

## 1. ABOUT THIS PROCEDURE

- 1.1. The aim of this Grievance Procedure is to provide all employees with a procedure to help deal with any grievances relating to their employment sensitively, fairly, consistently and without unreasonable delay. We aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied. The purpose of this procedure is to set out how employees can raise a grievance and how the University will investigate and deal with grievances.
- 1.2. The University encourages you to attempt to resolve your complaints or concerns at an early stage quickly and informally through discussion with your line manager in the first instance or if you feel it is more appropriate in the circumstances then with your line manager's immediate manager, but if this does not resolve the problem or you are unable to discuss your complaints or concerns with your line manager, or your line manager's immediate manager, you should follow this procedure.
- 1.3. This Grievance Procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should appeal the decision under the University's Disciplinary Procedure.
- 1.4. If a grievance is raised during the course of a disciplinary matter about the behaviour of the manager dealing with the case, it may be appropriate to suspend the disciplinary procedure (depending on the circumstances) until the grievance can be considered.
- 1.5. The University has a Public Interest Disclosure Policy and Procedure in place for dealing with concerns about illegal activities, wrongdoing or malpractice (commonly referred to as whistleblowing). If, however, you are directly affected by the matter in question, or if you believe you have been victimised for an act of whistleblowing, you may raise the matter under this Grievance Procedure.
- 1.6. The University also has a Dignity at Work Policy in place for dealing with allegations of harassment and bullying.
- 1.7. This Grievance Procedure will not generally apply to grievances concerning two or more employees (collective grievances). Such matters will usually be resolved through agreement with the University and College Union (UCU) and/or UNISON.
- 1.8. The University is mindful that some grievances result in the identification of other employees or workers and could result in serious damage to their professional reputation. The University is committed to handling grievances in a fair and balanced way. If you raise a genuine complaint, if you have a complaint made against you or if you participate in good faith in any investigation, you will not be subjected to any unfavourable treatment or victimisation as a result of this. However, employees who, after investigation, are found to have provided information falsely and in bad faith, or who have made vexatious allegations, will be subject to action under the University's Disciplinary Procedure.
- 1.9. If you have difficulty at any stage of the procedure because of a disability, you should discuss the situation with a member of the HR department as soon as possible in order that any appropriate reasonable adjustments to the process can be considered.

- 1.10. This procedure does not form part of any employee's contract of employment and it may be reviewed and amended at any time. We may also depart from this procedure, including any time limits, as appropriate in any individual case, for example where key personnel are unavailable due to sickness or annual leave.
- 1.11. This procedure has been agreed with the UCU and Unison and the Unions will be consulted with regarding any proposed future variations to this procedure.

## **2. CONFIDENTIALITY**

- 2.1. Our aim is to deal with grievances sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with a grievance.
- 2.2. You, and anyone accompanying you, must not make electronic recordings of any meetings conducted under this procedure, unless it has previously been agreed as a reasonable adjustment.

## **3. NOTES OF MEETINGS**

- 3.1. A representative from HR will normally attend investigation, grievance and appeal meetings under this procedure and take notes of the meeting. Once the notes are typed, HR will provide copies to all attendees, apart from in exceptional circumstances, for example to protect an individual's safety.
- 3.2. The purpose of note taking is not to record verbatim what is said, but to capture the main points discussed. You will be given the opportunity to comment on the notes of the meeting.

## **4. RECORD KEEPING**

- 4.1. Written grievances will be placed on your personal file along with a record of any decisions or recommendations and any notes or other relevant documents obtained or compiled during the grievance process. These will be processed in accordance with our Data Protection Policy.
- 4.2. All information referred to in clause 4.1 will be treated as confidential and only accessible by the HR department.
- 4.3. Notwithstanding clause 4.2, if there is a person or there are persons who are affected by the grievance, any grievance documents placed on your personnel file may be provided to the person or persons affected.

## **5. GENERAL**

- 5.1. The University will take reasonable steps to ensure that there is no unreasonable delay by it in dealing with grievances raised under this Grievance Procedure.
- 5.2. You must take all reasonable steps to attend meetings arranged under this Grievance Procedure. If you are unable to attend for whatever reason you should let the HR department know as soon as possible so it can consider rearranging the meeting. You may propose an alternative date for a meeting if your chosen companion is unable to attend as explained in section 5 below. If you are persistently unable or unwilling to attend meetings arranged under this procedure without good cause we will make a decision on the evidence available.

- 5.3. The University will take reasonable steps to ensure the location and timing of any grievance meeting is reasonable.
- 5.4. The University will take reasonable steps to ensure that grievance meetings are conducted in a manner that enables both parties to explain their case.

## **6. THE RIGHT TO BE ACCOMPANIED**

- 6.1. You may bring a companion to any grievance meeting or appeal meeting, including any investigation meetings. The companion may be either a trade union representative or a colleague. You must tell the HR department who your chosen companion is, in good time before the meeting.
- 6.2. A companion employed by us is allowed reasonable time off from duties without loss of pay to attend grievance or appeal meetings but no-one is obliged to act as a companion if they do not wish to do so.
- 6.3. If your companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, depending upon the circumstances, we may ask you to choose someone else.
- 6.4. We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) if this will help overcome a disability, or if you have difficulty understanding English.
- 6.5. Your chosen companion may present your case, make representations to us, ask questions and sum up at the grievance or appeal meeting but may not answer questions on your behalf. You may talk privately with your companion at any time during the meeting.

## **7. INFORMAL DISCUSSIONS**

- 7.1. The University hopes that most complaints and grievances can be resolved through an informal discussion or meeting, ideally with your Line Manager, and you should therefore do this as a first step
- 7.2. If your grievance is about your Line Manager, you can discuss your grievance informally with your Line Manager's immediate manager or, in the case of a member of the University Leadership Team, the Principal and Vice Chancellor. If your grievance relates to the Principal and Vice Chancellor, you should discuss it with the Director of People, Inclusion and Organisational Development.

## **8. SUBMITTING A FORMAL GRIEVANCE**

- 8.1. If you wish to raise a matter formally, you should put your grievance in writing and submit it to your Line Manager with copies of any relevant documents. If your grievance relates to your Line Manager, address it to your Line Manager's immediate manager or, in the case of a member of the University Leadership Team, the Principal and Vice Chancellor. If your grievance relates to the Principal and Vice Chancellor, you should submit it to the Clerk to the Governing Body. Alternatively, your written grievance may be sent to the Director of People, Inclusion and Organisational Development.
- 8.2. The written grievance should contain a description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. You should also indicate your desired outcome. In some situations we may ask you to provide further information.

## **9. INVESTIGATIONS**

- 9.1. It may be necessary for us to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents.
- 9.2. Your grievance may be investigated by the manager who hears your grievance. However, in some cases it may be appropriate for another individual to carry out the investigation. The HR department will determine who should carry out the investigation.
- 9.3. We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision. In order for us to investigate your grievance properly, we may need to share all or part of your grievance document with colleague(s) you have raised concerns about. We will agree with you what information will be shared with colleague(s).
- 9.4. The University expects employees to comply with reasonable requests to be interviewed or to provide a witness statement for the purposes of an investigation or grievance meeting under this procedure. A refusal to co-operate may lead to disciplinary action.

## **10. THE GRIEVANCE MEETING**

- 10.1. We will arrange a grievance meeting, usually to take place within 5 working days of receipt of your written grievance, but it may be later, if we consider it is appropriate to initiate an investigation before holding a grievance meeting. We will inform you if we consider this is appropriate based upon the issues raised in your written grievance.
- 10.2. Your grievance will usually be heard by your line manager, or if your grievance is about your line manager, by that person's line manager. In some cases it may be appropriate for a different individual to hear your grievance. The HR department will determine who should hear your grievance.
- 10.3. If your grievance relates to the Principal and Vice Chancellor, it will be heard by a Governor or a panel of Governors.
- 10.4. You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.
- 10.5. The purpose of the grievance meeting is to enable you, or your companion, to explain your grievance and how you think it should be resolved, and to assist the University in reaching a decision based on the available evidence and the representations you have made.
- 10.6. Following the grievance meeting, further investigation may be needed before a decision can be made. The grievance meeting may be adjourned in order to allow for any necessary investigation to take place and then reconvened at a later date. You may be invited to a further grievance meeting if appropriate and an updated Investigation Report will be provided where any amendments have been made to the original Investigation Report.
- 10.7. You will in any event be informed of the decision in writing within a reasonable timeframe from the final grievance meeting and be informed of your right of appeal.

## **11. THE APPEAL**

- 11.1. If you are not satisfied with the outcome of your grievance you may appeal the decision within 10 working days of notification of the decision.
- 11.2. You must inform the Director of People, Inclusion and Organisational Development in writing of the grounds on which you are appealing and set out full details of why you are not satisfied with the outcome.
- 11.3. Your appeal will usually be heard by a member of the University Leadership Team who has not previously been involved in the grievance.
- 11.4. If the grievance was heard by the Principal and Vice Chancellor, you should instead address your appeal to the Clerk to the Governing Body. Your appeal will be heard by a Governor.
- 11.5. If your grievance was against the Principal and Vice Chancellor, you should instead address your appeal to the Clerk to the Governing Body. Your appeal will be heard by a Sub-Committee of the Governors.
- 11.6. A meeting to hear your appeal will be arranged as soon as possible. The member of the University Leadership Team (who will hear the appeal) or the Clerk to the Governing Body will arrange a meeting with you and with any other people as, in their discretion, are necessary.
- 11.7. We will inform you in writing of our final decision as soon as possible, usually within 10 working days of the grievance appeal meeting. This is the end of the procedure and there is no further right of appeal.

## **12. MEDIATION**

- 12.1. In some cases an independent mediator can help to resolve disagreements around workplace relationships and therefore, in appropriate cases, the University may initiate discussions with the employees involved at any stage of the Grievance Procedure and suggest exploring resolution of the grievance by mediation.

## **13. SUPPORT**

- 13.1. Employees are able to access confidential support through AXA Health who provide an Employee Assistance Programme for all AUB employees.
- 13.2. Employees are also able to access confidential support from their HR Partner and/or trade union representative.

The Arts University Bournemouth is committed to the provision of a working and learning environment founded on dignity, respect and equity where unfair discrimination of any kind is treated with the upmost seriousness. It has developed and implemented an EDI Action Plan to guide work in this area. All the University's policies and practices are designed to meet principles of dignity, respect and fairness, ad take account of the commitments set out in the EDI Action Plan. This Policy has been subject to an equality impact assessment to ensure consideration with regard to the provisions of the Equality Act 2010.

Date of last EIA review: October 2023