



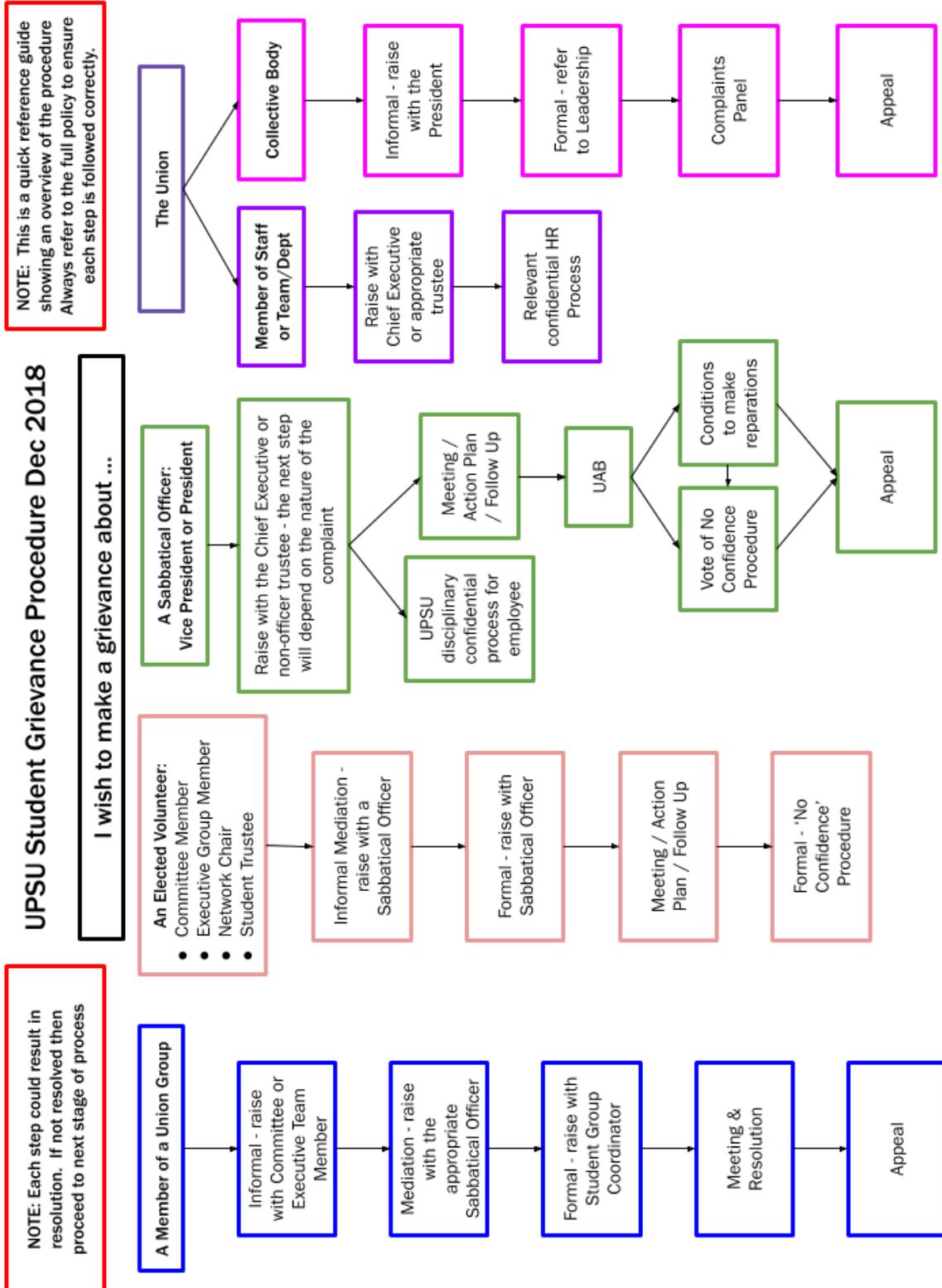
The University of Portsmouth Students' Union Student Grievance Procedure

Policy document name	The University of Portsmouth Students' Union: Student Grievance Procedure
Summary	This document provides the necessary processes to deal with grievances from members against; other members, elected volunteers, sabbatical officers and the Union and its staff
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Email contacts	Any of the email addresses detailed in this policy are available from groups@upsu.net

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Quick Reference Overview



Section 1: Grievance between Members of the Union Groups

Introduction

The UPSU recognises that from time to time members may wish to seek redress for grievances relating to other group members. The following procedure should be adopted when you have a grievance against another member.

Procedure

Step 1: Where you have a grievance against another member, you should initially raise the matter informally with a committee member or Executive team member, who will record details of the grievance and attempt to resolve it with you.

Step 2: Should you be dissatisfied with the result, or if the grievance cannot be resolved at that level, you should then raise the grievance with the appropriate Sabbatical Officer, who will assist you to resolve the matter through mediation.

Step 3: Should you be unable to reach a resolution at the informal stage, you should then raise a formal grievance, without delay to one of the Student Groups Coordinators (2 full time members of Union staff). You will then be invited to attend a meeting to discuss the grievance (you may be accompanied).

Step 4: Meeting:

- Make sure that the UPSU has all the information necessary to investigate the grievance prior to the meeting.
- During the meeting you will be allowed to explain your grievance and how you think it should be resolved.
- A decision regarding the outcome of your grievance will be given to you in writing within 10 working days of the meeting.

- Should your grievance amount to an allegation of misconduct or gross misconduct under our Code of Conduct for Students, then that procedure will supersede this one.

Step 5: Appeal

- Grounds for appeal - an appeal must be made in writing to the UPSU Projects and Groups Manager enclosing one of the following grounds with evidence that:
 - The grievance was handled improperly
Or
 - That in the circumstances the decision reached at the end of the preceding stage was unreasonable
Or
 - Offer new evidence - if new evidence becomes available, the matter should be referred back to the original investigator.
- The Projects and Groups Manager will meet with the relevant Sabbatical Officer and decide whether the appeal has met the above grounds.
- If the appeal does not meet the grounds, then a you will receive a letter within 10 working days detailing this.
- If your appeal meets the criteria, an appeal hearing will be organised. The hearing panel will be made up of the following:
 - 1 x Students Union Operational Manager
 - 1 x Sabbatical Officer
 - 1 x Student Executive Committee member or Student Trustee.

Within this meeting we will review the case against the individual, along with any additional evidence presented. The panel will decide whether or not to uphold or overturn the initial decision. All decisions made by the appeals panel are final. The individual will be notified of the outcome within 5 working days.

Section 2: Grievance against Elected Volunteers

Introduction:

The UPSU recognises that from time to time members may wish to make a grievance against any elected volunteers within the UPSU organisation. The following procedure should be adopted when you have a grievance against an elected volunteer. Elected volunteers include:

- A. **Committee member of a student group** - elected member of a student group, voted in at EGM/AGM as defined in the UPSU Bye-Laws.
- B. **Member of an executive group** - elected member of a student group, voted in at EGM/AGM as defined in the UPSU Bye-Laws.
- C. **Network chair** - A student elected into position to chair a certain network of students.
- D. **Student trustee** - A student who is chosen for a position on the Board of trustees via a recruitment process, following independent application and an interview style presentation and ratified by Union Actioning Body, UAB.

Procedure

Step 1: Informal resolution

- In all instances a grievance should be raised to a Sabbatical Officer in writing. The Sabbatical Officer with whom the grievance is raised will first attempt to informally resolve the issue. If an informal solution is not possible, for example by mediation, then the process will continue to Step 2.

Step 2: Formal Resolution

- In all instances the proposer puts the grievance in writing (including any corresponding evidence) to a current Sabbatical Officer.

- The proposal will be reviewed by the relevant Sabbatical Officer and a relevant Department Manager at the Union (an external trustee in the case of grievance against trustees). Should the nature of the grievance be deemed unsubstantiated and personal by nature, then the relevant Sabbatical Officer or President will formally invite the complainant in to discuss the issue, and offer alternative forms of resolution outside the remit of this policy.
- If the grievance is deemed substantiated, there will be a meeting with the member in question, in which an action plan will be decided.
- A follow-up progress meeting will then be arranged 10 days later to review progress against agreed action points from the meeting. Should performance improvement be deemed at an acceptable level (as assessed by Union staff in this meeting), then the grievance is deemed resolved.
- If there is not an acceptable level of improvement, then step 3 will be followed.

Step 3: Formal ‘No Confidence’ procedure - this is broken down depending on the type of Elected member:

- A. Grievance against Committee Members
- B. Grievance against Executive Members
- C. Grievance against Network Chairs
- D. Grievance against Student Trustees

A. Grievance against Committee members

- If the Executive Committee are not satisfied with the performance improvement of the subject in step 2, a Group Members’ meeting will be organised within 5 working days and the members notified for attendance.
- The Group members’ meeting will take place with the relevant Sabbatical Officer present to oversee fairness. All members are invited to the meeting.
- The members’ meeting will take no longer than 30 minutes, with speeches argued for and against the original grievance raised, which are capped at two minutes each under an open floor format. If there is a simple majority

(50% + 1) then the Vote of No Confidence passes and the Committee member is removed from their post (whether they are in attendance or not). If there isn't a majority, the person continues in their position.

- The decision will be implemented with immediate effect.

B. Grievance against Executive members

- If the Union staff are not satisfied with the performance improvement of the subject in step 2, then a Vote of No Confidence will be raised at the next relevant Zone Meeting and communicated to the membership.
- The Zone meeting will take place with the Sabbatical Officer present to oversee fairness.
- The Vote of No Confidence will take no longer than 30 minutes, with speeches argued for and against the original grievance raised, which are capped at two minutes each under an open floor format. If there is a simple majority (50% + 1) then the Vote of No Confidence passes and the Executive member (whether they are in attendance or not) is removed from their post. If there isn't a majority, the person continues in their position.
- The decision will be implemented with immediate effect.

C. Grievance against Network Chairs:

- If the Union staff are not satisfied with the performance improvement of the subject in step 2, then a Vote of No Confidence will be raised at the Union Actioning Body.
- The Vote of No Confidence will be placed as an Extraordinary item on the next UAB Meeting Agenda. At the UAB Meeting the Vote of No Confidence Item will last no longer than 30 minutes and there are to be speeches for and against the grievance which are up to two minutes each. The complainant will be granted speaking rights for this purpose. The UAB members will then vote on the matter. If there is a 75% majority the Vote of No Confidence will pass and the Network Chair (regardless of whether they are in attendance) will be removed from their position, if the vote is

less than 75% majority then the Network Chair will continue in post.

- The decision will be implemented with immediate effect.

D. Grievance against Student Trustees

- If the President and External Trustee are not satisfied with the performance improvement of the subject in Step 2, then the matter will be sent to the Union Actioning Body.
- The Union Actioning Body will take a vote on whether to uphold the grievance at this level or reject it. After upholding the grievance the UAB can then decide whether to instigate a Vote of No Confidence, as detailed in the Memorandums and Articles of Association or a schedule of performance improvement.

Section 3: Grievance against Sabbatical Officers

Introduction

The UPSU recognises that from time to time members may wish to make a grievance against a sabbatical officer within the UPSU organisation. The following procedure should be adopted when you have a grievance against an sabbatical officer in two sections:

- A. Grievance against one of the Vice-Presidents
- B. Grievance against the President

A. Grievance against one of the Vice-Presidents (e.g Welfare and Community, Education and Democracy, Activities or Sport)

Step 1: Proposer brings written grievance, including any accompanying evidence, to the Chief Executive of UPSU or a non- officer trustee.

- The proposal will be reviewed by the Chief Executive and a non Officer Trustee. Should the nature of the grievance be deemed unsubstantiated and personal by nature, then the Chief Executive or non Officer Trustee will formally invite the complainant in to discuss the issue, and offer alternative forms of resolution outside the remit of this policy.
- If the proposal is accepted, then it is noted by the Union and directed to the appropriate channels.
- If the proposal is of a political nature (e.g incompleteness of manifesto points, failure to complete responsibilities) then it will follow Step 2 in this process, the student proposer will be kept informed at all stages of this process by the Chief Executive or non Officer Trustee.
- If the proposal is of a nature relating to staff responsibilities (e.g lateness, gross negligence), then the grievance will be taken up as a matter of staff concern and follow the UPSU Disciplinary Procedures for Employees and will no longer continue in this process. If Disciplinary Procedures are to be followed the student proposer will be informed and then the matter

becomes a confidential staff matter.

Step 2: The Chief Executive and the non Officer Trustee will call a meeting with the Officer in which an action plan will be set to alleviate the concerns of the grievance. The Officer will be given a reasonable amount of time to improve upon the concerns raised and they will book in a meeting to review the action plan and determine whether or not the criteria detailed in the plan has been achieved.

- If following the reasonable period of time the Officer has not succeeded in completing the action plan as set out in the prior meeting then the Chief Executive will recommend the grievance to UAB to decide upon the outcome of the grievance.

Step 3: The Chief Executive will add an agenda point to UAB to discuss the grievance. During discussions the subject of the grievance will be asked to leave the room.

- The Union Actioning Body will take a vote on whether to uphold the grievance at this level or reject it. After upholding the grievance the UAB can then decide whether to instigate a Vote of No Confidence, as detailed in the Memorandums and Articles of Association, or to set conditions for the Officer to adhere to in order to make reparations.

Step 4: Appeals should be directed in writing to the Chief Exec of the Students' Union/Deputy Chair of Trustee Board of the Students' Union.

B. Grievance against the President of the Students' Union

Step 1: Proposer submits a written grievance to the Chief Executive of UPSU or non Officer Trustee.

- The proposal will be reviewed by the Chief Executive and a non Officer Trustee. Should the nature of the grievance be deemed unsubstantiated and personal by nature, then the Chief Executive or non Officer Trustee will

formally invite the proposer in to discuss the issue, and offer alternative forms of resolution outside the remit of this policy.

- If the proposal is accepted, then it is note by the Union and directed to the appropriate channels.
- If the proposal is of a political nature (e.g incomplection of manifesto points, failure to complete responsibilities) then it will follow Step 2 in this process, the student proposer will be kept informed at all stages of this process by the Chief Executive or non Officer Trustee.
- If the proposal is of a nature relating to staff responsibilities (e.g lateness, gross negligence), then the grievance will be taken up as a matter of staff concern and will follow the UPSU Disciplinary Procedure for Employees and will no longer continue in this process. If Disciplinary Procedures are to be followed the student proposer will be informed and then the matter becomes a confidential staff matter.

Step 2: The Chief Executive and the non Officer Trustee will call a meeting with the President in which an action plan will be set to alleviate the concerns of the grievance. The President will be given a reasonable amount of time to improve upon the concerns raised and they will book in a meeting to review the action plan and determine whether or not the criteria detailed in the plan has been achieved.

- If following the reasonable period of time the President has not succeeded in completing the action plan as set out in the prior meeting then the Chief Executive will recommend the grievance to UAB to decide upon the outcome of the grievance.

Step 3: The VP Education and Democracy will add an agenda point to UAB to discuss the grievance. During discussions the subject of the grievance will be asked to leave the room.

- The Union Actioning Body will take a vote on whether to uphold the grievance at this level or reject it. Anyone with a conflict of interest will be

asked to leave the room for the vote. After upholding the grievance the UAB can then decide whether to instigate a Vote of No Confidence, as detailed in the Memorandums and Articles of Association, or to set conditions for the Officer to adhere to in order to make reparations.

Step 4: Appeals should be directed in writing to the Chief Exec of the Students' Union/Deputy Chair of Trustee Board of the Students' Union.

Section 4: Grievance against the Students' Union or member of Union staff

Introduction

The UPSU recognises that from time to time members may wish to make a grievance against UPSU or a member of UPSU staff. The following procedure should be adopted when you have a grievance against UPSU as a collective body or a member of UPSU staff.

Step 1: Clarification of appropriate referral routes for the grievance

- If the nature of the grievance involves an individual member of UPSU staff, or a UPSU staff team/department, the student should register his or her grievance in writing with the Chief Executive of the Students' Union (or the Deputy Chair of the Board of Trustees if the grievance relates to the Chief Executive); where relevant HR policies will be adopted accordingly as appropriate, which will supercede the processes laid out in this policy.
- If the grievance is against the Union as a collective body, the student should register his or her grievance in writing with the President of UPSU, and the provisions laid out within the remainder of this policy will apply.

Step 2: Informal Procedure

- Conciliation may be possible at this stage by means of a discussion between the parties.
- The Students' Union will normally respond in writing to the complainant following an investigation within ten working days of the receipt of the grievance. Such written responses will normally be made on behalf of the Students' Union by the President of UPSU.

Step 3: Formal Procedure

- Where the matter has not been resolved informally to the satisfaction of the complainant, the complainant may raise the matter formally through the below procedure.
- In the first instance, the President of UPSU will refer the grievance to the next scheduled Leadership meeting to adopt the next stage of the process.

Step 4: UPSU Grievance Panel

- Grievance will be heard by a panel made up of four people; three members of the UPSU Board of Trustees, appointed by the President of UPSU, and the President him/herself who shall chair the meeting. In the event of a grievance being received with regard to the President, then the External Trustee shall chair the hearing.
- The Chief Executive of the Students' Union (or nominee) shall be the secretary to the panel. The Secretary to the panel is responsible for ensuring that the grievance is dealt with in accordance with the procedures set out in this section; that the time limits which govern the operation of this stage of the formal procedure are observed and that the proceedings of the panel are minuted.
- The panel will normally convene within fifteen working days of the President receiving the formal grievance request.
- Within five working days of the hearing, the President will inform the student, in writing, of the panel's decision. Where the grievance has not been upheld by the panel, this written notification will include a statement setting out the panel's reasons for deciding not to uphold the grievance.

Step 5: Appeal

- Complainants who remain dissatisfied and wish to appeal the decision made, must progress the matter via the Office of the Director of Corporate Governance at the University, who is independent from the Students' Union.

- The Director of Corporate Governance will take one of the following actions:
 1. If the grievance is considered to be trivial or invalid, it may be dismissed summarily;
 2. If it appears that the matter can be resolved through further Consideration, the Students' Union may be requested to reconsider its decision.

Advisory Panel

If the Students' Union, having been requested to reconsider its decision, refuses to do so and it is considered that the matter requires further investigation, a panel consisting of three members of University staff and one student, randomly selected, will be appointed by the Director of Corporate Governance to carry out the investigation make a full and final binding decision.