

GRIEVANCE PROCEDURE

1 INTRODUCTION

- 1.1** The RVC aims to foster a culture in which employees can raise any workplace problems, complaints or concerns in a supportive framework and are encouraged to resolve differences in an informal way wherever possible. The purpose of this procedure is to provide a framework for constructively resolving grievances.
- 1.2** It is important that everyone at the RVC understands the grievance procedure and knows where to access it. Managers are responsible for making their employees aware of the procedure, including its location on the HR webpages: [HR A-Z](#)
- 1.3** The grievance procedure is not contractual, does not form part of any employee's contract of employment and may, after consultation and where possible by agreement, with the recognised trade unions, be amended at any time by the institution.
- 1.4** Employees have the right to seek individual redress for grievances (concerns, problems or complaints) about their employment. This procedure should be followed to ensure that grievances are resolved internally in a fair and transparent manner.
- 1.5** The institution will take action, including, where appropriate, disciplinary action, against employees raising malicious, frivolous or vexatious grievances. In such cases the RVC will, if appropriate, also take steps to restore or repair any damage, real or perceived to the professional reputation of the individual about whom such an allegation has been made.

2 SCOPE

- 2.1** This procedure follows the principles set out in the ACAS Statutory Code of Practice '*Disciplinary and Grievance Procedures*' 2015.
- 2.2** This procedure applies to all employees.
- 2.3** For academic staff, this procedure constitutes the relevant regulation in respect of grievance matters under paragraph 2 of [Statute 15 \(Formally Statute 18\)](#) of the College's Charter and Statutes.
- 2.4** If a grievance relates to an ongoing disciplinary investigation, the employee should raise this during the course of that disciplinary investigation and consideration will be given to whether it is most appropriate to deal with the disciplinary and grievance at the same time. If the grievance is not related to the disciplinary, consideration will be given as to whether to pause the disciplinary investigation and deal with the grievance first.
- 2.5** If your grievance relates to bullying and harassment, you should raise it under our separate '[Dignity at Work and Study Policy](#)'.

- 2.6 Employees who wish to report a concern anonymously or would like further information on the variety of support available should click on the following 'RVC [Report and Support](#) tool'.

3 STAGE 1 – INFORMAL ACTION

- 3.1 In the first instance, employees are encouraged to discuss their grievance informally with their line manager or a representative from Human Resources (HR), to see whether any informal steps can be taken to resolve it before resorting to the formal procedure. Such informal discussions may involve the line manager and any person to whose conduct or decision the grievance relates.
- 3.2 Informal action is always likely to be most successful when embracing the [RVC Behaviours](#) of 'raising issues early' so that they may be addressed.
- 3.3 When a grievance is against another person mediation is a popular tool for dealing with it informally. Mediation involves an independent impartial person working with both sides to find a solution. Both parties would need to voluntarily agree to mediation and will have the best chance of success when embracing the [RVC Behaviours](#) 'Recognising and respecting the roles, responsibilities, interest, perspectives and concerns of colleagues to help reach agreement'.
- 3.4 All the relevant parties should attempt to resolve matters in the workplace for an agreed period of time after which they should meet again to discuss progress and what further action, if any, needs to be taken.
- 3.5 The RVC expects that, wherever possible, employees will seek to resolve their grievances informally. Employees choosing not to do so will be expected to say why, and this may be taken into account in determining the outcome of any formal proceedings. However, if the grievance cannot be settled informally, the formal procedure set out below shall be followed.

4 STAGE 2 – FORMAL ACTION

- 4.1 Employees should put their grievance formally in writing to their line manager unless that person is the reason, or is associated with the reason, for the complaint. In such cases, the employee should make their grievance to their line manager's manager or a manager from HR. The person receiving the grievance is referred to as 'the recipient'.
- 4.2 When submitting the grievance, the employee must make clear the nature of the grievance and the remedy they seek. It would be helpful to also include any details/evidence that would assist the manager in preparing to consider the grievance, including any action already taken by the employee to resolve the grievance thus far.
- 4.3 Formal grievances must be made using the Formal Grievance Form (Appendix A).
- 4.4 On receiving a formal written grievance the appropriate manager (see para 4.1 above) should contact HR who will give guidance on dealing with the matter in accordance with this procedure and good practice. The manager will normally confirm to the employee within five working days that the grievance has been received and is being progressed as swiftly as possible.
- 4.5 Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. However, where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.
- 4.6 Where practicable the manager will invite the employee to a meeting within 5 working days of receiving the grievance to clarify the details of the grievance, explain the process including how details of the grievance

will be shared, next steps, and establish any further areas for investigation. However, the meeting will not take place unless:

- 4.6.1** the employee has informed the manager in writing, (i.e. completed the Formal Grievance Form) of the basis for their grievance and the remedy they seek;
 - 4.6.2** the manager has had a reasonable opportunity to consider their response to that information and make any investigations they deem necessary, maintaining confidentiality as far as possible in the context of the investigation.
 - 4.6.3** The meeting will be held at a time and location considered reasonable for both parties.
 - 4.6.4** Where a grievance is made against another person it is likely that further investigations will need to take place so as to gather evidence from all parties. Once this investigation is complete the formal grievance meeting will take place.
- 4.7** The manager will inform the employee that they have the statutory right to be accompanied at the grievance investigation meeting. Employees have a statutory right to be accompanied by a fellow work colleague, a trade union representative, or an official employed by a trade union. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany an employee. Grievance meetings are internal proceedings therefore external representatives such as solicitors or family members will not be permitted to attend.
- 4.8** If the employee wishes to be accompanied at the meeting, they must give the name of that person to the manager two working days prior to the meeting. It is the responsibility of the employee to ensure that the person accompanying them is provided with the documentation and information they consider necessary, including the date, time and location of the meeting. The person accompanying the employee at the meeting, may put the employee's case, sum up, confer with the employee but has no right to answer questions on the employee's behalf or prevent the manager from explaining their case. It is normally helpful to agree on the respective roles of the different parties on commencement of the meeting.
- 4.9** If the employee or their companion cannot attend on a proposed date, they can suggest another date if reasonable and no later than five working days after the original date proposed by the manager unless otherwise mutually agreed.
- 4.10** If an investigation is required prior to the formal meeting this will be conducted by the manager as quickly as possible and may include interviewing all persons involved and obtaining written statements.
- 4.11** Both the manager and an HR representative will be present at formal grievance meetings. The role of the manager is to consider the grievance and the role of the HR representative is to advise on procedure.
- 4.12** The grievance meeting will be conducted in a manner that enables the employee to put forward their case. The employee will be allowed to explain their complaint and the remedy they seek. The manager will give the grievance careful consideration before responding. The manager may adjourn to make further investigations or seek advice before informing the employee of the outcome.
- 4.13** If following the grievance meeting further investigation or advice is required, the manager will respond in writing to the employee's grievance, after completing their investigation normally within twenty (20) working days (in line with the Dignity at work policy) of the meeting. If there is good reason for a delayed response the manager will notify the employee accordingly. The written response will confirm that the employee is entitled to appeal against the manager's decision if they are not satisfied with it.
- 4.14** Pending a resolution of the grievance the status quo will be maintained where the institution considers it is appropriate and reasonably practicable to do so.

5 POSSIBLE OUTCOMES

5.1 The manager may, for example:

- uphold the grievance
- uphold the grievance in part
- recommend some form of action (e.g. redefinition of responsibilities or changes to working practices etc.)
- refer a matter for potential disciplinary action against the employee complained about
- not uphold the grievance and recommend no further action

All outcomes will be communicated in writing to the employee by the manager conducting the grievance meeting together with the reasons for the decision taken. This will also apply to any grievance where another employee has been complained about. If the complaint directly involves another employee, that employee will also be informed of the outcome.

5.2 If appropriate, on conclusion of the formal process, and whether the grievance is upheld or not upheld, further conciliation may be considered with a view to restoring good working relationships.

6 APPEALS AGAINST DECISIONS TAKEN IN ACCORDANCE WITH THIS PROCEDURE

6.1 THE PURPOSE OF AN APPEAL

6.2 Employees are entitled to appeal against any decision taken in accordance with this procedure and have the statutory right to be accompanied at the appeal hearing by an official of a recognised trade union or an RVC work colleague. Appeal hearings are internal proceedings therefore external representatives such as solicitors or family members will not be permitted to attend.

6.3 If, in respect of either of the three grounds upon which appeals are allowed (see 7.1 below), the employee is able to demonstrate that the decision about which they are appealing is unfair, the appeal is the means by which such action is formally withdrawn or amended. If they are unable to do so, the fairness of the decision will be confirmed and upheld.

6.4 The RVC reserves the right to rule the grounds of an appeal out of order and not to allow the appeal to proceed. If the institution decides to exercise this option, a written explanation of the reasons will be provided to the employee.

7 THE REMIT OF THOSE HEARING AN APPEAL

7.1 An appeal will only be held on the following grounds:

- If serious procedural errors may materially have contributed to the outcome of the proceedings against which the appeal has been lodged.
OR
- If new information has come to light, which was not available at the time of the grievance.
OR
- The employee believes that the outcome of the meeting has failed to provide a satisfactory resolution to their grievance, in which case, they would be expected to make clear what further remedy they seek.

7.2 Therefore, the function of an appeal is not to conduct a full rehearing of the facts of the case, though it is inevitable that reference will have to be made to the earlier grievance investigation.

8. NOTIFICATION OF APPEAL HEARINGS

- 8.1** An employee wishing to appeal against a decision taken at a grievance meeting should inform the Director of Human Resources in writing. They should state the full grounds of their appeal and provide all necessary supporting documentation. This should be done within five working days of receipt of written confirmation of the outcome of the grievance investigation.
- 8.2** An appeal hearing will normally be convened within twenty working days of receipt of notification by the Director of Human Resources of the employee's decision to appeal. A copy of the appellant's written statement will be passed to the line manager who conducted the grievance meeting and took the decision in question.
- 8.3** The manager will prepare a written response to the appeal, which they will present at the appeal hearing. A copy of this statement will be sent to the appellant, together with details of its date, time and location, not less than five working days prior to the hearing.
- 8.4** If the employee wishes to be accompanied at the hearing, this should be done in line with the details set out in section 4.8.
- 8.5** If the employee or their companion cannot attend on a proposed date, they can suggest another date if reasonable and no later than five working days after the original date proposed by the manager unless otherwise mutually agreed. If the appellant fails to attend a confirmed meeting without good reason the institution reserves the right to hold the meeting in their absence.

9 AUTHORITY TO HEAR AN APPEAL

- 9.1** Appeals against the outcome of a grievance meeting will normally be held by the manager of the manager who took the decision being appealed against, provided that person has not previously been involved in the case.
- 9.2** In cases of academic staff (as defined in Statute 15), an appeal will be heard by a panel made up of the Principal (or the Principal's nominee - see below) and a person not employed by the RVC holding, or having held, judicial office or being barristers or solicitors of at least 10 years' standing. In the event of disagreement between the members of the panel the Principal's decision shall be final. Where the Principal determines not to hear the appeal in person, authority to hear the appeal will normally be delegated to the Deputy Principal or appropriate Vice-Principal.

10 ROLES AND RESPONSIBILITIES OF THE OTHER PARTICIPANTS

10.1 The Appellant

Having set out the written grounds of their appeal beforehand, the appellant must concentrate on the issue(s) that the appeal has been called to consider. They must not attempt to present all the facts of the case afresh.

10.2 The Appellant's Trade Union Representative/Work Colleague

If the appellant is to be accompanied, it must be agreed beforehand whether that person is to do so as a "representative", i.e. to speak for them, or as their "colleague", i.e. to support them and act as witness to the proceedings.

An appeal is an internal procedure therefore attendance for this purpose is restricted to other employees of the RVC or officials of recognised trade unions. Solicitors, family members and all other non-employees will be excluded from appeal hearings.

10.3 The Responding Manager

Having set out their written response to the appellant's case beforehand, the role of the responding manager is to summarise why they took the decision that they did, explaining why their decision was reasonable, given the circumstances.

10.4 The HR Adviser

A senior member of Human Resources will advise those hearing the appeal on matters of procedure, employment law and best practice. HR will also provide an administrator to act as clerk to the hearing and take a record of proceedings.

11 CONDUCT OF APPEAL HEARINGS

11.1 Those hearing the appeal will consider the written submissions of the appellant and responding manager, together with any oral statement they might wish to make. Both sides may question each other and call and question witnesses in support of their case. If witnesses are called, they may only remain at the hearing for the period of their evidence and questioning. At the end of the appeal, both sides will be given the opportunity to sum up.

11.2 The appellant will receive written notification of the outcome of the appeal within five working days of the hearing. They will also be advised that the outcome of their appeal marks the end of internal consideration of their case.

12. OUTCOMES

The available outcomes under this appeals procedure are as follows:

- To allow the appeal and make appropriate recommendations to adjust the decision.
- OR
- To dismiss the appeal.

13 SPECIAL CONSIDERATIONS

13.1 If the grievance relates to the conduct of another employee of the RVC that person and their line manager will be informed of the existence of the allegation as soon as possible after receipt.

13.2 The grievance procedure excludes complaints about disciplinary decisions and dismissals which are dealt with through the appeals process under the Disciplinary Procedure.

13.3 If an employee has a grievance after their employment has ended, they should raise it in writing in the normal way with the relevant manager. The RVC will then contact them in order to agree the most appropriate way of taking the grievance forward. For example, it may be agreed that this procedure will be followed, but that the former employee will not be required personally to attend the hearing. In such cases, the former employee will be invited to submit a written statement to the hearing, and will be advised in writing of its outcome, and their right of appeal.

13.4 It is in the interests of both the RVC and its employees that written records are kept during the grievance process. These will include:

- the nature of the grievance raised
- a copy of the written grievance
- the manager's response

- action taken and the reasons for doing so
- whether there was an appeal and if so, the outcome
- subsequent developments

13.5 Records will be treated as confidential and will be kept no longer than necessary in accordance with the data protection principles set out in the Data Protection Act 2018. Copies of meeting records, including any formal minutes taken, will be given to the employee and a copy placed on their personal file. The RVC retains the right to withhold some information in certain circumstances, for example to protect a witness.

13.6 This procedure may be subject to review and amendment from time to time in light of changes in legislation, good practice or perceived problems of operation. This procedure is subject to formal review every 24 months.

Initial Implementation	
Policy Version:	Version 1
Policy Review Interval:	
Author:	Ian Darker
Authorised By:	JNCC and CEC
Authorisation Date:	2013
Review & amendments	
Date of review:	December 2024
Amendments:	<p>Throughout document replaced reference to 'College' with 'RVC'</p> <p>1.1 Replaced 'develop a positive working environment' with 'foster a culture in which employees can raise any workplace problems, complaints or concerns in a supportive framework'</p> <p>1.2 Removed reference to full and part-time staff and instead created a new 'Scope – section 2' which makes reference to 'all staff'</p> <p>Reference to 'ACAS Statutory code of practice' has been repositioned under section 2 'Scope'</p> <p>1.4 Replaced 'orderly and acceptable manner' with 'in a fair and transparent manner'.</p> <p>2.3 updated reference to 'Statute 18' with 'Statute 15'</p> <p>2.4 New paragraph relating to when a grievance is raised during an active disciplinary</p> <p>2.5 New reference to 'Dignity at Work and Study Policy'</p> <p>2.6 New reference to Report and Support tool</p> <p>3.2 New reference to RVC Behaviours</p> <p>3.3 New reference to the use of Mediation</p> <p>4.1 New reference to 'recipient'</p> <p>4.2 New reference to 'nature of the grievance'</p> <p>4.3 New reference to the Grievance form 'Appendix A'</p> <p>4.5 New reference to how a formal grievance may be handled if submitted during an active disciplinary</p> <p>4.6 New reference to (when practicable) meeting within 5 working days upon receiving a grievance</p> <p>4.6.1 inserted reference to Grievance form</p> <p>4.6.2 replaced 'he/she' reference with 'they'</p> <p>4.6.4 New statement relating to further investigations when the grievance is against another person</p> <p>4.7 New reference to 'a trade union rep who is not an employed official'</p> <p>4.13 Clarified that if further investigation is needed following the grievance meeting then the manager will communicate a decision within 20 working days</p> <p>6.2 Inserted the words 'statutory right'</p> <p>6.2 Inserted reference to external parties not being permitted to attend</p> <p>8.1 Changed the number of days to submit an appeal from 10 to 5 to align it with the disciplinary appeal process.</p> <p>8.5 New wording now provides the appellant with the option to suggest another date if they are unable to make the first scheduled date.</p> <p>9.2 Updated reference from Statute 18 to Statute 15</p> <p>11.2 With reference to when to expect the outcome of the appeal the number of days was changed from ten to five working days.</p> <p>13.5 Included reference to the Data Protection Act 2018</p>

Policy Version:	2
Revised by:	Rebecca Costello and Richard Browne
Re-authorised By:	
Re-authorisation Date:	
Equality Impact Assessed	
Policy Review interval	2 years
Date of review:	
Amendments:	
Policy Version:	
Revised by:	
Date of review:	
Amendments:	
Policy Version:	
Revised by:	

APPENDIX A

FORM FOR REGISTERING A FORMAL GRIEVANCE

To be completed in accordance with Section 4 of the RVC's Grievance Procedure

Name:	Job Title:
Department and Campus:	
Briefly describe the nature of your grievance (include: where the incident(s) happened; date(s); time; names of any witnesses; the effect or impact this has had on you. Attach copies of any relevant documents). <i>Continue on separate sheet if necessary.</i>	
<i>(If appropriate, where your grievance relates to another person/s)</i> Name(s) of Person(s) against whom you are aggrieved with:	
<i>(If applicable)</i> Is this person: a RVC employee / a student / a third party (i.e. client/supplier or visitor to the RVC)?	
Have you read the RVC Grievance Procedure Yes/No	
Have you tried to deal with your grievance informally? Yes/No If yes, how did you do this and what was the outcome? If no, why not?	
Have you considered RVC Mediation? Yes/No If yes, what was the outcome?	
What outcome are you seeking by raising a formal grievance?	