



Resolution Policy & Procedures

Ownership

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Version Control

Version Control Table

All changes to this document are recorded in this table.

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		TA/Deana Ireland
Sept 2023	V1 – New Policy	
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Resolution Policy

1. Introduction

The University believes that a positive working environment and good working relationships have a substantial impact on our well-being and engagement, leading to better performance, improved colleague retention, improved student experience and reduced stress and absence.

Disputes, concerns and complaints are a natural and inevitable factor for any organisation. Focusing on resolving workplace issues constructively will help us to create and sustain a positive working environment where we can all thrive. A resolution that is secured by the people involved is more likely to be mutually acceptable and to endure over the longer term than one that is imposed.

The Resolution Policy should only be instigated where ordinary default resolution strategies have been exhausted (where possible).

The [Office for Students \(OFS\) definitions](#) for harassment, sexual misconduct and bullying have been used in this Procedure. Within this procedure the term 'staff', 'colleague' and 'employee' are used interchangeably.

The OFS define staff as: includes but is not limited to employees (whether permanent, fixed-term or temporary) and all other individuals engaged by the University or acting on its behalf, including senior managers, officers, directors, consultants, contractors, trainees, seconded staff, homeworkers, casual workers, volunteers, interns, agents and sponsors.

2. Scope

Our Resolution Policy and Procedures incorporate the Grievance and Collective Disputes Procedures. They offer a timely; supportive; and proactive approach for resolving workplace issues and are designed to secure constructive and lasting outcomes.

The policy and procedures apply to all colleagues of the University, other than the Vice-Chancellor and holders of such Senior Colleague posts as the University may determine from time to time. Such colleagues are subject to policies and procedures relating to Senior Staff.

This policy is contractual and may be amended and/or updated by the University from time to time.

3. Definitions

The Resolution Procedure can be used to resolve all types of issues including concerns, problems, disagreements, disputes, complaints, or grievances. In the policy and procedures, we may use one of these terms to mean any or all of them and also use the general term

“issues”. Issues may be raised under the Individual(s) Resolution Procedure by an individual or by a small group of individuals. Collective issues can also be raised by one or more of the recognised trade unions under the collective resolution procedure.

The Collective Resolution Procedure should be used in the following circumstances:-

1. Where an issue has the potential of escalating to an Industrial Dispute; OR
2. Where the dispute is pertaining to a breach of policy.

The Resolution Requestor is the staff individual, group or recognised Trade Union(s) that raises the issue and who requests that the University work with the individual, group or Trade Union(s) to find a mutual resolution.

When faced with an issue in need of resolution, colleague(s) or Trade Union(s) may raise it with management either for ‘Informal Resolution’ or for ‘Formal Resolution’.

4. Policy Statement

The University is committed to supporting and resolving issues where you may feel aggrieved, through early resolution to avoid, where possible, unnecessary formal processes that would ordinarily have been dealt with through a traditional grievance procedure.

5. Policy Aims

The policy aims to ensure the consistent and fair treatment of everyone by ensuring that both you and your manager are aware of and understand how to seek early resolution when faced with issues of concern and are aware of what support may be provided to encourage and secure a resolution.

Irrespective of any additional barriers that you may fear, this policy and procedure(s) aims to provide a framework within which managers can work with you and trade unions to resolve issues early.

You should feel confident that raising an issue, whether for Informal or Formal Resolution, will not impact negatively on you or your career when the issue is raised in good faith. Anyone who does victimise you for raising an issue or concern may be subject to disciplinary action.

6. Policy Roles and Responsibilities

6.1 Employee Responsibilities

- Attempt to resolve any issues at the earliest opportunity, in a constructive and informal way, through discussion with your line manager or colleague with whom you



have the issue with, and where appropriate, through the University's Colleague Support Scheme, facilitated conversation, mediation, coaching and/or mentoring.

- Provide as much detail as possible about your issue(s) to your manager, or their manager in the first instance, Colleague Support Team, mediator, or People Partner, so that they have sufficient time and information to consider the detail and provide support to you.
- Be open-minded to making suggestions as to how your issue(s) can be resolved through early resolution – thinking about the outcome(s) you are looking for.
- Attend any early resolution meetings.
- Conduct yourself with dignity, honesty and integrity to promote an atmosphere of mutual respect.

6.2 Manager Responsibilities

In addition to your responsibilities as an employee, Managers are also responsible for:-

- Resolving problems through early resolution by dealing with issues quickly, when they are raised, e.g., you may feel that you have not been communicated with in a timely manner.
- Trying to resolve what would otherwise have been a colleague(s) or Trade Union(s) grievance or collective dispute, at the earliest opportunity informally and in a constructive, sensitive, and reasonable way, with particular sensitivity given to issues of an interpersonal nature, for example, a complaint of harassment.
- Referring individual/collective issues to alternative policies, where necessary, e.g., Dignity at Work.
- Responding in a timely way, adhering to the prescribed timescales unless there are valid reasons for delay, and communicating any delays to colleagues(s)/trade union(s) where they are unavoidable.
- Committing to the principles of early resolution by undertaking regular team meetings and one to ones with you resulting in the sharing of information in a timely manner.
- Conducting yourself with dignity, honesty and integrity to promote an atmosphere of mutual respect.

7. Key/General Principles

We aim to ensure good working relationships and to settle issues promptly, fairly and as close as possible to the point of origin. We will:

- Encourage you and your manager to seek early resolution to issues.
- Ensure that these issues are treated fairly and consistently.
- Encourage positive employee relations and help resolve conflict, in all its forms, constructively and effectively.
- Encourage open communication between you, your colleagues, and managers so that questions and problems can be aired and, where possible, resolved quickly and to the satisfaction of all concerned.

You must support the aim of seeking early resolution to any issue(s) with your immediate line manager or colleague with whom you have the issue with in the first instance, or in the case of a collective issue, with the Chief People Officer. Where you/Trade Union(s) feels that you have been unable to address your concerns through discussion with the Chief People Officer/Colleague Support Team and/or your line manager or colleague with whom you have the issue with, you should speak to a member of the People Team and complete a Resolution form as part of the informal resolution procedure(s).

It may be that a risk assessment would need to be undertaken when determining if a proposed action should be implemented. If this is the case, the risk assessment will determine the impact, i.e., whether implementing, or delaying the implementation of, the proposed action would have a significant negative impact on students, colleagues or the financial and reputational interests of the University. Where it is determined through a risk assessment that there is no significant detrimental impact, the status quo will be maintained. The risk assessment form will also consider whether or not there is an agreed compromise, e.g., for a limited time period.

Any statutory obligations (including Health and Safety) must be observed and if applicable, will determine whether the proposed change will or will not be implemented.

Subject to the agreement of all parties involved in the issue(s), the procedure(s) may be suspended at any stage for mediation, or alternative facilitated discussions with the aim of promoting early resolution. However, it is recommended that mediation or other facilitated discussions should wherever possible take place at an early stage, preferably before formal procedures are commenced.

Solutions on some issues will require an element of compromise and it may not always be possible to resolve issue(s)/dispute(s) to the total satisfaction of everyone involved. However, the University hopes to use Early Resolution, both through informal and formal processes, as a way of resolving issue(s) to reach a mutually acceptable solution for all parties. The resolution policy and procedure(s) will provide an opportunity for workplace issue(s) to be resolved early before they escalate and develop into major difficulties for all concerned.

Information provided by anyone seeking early resolution will usually be shared with others involved, including any other party to the issue(s), those interviewed as witnesses, and People Team colleagues involved in the proceedings. It is essential that those giving or receiving information during the resolution process always maintain confidentiality and

privacy. This applies to all documentation and meetings being shared in seeking resolution.

Records should be kept of each stage of the procedure and checked for accuracy by all parties. You should be given copies of any resolution meeting records including any formal minutes. In certain circumstances the University may withhold some information, for example to protect a witness. All such records will be regarded as confidential and retained in accordance with the provisions of the Data Protection Act 1998 and the People Team's Privacy Statement.

Informal Resolution Processes - 'Informal Resolution' takes place with an initial conversation between (you), the Resolution Requestor(s) and the individual or management with whom you have the issue with, to resolve any issues locally. Where resolution has not been achieved, you can try other informal processes such as facilitated conversation, mediation, coaching, mentoring etc.

Formal Resolution Processes – 'Formal Resolution' has three stages. Stage 1 is in the form of an initial fact-finding/investigation conducted by a Fact-finding Officer with the outcome determined by an impartial Outcome Officer. Should you remain aggrieved, Stage 2 is conducted by a Reviewing Officer who will review the Resolution Report and Outcome and any additional information that may have come to light and deliver their outcome to you. Should you continue to seek resolution, you can appeal to Stage 3 and your appeal will be heard by a Resolution Panel.

Within the Resolution procedure for Individual(s) and Collective Informal and Formal Resolution you will find the detailed processes to follow. However, should you prefer an alternative format in which to view the processes, process flows are contained at the end of this policy.

A complaint or concern related to action taken under another policy and procedure will be managed through the related appeals process when it is within the scope of that appeals procedure.

8. Appeals Processes

8.1 Individual(s) Appeal Process only

The Resolution Requestor (you) have the right to appeal against a Stage 2 Formal Resolution Meeting Outcome. You can be represented by a Trade Union representative or fellow colleague at the Resolution Appeals Panel.

If the Resolution Requestor (you) wish to appeal, you should notify the Resolution Team in writing within 10 working days of the date of the decision of the Stage 2 Formal Resolution Meeting being communicated to you, setting out the grounds for appeal. A Resolution Panel will be convened to hear your grounds of appeal. The decision of the Resolution Panel is final.

8.2 Collective Appeal Process only

The Trade Union(s) have the right to appeal against the outcome of the Special Resolution (JNCC) meeting.

If the Trade Union(s) wishes to appeal, they should submit a Stage 2 Formal Resolution form within 10 working days of receipt of the Stage 1 Formal Resolution outcome being communicated to them, setting out their grounds for appeal. The decision of the Stage 2 Formal Resolution Panel, consisting of VCG members, is final.

This policy should be considered in conjunction with the Dignity at Work Policy. In addition, where necessary, please refer to the Disciplinary Policy.

9. Support within the University

[Colleague Support Service](#)
[Advice & Resolution Centre](#)

Related Policies/Procedures/Guidance

[Resolution Procedure \(Individual\(s\)\)](#)
[Resolution Procedure \(Collective\)](#)
[Process Flow Charts](#)
Status Quo Form
[Early Resolution Form \(RS1\)](#)
[Resolution Appeal Form \(RSA\)](#)

Resolution Procedure (Individual)

1. Introduction

The Resolution Procedure follows the principles as set out in the Resolution Policy and the ACAS Code of Practice on Discipline and Grievance.

2. Resolution Team

The operation of the Individual(s) Resolution Procedure is overseen by the Resolution Team, which is located within the People Team. The Resolution Team's role is to support both Resolution Requestor (you) and management to find an effective and timely resolution, and to ensure that the Procedure and its timeliness requirements are followed. This includes conducting case assessments, facilitating conversations and/or commissioning investigations. The Resolution Team and Resolution Support Officers will meet on a six-monthly basis for reflective practice, to review case management and policy effectiveness; these reviews will include representatives of all trade unions.

The process maps referred to within the policy provide an overview of the procedure(s). Further detail for each of the Resolution Pathways can be found either in the process maps or below as part of this procedure.

We aim to foster a culture and workplace where all parties engage with one another constructively. This will enable most issues to be resolved locally and without the need for further elements of the pathway.

3. Individual(s) Informal Resolution Process

3.1 Early Resolution Meeting

Many workplace issues can be resolved at the Informal Resolution Meeting stage. It provides an opportunity for you and your manager to discuss issues in a supportive and constructive forum. If you have not already tried to informally resolve your issue locally, you will be encouraged to have a direct conversation with the other party to try to secure a resolution to the situation. Alternatively, or in addition to, you can contact the Colleague Support Service or your Trade Union representative, who offer confidential support when experiencing difficulties at work at any point throughout the Resolution Process. If the involvement of an alternative third party is needed, you will be required to complete a [Resolution Form \(RS1\)](#) and submit it to the People Team.

The Request for Informal Resolution Form should cover the following points in order to give the manager and People team an outline of the issue(s):

- explain the areas that you wish to have resolved and what you hope to achieve through informal resolution including what a fair outcome might look like;
- explain the impact of the situation on you; and
- set out what steps you have taken to resolve the issue to date, i.e., conversation with line manager and/or colleague.

On receipt of the RS1 form, a Strategic/People Partner will assess the appropriate route of resolution. The following factors will be considered at the resolution assessment stage:

- The seriousness and complexity of the issues being raised.
- The parties' willingness to engage an initial resolution meeting, a facilitated conversation, in coaching, mentoring, or a mediation process.
- Previous attempts to resolve the situation; and
- Previous complaints.

Following this assessment, a member of the People team will acknowledge receipt of your Resolution Form (RS1) within **5 working days of receipt of the request**. Emphasis will be placed on informal resolution. Some of the possible methods used will include speaking to the Colleague Support Service, facilitated conversation, mediation, coaching or mentoring, if this has not already been considered. The offer of an optional pre-meet with you, your Trade Union representation, People Team, and an Independent Party (if required) should be offered to agree issues to be discussed at any informal approach. At the pre-meet, the People Team will suggest what is felt to be the most appropriate route to resolution. Within **two weeks** of this conversation with the People Team, the agreed process route for resolution should commence, e.g., facilitated conversation, coaching, mentoring etc.

3.2 Facilitated Conversations

The Facilitated Conversation is a confidential discussion between all parties which draws on the same principles as mediation. However, it is shorter and less structured than mediation and brings parties together at an earlier stage of the dispute. It provides a safe, confidential, environment for you to discuss your concerns in a supportive, constructive way. It will be led by one of the members of the People Resolution team or another trained facilitator.

The facilitator – usually just one, but there may be two - will create the opportunity for dialogue between yourself and the party you have an issue with, in order to reach a mutually acceptable outcome. The facilitation process may include:

- A separate private meeting with the facilitator(s)
- A facilitated face to face meeting
- Reaching agreement and closing the meeting

Most facilitated conversations are completed in half a day. The facilitation process is confidential, and the facilitators are trained to a high standard. They will remain neutral and non-judgmental throughout the process. Information to help you prepare for a facilitated

meeting can be found on the [Resolution Intranet Page](#).

3.3 Mediation

Mediation is a more in-depth resolution process which is proven to be highly effective at resolving workplace disputes, disagreements, complaints, or concerns. If all parties agree to take part in mediation, your issue will be referred to one of our impartial accredited mediators. The mediator will contact both parties and explain the principles and processes of mediation. The mediation process includes:

- An initial pre-discussion with the mediator(s).
- Private meetings with the mediators(s).
- A facilitated meeting, which can either be face to face or in separate rooms, facilitated through shuttle mediation.

Reaching agreement and closing the meeting

Most mediations are completed within one day, although it may take longer if more than two people are involved. Mediation is a voluntary and confidential process.

The mediator will help the parties have an open and honest dialogue with the aim of identifying a mutually acceptable outcome. If this is the case, the mediator will encourage parties to draw up an agreement.

After mediation has finished you may agree that, if appropriate, others can receive a copy of this final written agreement. However, we will not receive any other feedback from the mediator about issues raised and discussed or any other factors raised during the mediation process. Further information on mediation can be found [here](#).

Whilst facilitation and mediation remain voluntary, they are proven to be highly effective. Therefore, you are encouraged to give due consideration to any methods of informal resolution and should not rule out such options without good reason. You will be expected to have an initial pre-mediation discussion with a mediator before ruling out mediation. However, if you refuse mediation as a way of early resolution and have exhausted all other methods of informal resolution (where appropriate) the informal resolution stage will end, and the matter will be referred for formal resolution.

4. Individual(s) Formal Resolution

We encourage you to try and resolve workplace issues through the options described above. This is better for everyone concerned in reducing stress, anxiety, disruptive situations, and ill feeling. A formal process is available where it has not been possible to resolve matters informally, or there may be occasional issues where formal resolution is the only viable option. Timescales are dependent upon each individual case and may require more time, depending on the complexity of the issue.

What to expect during formal resolution?

The following provisions apply to all formal meetings at the investigation (Stage 1), formal resolution meeting (Stage 2) or Resolution Panel stage (Appeal):

- You will be invited in writing to a Stage 1 investigation meeting and/or where you remain aggrieved, a Stage 2 formal resolution meeting.
- Either party may bring a trade union representative or University colleague to any formal meeting. The person accompanying you can address the meeting to put your case forward, sum up the case, but not respond on your behalf to any view expressed at the meeting or to respond to any questions asked directly of you.
- A member of the Resolution team will attend to provide guidance to any meetings.
- Information provided by either party will be shared with the other party and their representative. If a Stage 1 investigation report has been produced, this will be available to the resolution requestor (you) and the person with whom you have the issue, ahead of the resolution meeting (Stage 2) should you not reach resolution. This will also include any witness statements to ensure openness and transparency in the investigation process. Witnesses would not normally attend the resolution meeting.
- A copy of the Resolution Policy and procedure will be made available to all parties before any formal meeting.
- A note-taker may attend the meeting. Notes will be sent following the meeting and without unreasonable delay for verification. If you have changes, they should be made via tracked changes and we will attach them to the original.
- Where possible, meeting times will be agreed with all parties. You must make every effort to attend. If you or your representative cannot attend, you can suggest another date within 5 working days of the original date. This may be extended by mutual agreement.
- If you do not attend, due to circumstances outside your control, the manager will re-arrange the meeting and may involve Occupational Health in case of illness.
- If you do not attend and do not have a good reason, the Fact-finding Officer may make a decision based on the information they have available.
- The outcome of any Stage 1 Formal Resolution Report, Stage 2 Resolution meeting (formerly Stage 1 Grievance Appeal), or Resolution Panel (formerly Stage 2 Grievance Appeal) will be confirmed in writing after the meeting and without unreasonable delay.
- Arrangements and timescales may be varied by the Chair in consultation with the Resolution Team to deal with any practicalities, sensitivities, or equality considerations. If timescales are varied, you will be informed of progress.

4.1 Stage 1 –Formal Resolution Investigation

If you feel your issue cannot be resolved informally, despite all reasonable and appropriate efforts to do so, requests may be initiated by submitting an Individual(s) Request for [Resolution Form \(RS1\)](#) to the People Resolution team at resolution@uclan.ac.uk with a copy to your line manager setting out your request for formal resolution. Your form should include:

- confirmation that the formal stage of the resolution process is being invoked;
- what informal steps have been taken to resolve the issue;



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- full details of the reasons for you seeking resolution, including any relevant facts, dates, names of individuals involved and the documentation to be referred to; and
- what outcome is sought, if known at this stage.

The completed form should be signed by you (Resolution Requestor) or all members of the requesting group. Normally one person should be nominated to represent the group. (Where your issues are not identical or where there is not a full voluntary agreement amongst you, the issue will be dealt with on an individual basis in line with this procedure.)

Investigation/Fact Finding

The Resolution Team, upon receipt of the Stage 1 Formal Resolution Form, will acknowledge receipt within **5 working days** and appoint a Fact-finding Officer who will be supported by the Resolution Team and will undertake an initial fact-finding exercise to determine the facts. Fact-finding Officers will be unbiased and neutral ensuring there is no perceived conflict of interest with the case. They should also have the time available to reach a timely conclusion to the fact-finding exercise. In most cases, the Fact-finding Officer will be from within the same school or service.

The Resolution Team will work with the Fact-finding Officer to brief them on the case and provide support throughout the investigation.

Fact-finding Officer's Role

The Fact-finding Officer's role will be to conduct an initial fact-finding exercise to determine the issue and establish the facts (perception and impact). Where it is deemed necessary, and where upon completion of the initial fact-finding exercise it is determined that a fuller investigation is required, the Fact-finding Officer will undertake the following (where this has not already been done as part of the fact-finding exercise, or requires further clarification):-

1. Meet with you to establish why you are aggrieved and what steps you have taken to resolve the matter informally;
2. Gather the facts, including meeting with witnesses or taking witness statements, as appropriate;
3. Analyse objectively all evidence provided and present their findings in a Stage 1 Formal Resolution outcome report (**within a minimum of 10 working days of acknowledging receipt of the Formal Resolution Form, where possible**) to an impartial Outcome Officer, who will be from outside your school or service (a copy of which will be provided to you and your Trade Union representative).
4. The role of the Fact-finding Officer will be fulfilled by someone who is at least the equivalent level/grade of the person with whom the issue is about. The same People Partner will be used throughout the whole of the formal stage, until the Resolution Panel (Final Stage).

Outcome Officer's Role

The Outcome Officer's role will be to review the report presented by the Fact-finding Officer and determine and deliver the final outcome (within 5 working days of receipt of the Fact-

finding Officer's Outcome Report).

The Outcome Officer will be at least the equivalent grade of the person with whom the issue is about where you are a Professional Services colleague, and where you are an Academic, a management contract holder.

The outcome may be one of the following:

Stage 1 – Individual(s) Resolution Outcomes

- To dismiss the issue – none or insufficient evidence available.
- To partially uphold the issue – some evidence available.
- To uphold or dismiss the issue with recommendations for either or both the manager and colleague
- Refer to alternative policy/procedure

Referral to an alternative policy/procedure

There may be circumstances where the issue is related to another policy or procedure. For example, where behaviour is clearly misconduct, the issue would be considered via the disciplinary procedure. Investigation evidence from the resolution investigation will be used in the disciplinary investigation.

You will be notified of this outcome and may request to see a summary of the resolution outcome report. You can also share these with the companion who supported you at the meeting. Decision makers taking forward the disciplinary investigation or disciplinary meeting will also see the reports.

However, if there is a further investigation under the disciplinary procedure, you will not be informed about any of the details of the process. You will not see the discipline investigation report or know the decision - this is personal and confidential to the person undergoing the disciplinary process.

4.2 Stage 2 – Individual Formal Resolution Meeting (with the right to appeal the outcome) – Formerly 1st Stage Grievance Appeal

If you are unhappy with the Stage 1 Individual(s) Formal Resolution outcome and continue to seek resolution, you should submit a revised Stage 2 Formal Resolution form (**within 10 working days of receipt of the Stage 1 resolution outcome report**) outlining why you feel the issue has not been resolved and what more you are seeking as part of your resolution (where necessary).

An impartial Reviewing Officer will be appointed without reasonable delay.

Reviewing Officer's Role

The Reviewing Officer's role will be to:-



1. Conduct a Stage 2 Resolution Meeting with you, to establish why you continue to be aggrieved (within a minimum of 10 working days of receipt of a Stage 2 Formal Resolution Form being submitted);
2. Review the report provided by the Fact-finding and Outcome Officer from Stage 1 and invite the Outcome Officer to the Stage 2 Resolution Meeting to discuss why they reached their conclusion;
3. Decide whether to accept the Outcome Officer's conclusions and confirm if they are upheld; and
4. Identify issues the Outcome Officer didn't consider and whether further interviews need to take place, balancing why the investigating officer didn't interview people and conclude if there is a need to interview additional witnesses.
5. The Reviewing Officer will be at least the equivalent grade of the person with whom the issue is about, where you are a Professional Services colleague; and where you are an Academic, a management contract holder.

Deciding the Outcome

Following the Stage 2 meeting, the Reviewing Officer will review the facts and decide the Outcome (which may result in the Reviewing Officer, supported by a member of the Resolution Team, entering resolution discussions with both parties), which includes any recommendations for resolution. Decisions will be communicated to you in writing, without unreasonable delay and within a minimum of 10 working days of receipt of the Stage 2 Resolution Meeting taking place, and where appropriate, will set out what action will be taken to resolve the issue which may include a recommendation for mediation. You will be informed that you can appeal the decision if you are not content with the action taken.

When the proposed outcome is the one sought by you, the outcome can be implemented immediately, and the Resolution Procedure concludes. When the proposed outcome falls short of the one sought by you, for an outcome to be fair and reasonable it must demonstrate that all evidence and all arguments have been considered, by making sure that the written outcome sets out all the evidence and arguments and addresses each of them. The Resolution Team will facilitate dialogue between the Reviewing Officer and you, in order to ensure that the Stage 2 Resolution outcome is demonstrably fair and reasonable; this process of dialogue may start with a draft outcome that is revised through the dialogue. Only if a stage is reached at which both parties cannot agree the final outcome, should a formal appeal ever be necessary.

4.3 Right of appeal – Individual(s) Resolution Panel – Final Stage (Formerly 2nd Stage Appeal)

You have the right of appeal against the outcome of the Stage 2 Individual(s) Formal Resolution Meeting within a minimum of **10 working days** from the date you are notified of the outcome.

You should complete [Formal Resolution Appeal \(RSA\)](#) and send to The Resolution Team confirming which of the following grounds your appeal is based on:

Grounds for Appeal are set out below:-

- Procedural defect
- New relevant evidence not previously available has come to light since the Reviewing Officer's report
- General Fairness – Evidence is available but was missed by the Investigating Officer(s)
- Outcome of the Stage 2 Formal Resolution Meeting is not within the range of reasonable responses.

At the hearing the Panel will confirm the known facts and decide if any further action will be taken. The Panel will:

- Clarify points which aren't clear to ensure a common understanding and to establish the facts.
- Ask what attempts have been made to resolve the issue informally and why previous formal stages have not resolved the issue.
- Use open questions (what, how, why) to encourage more information to be shared.
- Use precise closed questions only where specific information is needed.
- Avoid leading questions.
- Allow you to ask questions and present evidence.
- At any point during the meeting, allow a short adjournment to be requested for example, if you would like to consult with your representative. In exceptional circumstances the Panel may need to make further enquiries (in these cases it would normally be better to adjourn at the end of the meeting with a continuation later).
- Summarise the main points of the case and let you know when they will make their decision.

The Resolution Panel is not designed to re-hear the Stage 2 Formal Resolution Meeting, but to examine the grounds of appeal.

The Resolution Team will acknowledge your appeal and ask you to submit your written appeal which must be presented in a Statement of Case and:

- Make clear the grounds for the appeal and include all relevant new information or supporting evidence.
- Outline which of your issues you feel haven't been properly considered and why
- Clearly state the desired outcome from the appeal

Both the management side (Reviewing Officer) and you will be required to submit a statement of case which should outline the respective cases prior to the panel being arranged. You will be asked to submit your grounds for appeal and sought resolution which will be shared with the Reviewing Officer and Resolution Panel. You will talk the panel through the reasons why you are not satisfied with the resolution proposed from the previous stages. The Panel reserve the right to seek clarification from the Reviewing Officer at any point within the Resolution Panel Final Stage.

The appeal will be heard without unreasonable delay, and within no more than four weeks of your appeal submission, and where possible, by a Panel normally made up of an

Associate Dean or Dean of School and/or Director of Service, and a Strategic People Partner. The appeal will not re-hear your original issues unless they were not properly considered.

At the appeal meeting, the Panel will clarify their understanding of the basis of your appeal and ask relevant questions of the Reviewing Officer and you. Through discussion, they will explore solutions with you and attempt to achieve resolution. The decision of the Panel will be conveyed to you in writing within 5 working days of the hearing and will be the final stage of the process.

Once the Resolution procedure, including the appeals stage, has been exhausted, you should be clearly informed that the Resolution procedure is at an end and that there is no further right of appeal. The matter will be closed irrespective of whether the complainant accepts the outcome. Note that this does not affect your right to take the matter to an Employment Tribunal, if applicable.

5. Special Circumstances

5.1 Issues brought by former employees

You should raise your complaint without unreasonable delay and normally within three months of the incident. If you leave the University part way through the resolution procedure the process will continue, and a written response will be given when the investigation has been completed. If the person who is the subject of the request for resolution leaves their Service, or School, but remains within the University, the resolution process will also continue to conclusion. However, if they leave the University, the Reviewing Officer or Panel will need to review whether it is possible or pragmatic to continue with the resolution process, recognising that someone who has left cannot be compelled to participate in the ongoing process. They will notify you of their decision.

For former employees, the following modified approach will apply and contains two steps:

- the former employee sends a written complaint to the Chief People Officer and an Investigating Officer is appointed as set out in the formal resolution process
- following any necessary investigation, the Investigating Officer will write to the former employee without unreasonable delay informing them of the decision.

The Investigating Officer's decision is final and there is no right of appeal.

6. Case and Records Management

Records will be kept detailing the nature of issues raised, managers' responses, the action taken and reason for the action. Records will be kept confidentially and in accordance with the University's policy on retention of records and data protection legislation.

Resolution Procedure (Collective)

Collective Resolution Process should be used in the following circumstances:-

1. Where an issue has the potential of escalating to an Industrial Dispute; or
2. Where the dispute is pertaining to a breach of policy.

The process map below provides an overview of the procedure. Further detail for each of the Resolution Pathways can be found in the Resolution Policy.

1. Early Informal Resolution Meeting

Many collective workplace issues can be resolved at the Early Resolution Meeting stage. It provides an opportunity for trade unions and management to discuss issues in a supportive and constructive forum. If you have not already tried to informally resolve your issue locally, you will be encouraged to have a direct conversation with the Chief People Officer to try to secure a resolution to the situation. Alternatively, or in addition to, you can contact the Colleague Support Service or the Advice and Resolution Centre to engage in mediation. The Colleague Support Service and the Advice and Resolution Centre offer confidential support when experiencing difficulties at work at any point throughout the Resolution Process. If the involvement of an alternative third party is needed, you will be required to provide informal written notice to the Chief People Officer.

In cases of **Collective Informal Resolution**, Trade Union(s) should contact the Chief People Officer, where immediate action is required, making every attempt to resolve the issue(s) informally.

If this does not resolve the issue(s), the Trade Union(s) should provide written notice to the Chief People Officer of the dispute. Both Trade Union Branch Secretary(s) and the Chief People Officer would meet informally stating each other's position, with a view to resolving informally. If a resolution is still not possible, the issue will be referred for mediation, if this has not already been tried. If this is refused or unsuccessful, Trade Union(s) should submit a Formal Resolution Form to the People Resolution Team and Chief People Officer detailing the outcome sought. The Formal Resolution Stage 1 will be invoked at this stage.

2. Collective Formal Resolution Process

2.1 Stage 1 – Collective Formal Resolution

The Resolution Team, upon receipt of the Formal Resolution Form and within 5 working days of receipt, will convene a Special Resolution (JNCC) Meeting.

JNCC's role will be to:-

- Review Management and Trade Union Cases presented
- Decide whether to uphold the issues/dispute, with/out recommendations
- If resolution is not achieved, advise on the next stages of the process
- Convey the decision to the Trade Union(s) in writing

Stage 1 – Collective Resolution Outcomes

- Resolution achieved – uphold.
- Resolution achieved – uphold with recommendations.
- Resolution not achieved – Convene Stage 2 Formal Resolution Meeting with Vice Chancellors' Group.
- Refer to alternative policy/procedure

2.2 Stage 2 – Collective Formal Resolution

If the Trade Union(s) remain unhappy with the Stage 1 Collective Formal Resolution outcome and continues to seek resolution, they should submit a revised Stage 2 Formal Resolution form (**within 10 working days of receipt of the Stage 1 resolution outcome report**) outlining why they feel the issue has not been resolved and what more they are seeking as part of their resolution.

The Resolution Team will convene a Resolution Panel consisting of no less than three members of Vice Chancellor's Group (VCG).

Stage 2 – Formal Resolution Panel

Upon receipt of the Stage 2 Formal Resolution Form, the Resolution Team will convene a Formal Resolution Panel, consisting of VCG members.

The Resolution Panel's role will be to review JNCC's decision. The Resolution Panel's decision will be final.

Stage 2 –Resolution Panel Outcomes

1. Decision made with alternative resolution.
2. Decision made that supports either management or Trade Union's position.
3. Referral to ACAS for conciliation/arbitration and agreement of all parties.

The Stage 2 Collective Formal Resolution outcome will be Final.