

GLASGOW KELVIN COLLEGE

FINANCE AND RESOURCES COMMITTEE – 30 MAY 2023

POLICIES AND PROCEDURES

**REPORT BY VICE PRINCIPAL OPERATIONS, FINANCE AND STUDENT
FUNDING MANAGER AND DIRECTOR OF PEOPLE AND CULTURE**

1. Introduction

As members will be aware, and in line with the review schedule, the following policies are due for review:

- Fees and Fee Waiver Policy 2023/24
- Letting Policy
- Disciplinary Policy and Procedure
- Grievance Policy and Procedure
- Menopause (National) Policy

2. Fees and Fee Waiver Policy 2023/24

The Fees Policy for Academic Year 2023/24 is attached at **Appendix 1** and sets out the fees and charges that will be applied during the academic year. This includes the scope and discretion that the College has to waive fees due for programmes of learning. The Board of Management is required to approve the fee policy prior to the start of each academic year.

The Policy, which has been updated to reflect the revised reference date, changed guidance and clarification of College processes in relation to payment plans and debt recovery, was endorsed by the College's Senior Management Team on 19 May 2023.

3. Letting Policy

The Letting Policy has been considered by the College's Senior Management Team on 19 May 2023 on 16 May 2023. There are minor changes made to this Policy are denoted in [blue text](#). The Letting Policy is detailed in **Appendix 2**.

4. Disciplinary Policy and Procedure and Grievance Policy and Procedure

Members will recall that several policies fall within the scope of the National Recognition and Procedures Agreement (NRPA). In accordance with the NRPA, specific policies will be negotiated with the Unions at the National Joint Negotiating Committee (NJNC). Two of the College's policies that are due for review fall within the scope of the NRPA.

These include the Disciplinary Policy and Procedure detailed in **Appendix 3** and the Grievance Policy and Procedure detailed **Appendix 4**. In accordance with the NRPA, a national policy in relation to Grievance and Disciplinary is to be produced for the Further Education (FE) Sector. A National framework Procedure for these Policies will also be developed, but the final Procedure is a matter for consultation with local Trade Union representatives.

The National process to negotiate the Disciplinary Policy is well underway and it is anticipated that the document will be issued in Academic Year (AY) 2023/24 along with a model Disciplinary Procedure. Negotiations on a National Grievance Policy should commence shortly thereafter.

It was agreed at the Board of Management Meeting on 29 August 2022 to extend the review date of these documents to 30 June 2023 pending the outcome of the National negotiation process. Therefore, both the EIS-FELA and Unison have requested a further postponement of a review whilst national negotiations continue.

Members should note however that the College has agreed with the EIS-FELA to review elements of its Grievance Procedure with the aim of improving the effectiveness of the process in the interest of staff. It will work in partnership with representatives of its recognised Trade Unions to review this document. The NRPA provides scope for local procedures to be reviewed. A revised Procedure will be presented to a future meeting of the Finance and Resources Committee and Board of Management.

Members are requested to note that the Board of Management on 12 June 2023 will be recommended to extend the review date of these documents to 31 July 2024.

6. Menopause (National) Policy

Members will recall that Circular CC 06/22 – National Menopause Policy for Support Staff and Lecturing Staff, was issued under the provision of the National Joint Negotiation Committee (NJNC) Central Committee and is binding on the college signatories of the NRPA.

The National Policy was subject to a minor change by the NJNC, and a further update was issued to the FE Sector in March 2023.

The College has consulted with its recognised Trade Union representatives on the implementation of the National Policy and the incorporation of Appendix 2 to the document which details the support available to its staff within the College. Colleges must, as a minimum, implement the National Menopause Policy for Support Staff and Lecturing Staff.

Members are requested to note the Menopause (National) Policy and the incorporation of Annex 2 and approve the document for immediate implementation. Members will recall that training for managers in managing staff who experience the menopause was provided during AY 2022/23 along with awareness raising for staff.

The Menopause (National) Policy is detailed in **Appendix 5**.

7. Resource Implications

In respect of the Fees and Fee Waiver Policy 2023/24, income is a critical component of the College budget. Approval of fee rates, the fee policy and debt recovery processes are critical to achieving the budgeted level of income. The fee rates have been held constant in cash terms for a significant number of years and this represents a gradual erosion of the real terms value of the fee at a time when delivery costs have increased substantially as a consequence of higher staff pay rates.

8. Impact on Students

There are no anticipated impact on students this year as a consequence of this report or changes to the policies contained within the appendices attached.

It should be noted that fee rates remain the same as the previous year.

9. Equalities

Equality Impact Assessments (EQIA's) have been carried out on all policies and these are available upon request.

In respect of the Fees and Fee Waiver Policy 2023/24, the Principal's Discretion process enables the College to promote access and consider other circumstances which may be taken into account in respect of the decision to charge a fee or not.

No negative impacts on people with protected characteristics have been identified as a consequence of this report or the changes being suggested to the attached policies.

10. Risk and Assurance

In respect of the Fees and Fee Waiver Policy 2023/24, there is a financial risk associated in regard to receipt of budgeted income and viability of courses. There is also some reputation risk associated with the decision to charge fees to individuals who are not eligible for funding and progress the debt recovery process.

11. Data Protection

Data Protection is given a high priority within Glasgow Kelvin College with a network of Privacy Champions in place.

The Student Support Teams holds a significant volume of sensitive personal information in respect of learners and their families. This is managed carefully within the terms of the College's Data Protection Policy and procedures.

12. Environmental and Sustainability

There are no Environmental and Sustainability implications arising as a consequence of this report or the suggested changes to the policies.

13. Recommendations

Members are recommended to:

- i) note the contents of this report and its Appendices;
- ii) in respect of the Fees and Fee Waiver Policy 2023/24, to delegate authority to the Vice Principal Operations to amend the fee rates and eligibility criteria to align with SFC, SAAS and / or Scottish Government guidance/regulations in the event that these diverge from the proposed College rates for session 2023/24;
- iii) approve the Fees and Fee Waiver Policy 2023/24 as contained in Appendix 1;
- iv) approve the Letting Policy as contained within Appendix 2;
- v) note that the Board of Management at its meeting 12 June 2023 will be recommended to extend the review date for the Disciplinary Policy and Procedure as contained within Appendix 3 and the Grievance Policy and Procedure as contained within Appendix 4 to 31 July 2024;
- vi) note that a revised Grievance Procedure will be presented at a future meeting of the Finance and Resources Committee, for comment and the Board of Management Committee for approval at a future date; and
- vii) note the Menopause (National) Policy; and
- viii) approve the incorporation of an Annex 2 into the Menopause (National) Policy as contained with Appendix 5.

14. Further Information

Members may obtain further information relating to the contents of this report from: Jeanette Evans, Vice Principal Operations Jevans@glasgowkelvin.ac.uk or Andrea Daly, Finance and Student Funding Manager adaly@glasgowkelvin.ac.uk and Doreen Shiels, Director of People and Culture at dshiels@glasgowkelvin.ac.uk

Fees Policy

2023-24



Document Control Information	
Reviewed by Board of Management	13 June 2022
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Approved by the Finance and Resources Committee:	30 May 2023

The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend this document at any time should the need arise following consultation with employee representatives. **This Policy has been subject to an Equality Impact Assessment this can be accessed on:** <https://www.glasgowkelvin.ac.uk/equality-diversity/>

1. Introduction

The Fees Policy sets out the fees and charges that will be applied during the academic year. This includes the scope and discretion that the College has to waive fees due for programmes of learning. The Board of Management are required to approve the fee policy prior to the start of each academic year.

2. Fees Structure

The College fees structure is based on the notional fee levels indicated by the Scottish Government and Scottish Funding Council (SFC). It should be noted that, at the time of writing, the SFC have not published their Fee policy for session 2023/24. It is possible, although unlikely that the SFC will change the longstanding fee rates.

This report requests the Finance and Resources Committee to delegate authority to the Vice Principal Operations to re-align fees to the SFC rates in advance of the new term in the event that the fee rates or eligibility rules are changed by the SFC, Student Awards Agency Scotland (SAAS) or the Scottish Government.

A copy of the 2023/24 fees structure is included as Annex 1 to this policy. The fee structure applies to all student activity that qualifies for funding by grant-in-aid from the SFC or is part-funded by European Structural funds.

The College reserves the right to levy additional fees/charges for particular programmes of study which generate disproportionate costs for materials, trips or additional property charges. The Vice Principal Operations has delegated authority to set fee rates for specific programmes, these will normally be based on the rates outlined in the fee policy.

Commercial, some international provision, flexible workforce development fund projects and consultancy charges are not covered by the Fees Policy. The Director of Business Development has discretion to set prices for these types of activity. Normally, this activity will not contribute to the College funded teaching activity target but will be expected to generate a contribution to the overhead costs of the College.

3. Fee Waiver Policy

The SFC publishes a National Fee Waiver Policy annually. This provides the basis on which colleges are required to waive fees for certain groups of learners. Glasgow Kelvin College will comply with and operate the National Fee Waiver Policy.

The College will not accept Fee Waiver for commercial provision except where this activity is specifically funded by partner organisations.

It is the policy of the Board that the Principal retains discretion to waive fees for students who do not meet the national fee waiver scheme criteria. This is applied only when the student can demonstrate financial hardship and where waiving the fee is consistent with the College ethos.

It may also apply to some community-based provision which is delivered in partnership with local partners. Fees will not normally be waived for full time HE or commercial day or evening provision.

4. Approval of Non-Standard Fees

Non-standard Fees or deviations from approved rates will normally be referred to the Teaching Management Group for consultation prior to approval. These are likely to relate to Training Agencies, block release and bespoke courses. Fee rates for such provision are formally approved by the Curriculum Directors or a Vice Principal.

5. School Pupils

The College notes that the fee waiver policy applies to school pupils for programmes that they undertake in colleges as part of their school-based curriculum. The College will not seek to charge school pupils a fee for any activity they undertake at College.

6. Home, Rest of UK and Overseas Student Status

To qualify for home student status a potential student must meet the eligibility criteria given in the Education (Access Funds) (Scotland) Determination 2022. The College checks eligibility through the Student Enrolment form and the Fee Waiver Application form. Potential students who do not meet the residency criteria will be asked to finance their own study at the overseas rate.

The Education (Fees) (Scotland) Regulations 2011 applies to Higher Education (HE) level fees (Higher National Certificate (HNC) and above). These regulations were designed to allow Further Education (FE) and HE institutions to charge fees to students from within the UK but out with Scotland (Rest of UK Students). The College will therefore charge HE students a higher fee rate as such activity will not contribute to the student activity target. FE students are charged the home rate.

The College does not hold a Tier 4 license and therefore is unable to recruit international students, this now includes EU students residing outwith the UK.

7. Cancellation of Programmes and Classes

The College reserves the right to cancel any programme or class should there be insufficient numbers of students enrolled. Where the College cancels a programme or class, any fee paid in respect of the cancelled programme will be returned provided the student has paid the fees themselves or had fees paid by others on their behalf.

8. Payment of Fees

Fees are payable on enrolment and students are normally expected to pay the full fee for any programme of study prior to the commencement of the programme. In certain circumstances payment by instalment may be agreed by the College. The College reserves the right to vary instalment methods and demand outstanding payments in full should circumstances dictate. There is no minimum amount for a payment plan, and the college will use discretion with individual students depending on their circumstances.

However, any fee under £100 would be expected to be paid in full prior to the start date of the course.

Payment plans should be arranged within 2 weeks of the start date of the course and course fees must be paid in full by the end of the current academic session. Commercial and evening class fees will normally be paid for in advance of enrolment.

9. Complaints/Investigations

In the event that a student has submitted a complaint to the College, payment of fees must be maintained pending the outcome of the complaint. Any decision to waive or refund fees will be actioned as soon as is practicable after completion of the complaints process.

10. Withdrawal from Course

Should a student withdraw within three weeks of commencement of the programme consideration will be given to waiving fees. This recognises that student circumstances change and that the programme selected may not always be an appropriate choice.

Should a student withdraw after three weeks of the commencement of any block the full fees for the block will be charged.

11. Refund of Fees

The College will not normally refund fees paid by a student to attend a programme of study at the College. Should a student withdraw from a programme before the start, or within three weeks of commencement, of the programme consideration will be given to refunding fees. This recognises that student circumstances change and that the programme selected may not always be an appropriate choice.

Refunds will only be considered on the basis of a written request with an explanation of the reasons for withdrawing from the programme. Any refund granted will be subject to the deduction of a £40.00 administration fee. Refunds will not normally be granted if the student has attended three weeks after the commencement of the programme or class. Refunds will be repaid to the person or company who made the initial payment and by the same payment method as the original payment. Refunds will not normally be offered in respect of evening class or commercial provision. The following staff have delegated authority to approve the refund of fees:

- Vice Principal Operations
- Director of Faculty
- Director of Business Development
- Head of Finance
- Finance and Student Funding Manager
- Accountant

12. Method of Payment of Fees

The College will accept cash, credit/debit card or cheque as payment of fees. The College will also invoice a sponsor where a student can provide a letter at enrolment indicating who will take responsibility for the fee and to whom the invoice should be sent. Dishonoured cheques and direct debit payments will be subject to £30.00 surcharge.

13. Non-Payment of Fees

The College is expected to collect a fee for every student enrolled, except in circumstances where the National Fee Waiver Policy applies. The College will pursue students who fail to pay the agreed fee. The College will not certificate students who do not pay the fee due. The College will also withdraw access to ICT facilities in cases where the terms of payment plans are not being met by the student and, with the exception of students who are under 18, the debt will be referred to the College Debt Collection Agency and legal action may be taken. The student may be removed from their course of study as a result of non-payment of fees.

14. Outstanding Debt

Students wishing to enrol who have previous outstanding debts to the college will be subject to the following conditions:

- Debts less than £100 – to be paid in full prior to enrolment;
- Debts more than £100 – 50% to be paid up-front with the balance to be paid by end of block 1. A direct debit payment plan will be arranged with individual students.

15. Marginal Cost Pricing

The College may be requested to provide education or training which has not been included within its budgeted academic plan. The provision of education or training will incur additional costs. Heads of Faculty and the Director of Business Development will ensure that the College recovers the additional costs of such activity.

16. Further Information

For further information on this policy please contact: the Sales Team on 0141 630 5022 or email finance@glasgowkelvin.ac.uk.

Glasgow Kelvin College
Fees Structure 2023 / 2024

Type of Fee	Cost
Full-Time	
Higher Education - Self Financing Students	£1,285
Higher Education – (Degree)	£1,820
Further Education - Self Financing Students	£1,008
Full Time - Overseas Students – Higher Education	£5,900
Full Time – Overseas Students – Further Education	£4,600
Full Time – Rest of UK Students – Higher Education	£2,500
Full Time – Rest of UK Students – Further Education	£1,008
Part Time	
Higher Education - Each Unit (including SQA registration)	£100(d) / £135(e)
Further Education - Each Unit (including SQA registration)	£95(d) / £135(e)
Overseas HE - Each Unit (including SQA registration)	£345 (per credit)
Overseas FE - Each Unit (including SQA registration)	£225 (per credit)
European Computer Driving Licence	£245
Highers (Home rate)	£252
Marginal Cost - per class hour	Price on Request
Hourly Rate – per contact hour	Price on Request

Letting Policy



Document Control Information	
Reviewed by the Senior Management Team	May 2023
Date of Next Review:	May 2026
Approved by the Board of Management:	June 2023 - TBC

The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend this document at any time should the need arise following consultation with employee representatives. This Policy has been subject to an Equality Impact Assessment, which is published on our website: <https://www.glasgowkelvin.ac.uk/equality-diversity/>

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1. Introduction

All lets are granted at the discretion of the Principal. Lets may be refused if organisations fail to demonstrate an education-related purpose for their activities or if the College is not satisfied that the purpose for which a let has been requested is consistent with its mission, objectives and inclusive ethos. There shall be no appeal against the decision of the Principal in respect of the refusal of a let.

The College will not grant any let that requires a liquor licence.

All lets must be booked through the College's centralised booking system.

Timetabling, Glasgow Kelvin College, 123 Flemington Street, Glasgow G21 4TD

Tel: 0141 630 5166

Email: rooms@glasgowkelvin.ac.uk

Rooms/Timetabling
Glasgow Kelvin College
123 Flemington Street
Glasgow
G21 4TD

2. Category A: Free Lets (long term, short term and one-off bookings)

This category of let applies to:

- College staff and student activities, organisations and clubs;
- Glasgow City councillors when involved in council business;
- Members of Parliament (UK, Scottish and European);
- Locally based youth organisations run by volunteers;
- Not-for profit and similar organisations approved for free lets by the Principal or a Vice Principal;
- Members of staff based in the college (including professional organisations);
- Faith services where an appropriate religious building does not exist or religious functions for which the religion's property is unsuitable; and
- Candidates in municipal elections.

Free lets ~~can will~~ be provided to the above organisations providing they ~~conclude before 9.00pm or~~ take place at times when the College's buildings would otherwise be open for its mainstream activities. Details of College opening times are available on request. The College may refuse lets to organisations or individuals who fail to pay College invoices raised within the terms of the Letting Policy.

Charges will be levied where any let requires additional services such as [security](#), [estates services](#), supervision of the use of facilities, catering or hospitality, all catering on College premises will be provided by the College or its on-site contractors. Food and beverages supplied by external agencies is not permitted. All free lets are for one year only and must be renewed prior to the start of each academic term.

Please note - Category A: Free Lets apply to classrooms/meeting rooms only for one-off ad-hoc bookings. All other facilities or long term bookings will be charged at the full commercial rates. A valid SCO charitable status number will be required to qualify for a free let.

3. Category B: Other Lets

All other lets will normally be charged at the rate shown in the attached schedule of letting charges (appendix a) although block bookings may be separately negotiated. Where the actual cost of providing the let, including the cost of opening the College buildings, exceeds the schedule of charges the actual cost will be charged.

The Business Development Team has responsibility for negotiating fees for commercial activities such as the use of facilities as a filming location or for events. Lets will not normally be granted for the purposes of income generation for an external organisation.

Additional charges will be levied where any let requires additional services such as catering or hospitality. All catering on College premises will be provided by the College or its on-site contractors. Food and beverages supplied by external agencies is not permitted.

The Policy and schedule of charges will normally be reviewed by the Board of Management every three years.

Schedule of Letting Charges

Facility	Charge Per Hour (£)	Charge Per Day (£)	Charge Per Evening (£)
Lecture Theatre	50	220	110
Event Area	55	275	140
Dance/Drama Studio	40	135	80
Seminar Room/Classroom	35	110	80
Large ICT Suite	45	200	130
Gym Hall	40	180	100
Moving & Handling Area	40	200	90
Board Room	50	230	110
TV Recording Studio*	55	250	120
Rehearsal Rooms	20	65	45
Recording Studios*	-	140	80
Trading Space	-	55	-

* an additional charge will be levied for technical support where required and will be confirmed at the time of booking

Rates for the hire of other College facilities available on request.

Catering rates will be confirmed at the time of booking.

The above costs are for one-off bookings during College opening hours only, additional charges will be levied in the event that additional costs are incurred by the College to open a building outwith normal opening hours.

Rooms may be subject to change at short notice and alternative room(s) of the same standard may be made available.

Disciplinary Policy and Procedure



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Glasgow Kelvin College

Disciplinary Policy and Procedure

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1. Introduction

Glasgow Kelvin College ('the College') expects a professional and consistent standard of conduct from all employees.

This policy and its associated procedure aims to encourage employees to achieve and maintain acceptable standards of conduct by providing a clear framework within which any instances of alleged failure to meet such standards will be addressed.

It also aims to ensure that a positive and consistent approach to managing disciplinary issues is adopted at all times across the College.

The Disciplinary Policy and Procedure has been developed taking into account the ACAS Code of Practice on Disciplinary and Grievance Procedures and it is designed to help managers, employees and their representatives' deal with disciplinary situations in the workplace.

2. Scope

This Policy and Procedure applies to all employees of the College and provides a mechanism for disciplinary matters to be handled promptly, transparently, fairly and consistently.

The Disciplinary Procedure will be used where there are possible issues of misconduct. This procedure does not apply to cases where an employee fails to perform to the required standard as a result of lack of skill, capability or training or has genuine sickness absence or where an illness or other condition causes or contributes to performance issues. In those cases, reference should be made to the Capability Procedure.

There may be cases where it will be appropriate to treat poor performance as a misconduct issue e.g. in cases of negligence or carelessness.

3. Principles

The Principles of this Policy are:

- The College will seek to resolve conduct issues at the lowest possible level and informal action will be considered, where appropriate, to resolve problems;
- No disciplinary action will be taken against an employee until the issue has been fully investigated to establish the facts of the case;

- For formal action, an employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made at a disciplinary meeting;
- Employees will be provided with written copies of evidence and witness statements, under normal circumstances, in advance of a disciplinary meeting;
- Witnesses should be informed that a copy of their statement will be provided to the employee;
- At all formal stages of the procedure an employee will have the right to be accompanied by a trade union representative, work colleague or an official employed by a Trade Union;
- Employees may seek additional support or advice from the Human Resources Department;
- Employees will be provided with appropriate time off to attend the Employee Counselling Service to support them through the process;
- In certain situations, employees may be accompanied by an additional companion if agreed by all parties in order to assist the process e.g. an employee with a disability or if there is a language barrier;
- All meetings should be conducted courteously and fairly
- Where possible and practicable in the circumstances, an officer of the College who has been involved in any investigation into alleged misconduct will not be involved in either the disciplinary or the appeal hearing and any officer who has heard a disciplinary or dismissal hearing will not be involved in any appeal hearing.
- No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of contractual or statutory notice (non-exhaustive examples of misconduct and gross misconduct are contained within the Disciplinary Procedure but any employee in doubt of their responsibilities or expected standards of conduct should speak to their line manager);
- An employee will have the right to appeal against any disciplinary sanction;
- Notwithstanding the stages of disciplinary sanction set out in the procedure, the procedure may be implemented at any stage, without the College being required to start with the lowest disciplinary sanction if the employee's alleged misconduct warrants this; and
- The College and its employees should raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.

4. Confidentiality

The College aims to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter. A failure to do so may result in disciplinary action, up to and including dismissal.

An employee who provides a statement will be advised that the individual who is subject to the investigation will normally be told the name(s) of any witness(es) who provides evidence relevant to the allegation(s) against them, unless in exceptional circumstances the College determines that a witness's identity should remain confidential, for example in cases of sexual harassment or where an individual has provided evidence on the condition that anonymity is preserved.

In such cases the College will endeavour to ensure that the employee is provided with a fair opportunity to respond to any allegation(s) made against them and, if this is not possible, will ensure that a determination is made as to the appropriate weight to be placed on any such evidence in light of any prejudice caused to the employee as a result of anonymity being preserved. The decision not to disclose the name(s) of a witness(es) will be discussed with the employee, and/or their Trade Union representative where appropriate.

5. Right to be accompanied

The employee has the right to be accompanied at any formal stage of the procedure by a trade union representative, work colleague or an official employed by a Trade Union.

Under this procedure, the employee does not have the right to be accompanied by anyone else (such as spouse, partner, other family member or legal representative) unless agreed otherwise as set out above in Section 3.

To exercise the statutory right to be accompanied the employee must make a reasonable request. The employee should provide enough time for the College to deal with the companion's attendance at the meeting and make clear in advance the name of the companion where possible and whether the individual is a Trade Union representative or work colleague.

If the chosen companion is not available at the time fixed for the hearing, then the employee has the right to postpone the hearing, to another time which is reasonable and within five working days of the first working day after the date proposed by the College.

6. Suspension

The College may decide to suspend the employee from work as a precautionary measure pending the outcome of investigation. Any such decision will be taken after consideration of relevant factors including but not being limited to:

- The nature and seriousness of the allegation and the likelihood of the allegations being established;
- The risks to the College and/or employees, students or other third parties of the employee's continued presence in the workplace;
- The risk of a recurrence of the behaviour that is the subject of the allegations;
- Any impact or prejudice that may be caused by the employee's continued presence in the workplace, in particular in relation to the employer's ability to conduct an investigation

The suspension will be for no longer than is necessary to investigate the allegations and the College will confirm the arrangements to the employee in writing. The initial period of suspension will normally be for no more than 10 working days. After this period the decision will be reviewed. If necessary the period of suspension may be extended for a further 10 working days, after which the decision will again be reviewed. Any decision to suspend will be kept under review. While suspended the employee should not visit the College premises or contact any employees, clients, learners, suppliers or contractors associated with the disciplinary investigation or offence under investigation unless authorised to do so.

Suspension of this kind is a precautionary measure, not a disciplinary penalty and does not imply that any decision has already been made about the allegations. The employee will continue to receive full basic salary and benefits during the period of suspension.

An alternative to suspension, where appropriate, would be to relocate the individual under investigation to another campus.

Employees will be provided with information on the support available to them through the Employee Counselling Service. Employees will receive information during their absence similar to any employee who is absent for any other reason.

7. Alcohol and Drug Misuse

The College may suspend disciplinary action under certain circumstances in respect of an offence related to alcohol or substance misuse in accordance with the terms of the College's Policy Statements on Alcohol and Substance Misuse.

8. Overlapping Disciplinary and Grievance Cases

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended 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.

9. Records

The College will keep a file with all written information relating to the disciplinary case. The records will be treated as confidential and kept in accordance with our data retention policy which can be obtained from the Director of Corporate Services.

The details of every disciplinary case will be maintained for monitoring purposes. The College will publish general statistics relating to the number of disciplinaries each year. No personal data is published as part of this process.

10. Training

Training and coaching of managers operating the procedure will be provided. Representatives of the College's recognised Trade Unions will be invited to attend. Advice and guidance on the application of the Disciplinary Policy and Procedure will be provided by Human Resources.

Disciplinary Procedure

1. Informal Procedure

Where practicable and/or deemed appropriate by the College, misconduct will normally be managed, or resolved, informally in the first instance.

Informal action will normally be carried out by the employee's direct line manager or supervisor.

It will take the form of a discussion between the employee and the line manager or supervisor with the objective of resolving any issues, encouraging and helping the employee to improve and identify whether additional training, coaching and advice may be needed is required. Informal resolution may also take the form of an informal warning or direction.

Both parties should fully understand the outcome of the discussion and that the formal processes may start if there is a recurrence of the misconduct or where other misconduct issues arise or where there is no improvement or if any improvement fails to be maintained.

Arrangements will be made to review progress over a specified period where appropriate. Where improvement is required both parties must understand what needs to be done, how the conduct will be reviewed, and over what period. The line manager will confirm in writing what has been decided.

Brief notes of any agreed informal sanction or action should be kept for reference purposes by the manager and a copy provided, where appropriate, to the employee. The discussion is not a disciplinary meeting and any warning issued whether orally or in writing is informal.

2. Formal Procedure

The formal disciplinary procedure will be used when informal resolution is not deemed appropriate or when informal attempts to address the issue have not proven possible or effective.

Managers should discuss the case with a member of the Human Resources Department prior to invoking the formal disciplinary procedure.

2.1 Investigation

The College will investigate alleged misconduct, without unreasonable delay and within an agreed timescale, to establish the facts in any particular case. The investigation will be carried out by the appropriate manager, refer to Table 1, with support and advice from a member of the Human Resources Department.

The employee will normally be told that the investigation will be taking place (unless there are circumstances in which this would not be appropriate), the allegation(s) which is the subject of investigation, the anticipated timescale and their right to be accompanied by a trade union representative, work colleague or an official employed by a Trade Union during any meeting to discuss the area(s) of concern.

The purpose of an investigation is for the College to establish a fair and balanced view of the facts relating to any allegations against an employee, before deciding whether to proceed with a disciplinary meeting.

The amount of investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the employee and any witnesses, and reviewing relevant documents.

Investigative interviews are solely for the purpose of fact-finding and no decision on disciplinary action will be taken until after a disciplinary meeting has been held.

Employees must cooperate fully and promptly in any investigation the College deems to be necessary. This will include informing the College of the names of any relevant witnesses, disclosing any relevant documents to the College and attending investigative interviews if required.

If, after investigation, it is deemed that no further action is to be taken the employee will be notified of this in writing. The outcome will be recorded and any evidence collected during the investigation will be destroyed.

Where, after investigation, it is established that there is a case to answer the employee will be invited in writing to attend a disciplinary meeting.

2.2 Notification of a Disciplinary Meeting

The notification to attend a disciplinary meeting will contain sufficient information about the alleged misconduct and the possible consequences to enable the employee to reasonably prepare to answer the case at a disciplinary meeting. An employee will normally receive seven (7) working days advance notification of the date of the meeting. Evidence will be provided with the notification. The notification will give details of the time and venue for the disciplinary meeting, confirm who will be present and advise the employee of their right to be accompanied at the meeting should they wish. In the case of part-time staff the disciplinary meeting, where possible, should be within the employee's normal working hours.

If an employee's trade union representative, work colleague or an official employed by a Trade Union cannot attend the employee may offer a reasonable alternative time within five (5) working days of the original date.

Where an employee is persistently unable or unwilling to attend a disciplinary meeting without good cause the College may make a decision on the evidence available. If the failure to attend is related to a disability or health reason the College may seek the advice of its Occupational Health Service before deciding how to proceed.

2.3 Disciplinary Meeting

Both management and employees (and their companion(s)) will make every effort to attend the meeting. A guide to conducting a disciplinary hearing for managers is attached as appendix 1.

The disciplinary meeting will normally be attended by:

- (a) the individual chairing the meeting (the 'Chair') - The Chair will be appointed taking into account the potential outcomes and the authority levels set out in Table 2. It will be for the Chair to hear and assess the evidence for and against the allegations and make a decision based on the evidence presented. The College reserves the right to appoint a panel consisting of a minimum of two where this is felt to be appropriate;
- (b) the person who conducted the investigation ('the Investigating Officer');;
- (c) a representative from Human Resources – to provide advice and support to the manager and take notes;
- (d) the employee;
- (e) the employee's trade union representative, work colleague or an official employed by a Trade Union (if requested by the employee); and
- (f) relevant witnesses as previously identified when required to provide evidence.

At the meeting the following process will be followed:

- the Chair will introduce those present and explain the purpose and format of the meeting outlining the alleged misconduct and the potential sanctions;
- the Investigating Officer will be invited to present the case and respond to any questions posed by the chair or the employee;
- the employee will set out their case, respond to the allegations be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses;
- both the Chair and the employee will be given an opportunity to raise points about the evidence provided by the Investigating Officer or witnesses.

Where the College or the employee intends to call relevant witnesses they should give advance notice that they intend to do this.

The College will normally rely either on statements and/or the terms of any

investigatory report produced by the Investigating Officer but may call witnesses where this is considered appropriate depending on the specific circumstances of the case.

Notes of formal meetings will be taken and not a verbatim record.

Copies of these notes will, where practicable, be given to the employee within ten College working days and they should inform the College if they wish to comment on the accuracy of the notes within seven (7) College working days of receiving them. Comments made by the employee in respect of the notes will be added as an addendum and the notes themselves will not be amended.

2.4 Adjournment

The Chair or Appeal Chair will have discretion to adjourn any disciplinary hearing or appeal hearing as deemed necessary. This decision is entirely at the discretion of the Chair or Appeal Chair and may be made after a request by the employee or representative of the College or otherwise as deemed necessary.

2.5 Reaching a Decision and Potential Outcomes

At the end of the disciplinary meeting, the Chair will normally adjourn the meeting before making a decision, see section 5 of appendix 1. Following the adjournment, the Chair may issue an oral decision. If the Chair is unable to reach an immediate decision following the meeting, he is entitled to deliberate on the meeting prior to issuing a decision in writing. Written notification of the outcome will normally be issued within ten [10] working days of the meeting, or earlier if reasonably practicable, together with an explanation of any disciplinary action to be taken and notification that the employee has the right of appeal.

The penalties imposed must be reasonable in all circumstances and must take into account the nature of the misconduct, any disciplinary record, any mitigation advanced by the employee and be consistent with penalties imposed in similar cases.

The College reserves the right to impose sanctions at any level, or to skip levels, depending on the circumstances of the case.

The potential outcomes are as follows:

- No Action – after the meeting the Chair may decide that there is no action to take.
- First Warning – this will be confirmed in writing. This will usually be appropriate for a minor act of misconduct. A record of the warning will be kept but it will be disregarded for disciplinary purposes after 6 months subject to the employee achieving and sustaining satisfactory conduct.
- Final Written Warning – this will normally be issued if:

- it is more serious misconduct than that which would warrant a first written warning;
- there is further misconduct of a similar nature; or
- during the currency of an existing warning for a similar offence.

This will be in writing and set out of the nature of the misconduct and the change in behaviour required and the right of appeal. It will also warn that further incidents of misconduct may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written record will be kept but disregarded for disciplinary purposes after 12 months subject to the employee achieving and sustaining satisfactory conduct.

- Dismissal (with notice) – this will normally be issued if there is still further misconduct during the currency of a Final Written warning. Dismissal decisions can only be taken by a nominated officer (to be confirmed) and the employee will be provided in writing with reasons for dismissal the date on which the employment will terminate and right of appeal.
- Summary Dismissal (without notice) – this will normally be issued where the employee has committed an act of gross misconduct.
- Action short of dismissal – this can be issued as an alternative to dismissal and will normally be accompanied with a Final Written warning.

Action short of dismissal includes:

- demotion (permanent or temporary) as an alternative to dismissal, and the dismissal is clearly justified in the circumstances;
- redeployment to an alternative role or section without loss in remuneration;
- recalculation, reduction and deduction from pay (cases of unauthorised leave or misclaims).

The employee will receive written details of the misconduct, will be warned that dismissal could result if there are further incidents of misconduct and will be advised of the right of appeal. A copy of this written record will be kept but disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct.

There may be exceptional cases where the College deems it appropriate to extend the period for which any warning remains 'live' and the College reserves the right to implement an extension of the duration of the warning where this is deemed appropriate by the College. Full reasons for this decision will be provided to the employee in the written notification of the outcome where this right is exercised.

The manager will produce a written report articulating a justification for the decision reached and the sanction applied.

2.6 Appeals against Disciplinary Action

An employee will have the right to appeal against disciplinary action if they feel that

the action taken against them is wrong or unjust. An appeal, for example, may be on the grounds of new evidence, undue severity/level of sanction or alleged breach of College procedure. The appeal should be submitted in writing to Human Resources, stating the full grounds for the appeal within seven (7) College working days of the date on which they were informed of the decision.

Appeals should be heard without unreasonable delay. The appeal will be dealt with impartially and wherever possible, chaired by a manager who has not previously been involved in the case and is more senior to the chair of the disciplinary meeting, in accordance with Table 1 (the 'Appeal Chair').

Both management and employees (and their companion(s)) will make every effort to attend the appeal meeting. At the appeal meeting, the Appeal Chair will introduce those present and explain the purpose and format of the meeting. The employee will be allowed to set out the grounds of their appeal and further questions may be asked by the chair as appropriate. The process outlined in section 2.3 will be followed.

Following the appeal meeting the Appeal Chair may:

- (a) confirm the original decision; or
- (b) revoke the original decision; or
- (c) substitute an alternative sanction.

The Appeal Chair will inform the employee in writing of their final decision as soon as possible after the adjournment of the appeal meeting and usually within seven (7) working days of the appeal meeting. The College acknowledges the impact of that a formal process may have on an employee's health and wellbeing and will endeavor to progress the process within a reasonable timescale.

Where a sanction of dismissal is applied the appeal will be heard by a panel consisting a College senior manager and two members of the Board or Standing Committees. It should be noted that the appeal hearing will take place as soon as reasonably practicable given the external commitments of members of the Board and its Standing Committees.

There shall be no further right of appeal.

3. Misconduct and Gross Misconduct

The following are examples of matters that will normally be regarded as misconduct or gross misconduct.

3.1 Misconduct

Matters that will normally be regarded as Misconduct and will be dealt with under the Disciplinary Procedure

- a) minor breaches of College policies or procedures;
- b) minor breaches of the employment contract;
- c) damage to, or unauthorised use of, College property;
- d) persistent, unauthorised lateness;
- e) unauthorised or unacceptable high levels absence from work;
- f) failure to follow reasonable management instructions;
- g) excessive use of College telephone for personal calls;
- h) excessive personal e-mail, internet usage or social media;
- i) deliberate negligence in the performance of duties;
- k) unauthorised disclosure of confidential information; or
- j) smoking in no-smoking areas;

The list is intended as a guide and is not exhaustive or exclusive.

3.2 Gross Misconduct

Gross misconduct is a serious breach of contract and includes misconduct which, in the College's opinion, is likely to prejudice College business or reputation or irreparably damage the working relationship and trust between employer and employee.

You can be summarily dismissed for a first offence which is considered to constitute gross misconduct. If you are dismissed for gross misconduct, the dismissal is without notice or payment in lieu of notice.

The following are some of the offences the College considers to be gross misconduct. This list is not exhaustive or exclusive:

- a) serious misuse of College property or name;
- b) Posting social media content that has the sufficient potential to or does bring the College into disrepute, or reflects negatively on the College, colleagues or learners (in line with the College's Social Media Procedures and ICT Acceptable Use Policy);
- c) bullying or cyber bullying (actual or threatened);
- d) acts of indecency or sexual harassment, at, but not limited to, work, social events associated with the College, attendance at external events or on residential;
- e) unacceptable use of obscene, abusive or offensive language (including language of a discriminatory nature);
- f) actual or threatened violence, or behaviour which provokes violence;
- g) deliberately accessing internet sites containing pornographic, offensive or obscene material;
- h) bringing the College into disrepute;
- i) breach of trust and confidence;
- j) causing loss, damage or injury through serious negligence;
- k) theft, or unauthorised removal of College property or the property of an

- employee, contractor, customer or member of the public;
- l) falsification of records or other College documents including those relating to obtaining employment;
 - m) fraud, forgery or other dishonesty, including fabrication of expense claims and timesheets;
 - n) acceptance of bribes or other secret payments arising out of employment;
 - o) deliberate and serious damage to College buildings, fittings, property or equipment, or the property of an employee, contractor, customer or member of the public;
 - p) conviction for a criminal offence that in the College's opinion may affect our reputation or our relationships with our employees, customers or the public, or otherwise affects suitability to remain an employee;
 - q) possession or use of non-prescribed drugs on College premises or during working hours;
 - r) Consumption of alcohol on College premises or during working hours, other than on occasions approved by the College;
 - s) incapacity at work brought on by alcohol or non-prescribed drugs;
 - t) refusal to carry out reasonable management instructions, repeated or serious disobedience of instructions, or other serious act of insubordination;
 - u) serious neglect of duties, or a serious or deliberate breach of employment contract or the College's policies or procedures;
 - v) serious or repeated breach of health and safety rules or serious misuse of safety equipment or otherwise endangering the health and safety of a third party;
 - w) deliberate breach of statutory rules affecting employment;
 - x) unauthorised use or disclosure of confidential information;
 - y) unauthorised use, processing or disclosure of personal data contrary to the College Data Protection Policy;
 - z) unauthorised access to or use of computer data or computer hardware or copying of software, other than when authorised in the employee's normal course of employment;
 - aa) harassment of or discrimination against employees, contractors, clients or members of the public on the grounds of their protected characteristic(s);
 - bb) giving false information as to qualifications or entitlement to work (including immigration status) in order to gain employment or other benefits;
 - cc) knowingly taking parental, paternity or adoption leave when not eligible to do so for a purpose other than supporting a child;
 - dd) victimising another employee who has raised concerns, made a complaint or given evidence information under other College policies;
 - ee) serious misuse of College information technology systems (including misuse or developed or licensed software, use of unauthorised software and misuse of email and the internet);
 - ff) undertaking unauthorised paid or unpaid employment during paid working hours.

The list is intended as a guide and is not exhaustive.

4. Criminal Charges or Convictions

An employee should not be dismissed or otherwise disciplined solely because they have been charged with or convicted of a criminal offence. The question to be asked in such cases is whether the employee's conduct or conviction merits action because of its employment implications.

Where it is thought the conduct warrants disciplinary action the following guidance should be borne in mind:

- the College should conduct a brief preliminary investigation of the facts, come to a view about them and consider whether the conduct is such as to warrant instigating the disciplinary procedure;
- where the conduct requires prompt attention the College need not await the outcome of the prosecution before taking fair and reasonable action;
- where the police are called in they should not be asked to conduct any investigation on behalf of the College, nor should they be present at any meeting or disciplinary meeting.

In some cases the nature of the alleged offence may not justify disciplinary action – for example because the employee is in custody. In these cases the College should decide whether, in light of the needs of the College, the employee's job can be held open. Where a criminal conviction leads, for example, to the loss of a license so that continued employment in a particular job would be illegal, the College should consider whether alternative work is appropriate and available.

Where an employee, charged with or convicted of a criminal offence, refuses or is unable to cooperate with the College's disciplinary investigations and proceedings, this should not deter the College from taking action. The employee should be advised in writing that unless further information is provided, a disciplinary decision in accordance with the Disciplinary Procedure will be taken on the basis of the information available and could result in dismissal.

The employee will be advised that, where this is deemed appropriate in the circumstances, they may instruct their trade union representative, work colleague or an official employed by a Trade Union to act on their behalf or submit written representations for the College to consider prior to making its decision.

5. Alcohol and Drug Misuse Recovery Programme

The College may suspend disciplinary action in respect of an offence related to alcohol or substance misuse.

In accordance with the terms of the College's Policy on Alcohol, Drugs and Substance Misuse, an employee with such a problem should be given the opportunity of accepting referral to the counselling services arranged by the College. If the Employee Counselling Service and the employee accept that an alcohol or drug problem exists and providing the employee undertakes to co-operate and successfully undertakes the recovery programme, disciplinary action will be suspended in respect of the offence which led to the referral.

The College reserves the right to proceed with any disciplinary process in circumstances where the allegation made against the employee is sufficiently serious or unrelated to the problem identified, even where an underlying alcohol or drug problem exists. Each case will be determined on its own facts.

6. Adjustments to Procedure

The College will endeavour to adhere to the time limits specified in the above procedure, however, this may not be practicable in the specific circumstances. Accordingly, the College reserves the right to extend any applicable time periods. In circumstances where it is not practicable to adhere to the above procedure within the time limits specified or within a reasonable period, the College will modify the procedure as appropriate and will notify the employee of the reasons for the delay and will keep the employee updated as to progress at reasonable intervals.

Reasonable adjustments

Reasonable adjustments may be made to this procedure where an employee is suffering from a disability as defined by the Equality Act 2010.

7. Supporting Policies and Procedures

- Equality and Diversity Policy
- Grievance Policy and Procedure
- Disciplinary Policy and Procedure
- Commendations and Complaints Procedure
- Public Interest Disclosure Policy
- ICT Acceptable Use Policy
- Complaints Handling Procedure
- Safeguarding, Children, Young People and Vulnerable Adults
- Social Media Procedures
- Alcohol, Drugs and Substance Misuse
- Policy and Procedure for Protection of Vulnerable Groups (PVG) and Criminal Record Checks

8. External Agencies

MCL Medics (Employee Assistance Programme)

Download the App accessed through:

URL: <https://www.mcl-medics.com/glasgow-kelvin/>

Password: Welcome_Glasgow_Kelvin

Access Code: 593925

Email: eap@mcl-medics.com

Freephone: 0800 196 1441

ACAS (Advisory, Conciliation and Arbitration Service)

Telephone: 08457 47 47 47

Minicom: 08456 06 16 00

Table 1**Disciplinary Referral Guide**

Category of Employee	Investigation (Stated Designation or Above)	Hearing Chair	Appeal Chair
Principal	Clerk to the Board	Ad hoc committee (Human Resources Committee)	Ad hoc committee (Board of Management)
Vice Principal	Principal	Ad hoc committee (Human Resources Committee)	Ad hoc committee (Board of Management)
Director of Faculty	Vice Principal	Principal (or nominated member of the Board)	Principal (or nominated member of the Board)
Senior Curriculum Manager or Head of Department	Director of Faculty	Vice Principal	Principal
Curriculum Managers or Line Manager	Senior Curriculum Manager or Head of Department	Director of Faculty	Vice Principal
Lecturers	Senior Curriculum Manager or Curriculum Manager	Director of Faculty or Senior Curriculum Manager	Director of Faculty or Vice Principal
Support Staff	Line Manager	Head of Department or equivalent from another Support Department	Vice Principal

It should be noted that the circumstances of the particular case may require another manager to undertake the roles indicated in the table.

Where a sanction of dismissal has been applied and where an appeal against the decision has been submitted the appeal will be heard by a panel consisting a College senior manager and two members of the Board or Standing Committees.

Table 2**Authorised Level of Disciplinary Action**

Designation	Level of Disciplinary Action
Head of Department or equivalent from another Support Department or Senior Curriculum Manager	Informal Warning; Verbal Warning; or Written Warning.
Director of Faculty, Head of Department	Informal Warning; Verbal Warning; Written Warning; Final Written Warning; and Recommendation for Dismissal.
Vice Principal	Informal Warning; Verbal Warning; Written Warning; Final Written Warning; Suspension; Recommendation for Dismissal; Dismissal.
Principal (or in the Principal's absence the Vice Principal)	Informal Warning; Verbal Warning; Written Warning; Final Written Warning; Suspension; Recommendation for Dismissal; Dismissal.
Ad hoc committees of the Human Resources Committee and the Board of Management	Informal Warning; Verbal Warning; Written Warning; Final Written Warning; Suspension; Recommendation for Dismissal; and Dismissal (Board of Management Only).

Flow Chart of the Disciplinary Procedure



CONDUCTING A DISCIPLINARY HEARING

The manager conducting the hearing should follow a structured format, which will ensure compliance with the College's Policy and Procedure and the ACAS Code of Practice. This will also ensure that every disciplinary hearing is conducted in a fair and consistent manner.

The manager should:

- open the hearing
- present the employer's case (essentially the investigatory report findings)
- hear the employee's case (in response to each finding at a time with a general opportunity to make additional/supplementary/general representations at the end)
- adjourn for consideration of both sides' cases
- reach a decision, including working out how to articulate an appropriate justification for that decision
- reconvene to communicate the decision or issue a decision in writing (the latter being advisable where not a straightforward case)
- explain the right of appeal

Prior to the point at which the hearing adjourns to consider the decision, there may be reasons why one or more other, earlier, adjournments of the hearing may be necessary as well, e.g.:

- if the employee becomes unwell, angry or upset
- if the employee presents a grievance
- if some unexpected evidence or information is presented by the employee which needs to be discussed, considered or investigated
- if the hearing has digressed, is taking a long time and a break is needed to refresh, recap and refocus

The length of any other adjournments will depend on the circumstances. Usually a brief adjournment will be sufficient to allow an employee to regain composure if they are upset or angry, or to enable the Chair to refresh, recap and refocus. Occasionally, it may be necessary to adjourn the hearing until another day. This might be appropriate if the employee becomes unwell or if the Chair needs to take advice and/or needs further investigations to be undertaken.

1 Opening the Hearing

The disciplinary hearing should follow a formal structure as laid out in the Policy as it is a serious meeting where potentially important decisions affecting the employee may be made. For this reason it can be anxiety-provoking for the employee and so the Chair should open the hearing by setting a tone which is serious and professional yet still relaxed and supportive, perhaps by:

- thanking the employee and the companion for attending
- introducing himself or herself as the person conducting the hearing, and anyone else present, explaining their role
- explaining the purpose of the hearing (to consider the findings of the investigation report)
- confirming the employee has received and had an opportunity to read the relevant written notification and copies of all evidence, including the disciplinary procedure
- explaining the format of the hearing (as detailed above)
- inviting initial questions and asking the employee to confirm that they understand that the hearing will consider the 'findings' set out at in the investigatory report.

2 Investigating Officer - Presenting the Employer's Case

Presenting the employer's case involves the Investigating Officer going through the evidence gathered as part of the investigation. If there is a relatively small amount of evidence, it might be appropriate to refer to each piece of evidence and ask the employee any relevant questions. Where a considerable amount of evidence has been gathered, it may be more appropriate for the Chair to refer only to those pieces of evidence about which he or she has questions. At this stage it is not appropriate for the Chair to communicate any opinions or judgements about what he or she believes, or about the potential outcome. The aim at this stage is to be objective and open-minded — presenting the evidence as it appears without inferring anything about the employee's intentions or culpability.

3 Hearing The Employee's Case

Once the employer's case has been presented, the Chair should then effectively hand the hearing over to the employee so they have a proper opportunity to outline their case and defence. If there are a number of allegations, it is recommended that once the Chair has gone over all of the allegations they then go through each one and ask for the employee's position in relation to each specific finding. They should then, at the end of this, ask the employee if they have any additional representations etc. that they want to make about the allegations generally or any of the specific findings to ensure that they have had a proper opportunity to defend themselves.

A Chair conducting a hearing should demonstrate throughout that he or she is listening attentively by maintaining positive body language and good eye contact while the employee is speaking. Even if the Chair/panel finds the employee's explanation implausible, it is important that they allow them to speak openly and without interruption. The Chair should make a written note, while listening to the employee, of anything they wish to say in response, but should only ask questions and/or make comments (based on those notes) at the end when the employee has finished speaking.

If the employee starts to digress or drift on to other matters that are not relevant to the allegations being considered, it is acceptable to interrupt and refocus them back onto the key issues.

The employee may wish to bring witnesses to the hearing to support their case. Provided that they have notified the employer in advance, they should be allowed to do so. The witness should not be present throughout the meeting, but the employee should be allowed to 'call' each witness individually. If the employer intends to call witnesses, the employee will be notified of this in advance. To comply with the ACAS Code, the employee should be permitted to "raise points about" the information given by the witnesses.

Once the employee has presented their case, the Chair should summarise the information put forward by both parties and any clarification should be requested at this point.

4 Adjourning For Consideration of Both Sides' Cases

Adjournment is a key stage in the disciplinary hearing and it is important that the length of the adjournment reflects the seriousness of the matter, the potential consequences for the employee and the amount of evidence presented by both sides.

A short adjournment of 20 to 30 minutes might be appropriate for consideration of a small amount of evidence, on a relatively minor matter, which is most likely to result in no more than a first written warning. A longer adjournment should be taken for proper consideration of all the evidence on a more complex matter, and/or one which might result in a final written warning or dismissal. Fair consideration of all the facts is evidenced by an adjournment of appropriate duration, so it is important to record the duration of the adjournment within the meeting minutes, the adjournment or decision may take a few days to reach.

During the adjournment, the manager should:

- reconsider the evidence of the investigation
- review the evidence/version of events presented by the employee
- check there are no further questions that need to be asked or facts that need to be investigated
- refer to the College's policy and disciplinary procedures, previous decisions to establish:
- the degree of seriousness with which it is appropriate to view the allegations, and

- what the potential disciplinary consequences might be

5 Reaching a Decision and Articulating a Justification For It

There are two key decisions the Chair has to make during the adjournment:

- whether the available evidence sufficiently substantiates the allegations and, if so
- what level of disciplinary action is appropriate in the circumstances

In determining whether the available evidence substantiates the allegations, the Chair should:

- gather together a list of all the key statements and pieces of evidence that support the allegations
- gather together also a list of any statements and evidence that do not support the allegations
- go through both lists and decide, in each case, whether that piece of evidence:
 - should be disregarded and, if so, why disregarding it is justified
 - should be accepted and taken into account and, if so, why that is justified
- having gone through the above stages, weigh up the evidence which he or she has decided to take into account and form an overall balanced view about the truth of the allegations, based on that remaining evidence

If the Chair decides that the allegations are substantiated then, in determining the level of disciplinary action that is appropriate, they should take into account:

- the College's disciplinary procedure and Code of Conduct about the relevant types of misconduct and levels of disciplinary action
- any extenuating factors that might have had a bearing on events
- the employee's length of service and previous disciplinary record
- any earlier examples of how similar matters of misconduct have been dealt with in the College (in order to ensure that the College's approach to disciplinary sanctions is consistent over time)

The College's disciplinary procedure should help to establish what level of disciplinary action the type of misconduct would normally warrant. Once a misconduct incident has entered a formal disciplinary procedure (as opposed to being dealt with informally, which may be more appropriate in instances of minor, isolated problems), the available levels of disciplinary action, in ascending order of seriousness, are usually:

- first written warning
- final written warning
- dismissal — usually with notice, but may be without notice (summary) in cases of gross misconduct

The Chair should consider whether it is appropriate to issue the normal level of warning in the particular circumstances of the case. Extenuating circumstances that might be taken into account could include:

- mental or physical health problems (stress or other ailments causing pain)
- personal problems (recent bereavement, divorce, problems affecting family members, financial issues)
- provocation (for some types of behavioural misconduct)

Where there are extenuating factors, and the employee otherwise has long service and a good disciplinary record, consideration should be given to how other similar matters have been dealt with in the College in the past and, taking all this into account, it may be appropriate to adjust the level of sanction accordingly. It is good practice for the Chair to keep a written record of all that he or she considers during the adjournment. This will serve to provide evidence at a later date of what was considered and of the decision-making process. It is also helpful in any event for creating the basis of the written decision that will be given to the employee, and the written justification that should be part of it.

6 Reconvening to Communicate the Decision

In ordinary cases, it will usually be possible to reconvene within about an hour to communicate the decision. If the matter is very complex, and/or the evidence extensive, it may instead be necessary to reconvene on another day or to take some time to consider the outcome before communicating it in writing. Where it becomes clear that it is necessary to reconvene, the employee should be informed of this straight away.

If the Chair reconvenes to communicate the decision, he or she should:

- thank the employee for his or her patience during the adjournment
- outline the evidence that has been considered
- explain the decision and justification for it
- explain the duration of any warnings and any other disciplinary implications of the decision
- explain the right of appeal

In all cases, the decision should also be communicated in writing.

7 The Right of Appeal

To comply with the College's Policy and ACAS Code of Practice, all employees must be offered the right of appeal against any disciplinary action taken against them. The right of appeal, is detailed in the College's procedure, should be explained at the disciplinary hearing and then again in the written decision.

8 Confirm the Decision in Writing

In all cases, even where the decision is first communicated orally to the employee at the hearing, it should also be communicated in writing, as required by the College's Policy and Procedure and the ACAS Code of Practice. This might be done

at the same time as the decision is given orally to the employee at the reconvened disciplinary hearing (particularly if there has been a significant adjournment that has allowed time to write it up) or, if not, soon afterwards.

The written decision should be provided to the employee in accordance with the College's disciplinary procedures — this would usually be within five days of the disciplinary hearing. It should outline:

- the allegations
- a summary of the key evidence taken into account in reaching the decision
- the decision, the justification for it and, where appropriate, the duration of any warnings issued; and
- the right of appeal

A copy of the minutes of the disciplinary hearing should also be sent to the employee along with the written confirmation of the decision.

9 Record-Keeping Requirements

A detailed record should be made during the disciplinary hearing, which should include:

- a list of each person in attendance and his/her role
- the date and time the hearing commenced
- a fairly detailed summary of what was said by whom (it need not be verbatim)
- the duration of any adjournments
- what was considered and discussed during the main adjournment
- the decision reached during the main adjournment, and the justification for that decision
- the end date and time of the hearing

In addition, the Chair, supported by HR will:

- request that the employee read, sign and return to the College a copy of the minutes to confirm they are an accurate representation of what was discussed during the hearing
- ensure that handwritten minutes are typed up

If the employee disagrees with the minutes, their comments should simply be attached as an addendum (to avoid going back and forward indefinitely). All records should be retained in accordance with the College's data protection policy.

THE ROLE OF A COMPANION (trade union representative, work colleague or an official employed by a Trade Union) IN A DISCIPLINARY OR GRIEVANCE HEARING

The role of a companion is limited. A companion is entitled to put forward the employee's case, sum up their case and respond on their behalf to any view expressed at the hearing. An employee will also be able to confer with their companion during the hearing.

The companion cannot answer questions on behalf of the employee or address the

hearing if the employee indicates that they do not wish the companion to do so. The companion cannot use their powers in any way which prevents the employer from explaining its case or which prevents any other person at the hearing from making a contribution to it.

The companion's role is not to give evidence on behalf of the employee.

The role of the companion is to advise and take notes. They may respond on the employee's behalf to a view expressed at the hearing but they have no legal right to answer questions on the employee's behalf.

The companion does have a legal right to address the hearing and may ask questions.

Reasonable time to confer privately with an employee either in the hearing room during the hearing and/or outside it should be given to the companion.

An employee who has been requested to accompany a fellow employee employed by the College and has agreed to do so should be permitted to take a reasonable amount of paid time off to fulfil that responsibility. That should not only cover the hearing but some time before and after the hearing to confer with the employee. The same applies to a trade union official.

When a chosen companion is not available to attend on the date proposed for the hearing the employee can postpone the hearing and offer an alternative time and date so long as it is reasonable and falls before the end of the period of five working days, beginning with the first working day after the first proposed by the College. In proposing an alternative date, the employee should have regard to the availability of the relevant manager(s). The location of timing of any alternative hearing should be convenient to both employee and employer.

Grievance Policy and Procedure



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The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend this document at any time should the need arise following consultation with employee representatives. **This Policy has been subject to an Equality Impact Assessment this can be accessed on: <https://www.glasgowkelvin.ac.uk/equality-diversity/>**

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Grievance Policy

1. Introduction

Glasgow Kelvin College (the "College") has designed this Policy and Procedure to be used by individual employees to ensure issues that they wish to raise related to their work, working environment and/or working relationships within the College are dealt with consistently and settled fairly, efficiently and as near to the point of origin as possible. A grievance raised by two or more employees will be handled in accordance with the College's collective grievance process contained within this Grievance Policy and Procedure at section 4.

The College is keen to provide a positive and supporting working environment for all of its employees.

The Grievance Policy and Procedure has been developed taking into account the ACAS Code of Practice on Disciplinary and Grievance Procedures and it is designed to help managers, employees and their representatives' deal with and resolve grievances which arise in the workplace.

2. Scope

This Policy and Procedure applies to all employees of the College and provides a mechanism for grievances to be dealt with promptly, fairly and consistently. The College encourages a policy of open communication and consultation when problems and concerns arise in the workplace. Employees should try to resolve any grievance informally with their line manager, who is identified on their Statement of Particulars, or the individual(s) concerned in the first instance prior to instigation of the formal procedures outlined below.

3. Principles

- The College will seek to resolve issues at the lowest possible level of the procedure (where appropriate) and informal action may be considered, where appropriate, to resolve matters.
- The College will make every effort to deal with and resolve grievances as quickly as possible and at the appropriate management level.
- No decisions on the outcome of a formal grievance will be made before the matter has been fully investigated.
- All employees have the right to express a grievance relating to their employment. A grievance may be raised by an individual, a couple of individuals or collectively where a group or groups of employees are affected by the same work related issue. If two or more employees have an identical grievance they can use the procedure outlined in section 4 to

raise a collective grievance. Employees using this procedure collectively cannot then raise an individual grievance on the same issue.

- Where working relationships are a factor in any grievance, additional support will be considered and, if appropriate, will be offered for example where employees wish to take part in mediation to resolve matters.
- Any matters relating to a collective dispute raised by Trade Union representatives on behalf of all staff within the staff group whom they represent, should be raised in accordance with the Recognition and Procedures Agreement (the "RPA"). The procedure within the RPA should be followed.
- At all formal stages of the grievance process, parties have the right to be accompanied by a Trade Union representative or an official employed by a Trade Union or a workplace colleague.
- If an informal grievance is raised verbally which subsequently is taken forward as a formal grievance, the details must be recorded in writing before proceeding.
- During the formal Grievance Procedure, the individual raising the grievance, and any person against whom a grievance has been submitted, will have the opportunity to state their case.
- A grievance hearing is not the same as a disciplinary hearing, and is an opportunity for discussion and dialogue which may produce a satisfactory resolution to the complaint.
- At no stage in the procedure can any party record a meeting or hearing, using audio or video recording equipment, without the prior agreement of all present.
- An employee who is dissatisfied with the outcome or remedy proposed in the first instance will have a right of appeal.
- The College's Equality and Diversity policy will be observed in relation to all grievance related processes.

4. Confidentiality

At all stages of a grievance, those involved in the grievance and/or the investigation must bear in mind the need for confidentiality in order to preserve the integrity of the process and out of respect for those involved. However, this does not preclude employees from discussing the matter with their staff representative or with the [Employee Counselling Service](#).

5. Right to be accompanied

All employees, whether it is the person raising the grievance or the individual whom the grievance is against or a witness, have the right to be accompanied to meetings forming part of the formal grievance process (including investigation meetings and appeals) by either a Trade Union representative, an official employed by a Trade Union or a workplace colleague. The companion will be permitted to address the meeting to put and sum up the employee's case, respond on behalf of the worker to any views expressed and confer with the employee during the meeting, but will not be entitled to answer questions on behalf of the person raising the grievance, address the hearing if the person raising the grievance does not wish it or prevent the person against whom the grievance is raised from explaining their case.

To exercise the statutory right to be accompanied the person raising the grievance must make a reasonable request. The person raising the grievance should provide enough time for the College to deal with the companion's attendance at the meeting and make clear in advance the name of the companion where possible and whether the individual is a Trade Union representative, an official employed by the Trade Union or a work colleague.

Those who are being interviewed as part of the investigation are also entitled to ask to be accompanied by a Trade Union representative, an official employed by a Trade Union or a workplace colleague. Any request to be accompanied should be reasonable.

6. Records

Notes of formal meetings will be taken and it will not be a verbatim record. Copies of these notes will be given to the relevant parties present within five (5) working days of the meeting, where possible. The person raising the grievance or those providing a statement will be given the opportunity to comment on the accuracy of the notes within five (5) working days of receiving them. It is normally expected that all documentation including witness statements will be shared with relevant parties (except where the College has to withhold some information to protect a witness or due to another legal requirement). Witnesses shall be informed that any information they provide may be shared with the person raising the grievance.

Records will be treated as confidential and kept in accordance with the College's Retention Schedule and the General Data Protection Regulation and the Data Protection Act 2018 which gives employees the right to request and have access to certain personal data.

Records will include:

- the nature of the grievance;

- what was decided and actions taken;
- the reason for the actions taken;
- whether an appeal was lodged;
- the outcome of the appeal; and
- any subsequent developments.

Notes of informal meetings may also be taken where appropriate.

7. Malicious Grievances

The purpose of the grievance procedure is to ensure that the appropriate channels are available through which employees can raise genuine concerns.

Where, after an investigation, a grievance is found to be vexatious or malicious, or where there is a continued pattern of unfounded complaints by the same employee, the person raising the grievance may be subject to investigation under the College's Disciplinary Policy and Procedure and subject to disciplinary action, which could in some circumstances lead to dismissal, if there is sufficient evidence to support such action. Further guidance and advice can be obtained by speaking to Human Resources.

8. External Assistance

The College reserves the right to recruit assistance from an external source to assist with the resolution of a grievance, depending on the nature of the issue and the exigencies of the service, for example an external mediator or other suitably qualified individual or organisation. This will be with the mutual agreement of both parties where appropriate.

9. Overlapping Grievance and Disciplinary Proceedings

If the person raising the grievance raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. However, it may be appropriate to deal with the two concurrently if they are related, there is no obligation on the College to suspend a disciplinary process pending the outcome of a grievance process; this is merely an option open to it.

Grievance Procedure

1. Informal Procedure

Employees should try to resolve their grievance informally with their line manager, who is identified on their Statement of Particulars, or with the individual(s) concerned in the first instance prior to proceeding to the formal procedure. The employee should request a meeting with the line manager or the employee concerned as soon as possible after the issue has arisen or occurs. In circumstances where the grievance is against the employee's line manager, the employee can approach their next line manager or another manager, in a similar position, in the College.

If it is not possible to resolve a grievance informally then the employee will have the right to raise the matter through the formal procedure. Employees may seek advice from a member of management at an appropriate level, a Human Resources representative or a representative of their Trade Union.

If the employee wishes to raise the matter formally they should do so without unreasonable delay and the procedure outlined below should be followed.

Only in exceptional circumstances will an employee be able to proceed directly to the formal procedure without having first attempted to resolve the matter informally.

2. Formal Procedure

Any formal grievance relating to an employee's work, working environment or working relationships should be raised with the appropriate manager in accordance with the Grievance Referral Guide, Table 1. This manager will be the Investigating Officer.

A formal grievance must be set down in writing detailing the nature of the alleged grievance on a Grievance Form, appendix 2 and submitted to the appropriate manager identified in Table 1.

When submitting a formal grievance, the employee should include a concise summary of the issue(s); specify the outcome they are seeking; and the steps they have taken to resolve the issue informally or an explanation as to why this was not possible.

Where employees have difficulty expressing themselves because of language or other difficulties they may seek assistance from their trade union representative, from a workplace colleague or Human Resources to submit the grievance.

The manager upon receipt of a formal written grievance should inform Human Resources and arrange a meeting to discuss the matter/take advice within five (5) working days.

In certain circumstances where a grievance raised refers to a change, for example in working practices, the status quo may be maintained until the grievance procedure is exhausted. This will exclude matters involving Health and Safety or a breach of legislation.

2.1 Communication

The manager who is acting as the Investigating Officer should write to the person raising the grievance without unreasonable delay to confirm the arrangements for a grievance meeting, advise them how they intend to manage the process, the stages involved and their right to be accompanied to the grievance meeting by a Trade Union representative, an official employed by a Trade Union or a workplace colleague. The grievance meeting will be held without unreasonable delay after the College has received the grievance.

All reasonable steps shall be taken to ensure that the procedure progresses as efficiently as is reasonably practicable. Any delay to the procedure will be identified and communicated as timeously as possible to concerned parties.

In the event that the person raising the grievance can identify a conflict of interest or a sufficient reason that the Investigating Officer delegated to hear the grievance should not be involved they should notify the Director of Human Resources. The Director of Human Resources shall advise within seven (7) working days as to whether this conflict of interest necessitates another manager hearing the grievance.

All parties involved should make every effort to attend the grievance meeting.

If a complainant or their Trade Union representative or official employed by a Trade Union or workplace colleague is unable to attend on a proposed date the person raising the grievance can suggest another date so long as it is reasonable and is not more than five (5) working days, beginning with the first working day after the date originally proposed by the Investigating Officer. This five (5) day time limit may be extended by mutual agreement but within a reasonable timescale.

The person against whom the grievance is raised, will be invited to meet with the Investigating Officer who will advise them that a grievance has been submitted, they will provide the person against whom the grievance is raised with either a copy of the written grievance, or inform them of the content relating to them and

outline the stages involved in the process, so that the person against whom the grievance is raised is fully informed of the grievance raised against them.

The Investigating Officer should recognise the potential distress that a formal grievance can cause for a respondent, and therefore must act with sensitivity when letting them know about the grievance raised against them.

The person against whom the grievance is raised should also be made aware of their right to seek support from their Trade Union and, where appropriate, the [Employee Counselling Service](#).

At all stages of a grievance, those involved in the investigation must bear in mind the need for confidentiality in order to preserve the integrity of the process and out of respect for any other colleagues involved. However, this does not preclude employees from discussing the matter with their representative, or with the [Employee Counselling Service](#).

2.2 Investigation

The Investigating Officer will invite the person raising the grievance to a meeting to hear their grievance and this will take place as soon as reasonably practicable. Once they have had heard the content of the grievance they may wish to interview others, and this will be done through separate meetings.

A Human Resources Representative shall be present at all formal meetings of the Grievance Procedure.

2.3 Grievance Meeting

The Investigating Officer shall open the meeting by introducing all parties present and by stating the role of the participants. In normal circumstances this will include:

2.4 the Investigating Officer;

- i. the employee and their Trade Union representative or official employed by a Trade Union or a workplace colleague; and
- ii. a Human Resources representative – to provide advice and support to the Investigating Officer and take notes.

The Investigating Officer shall secure the agreement of the parties present that all deliberations will remain strictly confidential.

The person raising the grievance will be invited to explain their grievance and how they would like to see it resolved. In all circumstances any information must

be related directly to the facts of the grievance. The Investigating Officer should sum up the main points at the conclusion of the meeting.

If the Investigating Officer reaches a stage in the meeting where they require to seek advice or feel that further investigation is necessary the meeting should be adjourned to get advice or make further investigation. The meeting should be reconvened within an agreed timescale and as soon as reasonably practicable.

The Investigating Officer will meet with the person against whom the grievance is raised separately who will be informed of the content of the grievance and provided with the opportunity to respond. The person against whom the grievance is raised will be informed that a copy of their statement may be provided to the employee during the process. The person against whom the grievance is raised has the right to be accompanied by a Trade Union representative, an official employed by a Trade Union or a workplace colleague and should be advised accordingly. The Investigating Officer should sum up the main points at the conclusion of the meeting.

The Investigating Officer has the right to consult, individually or collectively, all concerned parties and to undertake further such discussions or investigation deemed appropriate at his/her discretion prior to issuing a formal response to the findings of the meeting. Witnesses and concerned parties will be informed that a copy of their statement may be provided to the person raising the grievance at some stage during the investigation or process.

The Investigating Officer will be required to examine the evidence and to base their decision on the evidence available. They will endeavour to establish the facts of the case as thoroughly as possible and to exercise judgement in the event of any of the facts remaining in dispute. In such circumstances any conclusions must be reached on the basis of the balance of probabilities. The Investigating Officer will produce a report detailing their findings; the basis for their decision; and any recommendations where appropriate to resolve the grievance.

The outcome of the grievance will be issued in writing along with the report as soon as reasonably practicable and if possible within ten (10) working days of the grievance meeting. Any delay with the issuing of the grievance response will be identified and communicated as timeously as possible to all concerned parties.

2.5 The outcome of an Investigation

The outcome could be that:

- i) the grievance is not upheld, and no further formal action will be taken;

- ii) only part of the grievance is upheld, and part not upheld and any appropriate action will be taken;
- iii) the grievance is upheld in full, and appropriate action will be taken.

If a grievance has been upheld and it may have an impact on working relationships the Investigating Officer should meet with the line manager/individual to confirm their decision and invite them to discuss the implications in relation to any further potential action.

Further action in these circumstances may include for example:

- i) mediation;
- ii) training and/or development activities; and
- iii) coaching or mentoring.

In most cases the College would expect the Investigating Officer's decision to be final and for the matter to come to a close. However, in some circumstances the person raising the grievance may remain aggrieved and they can appeal against the decision or remedy proposed by the Investigating Officer concerned.

The person raising the grievance should be advised of their right to appeal and informed of the next stage of the procedure in accordance with the Grievance Referral Guide, Table 1.

Where a grievance has not been upheld and the person raising the grievance has not appealed against the decision the Investigating Officer should ensure that all employees involved in the process are aware that it has been brought to an end.

3. Grievance Stage One Appeal

In the event that the person raising the grievance feels that their grievance has not been satisfactorily resolved they may appeal in writing using the Grievance Stage One Appeal Form, appendix 3. The person raising the grievance should inform the Director of Human Resources in writing of their intention to submit an appeal within five (5) working days of receiving the written decision of the grievance. The completed Grievance Stage One Appeal Form should be submitted within ten (10) working days of receipt of the written decision of the grievance. The Grievance Appeal Form should state the grounds of the appeal and should be submitted to the Director of Human Resources who will advise the appropriate senior manager as indicated in Grievance Referral Guide, Table 1 (the "appeal manager"). The appeal will be heard as soon as reasonably

practicable, normally not later than three weeks after the appeal has been lodged. If necessary, this time limit may be extended through mutual agreement.

The College should write to the person raising the grievance without unreasonable delay to confirm the arrangements for an appeal hearing, including the date on which it will be heard and the place it will be heard.

Prior to any appeal meeting the employee will be reminded of their right to be accompanied by a Trade Union representative, or official employed by a Trade Union or a workplace colleague.

3.1 Grounds for Appeal

Grounds of appeal will normally come under one of the headings set out below although there may be other relevant grounds of appeal not mentioned which may be considered by the College.

- **Relevant new evidence not previously considered:** This is where the employee can provide relevant new evidence which was not available at the time of the original investigation.
- **Breach of procedure:** This is where the employee identifies areas of the procedure which were not followed and which could have influenced the final outcome.
- **Decision or remedy unreasonable:** This is where the employee considers that the decision or remedy is unreasonable.

3.2 Appointment of person hearing Appeal

A senior manager (the "appeal manager") will be appointed to hear the appeal in accordance with the Grievance Referral Guide, Table 1 and will be given access to all paperwork generated from the original grievance. Wherever possible the appeal manager will not be the Investigating Officer and will not otherwise have been involved in the grievance previously.

The person raising the grievance will be provided with copies of the evidence relied upon by the Investigating Officer prior to the appeal meeting.

The appeal manager must decide if the appeal is a rehearing of the original grievance or simply an evaluation of the evidence and the fairness of the decision taken. A rehearing may be considered appropriate for example where there has been an alleged procedural error earlier in the process.

The appeal manager may decide to carry out further investigation, if necessary, including further meetings with the parties involved, before they are able to make a decision. Witnesses and concerned parties will be informed that a copy of their

statement may be provided to the person raising the grievance at some stage during the appeal process.

A member of Human Resources will provide appropriate support and advice for the appeal manager throughout the process. A member of Human Resources will attend the appeal meeting to provide advice and support to the appeal manager and to take notes.

3.3 Outcome of the Stage One Appeal

The outcome of the appeal meeting will be issued in writing as soon as reasonably practicable, and if possible within ten (10) working days of the appeal meeting. In addition to issuing the outcome in writing, the appeal meeting may be reconvened to explain any action which the College intends to take. The purpose of the reconvened meeting is not for the appeal manager to explain in detail why they reached the decision or put forward the proposed remedy. The reconvened meeting is to afford the employee the opportunity to discuss the decision or remedy proposed not how the decision or remedy was reached.

The possible outcomes of the appeal are as follows:

- Appeal upheld;
- Appeal partially upheld;
- Appeal not upheld.

If the person raising the grievance remains dissatisfied with the response they may intimate their continuing dissatisfaction in writing on Grievance Stage Two Appeal Form, appendix 4 within ten (10) working days of receipt of the outcome of the appeal at stage one. The Grievance Stage Two Appeal Form should be submitted to the Director of Human Resources who will inform the appropriate senior manager as indicated in the Grievance Referral Guide, Table 1 (the "second appeal manager")

The appeal process timescale will commence once the person raising the grievance has confirmed to the Director of Human Resources of that they have received the appropriate Grievance Stage Two Appeal Form.

The person raising the grievance may only submit a second appeal and proceed to Stage Two of the procedure on the basis of:

- a breach of the procedure during Stage One;
- relevant new evidence being submitted which was not available to the appeal manager in the course of Stage One of the appeal procedure; and/or

- the employee feels that the decision of the Stage One appeal is perverse or unreasonable.

3.4 Grievance Stage Two Appeal

Upon receipt of the Grievance Stage Two Appeal Form a meeting shall be arranged by the appropriate manager (but not necessarily take place) within five (5) working days. The person raising the grievance shall be informed in advance of the date, time and place of the meeting.

If a stage two appeal is to be heard by an ad hoc Committee (as detailed in Table 1) of the Board of Management the employee should still submit the Grievance Stage Two Appeal Form to the Director of Human Resources. A meeting of the ad hoc committee shall normally be arranged (but not necessarily take place) within ten (10) working days. The meeting shall take place within a reasonable time scale however this will be dependent upon the availability of Board Members. The person raising the grievance shall be informed in advance of the date, time and place of the meeting.

An ad hoc Committee of the Board of Management shall comprise of three members, to include a Chair or Vice Chair of a standing committee. The Chair of the Board, the Principal, Staff Representatives and Student Representatives shall be excluded from such a Committee.

The person raising the grievance will be required to provide the second appeal manager or ad hoc Committee hearing the stage two grievance appeal, in addition to the Grievance Stage Two Appeal Form, copies of all forms and correspondence connected with the grievance to which they have access. The appeal manager will provide details of what steps have been taken or proposed to resolve the issue.

The appeal process timescale will commence upon once the person raising the grievance has confirmed to Human Resources that they have received the appropriate Grievance Stage Two Appeal Form.

The appeal meeting will be conducted in line with section 2.3. The person raising the grievance will be reminded of their right to be accompanied by a Trade Union representative, an official employed by a Trade Union or workplace colleague. At the conclusion of Stage Two there is no further right of appeal and the decision made at this stage is final.

4. Collective Grievance

A collective grievance is defined as a grievance held in common by two (2) or more members of staff who are not members of a recognised Trade Union. Staff using this procedure must be aware that they cannot then use the Individual Grievance Procedure for raising the same issue.

Any matters relating to a collective dispute raised by Trade Union representatives on behalf of all staff with the staff group whom they represent should be raised in accordance with the Recognition and Procedures Agreement (the "RPA"). For the purposes of the RPA, a collective grievance is defined as a grievance held in common by two (2) or more members of staff represented by a recognised Trade Union and supported by a College Branch Office Bearer. Where such a collective grievance arises relating to terms and conditions of employment, the procedure within the RPA should be followed.

4.1 Definitions

Issues that may cause a collective grievance could include problems concerning terms and conditions of employment or working practices, health and safety, working relationships, bullying and harassment and/or discrimination.

This list is not exhaustive or exclusive.

4.2 Procedure

4.2.1 Informal – Collective Stage

A collective grievance should, in the first instance, be raised with the immediate supervisor/manager who should discuss the issue and make appropriate arrangements to investigate. As a general rule, a response will be provided within seven (7) working days. If the grievance involves the line manager it should be raised with the line manager's manager in accordance with the Grievance Referral Guide, Table 1. One representative from the group of staff raising the grievance should raise it with the manager on behalf of those involved.

4.2.2 Formal – Collective Grievance

If the grievance is not resolved informally to the satisfaction of the staff members concerned and they wish to take it further, then they must put their issue in writing using the Collective Grievance Form, appendix 5, to Human Resources who will advise the appropriate senior manager as indicated in the Grievance Referral Guide, Table 1. The matter may be presented to Human Resources by two representatives of the group of staff involved accompanied by their Trade Union representative or by two members of the Trade Union on behalf of that staff group.

The written submission must cover the following points:

- The specific cause of the grievance;
- The specific staff involved in the grievance (not necessarily by name but in enough detail, i.e. job titles, locations etc. for it to be quite clear who is affected and who is not); and
- The name(s) of the representative(s) nominated or elected by the staff to act as their spokesperson/s. A meeting will be arranged as soon as possible, or at least within ten working days, when the staff representative(s) and management will meet to discuss what can be done to settle the grievance. The staff representatives will be informed in advance of the meeting of the date, time and place of the meeting.
- The meeting will be conducted in line with section 2.3.

4.2.3 Collective Grievance Appeal Stage One

If still unresolved, the employees may appeal in writing using the Collective Grievance Stage One Appeal Form, appendix 6. The employees should inform the Senior Management Team in writing of their intention to submit an appeal within five (5) working days of receiving the written decision of the collective grievance. The completed Collective Grievance Stage One Appeal Form should be submitted within ten (10) working days of receipt of the written decision of the collective grievance.

Grounds of appeal will normally come under one of the headings set out below although there may be other relevant grounds of appeal not mentioned which may be considered by the College.

- **Relevant new evidence not previously considered:** This is where the employees can provide relevant new evidence which was not available at the time of the original investigation.
- **Breach of procedure:** This is where the employees identify areas of the procedure which were not followed and which could have influenced the final outcome.
- **Decision or remedy unreasonable:** This is where the employees consider that the decision or remedy is unreasonable.

A written record of the meeting held according to section 4.2.2 should be agreed and sent to the Senior Management Team who will arrange an appeal. The

appeal panel will consist of a member of the Senior Management Team and two members of the Operational Management Team (OMT).

The appeal meeting will take place as soon as possible following the process in section 4.2.2 and no later than two weeks after receipt of the written outcome of the formal stage. The staff and staff representatives will be informed in writing in advance of the appeal meeting of the date, time and place of the meeting.

The purpose of this panel will not be to rehear the original grievance, unless this will remedy any earlier procedural deficiencies or there is another compelling reason to do so, but to consider any new facts or information which could change the previous decision on the grievance.

The appeal meeting will be carried out in accordance with section 2.3.

Following the appeal meeting the decision will be notified in writing to the staff concerned and their representative(s).

If management and the staff members concerned are unable to resolve the dispute through stage one of the appeal procedure, staff members may submit a second appeal and proceed to the Collective Grievance Appeal Stage Two of the procedure on the basis only of the following:

- a breach of the procedure during the Collective Stage One Appeal;
- relevant new evidence being submitted which was not available to the appeal panel in the course of Collective Grievance - Stage One of the procedure; and/or
- the staff members feel that the decision of the appeal panel is perverse or unreasonable.

4.2.4 Collective Grievance Appeal Stage Two

Upon receipt of the Collective Grievance Stage Two Appeal Form, appendix 7 a meeting shall be arranged (but not necessarily take place) within five (5) working days. The staff and their representatives shall be informed of the date, time and place of the meeting.

If the Stage Two Appeal is to be heard by an ad hoc Committee (as detailed in Table 1) of the Board of Management the staff members should still submit the Collective Grievance Appeal Stage Two form to the Director of Human Resources. A meeting of the ad hoc committee shall normally be arranged (but not necessarily take place) within ten (10) working days. The meeting shall take

place within a reasonable time scale however this will be dependent upon the availability of Board Members. The staff and their representatives the appeal shall be informed in advance of the date, time and place of the meeting.

An ad hoc Committee of the Board of Management shall comprise of three members, to include a Chair or Vice Chair of a standing committee. The Chair of the Board, the Principal, Staff Representatives and Student Representatives shall be excluded from such Committee

The staff members will be required to present the grievance to the panel at the hearing and any evidence. Any written documentation must be submitted in advance of the hearing to the Director of Human Resources no later than 3 days prior to the hearing. Management will provide any ad hoc Committee hearing the grievance, in addition to the Collective Grievance Appeal Form Two copies of all forms and correspondence connected with the grievance. The appeal panel will provide details of what steps have been taken or proposed to resolve the issue.

The appeal process timescale will commence once the employees or their representatives have confirmed to Human Resources that they have received the appropriate Collective Grievance Appeal Stage Two form.

The appeal meeting will be conducted in line with section 2.3.

Following the collective stage two appeal meeting the decision will be notified in writing to the staff concerned and their representative(s).

If the parties are unable to resolve the issue(s) through the Collective Stage Two appeal then the parties may agree to seek conciliation or arbitration through a mutually agreed independent third party. Failure to reach agreement on selection of a third party will result in referral to the Advisory, Conciliation and Arbitration Service (ACAS).

All parties to any dispute should, wherever possible, reach agreement on interim arrangements to allow work to continue while the procedure is being followed.

In certain circumstances where a collective grievance raised refers to a change, for example in working practices, the status quo may be maintained until the grievance procedure is exhausted. This will exclude matters involving Health and Safety or a breach of legislation.

Table 1 - Grievance Referral Guide

Aggrieved Employee	Informal Stage	Formal Stage	Stage 1 - Appeal	Stage 2 - Appeal
Principal	Chair of Board of Management	Ad hoc Committee of the Human Resources Committee	Ad hoc Committee of the Board of Management	Executive Committee
Vice Principal	Identified in the employees Statement of Particulars	Ad hoc committee (Human Resources Committee)	Ad hoc committee (Board of Management)	Executive Committee
Head of Faculty or Director	Identified in the employees Statement of Particulars	Vice Principal or Principal (or nominated member of the Board)	Principal or Ad hoc committee (Human Resources Committee)	Ad hoc committee (Human Resources Committee) or Ad hoc committee (Board of Management)
Senior Curriculum Manager or Head of Department/Faculty	Identified in the employees Statement of Particulars	Head of Department/Faculty, Director or Vice Principal	Director or Vice Principal Principal	Vice Principal, Principal or Ad hoc committee (Human Resources Committee)
Curriculum Manager or Line Manager	Identified in the employees Statement of Particulars	Senior Curriculum Manager, Head of Department/Faculty or Director	Head of Department/Faculty, Director or Vice Principal	Director or Vice Principal
Lecturers or Support Staff	Identified in the employees Statement of Particulars	Curriculum Manager, Senior Curriculum Manager, Head of Department/Faculty or equivalent from another Support Department	Head of Department/Faculty or Vice Principal	Head of Department/Faculty, Vice Principal or Principal
All Staff - Collective	Identified in the employees Statement of Particulars	Senior Management Team – panel consisting of two members	Senior Management Team – panel consisting of two members	Ad hoc committee (Human Resources Committee) or Ad hoc committee (Board of Management)

Note An ad hoc Committee of the Board of Management shall comprise of three members, to include a Chair or Vice Chair of a standing committee. The Chair of the Board, the Principal, Staff Representatives and Student Representatives shall be excluded from such Committee. It may be agreed by all parties to deviate from the above structure under certain circumstances.

Table 2 – Grievance Raised Against

Grievance Raised Against	Informal Stage	Stage 1	Stage 1 - Appeal	Stage 2 - Appeal
Principal	Principal	Ad hoc committee of Human Resources Committee	Ad hoc Committee of Board of Management	Executive Committee
Vice Principal	Vice Principal	Principal	Ad hoc committee of Human Resources Committee	Ad hoc Committee of Board of Management
Director or Vice Principal	Director or Vice Principal	Vice Principal or Principal	Principal or Ad hoc committee of Human Resources Committee	Ad hoc committee of Human Resources Committee or Ad hoc Committee of Board of Management
Head of Faculty or Head of Department	Head of Faculty or Head of Department	Director or Vice Principal	Vice Principal or Principal	Principal or Ad hoc committee of Human Resources Committee
Line Manager, Curriculum Manager or Senior Curriculum Manager	Line Manager, Curriculum Manager or Senior Curriculum Manager	Senior Curriculum Manager, Head of Faculty, Head of Department or Director	Head of Faculty, Director or Vice Principal	Director, Head of Faculty, Vice Principal or Principal
Lecturer Support Staff	Lecturer Support Staff	Line Manager, Curriculum Manager or Senior Curriculum Manager	Senior Curriculum Manager, Head of Faculty, Head of Department or Director	Head of Faculty, Director or Vice Principal

Note

An ad hoc Committee of the Board of Management shall comprise of three members, to include a Chair or Vice Chair of a standing committee. The Chair of the Board, the Principal, Staff Representatives and Student Representatives shall be excluded from such Committee.

Grievance Form

Application for Consideration of Grievance.

You should in the first instance aim to resolve a grievance informally with your line manager or as near the point of origin as possible.

Employee Name: _____

Job Title: _____

Section/Faculty: _____

Trade Union (where applicable): _____

Nature of Grievance:

Full details - you must set out the nature of the grievance and the basis for it providing as much information as possible including date(s), time(s) and the name(s) of any individual(s) concerned. This should include references to incidents, documents and evidence where possible. Continue on a separate sheet if necessary.

Prior to invoking the formal procedure you should first have tried to resolve the matter informally.

What steps did you take to attempt to resolve the grievance informally?

Manager's Name: _____ Date of meeting(s): _____

If you have not taken steps to resolve the issue informally what were your reasons for not doing so?

What was the result of any discussions held with your line manager or the individual(s) concerned in this connection?

What steps do you feel could be taken by the College to assist to resolve this complaint?

Evidence

Documentation in support of grievance attached Yes/No

If no, why not?

List documents and purpose:

Name of Witness(es) to be interviewed, if any.

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

I apply for my grievance to be formally investigated under Stage 1 of Glasgow Kelvin College's
Grievance Procedure.

My representative will be: _____

Employee's signature: _____

Date: _____

Grievance Stage One Appeal

Application for Consideration of Grievance at Stage One Appeal.

You have the right to appeal and to proceed to Stage One Appeal of the Grievance Procedure on the following grounds:

- you can demonstrate a breach of the procedure during the Formal Grievance process;
- you have relevant new evidence which was not available during the course of the formal grievance procedure; and/or
- you feel that the decision is perverse or unreasonable.

There may be other grounds of appeal which the College would consider.

You should submit your appeal within ten working days of receipt of the grievance decision or proposed remedy.

Employee Name: _____

Job Title: _____

Department/Faculty: _____

Trade Union (Where applicable): _____

Nature of Appeal

I wish to progress my grievance to Stage One Appeal of the grievance procedure on the following grounds.

I am dissatisfied with the decision or proposed remedy stated in form Grievance Form and appeal against the decision or remedy on the following grounds (continue on a separate sheet if necessary):

I will submit in writing by (date)

- any questions for the investigating officer or witnesses; and
- any documentation relevant to my case.

I apply for my grievance to be considered under Stage One – Appeal

My representative will be: _____

Employee's signature: _____

Date: _____

The Grievance Form Stage 1 or a copy of your original letter stating the grounds for your grievance must be attached along with any other or documentation.

Grievance Stage Two Appeal

Application for Consideration of Grievance at Stage Two - Appeal.

You have the right to appeal and to proceed to Stage Two Appeal of the Grievance Procedure on the following grounds:

- you can demonstrate a breach of the procedure during the Appeal Stage One;
- you have relevant new evidence which was not available during the course of the Appeal Stage One of the procedure; and/or
- you feel that the decision is perverse or unreasonable.

You should submit your appeal within ten working days of receipt of the appeal, stage one decision or proposed remedy.

Employee Name: _____

Job Title: _____

Department/Faculty: _____

Trade Union (Where applicable): _____

Nature of Appeal

I wish to progress my grievance to Stage Two - Appeal of the grievance procedure on the following grounds.

I am dissatisfied with the decision or proposed remedy and appeal against the decision or remedy on the following grounds (continue on a separate sheet if necessary):

I will submit in writing by (date)

- any questions for the investigating officer, stage one appeal manager or witnesses; and
- any documentation relevant to my case.

I apply for my grievance to be considered under Appeal Stage Two

My representative will be: _____

Employee's signature: _____

Date: _____

The Grievance Form and the outcome of the Appeal Stage One or a copy of your original letter stating the grounds for your grievance must be attached along with any other documentation.

I understand and accept that at the conclusion of the Appeal Stage Two there is no further right of appeal and the decision made at this stage is final.

Employee's signature: _____

Date: _____

Collective Grievance

Application for Consideration of Grievance.

Employees should in the first instance aim to resolve a grievance informally with their line manager or as near the point of origin as possible.

Employee Names:	
Job Title(s):	
Section/Faculty:	
Trade Union (where applicable):	

Nature of Grievance:

Full details - staff must set out the nature of the collective grievance and the basis for it providing as much information as possible including date(s), time(s) and the names of any individuals concerned. This should include references to incidents, documents and evidence where possible. Continue on a separate sheet if necessary.

Prior to invoking the formal procedure the staff group should first have tried to resolve the matter informally.

What steps did the staff members take to attempt to resolve the grievance informally?

Manager's Name: _____ Date of meeting(s): _____

If you have not taken steps to resolve the issue informally what were the reasons for not doing so?

What was the result of any discussions held with your line manager or the individual(s) concerned in this connection?

What steps do you feel could be taken by the College to assist resolve this complaint?

Evidence

Documentation in support of grievance attached Yes/No

If no, why not?

List documents and purpose:

Name of Witness(es) to be interviewed, if any.

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

We apply for our grievance to be formally investigated under the Collective Grievance Procedure of Glasgow Kelvin College.

Our representative will be: _____

Employees' signature:

Date: _____

Collective Grievance Stage One Appeal

Application for Consideration of Grievance at Stage One Appeal.

You have the right appeal and to proceed to Stage One Appeal of the Grievance Procedure on the following grounds:

- you can demonstrate a breach of the procedure during the Grievance process;
- you have relevant new evidence being which was not available to the Chair in the course of the grievance procedure; and/or
- you feel that the decision is perverse or unreasonable.

You should submit your appeal within ten working days of receipt of this decision or proposed remedy.

Employee Names:	
Job Title(s):	
Section/Faculty:	
Trade Union (where applicable):	

Nature of Appeal

We wish to progress our collective grievance to Stage One Appeal of the collective grievance procedure on the following grounds.

We are dissatisfied with the decision or proposed remedy stated in the response and appeal against the decision or remedy on the following grounds (continue on a separate sheet if necessary):

We will submit in writing by (date)

- any questions for the investigating officer or witnesses; and
- any documentation relevant to our case.

We apply for our collective grievance to be considered under Grievance Appeal Stage One

Our representative will be: _____

Employees' signature:

Date: _____

The Collective Grievance Form or a copy of your original letter stating the grounds for your grievance must be attached along with any other or documentation, including the outcome response issued to you by management.

Collective Grievance Stage Two Appeal

Application for Consideration of Grievance at Stage Two Appeal

You have the right appeal and to proceed to Stage Two Appeal of the Grievance Procedure on the following grounds:

- you can demonstrate a breach of the procedure during the Grievance process;
- you have relevant new evidence being which was not available to the Chair in the course of the grievance procedure; and/or
- you feel that the decision is perverse or unreasonable.

You should submit your appeal within ten working days of receipt of this decision or proposed remedy.

Employee Names:	
Job Title(s):	
Section/Faculty:	
Trade Union (where applicable):	

Nature of Appeal

We wish to progress our collective grievance to Stage Two Appeal of the collective grievance procedure on the following grounds.

We are dissatisfied with the decision or proposed remedy stated in the response and appeal against the decision or remedy on the following grounds (continue on a separate sheet if necessary):

We will submit in writing by (date)

- any questions for the investigating officer or witnesses; and
- any documentation relevant to our case.

We apply for our collective grievance to be considered under Stage Two Appeal

Our representative will be: _____

Employees' signature:

Date: _____

The Collective Grievance Form or a copy of your original letter stating the grounds for your grievance must be attached along with any other or documentation, including the outcome response issued to you by management to your Collective Grievance and the outcome of the Grievance Appeal Stage One.

Menopause (National) Policy - All Staff

Document Control Information

**Senior Management Team
(NJNC - Circular CC 06/22 National Menopause Policy
for Support Staff and Lecturing Staff – March 2023)**

Appendix 2, approved by the Finance and Resources Committee

Date of Next Review in Accordance the NJNC Schedule

This Policy will be reviewed by the NJNC every three years. The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend Appendix 1 of this document which has been agreed locally and out with the NJNC at any time should the need arise following consultation with employee representatives. This Policy has been subject to a local Equality Impact Assessment, which is published on our website: <https://www.glasgowkelvin.ac.uk/equality-diversity/>

Menopause (National) Policy – All Staff

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1. Introduction

Glasgow Kelvin College is committed to ensuring that everyone is treated with dignity and respect in a fair manner in their working environment. It is committed to providing an inclusive and supportive working environment for all staff.

The College is also committed to improving the well-being of its employees and recognises that women affected by the menopause may need additional consideration, support and adjustments during the time of hormonal change before, during and after the menopause.

Glasgow Kelvin College will aim to provide appropriate support to those who are experiencing menopausal symptoms. It is important the College understands the difficulties and anxieties of employees currently going through this hormonal change and that we manage this issue by raising awareness, challenging discrimination, promoting a culture of openness and providing training and development for all line management and colleagues.

The College notes that people from the non-binary, transgender and intersex communities may also experience menopausal symptoms. Menopause can also impact trans and non-binary people who may not identify as female. Due to a variety of factors, the experience of the menopause may be different for those among these communities.

Experiences and perceptions of the menopause may also differ in relation to disability, age, race, religion, sexual orientation or marital/civil partnership status. It is important to recognise that for many reasons, women's experiences of the menopause may differ greatly.

(Although the policy refers to women, please consider that this policy refers to anyone suffering the symptoms of menopause).

This policy will usually be reviewed every three years by the National Joint Negotiating Committee. The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend Appendix 1 of this document which has been agreed locally and out with the NJNC at any time should the need arise following consultation with employee representatives.

2. Aim of Policy

The aim of the policy is to:

- Pro-actively promote the **Managers Guide (Appendix 1)** which provides direction and clarity on dealing with menopausal symptoms for those affected both directly and indirectly, e.g. partners, managers, and colleagues.

- Ensure that managers are aware of menopause related symptoms and how they can assist their employees. Managers take cognisance of the **Managers Guide (Appendix 1)** which provides clarity for those affected by the menopause.
- Create an environment where those affected feel comfortable enough to discuss the issues around their symptoms and can openly instigate conversations or engage in discussions about the menopause in a respectful and supportive manner.
- Ensure those experiencing menopausal symptoms suffer no detriment.
- Create a workplace that respects and values all employees and their differences, that promotes dignity and combats prejudice, discrimination and harassment.
- Benefit the welfare of women members of staff, retain valued employees; improve morale and performance and promote the College as an employer of choice.

3. Scope

This policy applies to all employees of Glasgow Kelvin College.

4. Definitions of the Menopause

- The menopause is a natural transition stage. It is marked by changes in the hormones and when periods stop.
- The menopause may result in a wide range of physical and psychological symptoms and those with symptoms may encounter difficulties at work as a result of symptoms.
- Each woman will be affected in different ways and to different degrees over different periods of time. Menopausal symptoms can often indirectly affect their partners, families, and colleagues as well.
- Some women experience early menopause due it being medically induced, due to surgery, illness, cancer treatment (radiotherapy, chemotherapy etc) or other reasons. As a result of these hormonal changes, many women will experience both physical and emotional symptoms.

- Perimenopause – this is a period of time before the menopause, in the years leading up to the menopause where there can be significant changes for women, including irregular and heavy menstrual bleeding and many of the classic symptoms associated with menopause.
- Post-menopause – a term used when a woman's periods have stopped for 12 consecutive months. However, other menopausal symptoms may not have ended so soon. Problematic symptoms may continue for years.

5. Symptoms of Menopause

Those affected will experience only some or all of these symptoms (and others not on the list). Some people experience no noticeable symptoms, however 75% of women experience symptoms with 25% of those classed as severe. Symptoms tend to be experienced for around four years after the last period, however, this can last up to twelve years in some cases. Symptoms may include:

- Hot flushes – a very common symptom that can start in the face, neck or chest, before spreading upwards and downward, may include sweating, the skin becoming red and patchy, and a quicker or stronger heart rate.
- Heavy and painful periods and clots, leaving those affected exhausted, as well as practically needing to change sanitary wear more frequently. Some affected may become anaemic.
- Night sweats, restless leg syndrome and sleep disturbance.
- Low mood, irritability, increased anxiety, panic attacks, fatigue, poor concentration, loss of confidence and memory problems.
- Urinary problems – more frequent urinary incontinence and urinary tract infections such as cystitis. It is common to have an urgent need to pass urine or a need to pass it more often than normal.
- Irritated skin – including dry and itchy skin or formication, and dry eyes. Also, vaginal symptoms of dryness, itching and discomfort.
- Joint and muscle aches and stiffness.
- Weight gain.
- Headaches and migraines.

- Menopausal hair loss.
- Osteoporosis – the strength and density of bones are affected by the loss of oestrogen, increasing the risk of the bone-thinning disease osteoporosis.
- Side effects from hormone replacement therapy (HRT), a form of treatment for menopausal symptoms for some people (although not suitable or appropriate for all).
- Menopausal symptoms may also exacerbate existing impairments and conditions that those affected may already be struggling to cope with.

6. Roles and Responsibilities

- **Line Managers** – all managers should:
 - Familiarise themselves with the **National Menopause Policy, Managers Guide (Appendix 1)** and available resources.
 - Be open to having discussions around the menopause whilst being sensitive to the personal nature of the discussion and maintaining confidentiality and professionalism.
 - Make use of the available guidance, agreeing arrangements with the affected woman with support plans and reasonable adjustments. Record the agreements to be implemented and ensure these are adhered to.
 - Line managers with appropriate support will undertake a gender sensitive risk assessment to consider the specific needs of employees experiencing the menopause and to ensure that the working environment will not make their symptoms worse. The risk assessment will assist with the identification of any potential adjustments that may be required.
 - Liaise with HR and Occupational Health providers where appropriate.
 - Set review dates and engage in ongoing conversations.
 - Support employees in informing colleagues about the situation if appropriate.

- **Employees** – all employees are:
 - Responsible for their health and wellbeing.
 - Encouraged to inform their manager (or the alternative contact, should they not feel comfortable speaking to their manager) if they are struggling with menopausal symptoms and need any support.
 - Responsible in contributing to a respectful and productive working environment, being willing to help and support their colleagues, and understand any necessary adjustments their colleagues are receiving as a result of their menopausal symptoms.
 - Responsible for making contact with either HR, a wellbeing officer where available or a trade union representative, regarding any instances of harassment, victimisation or discrimination experienced because of issues related to the menopause.

If an employee feels unable to speak to their line manager, they can contact People and Culture Services or a Trade Union representative.

7. [Links to other Glasgow Kelvin College Policies and Procedures](#) or Information

- Dignity and Respect Policy and Procedure
- Grievance Policy and Procedure
- Disciplinary Policy and Procedure
- Recruitment and Selection Policy
- Equality and Diversity Policy
- Lone Working Policy
- Data Protection Policy
- Family Friendly and Flexible Working Policy and Procedure
- Attendance Management and Support Policy and Procedure
- Glasgow Kelvin College, Information and Support for Staff, Appendix 2

8. Further Sources of Information

The All employees can access support and counselling through the College [Wellbeing Service](#).

Further information on the menopause can be found through the following links:

- i. <https://www.nhs.uk/conditions/menopause>
- ii. <http://menopausematters.co.uk>
- iii. <https://www.womens-health-concern.org/help-and->

- [advice/factsheets/menopause](#)
- iv. <https://thebms.org.uk>
- v. <https://www.daisynetwork.org>
- vi. <https://menopausesupport.co.uk>
- vii. <https://www.menopausedoctor.co.uk/>
- viii. www.menopause-exchange.co.uk

9. Further Reading

- i. <https://www.menopausematters.co.uk/menopause.php>
- ii. <https://www.menopausematters.co.uk/symptoms.php>
- iii. <https://www.menopausematters.co.uk/physical.php>
- iv. <https://www.menopausematters.co.uk/heavyperiods.php>
- v. <https://www.menopausematters.co.uk/diet.php>
- vi. <https://www.menopausematters.co.uk/weightgain.php>
- vii. <https://www.menopausematters.co.uk/oestrogens.php>
- viii. <https://www.menopausematters.co.uk/cvd.php>
- ix. www.thebms.org.uk
- x. www.nhs.uk/conditions/menopause
- xi. www.nhs.uk/conditions/early-menopause
- xii. www.nice.org.uk/guidance/ng23/ifp/chapter/About-this-information

Managers Guide

Everyone who is affected is different and, as such, it is difficult to set out specific guidelines. When conversations occur with those who are affected either directly or indirectly, ensure that you:

- allow time and space for the conversation – find an appropriate place where confidentiality can be maintained
- be open to the discussion and encourage the staff member to honestly share their issues
- suggest reasonable adjustments (see below)
- agree any actions and record in a suitable confidential manner
- discuss whether other team members should be informed and who should undertake this
- arrange a follow up meeting at a suitable time and place.

Reasonable Adjustments

The following list of reasonable adjustments have been suggested by the CIPD in their '[A guide to managing menopause at work: guidance for line managers](#)' (2021):

Sleep disruption and/or night sweats

- Recognise someone may take more short-term absence if they've had a difficult night.
- Consider a change to shift patterns or the ability to swap shifts on a temporary basis.
- Carrying out risk assessments and making appropriate adjustments.
- Offer a flexible working arrangement, for example a later start and finish time.
- Where a role permits and the manager can support it the member of staff could work from home for a short period if symptoms have been significant, for example disrupted sleep pattern.

Hot flushes and/or daytime sweats

- Look at ways to cool the working environment, for example provide a fan, move a desk close to a window or adjust the air conditioning.
- Provide easy access to cold drinking water and washrooms.
- Adapt uniforms to improve comfort.
- Limit the time wearing personal protective equipment (PPE) such as face masks (subject to any COVID-secure measures required).
- In customer-focused or public-facing roles, it may help to have access to a quiet room for a short break so as to manage a severe hot flush.

Heavy or irregular periods

- Provide easy access to washroom and toilet facilities.
- Allow for more frequent breaks to go to the toilet.
- Be understanding about someone working from home if they have very heavy bleeding.
- Make sanitary products available in washrooms.
- Make it easy to request extra uniforms if needed.

Headaches and fatigue

- Consider a temporary adjustment to someone's work duties.
- Provide a quiet area to work.
- Provide access to a rest room.
- Offer easy access to drinking water.
- Allow regular breaks and opportunities to take medication.

Muscular aches, and bone and joint pain

- Make any necessary temporary adjustments through review of risk assessments and work schedules.
- Allow someone to move around or stay mobile, if that helps.

Psychological issues (for example loss of confidence, poor concentration, anxiety, and so on)

- Encourage employees to discuss concerns at one-to-one meetings with you and/or occupational health.
- Discuss possible adjustments to tasks and duties that are proving a challenge.
- Address work-related stress by carrying out a stress risk assessment recommended by the HSE.
- Signpost to an Employee Assistance Programme or counselling services if available.
- Identify a supportive colleague to talk to away from the office or work area, such as a wellbeing champion.
- Allow time when needed, to have some quiet time or undertake relaxation or mindfulness activities.
- Provide access to a quiet space to work or the opportunity to work from home.
- Have agreed protected time to catch up with work.
- Discuss whether it would be helpful for the employee to visit their GP, if they haven't already.

Other examples of adjustments include:

- Provide private areas for those affected to rest, recover or make a telephone call to access personal or professional support.
- Ensure working time arrangements are flexible enough to meet the needs of menopausal women. For example, they may also need more breaks during the day, or may need to leave work suddenly if their symptoms become severe.

Glasgow Kelvin College – Information and Support for Staff

This policy is part of the College's commitment to:

- equality and diversity and creating a workplace that respects and values individual differences, that promotes dignity and combats prejudice, discrimination and harassment. This policy seeks to benefit the welfare of individual members of staff; retain valued employees; improve morale and performance and enhance the reputation of the College as an employer of choice; and
- ensuring the health and safety and wellbeing of its staff and will ensure the workplace does not make the menopausal symptoms of employees worse.

The College recognises that many of the changes to workplace culture and adjustments offered may not only be of benefit to workers experiencing the menopause, but to all staff.

Although the policy refers to women, the policy refers to anyone suffering the symptoms of menopause. Some:

- trans men may experience natural menopausal symptoms;
- trans women may experience pseudo-menopausal symptoms related to their hormone therapy treatment; and
- non-binary people may experience menopausal symptoms.

The College recognises that for many reasons, people's individual experiences of the menopause may differ greatly. Section five of the policy covers symptoms of the menopause. Each of these symptoms can affect an employee's comfort and performance at work. The College has a duty to provide a safe working environment for all employees and therefore commits to ensuring that adjustments and additional support are available to those experiencing menopausal symptoms.

Employees are encouraged to inform their line manager that they are experiencing menopausal symptoms at an early stage to ensure that symptoms are treated as an ongoing health issue rather than as individual instances of ill health. Early notification will also help line managers to determine the most appropriate course of action to support an employee's individual needs. Employees who do not wish to discuss the issue with their direct line manager may find it helpful to have an initial discussion with a member of the HR team.

Section six of the policy covers roles and responsibilities, in addition Glasgow Kelvin expect managers and staff to:

Managers should:

- Take seriously and investigate any complaints of discrimination, harassment or victimisation in accordance with the appropriate policy and procedure, the Dignity and Respect Policy and Procedure, Grievance Policy and Procedure and Disciplinary Policy and Procedure. Confidentiality will be respected at all times.
- Deal with all requests for support or adjustments confidentially and in accordance with the data protection policy.

Employees should:

- Employees should report any instances of harassment, victimisation or discrimination experienced because of issues related to the menopause.

If an employee is found to have harassed, victimised or discriminated against another employee in relation to the menopause, then they will be seen as having committed a disciplinary offence.

Support for Employees Experiencing the Menopause at Glasgow Kelvin College

The College is committed to working with staff and its recognised Trade Unions to take positive action to support staff experiencing the menopause.

It will raise awareness of the impact of the menopause so that they are able to better understand the effects of the menopause and be comfortable about discussing and addressing the impact that it can have on employees in carrying out their roles.

All awareness raising and associated training will be aimed at supporting the development of an understanding and supportive culture. All College policies and procedures should take account of the effects of the menopausal symptoms to ensure that employees experiencing the menopause are not disadvantaged as a result of their symptoms.

The College recognises that some employees experiencing the menopause may find that related symptoms may impact on their health and wellbeing, and it aims to provide as much support as is reasonably practicable for individuals. The College recognises that the menopause is a very personal experience and therefore different levels and types of support and adjustments may be needed.

Employees experiencing the menopause are encouraged to let their line manager know if they are struggling with symptoms that may impact on their work, so that appropriate support is provided. Such information will be treated confidentially and in accordance with College's data protection policy.

A Human Resources representative is available to employees experiencing the menopause should they not feel comfortable discussing their problems with their line manager. Employees may also prefer to discuss their problems with an alternative manager and/or a trade union representative.

Managers should acknowledge that there may be an additional need for sickness absence by employees experiencing the menopause in order to manage their menopausal symptoms. Absence will be recorded as related to menopausal symptoms where disclosed and managers will consider such absence as an ongoing condition requiring the consideration of reasonable adjustments and flexibility in absence procedure triggers. Further details can be found in the College's Attendance Management and Support Policy and Procedure.

The College recognises the potential impact of menopausal symptoms on performance by employees experiencing the menopause. Managers will seek to support staff sympathetically.

The College runs menopause support groups throughout the academic year to support employees affected by the menopause directly or indirectly, where employees can share knowledge and information, gain peer support and provide feedback on College policies that may have an impact on staff experiencing the menopause.

Employees who are experiencing the menopause may apply for the following reasonable adjustments to support them at work, these will be provided where possible:

- Control over environmental factors – with provision of desk fans on request, review of office seating plans so that affected employees can be near the window or open doors, or away from direct sources of heat such as radiators, fitting blinds to windows, greater access to chilled drinking water, and to toilets and washing facilities.
- Where uniforms are provided, staff may request that items ordered contain natural fibres wherever possible.
- Flexibility over uniform and dress codes should they exacerbate symptoms such as hot flushes and sweating, and provision of additional spare uniforms.
- Changing/washing facilities for staff to change clothes during the working day.
- For employees who are required to drive as part of their usual work pattern, duration of travel to be reduced and increased rest breaks provided.

- Flexible working arrangements including options for flexitime (to work round symptoms or adjusting start and finish times for example), more details can be found in the College's Family Friendly and Flexible Working Policy and Procedure. The College seeks to balance the needs of its staff with the requirements of delivering a high-quality service for students and the communities it serves. Good working practices, and the benefits derived from them are key to delivering effective services, increasing morale, commitment and improving recruitment and retention of skilled and experienced staff.
- Flexibility around the taking of breaks, or increased breaks during the working day, and if required providing cover as necessary for these breaks where staffing levels permit.
- Temporary changes to the employee's duties, where this is possible.
- Provision of a private space to rest temporarily, to talk with a colleague or to phone for personal or professional support.

(For further advice on reasonable adjustments available contact Human Resources Team).

This is not a definitive list of adjustments. The College working in partnership with staff and its recognised Trade Unions, will consider additional suggestions put forward by members of staff and union representatives.

Confidential support is available for individual employees from the Employee Assistance Programme. The Employee Assistance Programme provides independent counselling and advice – face to face counselling, 24-hour help line and access to the website. An online site is also available to support employees. The web-based service is designed to help with today's challenges and to provide a chance to prepare for any major events that may arise in the future. Online is accessed [Employee Wellbeing \(glasgowkelvin.ac.uk\)](http://glasgowkelvin.ac.uk/EmployeeWellbeing)

Self-Management for Staff Experiencing the Menopause

Employees experiencing the menopause are encouraged not to suffer in silence. You should consider:

- Seeking medical advice from your GP;
- Discussing symptoms with your manager or with the alternative contact and with your trade union representative and requesting appropriate workplace adjustments; and
- Contacting the Employee Assistance Provider.
- Employees are also encouraged look after their health and wellbeing to help with some of the symptoms such as:
- Eating healthily and regularly – research has shown that a balanced diet can help in alleviating some symptoms, in keeping bones healthy and in not gaining weight;

- Drinking plenty of water;
- Exercising regularly – to reduce hot flushes, improve sleep, boost mood and maintain aerobic fitness levels;
- Not smoking – to help reduce hot flushes and the risk of developing serious conditions such as cancer, heart disease and stroke;
- Ensuring alcohol intake is within recommended levels and cutting down on caffeine and spicy food – all of which can trigger hot flushes;
- Having access to natural light;
- Staying cool at night – wearing loose clothes in a cool and well-ventilated room to help with hot flushes and night sweats.
- Ensuring adequate rest and relaxation – to reduce stress levels and improve mood (through, for example, activities such as mindfulness, yoga and tai chi); and
- Trying vaginal lubricant or moisturiser – available from shops and pharmacies for anyone experiencing vaginal dryness.

Review and Monitoring

All new employees, supervisors and managers will receive induction on College policies and procedures.

Adequate resources will be made available to fulfil the aims of this policy. The policy will be widely promoted and is available on the staff intranet.

The recommendations of the menopause support group on how working conditions, practices and policies may impact on staff experiencing the menopause, will be considered jointly by trade union representatives and management.

The purpose of this monitoring and review is to identify where reasonable adjustments can be made to working conditions, practices and policies in order to make this policy effective.

Data Protection

The College will process and manage any personal data collected in accordance with its Data Protection Policy.