



University of Brighton

Grievance Policy

Policy Statement

The university aims to have an engaged, motivated and empowered workforce and therefore seeks to address and resolve staff concerns wherever possible.

We aim to resolve all concerns swiftly, locally and informally wherever possible and encourage mediation rather than an adversarial approach.

The policy, guidelines and toolkit follow the ACAS Code of Practice for handling grievances.

For the purposes of the guidance, a manager is anyone who has responsibility for other staff.

1 Principles

- 1.1 Where possible, grievances should be resolved at stage 1 through informal discussions between the member of staff and their manager without the need for recourse to the formal stages of the procedure.
- 1.2 Where the grievance relates to another member of staff, the aggrieved individual should try and resolve this through discussion with that member of staff before moving to the formal stages.
- 1.3 If the grievance is related to the manager and the member of staff feels it is not possible to discuss the matter with them direct, then a discussion should take place informally with the next level of management.
- 1.4 Staff who wish to raise a grievance or staff who have been notified that a grievance has been raised against them, may seek advice and guidance from their trade union. They may be accompanied at any meetings by their union representative or a work colleague to provide support during the formal stages. Your HR Adviser will be available to give advice on the procedure.
- 1.5 Time limits set out in the procedure reinforce the need to deal with a grievance swiftly; these must be followed unless varied by mutual agreement. If no response has been made within the stated timescales, or no variation has been agreed, the member of staff raising the grievance may proceed to the next stage of the procedure. (Working days are Monday to Friday excluding weekends, bank holidays and other days when the university is closed).
- 1.6 A grievance needs to be lodged within a reasonable period of the incident or issue occurring, and normally within three months.
- 1.7 When reaching a decision on a grievance, managers should consider the possible effects on other members of staff, schools, departments and the university as a whole.
- 1.8 Grievances are usually of a confidential nature and will normally be treated as such by any member of staff involved in, or subject to this procedure. Representatives or work colleagues will ensure that they maintain appropriate confidentiality concerning the proceedings throughout the process. Those identified in a grievance have a right to see and to respond to statements made about them in a grievance. The person making the grievance has the right to see such responses.
- 1.9 Within higher education an environment of academic debate is encouraged. All members of the university should have the freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions – and also have the duty to support the same freedoms for those of differing views. In exercising these freedoms all members should refrain from all forms of prejudice, unfair discrimination and harassment.

- 1.10 It is recognised that there may be special cases where consideration should be given as to who should be involved in the proceedings such as a grievance against the Vice Chancellor or a Head of Department. Usually, the issue will be escalated to the next appropriate level of management or stage.

2 Scope

- 2.1 This policy, guidance and procedure and toolkit applies to any member of staff and any matters which are within the control of the university relating to employment. For example:

- working conditions
- unreasonable management/colleague behaviour, requests or issues
- interpretation of terms and conditions of employment
- discrepancies or unlawful deductions of wages
- issues relating to discrimination

- 2.2 The grievance policy, guidance and procedure and toolkit do not cover the following:

- business cases and decisions regarding the need for organisational change
- allegations of bullying and/or harassment¹ including allegations relating to an equality issue², unless the grievance is one of detrimental treatment. It is likely that there will be a more appropriate policy in which to deal with the issue e.g. Harassment and Bullying Procedure
- dismissal or disciplinary matters which are subject to investigation³
- matters over which the university has no control
- managing poor performance/capability issues⁴
- appeals against grading decisions
- challenging the outcome of other formal processes which have their own appeals process
- matters relating to income tax, national insurance and other statutory deductions from pay (queries should be raised via payroll)
- any matter which seeks to change an agreement reached with a recognised trade union; these should be referred to HR for consideration by the appropriate committee and/or group

¹ Refer to Harassment and Bullying Policy and Procedure

² [Equality & Diversity Policy](#)

³ Refer to Disciplinary Policy and Procedure

⁴ Refer to Poor Performance Policy and Procedure

3 Disciplinary Process

- 3.1 If a member of staff raises a grievance during a disciplinary process, the disciplinary process *may* be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary issues are related, it may be appropriate to deal with both issues concurrently.

4 Malicious, Frivolous or Vexatious Grievances

- 4.1 The overriding principle is to encourage members of staff to try and resolve the issue informally in the first instance. If a grievance is found to be malicious, frivolous or vexatious during the application of the formal grievance procedure, the hearing manager may decide to take further action (which may include disciplinary action) against the person who has raised the grievance. For example;

- where there appears to have been deliberate misrepresentations or untruths
- malicious intent to cause harm against the person(s) against whom the grievance has been raised
- frivolous/unmerited grievances simultaneously against different people