

HUMAN RESOURCES

Grievance (Academic) Procedure



1. Introduction

- 1.1 These procedures are passed by the School's Board of Management ("the Board") as bye-laws in accordance with Article 9 of the School's Charter of Incorporation ("the Charter") and the University Commissioners (Statute Modifications) (London School of Hygiene and Tropical Medicine) Order 1993 (Statutory Instrument 1993/1008) ("the Order"). These procedures may be amended from time to time by the Board provided that no such amendments shall be inconsistent with the provisions of the Charter or the Order.
- 1.2 These procedures apply to all employees of The London School of Hygiene and Tropical Medicine ("the School") who are members of the Academic Staff. For the purposes of these procedures Academic Staff shall include:
 - Professors, Readers, Senior Lecturers and Lecturers
 - Research fellows, research assistants and other staff holding academic-related posts, being posts recognised by the School's Board of Management ("the Board") for the purposes of these procedures
 - the Secretary & Registrar - the Director.
- 1.3 If an employee has a grievance relating to disciplinary action taken against him/her, he/she is referred to the appeal proceedings contained in the School's Policy and Procedures on Discipline and Performance, a copy of which is available from the Secretary & Registrar.
- 1.4 If an employee has any grievance in connection with any other aspect of his/her employment, he/she will be able to use the procedures that follow.

2. Stage 1 - Informal Discussion

- 2.1 The employee should initially bring the grievance informally to the attention of his/her Head of Department, who will seek to address the grievance.

3. Stage 2 - Formal Written Notice of Grievance

- 3.1 If the grievance is not resolved by the employee and the Head of Department within 14 days of the Head of Department being notified of the grievance, the employee may raise the matter with the Head of Faculty.

- 3.2 If the employee is dissatisfied with the result of an approach under paragraph 3.1 or if the grievance directly concerns the Head of Faculty, the employee may apply in writing to the Director for redress of the grievance. Grievances directly involving the Director should be referred to the Chair of the Board of Management who will determine how to proceed.
- 3.3 If it appears to the Director that the matter has been finally determined under Part III, IV or V of the Order or that the grievance is trivial or invalid, he or she may dismiss it summarily or take no action upon it. If it so appears to the Director he or she will inform the employee and the Grievance Committee accordingly within 28 days of receiving the written application.
- 3.4 If the Director is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of proceedings under Part III, IV or V of the Order), he or she will defer action upon it under this procedure until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and he or she will notify the employee and the Grievance Committee accordingly within 28 days of receiving the written application.
- 3.5 If the Director does not reject the complaint under paragraph 3.3 or if he or she does not defer action upon it under paragraph 3.4 he or she will decide whether it would be appropriate, having regard to the interests of justice and fairness, for him or her to seek to dispose of it informally. If he or she so decides, he or she will notify the employee within 28 days of receiving the written application and proceed accordingly.

4. Stage 3 - Referral to Grievance Committee

- 4.1 If the grievance has not been disposed of informally under paragraph 3.5, the Director shall refer the matter to the Grievance Committee for consideration.
- 4.2 The Grievance Committee will be appointed by the Board in each case and shall comprise:-
 - (a) a Chair; and
 - (b) a member of the Board not being a person employed by the School; and
 - (c) one member of the academic staff nominated by the School Council.
- 4.3 Any person against whom the grievance lies is referred to in this procedure as "the respondent". Where the grievance lies against the School itself the Director (or another member of staff appointed by the Director) will act as

the respondent. The Chair of the Grievance Committee will arrange for any respondents (other than the Director or his or her nominee) to be notified in writing of the referral as soon as practicable and for such investigation of the grievance as he or she may see fit.

- 4.4 The grievance will be considered at a meeting of the Grievance Committee. The aggrieved employee and the respondent will have the right to be heard at the meeting and to be accompanied by a friend or representative. References to the aggrieved employee and the respondent in the following provisions of this procedure include references to their respective friends or representatives.
- 4.5 The meeting of the Grievance Committee will take place within 28 days of the matter being referred to the Grievance Committee, except in exceptional circumstances or where the Chair of the Grievance Committee decides that the matter requires further investigation beyond that time limit.
- 4.6 The Chair of the Grievance Committee may require documents relating to the grievance to be circulated in advance of the meeting.
- 4.7 The aggrieved employee and the respondent may call witnesses relevant to the grievance to be heard at the meeting. The aggrieved employee and the respondent may question any witnesses called.
- 4.8 At the meeting, the following procedure will be adopted:-
 - (i) the aggrieved employee will have the opportunity to state his or her case and to call any relevant witnesses;
 - (ii) after the employee's witnesses have given their evidence, they may be questioned by the respondent and by the members of the Grievance Committee;
 - (iii) the respondent will then have the opportunity to make representations to the Grievance Committee and to call any relevant witnesses;
 - (iv) after those witnesses have given their evidence, they may be questioned by the aggrieved employee and the members of the Grievance Committee;
 - (v) the respondent will then have the opportunity to sum up; (vi) the aggrieved employee will then have the opportunity to sum up;
 - (vii) the Grievance Committee will then consider their decision in private.
- 4.9 The Chair of the Grievance Committee will have the power to regulate the proceedings of the Committee as he or she thinks fit, subject to being consistent with the requirements of fairness and the provisions of this procedure.

- 4.10 Within 14 days of the conclusion of the meeting of the Grievance Committee, the Committee will inform the aggrieved employee, the respondent and the Board whether the grievance is or is not well-founded and if it is well-founded the Committee will at the same time make such proposals for the redress of the grievance as it sees fit.
- 4.11 In relation to any grievance of the Dean or relating directly to the Director, these procedures shall apply subject to such variations as the Chair of the Grievance Committee may think fit.