

# Grievance Procedure

## Research, Teaching-only and Professional Services Staff

### Introduction

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This procedure is designed to help staff and managers deal with grievance situations in the workplace in a manner which is prompt and fair. The grievance procedure deals with a complaint, problem, or concern from an employee or group of employees with regard to their workplace. On the other hand, a disciplinary procedure addresses employee conduct.

It is the University's wish to find a solution to grievances and dignity at work concerns as early as possible, ideally informally. An informal conversation is frequently the most effective means of resolving an issue.

Our [Dignity at King's](#) webpages detail our commitment to protecting the dignity of its staff in their work and their interactions with others.

This Grievance Procedure is available to members of research, teaching and professional services staff of the university, but not those working via an agency or other such route.

Academic staff who wish to raise a grievance should refer to the [Academic Staff Grievance Regulation](#).

If a grievance is regarding the conduct of a student the university's [Misconduct Regulations \(Regulations concerning students\)](#) should be used.

### General Principles

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The following general principles will be adhered to in the operation of these procedures:

- Issues should be raised and dealt with promptly without unreasonable delay of meetings, decisions or confirmation of those decisions.
- Issues should be dealt with fairly, consistently and in good faith.
- Managers should carry out any necessary investigations to establish the facts of the case.
- Staff will have the right of appeal if they feel that a formal grievance has not been satisfactorily resolved, as detailed in the '[Right to Appeal](#)' section of this procedure.

Staff may be accompanied at a grievance meeting held under the formal grievance procedure by a fellow work colleague or a trade union representative or an official employed by a trade union. Staff should provide

the name of any representative who will be assisting with their grievance no later than three working days prior to the formal grievance meeting. As it is in all parties' interests to resolve grievances at the earliest opportunity, in making their choice, members of staff should bear in mind the practicalities of the arrangements. For instance, a member of staff may choose to be accompanied by a fellow work colleague or trade union representative or an official employed by a trade union who is suitable, willing and available on site rather than someone from a geographically remote location within reason.

If the member of staff's representative is unable to attend on a proposed date, the member of staff may suggest an alternative date within 5 days of the original date.

The work colleague or trade union representative or an official employed by a trade union will be allowed to address the meeting to put and sum up the member of staff's case, respond on behalf of the member of staff to any views expressed at the meeting and given reasonable opportunity to confer privately with the member of staff during the meeting. The work colleague or trade union representative or an official employed by a trade union does not however have the right to answer questions on the employee's behalf, address the meeting if the member of staff does not wish it, or prevent the member of staff from explaining their case.

There may be situations where it would be helpful to seek external advice and assistance during the grievance procedure or after it has concluded. For example, where the grievance has arisen from a breakdown in relations between two or more individuals a facilitator might be able to assist in resolving the problem. The facilitator may where appropriate be an external consultant or an internal member of staff not directly connected with the grievance. The manager considering the grievance may recommend the use of a facilitator with the agreement of the member of staff and the individual(s) concerned.

## **Informal Grievance Procedure**

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If a member of staff has a grievance relating to their employment, the matter should be raised initially with their immediate manager. This should be raised within three months of any alleged incident. Where it is this manager's action(s) or decision(s) that is the subject of the grievance, the member of staff should raise the matter with a manager of equivalent or greater seniority, ideally within the same department/faculty/division (or directorate).

The manager receiving the grievance will take appropriate steps to resolve the grievance as quickly as possible on an informal basis; this may involve asking another manager to consider the grievance. They will enquire into the grievance and will generally discuss it with the staff member. Managers would be advised to keep a brief note of any grievance cases they deal with.

It is anticipated that most grievances will be resolved at the informal stage. If a grievance cannot be resolved informally, or the member of staff wishes to raise the matter formally, the formal procedure should be used.

## **Formal Grievance Procedure**

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### **Individual Grievance**

If it has not been possible to resolve a grievance informally, or the member of staff believes that the grievance cannot be resolved informally, they should raise the grievance formally and without unreasonable delay with their line manager. Where it is this manager's action(s) or decision(s) is the subject of the grievance, the

member of staff should raise the matter with a manager of equivalent or greater seniority, ideally within the same department/faculty/division (or directorate).

This should be done in writing using the [Formal Grievance Form](#) and should set out the nature of the grievance, and the outcome(s) sought. The manager receiving the formal grievance should forward a copy of the form to the relevant [HR Business Partnering Team](#). They will make contact to discuss the complaint and give guidance on the next steps.

### **Collective Grievance**

If there are identical grievances from one or more employee's or one or more employees' wish to raise a grievance about the same concern(s), this can be addressed in one grievance process as a collective grievance.

This should be done in writing using the Formal Grievance form and should set out the names of the staff raising the grievance, the nature of the grievance, and the outcome(s) sought. This must specify a spokesperson to act on behalf of the individuals raising the grievance throughout the process and must be signed by each individual concerned.

The University reserves the right to hear grievances individually if there is not agreement from all staff to the collective grievance process, if grievances are not identical, or there are exceptional circumstances.

There will be a right of appeal in relation to collective grievances which are not upheld in full as detailed in the '[Right to Appeal](#)' section of this procedure.

### **Grievance Investigation and Hearing**

The manager receiving the grievance may ask another manager to consider the grievance.

It is for the manager considering the grievance to determine how they wish to conduct any investigation into the matter. This should include giving the individual(s) that raised the grievance or spokesperson the opportunity to explain the grievance at a meeting to the manager and provide any relevant supporting information.

Any such meeting will usually be arranged within two weeks of receipt of the formal grievance.

The member of staff must take all reasonable steps to attend the meeting and may be supported and accompanied to the grievance meeting by a trade union representative or work colleague. A representative from HR may be present in the meeting.

The purpose of the meeting will be for the member of staff to state the grievance, for those present to understand the full nature of the grievance, to discuss the grievance, and explore potential solutions. It may be necessary to undertake further investigation of the grievance, in which case the meeting may be adjourned in order to enable this to take place.

Should the meeting need to be reconvened, this must take place within a reasonable period of time and further meetings may be arranged, should this be required.

Where a grievance has been raised concerning the action(s) or decision(s) of a specific individual(s), the manager will notify those individual(s) that a grievance has been submitted by the member(s) of staff and

provide them with a copy of the grievance. The individual(s) will be invited to attend a meeting with the manager where they will have an opportunity to provide a statement and any relevant papers in response to the grievance.

In general, all written information received by the manager considering the grievance (including witness statements) will be shared with the staff member(s) that has raised the grievance or spokesperson, and the individual(s) against whose actions or decisions the grievance is being made.

Nothing in this procedure precludes the manager considering the grievance to hold more than one meeting with any of the parties involved.

### **Grievance Outcome**

Following the meeting and any subsequent investigation, the manager that has heard the grievance decides on what action, if any, to take. They should contact the relevant [HR Business Partnering Team](#) before deciding the outcome and any action they recommend.

The outcome will be confirmed in writing to the member of staff or spokesperson usually within ten working days from the conclusion of the grievance meeting. The outcome will usually include a summary of the grievance, the investigation that was conducted, the decision, the reason for the decision and any outcome for work and working practices as a result of the decision. All grievances collective or otherwise will have one outcome. If this timescale cannot be met, for example, because of ongoing investigation, the manager will confirm this in writing.

A copy of the written outcome will also be provided to any individual(s) against whose actions/decisions the grievance was brought. The individual(s) may submit in writing any dissenting comments in connection with the decision and these will form part of the record but will not affect any decision that the manager takes regarding remedy.

Where a grievance is raised in good faith the staff member(s) will not suffer any detriment even if the grievance is not supported. Where a grievance is considered frivolous, vexatious or where any person involved has provided deliberately misleading statements, they may be subject to disciplinary action.

The staff members(s) that raised the grievance or spokesperson should be informed that they can appeal if they feel that the grievance has not been satisfactorily resolved.

### **Right to Appeal**

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Individuals who are not satisfied that the grievance has been satisfactorily resolved may appeal. The staff member or spokesperson should submit notice of the appeal in writing, including the grounds for the appeal and any supporting documentation, to the relevant [Director of People](#) within 10 working days of receipt of the outcome.

The appeal should be dealt with by a manager who has not previously been directly involved in the case and ideally from another area, usually senior to the person who considered the grievance. Appeals should be considered without unreasonable delay and at an appeal meeting and at a time and place which should be notified to the member of staff or spokesperson in advance.

Staff have a right to be accompanied at any such appeal meeting as outlined in the [General Principles](#) section above.

The outcome of the appeal should be communicated to the member of staff or [spokesperson](#) in writing without unreasonable delay. This will be the end of the internal grievance process.

The decision of the appeal will be final and there will be no further avenue for appeal within the university.

## Overlapping Grievance and Disciplinary or Capability Cases

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Where an employee raises a grievance during a disciplinary or capability process this process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary or capability cases are related it may be appropriate to deal with both issues concurrently.

Where a grievance concerns the outcome of a disciplinary or capability matter, this grievance procedure would not usually be appropriate. Instead, this should be dealt with under the appeals process within the relevant policy.

The procedure does not apply to redundancy dismissals or the non-renewal of fixed-term contracts on their expiry.

## Keeping Records

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Managers should keep a written record of any grievance cases they deal with.

## Support Available

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Free and confidential support is available from the [Employee Assistance Programme](#) (EAP). The EAP provides independent expert advice on both home and work concerns. Experts can provide practical information, fact sheets and packs, referrals to services in the local area and services such as short-term telephone counselling. This service is entirely independent from the university.

### Version Control

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