

UNIVERSITY OF ABERDEEN

NON-ACADEMIC STAFF GRIEVANCE PROCEDURE

1 INTRODUCTION

The University Court recognises the need to have individual grievances resolved as promptly as possible and recognises the important role of the Supervisor in aiding the satisfactory resolution of workplace problems. In order to provide a fair and effective procedure for settling individual grievances, the following procedure will be applied in all cases. The Procedure applies to all members of the Non-Academic Staff, and is designed to facilitate a satisfactory settlement of a grievance at as early a stage in the procedure as possible.

The University Court has delegated its powers in relation to grievance procedures for Non-Academic Staff to the Staffing and Development Committee.

Stage 1:

A member of the Non Academic Staff who has a grievance concerning any aspect of work or conditions of employment should raise the matter in the first instance with their immediate Supervisor (or if the matter involves the immediate Supervisor, the staff member should raise the matter directly under the terms of Stage 2 of this procedure) If the member of staff is not satisfied with the outcome, the matter should be referred to Stage 2 of this procedure normally within 3 working days of having been raised.

Stage 2:

The grievance will be discussed between the member of staff concerned and the Head of School/Administrative Section (or if the matter involves the Head of School/Administrative Section, the staff member should raise the matter directly under the terms of Stage 3 of this Procedure). The member of staff concerned may choose to be accompanied at the meeting by a colleague of their own choosing or by a Trades Union representative. The Head of School/Administrative Section may choose to invite any appropriate Officer of the University to be present when seeking to resolve the matter at this stage. If the matter is not resolved it will be referred to the Director of Human Resources for resolution under Stage 3 normally within 5 working days of the date of the meeting.

Stage 3:

The Director of Human Resources may deal with the matter personally or arrange for it to be discussed between the aforementioned parties and a nominated Human Resources Officer. At this stage the employee may choose to be accompanied by the recognised full-time Trade Union Official. If discussion with the Human Resources Office cannot resolve the matter, it should be submitted to the University Secretary normally within 5 working days of the date of the meeting.

Stage 4:

The University Secretary may seek to resolve the matter personally or may arrange for it to be submitted via the Convenor of the Staffing and Development Committee to the relevant Staff Liaison Committee. The procedure for hearing a grievance at this stage is outlined at appendix A to this Procedure. The decision of the University Secretary or of the Liaison Committee, as appropriate, at this stage is final and not subject to further appeal within the University.

Stage 5:

In accordance with the Further and Higher Education (Scotland) Act (2005), the Scottish Public Services Ombudsman (SPSO) has responsibility for investigating staff complaints. The SPSO provides a route for those staff who have exhausted the University's Grievance procedures, to refer their complaint for independent review where they are dissatisfied with the handling of the internal grievance procedure. The SPSO cannot investigate action taken in respect of appointments or removals, pay, discipline, superannuation or other personnel matters. Once the SPSO has made a judgement, it would be for the University Court to decide whether or not to accept the judgement and on any remedial action to be taken.

2 PROCEDURE FOR SETTLEMENT OF INDIVIDUAL GRIEVANCES

Stage 1: Grievance raised with immediate Supervisor.

Stage 2: Grievance raised with Head of School/Administrative Section.

Stage 3: Grievance referred to Director of Human Resources.

Stage 4: Grievance referred to University Secretary and/or appropriate Staff Liaison Committee, as necessary, for final decision.

Stage 5: Grievance referred for Independent Review To the Scottish Public Services Ombudsman

2.1 Grievance Procedure

Stage 4: Submission of Grievance to Staff Liaison Committee

1. Committee Composition:

Under Stage 4 the grievance will be heard by a Committee comprising four members of the appropriate Staff Liaison Committee, two of whom will be Management members and two of whom will be Trade Union members. The Committee will be convened on all occasions by a Management member.

2. Documentation

The clerk will circulate to members of the Committee, the member of staff who has a grievance (the aggrieved) and the person against whom any grievance lies (if appropriate) the following details normally within seven days of the date of the Committee:

- written statement submitted by the aggrieved stating the grounds of the grievance, together with such details as may be relevant;
- the name of the individual, if appropriate, who will be accompanying the aggrieved and, if appropriate, the name of the individual who will be accompanying the person against whom the grievance lies. (Such individuals to be known as Advisors);
- list of all witnesses to be called, or a written submission if the witness is unable to attend the hearing for any reason. NB. The parties to the grievance are responsible for ensuring the witnesses are willing to attend the hearing;
- any written evidence produced by the person against whom the grievance lies.

3. Hearing

- With all parties present including witnesses, the Convenor will outline the procedure to be followed.
- The witnesses will then adjourn to a waiting room.
- All discussion and questions will be directed through the Convenor.
- The Convenor will call for any statement which the aggrieved wishes to make. The Committee may cross-examine the aggrieved and the advisor on their statements. The person against whom the grievance lies may also put questions through the Convenor.
- The aggrieved may then call witnesses who in turn who may be cross-examined by the Committee. The person against whom the grievance lies may also put questions to the aggrieved's witnesses through the Convenor.
- The Convenor will call for any statement which the person against whom the grievance lies wishes to make. The Committee may cross-examine the person and the advisor on their statements. The aggrieved may put questions to the person through the Convenor.
- The person against whom the grievance lies will then call witnesses who in turn may be cross-examined by the Committee. The aggrieved may put questions to the witnesses through the Convenor.
- The Committee's witnesses, if any, will then be called. The aggrieved and the person against whom the grievance lies and/or their advisors may cross-examine the witnesses, through the Convenor.
- The Committee may require a witness to leave the room after delivering evidence.
- After all witnesses have appeared, the aggrieved (including advisor) and the person against whom the grievance lies (including advisor) may sum up their cases.
- All individuals excepting the Committee and the Clerk will be required to leave the room whilst the Committee considers its findings.