

Grievance Procedure

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Introduction

This procedure applies to all UECS employees who are in full or part-time employment, on permanent, fixed term or temporary contracts, and those serving a probationary period.

The aim of the procedure is to resolve grievances promptly and fairly. It is anticipated that most grievances can be informally raised and resolved through informal discussion.

The formal grievance procedure sets out the process to follow where it has not been possible to resolve things informally and provides assurance for how UECS manages grievances fairly, consistently, and within an agreed timescale.

Response times may be extended in exceptional circumstances, for example due to an employee's annual leave.

Further [guidance for managers](#) is available. This guidance has been produced by the University and the references to Ordinance 41 within the guidance do not apply to UECS employees. The UECS grievance procedure is aligned with the expectations set out in the [ACAS Code of Practice on Disciplinary and Grievance Procedures](#).

Not all employment matters are covered under this procedure. This includes matters that are outside the authority of UECS such as rules of pension schemes, income tax and national insurance.

This also included processes that have their own procedure and/or right of appeal including: disciplinary, capability, redundancy, job grading (HERA) outcomes, and the expiry of a fixed-term contract.

This list is not exhaustive and there may be other legitimate reasons for not considering your grievance or considering it otherwise than this grievance procedure.

All grievance matters will be treated with sensitivity and respect for the privacy of any individuals involved. All individuals must treat any information communicated to them in connection with an investigation or grievance matter with appropriate confidentiality.

Any breaches of confidentiality will be managed in line with the [UECS](#)

Disciplinary Procedure.

Records will be kept and shared only with those involved in the case. Meetings will be recorded with permission and the recording will be shared with participants as agreed. The manager may arrange for a summary note to be taken at the meeting and shared if the meeting is not recorded.

Section 1: Informal Resolution

1.1 Dealing with grievances informally

Many issues can be resolved informally through discussion with your manager. You should raise your concern or complaint with your manager and explain how you would like to see it resolved. Your manager will meet with you to talk it through as soon as possible and ideally, within 10 working days.

To follow-up on the discussion, your manager will confirm in writing any actions agreed to address the issues raised and arrange a future date to check-in with you.

If your concerns are about your manager, you should raise your concern or complaint with their manager or another appropriate manager, but it would be preferable to raise the issue first with the individual concerned. You may also discuss the matter with your trade union representative.

Please also see the [Guide to Workplace Representatives](#) for more information.

Managers should take advice from [People & Culture](#) at the earliest stage and [People & Culture](#) should always be involved where a case may involve a breach of the law, or which may result in an individual being subject to a formal disciplinary sanction.

If the informal approach does not resolve the problem, you should use the formal procedure outlined below. A formal grievance must be raised as quickly as possible so that UECS has the best chance of resolving it.

Time limits set out in the grievance procedure may be extended by mutual agreement at any stage, but all parties should make every effort to resolve things in a prompt manner. Grievances received after 3 months may not be considered.

If you have particular requirements at any stage of the grievance procedures as a result of a disability or you wish to inform UECS of any medical condition which may be relevant, you should confirm this to your manager as early as possible during the process.

Section 2: Formal Grievance

2.1 Raising a formal grievance

If it has not been possible to resolve your grievance informally, you should outline your complaint in writing using the [grievance form](#) and submit it to your manager and [People & Culture](#). If the grievance is about your manager, then it may be submitted to their manager or another appropriate manager.

The written grievance should set out the nature of your complaint, including any relevant facts, dates, and names of individuals involved so that the issues can be considered. You should also include the preferred resolution you are seeking.

Receipt of the grievance will be acknowledged in writing by the manager as soon as possible, and ideally within 5 working days, and the next steps will be explained.

The manager will arrange for a grievance hearing to take place within 20 working days of receipt of your formal grievance.

An employee who is named in a formal grievance has the right to see the allegations against them in full and can respond. The person(s) to whom the grievance refers will be asked to provide a written response within 10 working days of notification of the grievance.

If your complaint is a repeat of a formal concern that has been raised before, and the circumstances have not changed, UECS may decide not to hear it again.

2.2 Grievance hearing

You will be invited to a formal meeting to talk about your grievance. You should be ready to talk about your concerns as fully as possible with an idea of how you would like matters resolved.

The meeting may be adjourned if it is necessary to carry out further investigations and will be reconvened after that investigation.

UECS will write to you with the outcome within 10 working days of the grievance hearing (or reconvened hearing) to let you know if any action to address the grievance will be taken.

If the manager hearing the grievance is unavailable, it may take longer to make a decision. If that happens, you will be kept informed about the likely timescales.

You have a right to be accompanied at the hearing. A representative from [People & Culture](#) will be present.

Section 3: Mediation

3.1 About mediation

Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Mediation could be considered an appropriate method of resolving a grievance and can be used at either the informal or formal stages if all parties agree.

Mediation can be helpful in the following circumstances:

- for conflict involving colleagues of a similar job or grade, or between a line manager and their staff,
- at any stage in the conflict as long as any ongoing formal procedures are temporarily suspended whilst mediation takes place,
- to rebuild relationships after a formal dispute has been resolved,
- to address a range of issues, including relationship breakdown, personality clashes and communication problems.

Mediation may not be suitable where:

- used as a first resort, because people should be encouraged to speak to each other and talk to their manager before they seek a solution via mediation,
- a decision about right or wrong is needed,
- the parties do not have the power to settle the issue,
- one side is completely intransigent and using mediation will only raise unrealistic expectations of a positive outcome.

Section 4: Appeals

4.1 Right of appeal

If you feel that your grievance has not been satisfactorily resolved, you may appeal the outcome. You should state your full grounds of appeal in writing and send to your Head of Service and [People & Culture](#) within 10 working days of the decision being sent to you.

If your appeal is a repeat of a previous grievance, it may not be heard.

You will be invited to an appeal hearing normally within 20 working days after the appeal is received and advised of your right to be accompanied by a trade union representative or work colleague.

The appeal will be heard by a manager who has not previously been involved in the case. A representative from People & Culture will be present.

The person(s) to whom the grievance refers will be notified of your appeal and may be asked to provide a written response if required within 10 working days of notification of the appeal.

The appeal will not involve a full re-hearing of the grievance but will be a review of the decision already made in relation to the grounds for appeal.

The appeal will therefore determine if the previous decision was fair, consider whether there were any factual or procedural errors and judge the reasonableness of the decision in relation to the policy.

You should make every effort to attend the appeal on the date scheduled. If there are exceptional circumstances, the appeal may be re-arranged for a different date, but this may cause delays in the process and undue anxiety in resolving the matter promptly.

You are entitled to offer an alternative time and date so long as it is reasonable, including having regard to the availability of the manager hearing the appeal. It must be within 5 working days of the date originally proposed.

Should you not be able to attend the re-arranged date, decisions may be made in your absence based on the information available.

The final outcome will be sent to you in writing within 10 working days of the appeal meeting. The appeal decision shall be final, and you do not have any further right to appeal against the decision.

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