

Grievance Policy and Procedure

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Note: All policies must be read in conjunction with all other SOAS policy, procedure and guidance documents. Printed copies of policies may not be the most up to date, therefore please refer to the policy pages on the SOAS external website or intranet for the latest version.

1. Introduction

- 1.1. SOAS aims to foster a workplace culture that is fair, just and inclusive, where all colleagues listen to one another's views, and treat each other with respect. Where problems arise, colleagues are expected to resolve these collaboratively and collegiately.
- 1.2. Most grievance issues can be resolved informally through early conversation.
- 1.3. Where an informal approach is unsuccessful or deemed inappropriate due to the seriousness of the issue, a formal grievance procedure may apply. This document sets out the procedure that will be followed in such circumstances and the roles and responsibilities of those involved.
- 1.4. The aim is to ensure issues are resolved promptly and effectively to minimise the impact on working relationships, team morale and work performance.

2. Scope

- 2.1 The procedure applies to all current employees of SOAS with regards to any current complaints they have about their own treatment related to their employment with SOAS.
- 2.2 It does not apply to ex-employees, agency staff, contractors, or self-employed consultants, nor does it apply to employees wishing to raise concerns on behalf of others.

- 2.3 Where the grievance relates to allegations of harassment or bullying, this policy and procedure should be read in conjunction with the SOAS Dignity and Respect policy.
- 2.4 Any serious concerns about malpractice or wrongdoing within the organisation should be raised through the SOAS Whistleblowing policy.
- 2.5 Issues that are the subject of collective negotiation or consultation with the trade union will not be considered under the grievance procedure.
- 2.6 Issues that are raised more than three months later will not be considered under the grievance procedure, unless they are related to more current issues being raised or there is a reasonable explanation for the delay in raising them.
- 2.7 Any frivolous or trivial grievances, or repeated grievances that have already been responded to, will not be dealt with under the formal procedure, unless the employee can show that it is based on a legitimate concern.
- 2.8 A grievance that relates to a decision taken under a policy that has its own appeal stage, e.g. disciplinary, will not be considered under the grievance procedure.

3. Roles and Responsibilities

- 3.1 **Line Managers** are responsible for maintaining healthy working relationships with their team and for dealing with any issues of concern from their employees promptly to avoid unnecessary escalation. This includes listening to concerns compassionately and working collaboratively to find solutions.
- 3.2 **Investigating managers** are responsible for conducting a fair, thorough and objective investigation within a timely manner.
- 3.3 **Employees** should discuss any grievances informally with their manager in the first instance, being proactive in putting forward possible solutions to help resolve their grievances. HR can provide support and guidance on this. Where a grievance cannot be resolved informally and a formal procedure has become necessary to follow, all employees are expected to fully co-operate with the procedure, including making themselves available to attend meetings when invited, providing a full and honest account of the situation in question, and responding swiftly to any reasonable requests. Where an employee or their representative is unable to make a meeting, it will be rearranged once within a reasonable timeframe.
- 3.4 The role of trade union **representatives** and work colleagues accompanying employees at meetings is to support and/or represent employees.

- 3.5 The role of **HR** is to advise on the application of this policy and procedure, ensuring it is applied fairly and consistently across SOAS. They are responsible for supporting with the co-ordination of the process.

4. General Principles

4.1 Fairness and equity

- 4.1.1 The procedure will be applied fairly and consistently based on the circumstances of the case. Any individual needs will be taken into account to ensure there is equity and no unlawful discrimination relating to a protected characteristic.

4.2 Confidentiality

- 4.2.1 All individuals involved in a grievance procedure must ensure they maintain confidentiality at all times. Any breach of confidentiality will be taken seriously. This does not preclude confidential discussions taking place on a need-to-know basis e.g. where the employee is seeking support from their union representative, or a manager discussing the matter with their line manager or HR.

4.3 Good faith

- 4.3.1 All employees are expected to enter into any formal processes in good faith, with the aim of resolving issues quickly and collaboratively, restoring positive working relations and minimising any adversarial interactions. Any complaints found to be malicious or vexatious will be taken seriously.

4.4 Right to be accompanied

- 4.4.1 Employees who raise a formal grievance have the right to be accompanied by a trade union representative/official or a work colleague at any grievance meeting.

4.5 Freedom of Speech

- 4.5.1 SOAS is committed to protecting and promoting freedom of speech. All staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of disciplinary proceedings. However, employees should be aware that the right of freedom of expression applies only to lawful conduct (e.g. it does not confer a right to incite others to violence or racial hatred nor does it confer the right to harass or bully other members of staff or students who happen not to share particular views or beliefs). SOAS expects that staff will always exercise the right of freedom of expression with due consideration for others' feelings and opinions.

4.6 Support

- 4.6.1 SOAS recognises that formal grievance procedures can be stressful and upsetting for all involved. Managers are expected to consider the wellbeing and mental health of their employees and offer support where needed. In addition, employees can expect their grievance to be heard as quickly as possible and to be notified of any delays through regular communication.

5. Informal Resolution

- 5.1 Employees should raise their concerns informally with their manager in the first instance. Where the complaint is against the immediate line manager and the employee doesn't feel able to raise this with them directly, they should raise it informally with the line manager's manager. Managers should discuss the issue with the employee informally, in private, and without delay. As part of the discussion, they should listen carefully and compassionately to the concerns being raised, the impact on the employee, and the resolution being sought. The manager and employee should work together to reach an agreed way forward. Further guidance can be sought from HR.
- 5.2 Where the grievance relates to a break down in relationships with other colleagues, the manager may consider offering mediation or facilitation in a 3-way meeting.
- 5.3 Managers should confirm the outcomes of the discussion in writing to the employee.

6. Formal Procedure

6.1 Stage 1 - Grievance registration

- 6.1.1 If attempts to resolve the grievance informally have not been successful or if the matter is serious and not appropriate to deal with informally, the employee should complete a grievance registration form (Appendix A) and send this to their manager (or line manager's manager if the complaint relates to the line manager) with a copy to HR.
- 6.1.2 On receipt of the grievance registration form, the manager will write to the employee to acknowledge their grievance and should seek advice from HR at this stage.
- 6.1.3 Any grievances against a member of the Executive Board or Vice Chancellor's Group should be addressed to the HR Director.

6.2 Stage 2 – Grievance meeting

- 6.2.1 The manager will invite the employee to a meeting to discuss their grievance as soon as possible within the next **10 working days**. If this timescale isn't possible, the

manager will explain the reasons for any delays.

- 6.2.2 The employee is entitled to be accompanied at this meeting by a trade union representative/official or work colleague.
- 6.2.3 The meeting will be conducted by the manager, or a more senior manager where appropriate. A member of the HR team may also be present.
- 6.2.4 The purpose of the meeting is for the employee to explain their grievance in more detail and what action they feel should be taken to resolve the matter. Where possible the manager and employee should aim to reach an agreed way forward.

6.2.5 Investigation

- 6.2.6 Where the issues are more serious or complex, the manager may need to adjourn the meeting to conduct an investigation and reconvene the meeting once this is complete. Depending on the nature and complexity of the complaint, the manager may decide to appoint another person to carry out the investigation and report back their findings. The employee should be notified of the likely timescales for completion of the investigation, which should take place as quickly as possible and take no longer than **one month** to complete.
- 6.2.7 The investigation may require the manager to meet with others who have relevant information, and to review any relevant documentation or electronic/digital records, emails or CCTV footage.
- 6.2.8 Where the grievance relates to complaints against other employees, those employees will be informed in writing of the nature of the complaint and will be given the opportunity, as part of the investigation, to respond.
- 6.2.9 The findings from the investigation should be discussed with the employee at the reconvened meeting. The manager will decide whether it would be appropriate for other parties to be present at the meeting in order to resolve any issues of conflict between them.
- 6.2.10 The manager chairing the meeting will confirm the outcome of the grievance in writing to the employee within **5 working days** of the meeting.

6.3 Stage 3 – Appeal

- 6.3.1 If the employee is not satisfied with the outcome of the grievance, they may submit an appeal. Appeals should be submitted in writing to the HR Director within **5 working days** of receipt of the grievance outcome letter, clearly explaining the grounds for appeal, e.g. procedural error, lack of a thorough investigation, unfair outcome.
- 6.3.2 An appeal hearing will be arranged as soon as possible. The employee will be given **5 working days'** written notice of the appeal hearing.

- 6.3.3 An appeal hearing will usually be chaired by a manager more senior to the manager who chaired the grievance meeting or by an independent manager with no previous involvement in the case. The chair will be advised by a member of the HR department.
- 6.3.4 The chair will consider the grounds for appeal and whether the original decision made was fair.
- 6.3.5 The chair will confirm their decision in writing to the employee within **5 working days** of the hearing. There will be no further internal right of appeal.

SOAS Grievance Registration Form

This form accompanies the SOAS Grievance Policy and Procedure and should be completed in **full** by the employee raising a grievance and sent to their line manager (or to their line manager's manager if the line manager is the subject of the grievance) copying in the HR Business Partner.

Full Name:	
Contact details:	
Job Title:	
Department/Team:	
Name of line manager:	
Name, position, and contact details of accompanying representative:	

Please explain the nature of your grievance, giving as much detail as possible:

Who is your grievance against? Please note a copy of this grievance, or relevant extracts, may be provided to them as part of an investigation.

Name:

Job Title:

Please provide specific dates, times or time periods of any incidents you have referred to above:

Please provide names and job titles of any witnesses:

Please explain what attempts have been made to resolve your grievance informally?

What outcome or resolution are you seeking from this grievance process?

Signed:

Date: