

Newcastle University Grievance Procedure

Manager's Code of Practice

1. Introduction

This code of practice supplements the grievance procedure, providing managers with practical guidance on its application and managers should follow this code in all cases.

A general point to note is that failure to follow the University's Procedures could render any subsequent action against the employee to be considered unfair, and to action being taken against the University. Therefore, it is essential that the procedure is followed.

Staff from the Human Resources Section will provide advice and support throughout the grievance procedure and may be present at formal grievance meetings. HR staff would normally be present at appeal meetings.

2. Informal approach to dealing with grievances

Experience has shown that it is in the interests of all concerned that grievances are dealt with as quickly and informally as possible. This will reduce the risk of positions becoming hardened and the formation of barriers against a positive resolution of the situation.

Managers can call upon a number of measures to support the achievement of an informal resolution. They include [mediation](#), coaching, counselling and facilitated discussion. Members of the Human Resources team have practical experience in using these techniques and can advise managers on the most appropriate approach to use.

It is helpful to ascertain as early as possible if there is a specific outcome that the employee is seeking. This can help focus effort on addressing the central issue(s).

3. Formal grievances

Managers should be cautious when they receive an e-mail or letter which contains a complaint. Even though there may be no reference to the term grievance, it is prudent to initially treat such a communication as if it is a grievance. It is advisable to contact the employee and indicate that the matter will be treated as a grievance unless they agree otherwise.

Written Statement

It is important to obtain as much information as possible about the grievance to enable the manager to determine whether further investigation is required. If that is the case, the manager should advise the employee raising the grievance straight away. Having a detailed outline also helps prevent subsequent variations to the grievance which can make reaching a resolution difficult.

The meeting

The general format of grievance and appeal meetings should be as follows:

- After introductions the manager will outline the complaint and invite the employee (or their companion) to add any detail, referring to documentary evidence where appropriate. The manager will then ask any questions/seek clarification.
- The manager will then invite the subject of the grievance into the meeting to present their evidence. The manager will ask questions/seek clarification.
- The manager will then invite any witnesses into the meeting.
- The employee raising the grievance (plus any companion) should be present during the questioning of the subject of the grievance and any witnesses and will be able to ask questions of them.
- Notes of any meetings will be shared with the employee raising the grievance. They do not represent a verbatim record. The university will not allow audio recording of any hearings.
- There may be occasions when the manager can advise the employee raising the grievance of their decision at the end of the meeting, possibly after an adjournment. This is not a requirement and any decision will be confirmed in writing along with the reasoning behind the decision, in accordance with the procedure. The right to appeal should also be specified.
- It is important to remember that the whole grievance procedure should be treated as confidential.
- It is important that the manager clarifies who will receive their written decision and any associated papers. This would normally be the employee raising the grievance, the subject of the grievance and any trade union representative.
- A record of the grievance including all associated documentation will be kept in Human Resources and in the School/Institute/Service.

4. Outcomes

When a manager upholds a grievance, either in full or in part, they should make it clear in their written decision what should be done to address the grievance. This will help prevent any uncertainty regarding what is to be done and by whom and helps prevent unnecessary delays in implementing actions and bringing closure to the matter.

5. Grievances raised during disciplinary procedures

It is possible that an employee may raise a grievance whilst being subject to the disciplinary procedure. In such circumstances it is advisable to suspend the disciplinary procedure and to deal with the grievance. It is also advisable for a

manager other than the one hearing the disciplinary case to hear the grievance.

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