stage 1 of the procedure, the aggrieved member of staff may submit a written statement of grievance to the Vice Chair of the Board of Governors through the University Secretary and Clerk to the Board of Governors. The Vice Chair, together with a Lay Governor, will convene a meeting with the aggrieved member of staff in accordance with stage 2 of this procedure.

23. If the member of staff wishes to appeal against the decision made at stage 2 she or he may do so to the Chair of the Board of Governors through the University Secretary and Clerk to the Board of Governors. The Chair of the Board of Governors, together with a Lay Governor, will convene an appeal meeting in accordance with stage 3 of this procedure.

Overlap between grievance and disciplinary procedures

24. If, in response to action being taken against them on the grounds of conduct or capability, a member of staff raises a grievance on a related matter, the disciplinary or capability procedure may be suspended in order to deal with the grievance; or it may be appropriate to deal with the issues concurrently.

Human Resources Department

July 1992

Approved by the Board of Governors

26 March 1992

*Names and titles updated

February 2004 and March 2006

Updated September 2013

Approved by the Board of Governors March 2013

Names, titles and rebranding updated February 2017

Additional paragraph 5 added June 2019

Managers with authority to hear formal grievances and appeals

Staffing Group	Formal Grievance – Stage 2	Appeal – Stage 3
Academic staff	Head of Department/ Division Dean if grievance against Head of Department	Vice Chancellor who may delegate to a *Senior Post Holder or Dean
Research staff	Director of Research/Research Professor/Head of Department/Division Dean if grievance against Head of Research/Research Professor/Head of Department/Division	Vice Chancellor who may delegate to a *Senior Post Holder or Dean
Professional service staff	Section Head or Manager Director/Head of Department/Deputy Head/ Director if grievance against Section Head or Manager School Executive Administrator or Dean for School based staff.	Vice Chancellor who may delegate to a *Senior Post Holder or Director/Head of Department
Technicians	Senior Technician or Technical Services Manager or equivalent Head of Technical Support Services if grievance against Senior Technician or Technical Support Manager	Vice Chancellor who may delegate to a *Senior Post Holder or Dean

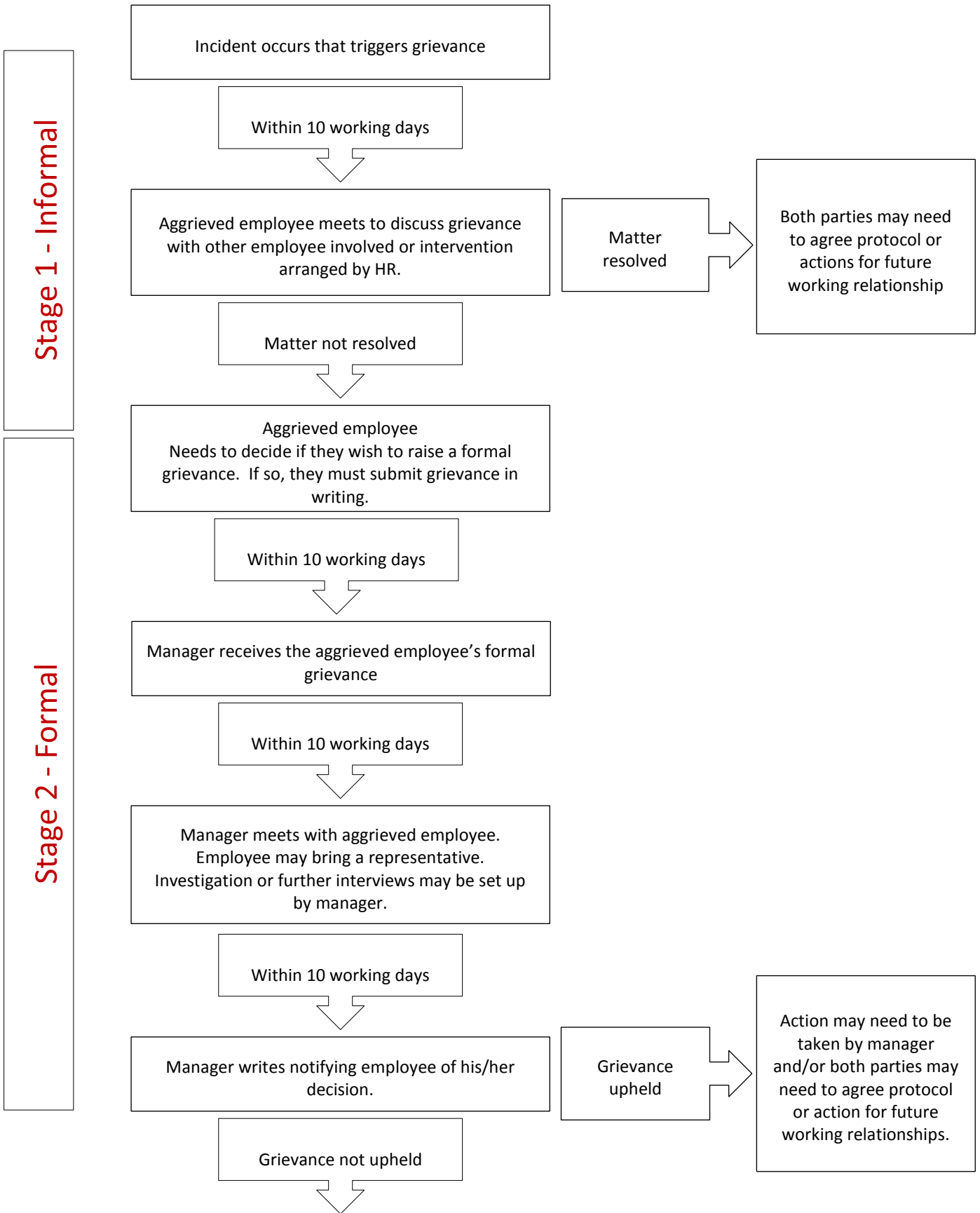
* Senior Posts Holders are Vice Chancellor, Deputy Vice Chancellor, Chief Financial Officer, University Secretary and Clerk to the Board of Governors.

Formal grievances should only be submitted once all informal options at stage 1 have been exhausted.

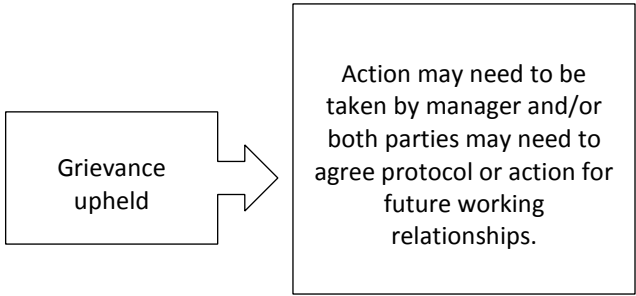
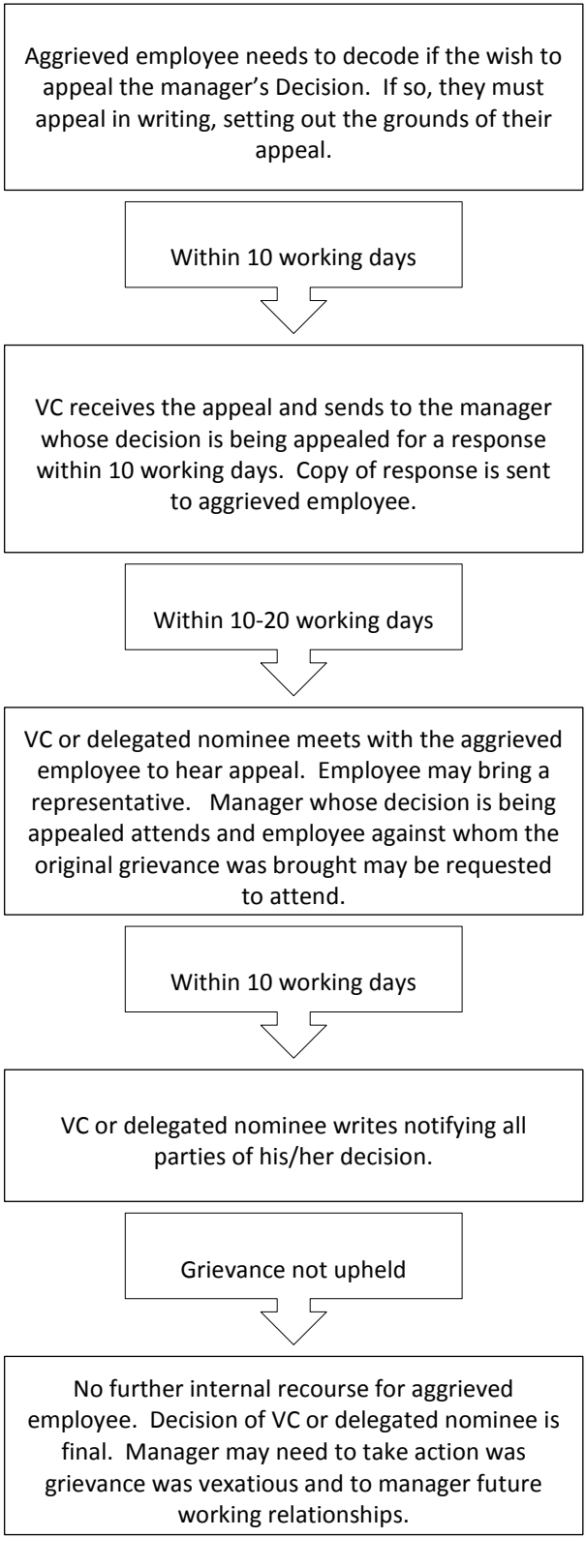
In all cases, grievances and appeals will only be heard by relevant managers not previously involved in the matter or matters that led to a grievance being raised.

HR Business Partners will determine who will consider grievances or hear appeals in the event a member of staff does not fit into one of the staffing groups listed above or if position is unclear.

Process to Hear Grievances



Stage 3 - Appeal





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