



# **Employee Complaints Procedure**

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## Contents

|   |       |
|---|-------|
| Grievance Procedures .....                | - 3 - |
| Formal Procedure .....                    | - 4 - |
| Appeal against a grievance decision.....  | - 5 - |
| Grievance and disciplinary processes..... | - 5 - |
| Whistle-blowing.....                      | - 6 - |



## Grievance Procedures

The purpose of this procedure is to provide you with a readily accessible process for addressing any problems or concerns you may have at work. This procedure should not replace normal employee–manager dialogue.

Reasonable adjustments will be made to the procedure for disabled employees. If you experience difficulty with the procedure for any reason you should seek assistance from the HR Officer.

The grievance procedure should not be used to lodge appeals against disciplinary sanctions.

This procedure does not constitute contractual terms and conditions. Linacre College reserves the right to amend any provision of this procedure subsequent to appropriate consultation.

The College will ensure that any information, such as notes from meetings, statements, emails or letters are handled confidentially and responsibly.

The College has a duty of care towards all of our employees and if you come to us with a concern, we will do our best to resolve it for you. This will mean that we may have to discuss your concerns with the people involved in order to fix it.

Anyone involved in any stage of these procedures must treat all matters discussed with the strictest of confidence

### **ACAS Code of Practice: Disciplinary and Grievance Procedures**

This procedure fully incorporates the provisions of the ACAS code.

### **Informal Procedure**

If you have a complaint relating to your work at Linacre College, you should first try to resolve the problem by discussing it informally.

If the problem is with another member of staff, then consider whether the problem can be resolved by speaking with them directly. Being polite and using positive suggestions can often resolve the issue.

You should always raise your concerns in private, and never in front of other colleagues, visitors, contractors or where customers may be present.

Sometimes you might need some help in tackling an issue and your Line Manager can support you with this by:

- answering questions
- helping you understand how we work
- providing explanations on processes and procedures
- helping you consider how to tackle the issue
- providing an alternative point of view
- mediating between you and the other colleague(s)

All of this can be done on an informal basis.

However, if you feel uncomfortable about approaching your Line Manager with a complaint, or the complaint is about your Line Manager, you may also talk to the College's Welfare Lead. The Welfare Lead may not be able to resolve the issue



directly, but they will be able to give you advice about how best to make your complaint, and options for informal and formal processes.

If, after informal consultation, you feel that your concerns haven't been properly resolved, and you remain unhappy with your situation at work, or you consider the situation too serious to raise informally, then please raise a formal grievance by following the procedure described below. In some cases, we won't follow a formal process until informal approaches have been tried.

### Formal Procedure

Your grievance should be in writing and describe, as clearly as possible, what it is that concerns you. You may find a template grievance letter prepared by ACAS here: <https://www.acas.org.uk/grievance-letter-template>

Your grievance letter should be addressed to the Linacre Human Resources Officer, and either left with Reception in a sealed envelope marked confidential or sent by email to Linacre Human Resources [hr@linacre.ox.ac.uk](mailto:hr@linacre.ox.ac.uk) unless your grievance complaint involves the HR Officer when it should be sent to the Principal.

The HR Officer will arrange a formal meeting to be held without unreasonable delay after your grievance is received. You will be given the date, time and place of the meeting and you will be told who will listen to your grievance (the Grievance Officer), at least two days before the meeting. You should make every effort to attend the meeting, and your Line Manager should make sure that you have the time to do so.

The Grievance Officer may be your Line Manager or a member of staff of equivalent seniority who is outside the reporting line, when the Line Manager is judged to have a conflict of interest.

You have a statutory right to have a companion come with you to this meeting. This can be another Linacre employee, a union representative or an official appointed by a trade union. You are not entitled to be accompanied by legal representatives or family members unless they are employed by Linacre or a Trade Union Representative. If you wish to have someone accompany you, please bear in mind the practicalities of them attending the grievance meeting. Please let the Linacre HR Officer know the name of your companion prior to the meeting.

At the meeting the Grievance Officer will decide and explain to you the procedure to be followed. The meeting will be recorded and you may request a copy of the recording. You or your companion, will be offered the opportunity to explain your grievance and how you think it should be resolved.

The Grievance Officer will ask you questions and may challenge your perception of events – this is what they need to do to form a clear understanding of the situation and establish the facts.

You or your representative can:

- Ask questions
- Ask for specific employees to be interviewed
- Ask for any other evidence to support your case to be obtained
- Call for an adjournment to the meeting at any time for example if you need to discuss the matter with your representative, clarify an issue or seek further advice.

At the end of the grievance hearing, the Grievance Officer is likely to need to investigate what you have told them. They will usually speak to any employee/s you have named and refer to any relevant document/s.



They will try, whenever possible, to come to a decision within one month of receiving your formal written grievance, however this may not be possible where there are others involved and where further investigation is necessary. The decision of the Grievance Officer will be notified in writing to everyone concerned and, where appropriate, will set out what action the College intends to take to resolve the grievance.

All grievance decisions are made without discrimination and the possible outcomes are:

- Upheld – they believe that your concerns are valid and the College will take steps to improve the situation.
- Not upheld – they believe that your concerns are not valid/there is no evidence to support your
- Partly upheld – they agree with some parts of your grievance but not all.

Whether your grievance has been handled informally or formally, the Grievance Officer will consider the most appropriate option available when considering how to resolve the issue for you.

These options include:

- An explanation for you as to why certain decisions have been made; to provide you with a better of understanding of working practices etc.
- Mediation between you and the employee you have a concern with (this is a voluntary process).
- Retraining/coaching for you or someone else.
- Ensuring contact with the employee you have a concern with is avoided or minimised, where possible.
- Disciplinary action (the outcome of this is confidential and would not be shared with you).
- Ensuring appropriate apologies are received.

### Appeal against a grievance decision

If you feel that your grievance has not been satisfactorily resolved, you may, as the final stage of the College grievance procedure, appeal. Unless there are reasonable grounds for taking longer, you should do this within one month of receiving your grievance decision.

You should write, setting out clearly your grounds for appeal, and including a copy of your original grievance letter and a copy of the decision on your grievance. Your appeal letter should be addressed to the Linacre Human Resources Officer, and either left with Reception or sent by email to Linacre Human Resources [hr@linacre.ox.ac.uk](mailto:hr@linacre.ox.ac.uk) unless your grievance complaint involves the HR Officer when it should be sent to the Principal.

A Grievance Appeals Officer will be appointed who has had no previous involvement with your case. The Grievance Appeals Officer may be a member of staff, a Fellow or Trustee of the College, or someone external to the College, with appropriate expertise.

The Grievance Appeals Officer may arrange a further formal meeting with you and your companion (if you have one). They will do this without unreasonable delay and they will notify you of the time and place in advance. They will try, whenever possible, to come to a decision within one month of receiving your appeal, however this may not always be possible. The decision of the Grievance Appeals Officer will be communicated to you in writing and is final.

### Grievance and disciplinary processes

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



If the Grievance Officer decides that there may be a need for action under the College's Disciplinary Procedures, the grievance procedure may be adjourned at any point. In this case, the provisions of the relevant disciplinary procedure will be applied, or if the grievance has been judged, the Grievance Officer shall be free to recommend that the relevant disciplinary procedure be invoked and to provide to the disciplinary hearing with evidence or a report as appropriate.

### Whistle-blowing

If you bring information about a wrongdoing to the attention of the College or a relevant organisation, you are protected in certain circumstances under the Public Interest Disclosure Act 1998. The whistle blowing policy [on the College website](#) applies.

### Extending timescales under the procedure

The timescales outlined in this procedure will be adhered to whenever this is reasonably practicable. There may be extenuating circumstances that are outside of either parties' control, for example, where a key witness is unavailable or the grievance requires extensive investigation.

Where it is not reasonably practicable to adhere to the deadlines, both parties will discuss any extension to the timelines.

### Mediation

The College reserves the right to seek assistance from external mediators at any stage in the grievance procedure. Where both parties agree to undertake mediation, the grievance process will be suspended whilst this is ongoing.

### Protection against detriment

Nothing in this procedure is intended to prevent you from raising any concerns you have. Employees who raise concerns under this procedure will not be subject to any detrimental or less favourable treatment as a result of doing so.

Where a grievance complaint is made with malicious intent, the employee will be subject to the College's disciplinary procedure.

### Ex-employees

If you raise a grievance after having given notice to the College that you intend to resign as an employee, we will try to complete the grievance procedure whilst you are still employed. If it is not possible to conclude the process prior to your exit from the College, then it may be necessary to modify the procedure to complete it.

Should an ex-employee raise a grievance under this procedure, the College reserves the right to modify the procedure outlined above. This includes, but is not limited to, providing a written response.

### Collective Grievance

If you have an identical grievance to (an)other colleague(s), and you raise this together, we will facilitate a sensible way to deal with the collective grievance where, if each individual agrees, this can be addressed as one grievance