

Grievance Policy

1. Introduction

It is the policy of the University to ensure that any problems or issues which members of staff may raise in relation to their conditions of service or any other matter relating to their employment are dealt with as fairly, efficiently and as speedily as possible.

2. Definition of a Grievance

A grievance is any concerns, problems or complaints that employees raise with their employer.

3. Raising a Grievance

Employees should aim to resolve most grievances informally with their line manager. If the complaint is against the person with whom the grievance would normally be raised the employee can approach that person's manager or another manager in the organisation. If an employee has not been able to resolve a grievance informally, then they can follow the formal grievance procedure relevant to their category of staff (see reference section below for the different procedures).

Minor disputes or individual requests e.g. for a pay rise or upgrading, will not be a grievance unless there is a specific contractual or equality issue involved.

There are separate procedures for dealing with grievances against bullying and harassment and job gradings. Please refer to the reference section below for these policies and procedures.

4. Right to be accompanied at a Grievance Hearing

Employees must make a reasonable request to be accompanied. The companion accompanying the employee can be a fellow worker or a union official employed by the University. The availability of the companion should not place unreasonable restrictions on the hearing schedule. If the employee or person accompanying them is disabled this must be taken into account and reasonable provisions must be made to ensure that they can participate fully.

Companions can address the hearing in order to:

- Put forward the employee's case
- Sum up the employee's case
- Respond on the employee's behalf to any view expressed at the hearing.

Companions may confer with the employee during the hearing. The companion has no right to answer questions on the employee's behalf, or to address the hearing if the employee does not wish it, or to prevent the employer from explaining their case.

Where the chosen companion cannot attend on the date proposed, the employee can offer an alternative time and date so long as it is reasonable and it is not more than 5 working days after the original date.

The right to be accompanied applies to 'workers' not just employees, and will therefore apply to all workers including agency, casual and homeworkers who attend disciplinary or grievance hearings.

Whilst there is not a right for a witness to be accompanied in formal proceedings, a witness may, if they wish, request to be supported by a companion, either a Trades Union representative or workplace colleague, during formal proceedings. We will assess this on a case by case basis. The individual should approach the Employee Relations (ER) Case Manager to make a request. All requests will be assessed on their individual merits and no request will be unreasonably refused. The ER Casework Team will always provide a reason for refusal. If colleagues require advice this can be sought from the ER Case Manager or their trades union.

5. OU Staff based in Wales

For OU staff working in Wales, the University welcomes complaints submitted in Welsh or English, these staff may also choose to respond to complaints in Welsh or English.

6. Equality, Diversity and Inclusion

Policies are inclusive of all Open University staff, regardless of age, care experience, caring status or dependency, civil status, disability, family status, gender, gender expression, gender identity, gender reassignment, marital status, marriage and civil partnership, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background or trades union membership status.

7. Useful References

Grievance Procedure for Academic and Academic Related staff
 Grievance Procedure for Support Staff
 Bullying and Harassment Policy

Procedures for Dealing with Work Problems and Issues Raised by Associate Lecturers (available on Tutor Home)
Procedures for Dealing with Inadequate Performance or Misconduct of Associate Lecturers and Residential School Staff