

# Employee Relations Newsletter: ER Matters

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## Introduction



Dear Colleagues

In this newsletter we want to focus on our ER statistics. It is always surprising when you look back and assess the amount of case work that the team have supported both in the provision of advice and guidance and also with note taking. We were also busy dealing with a number of Employment Tribunal cases in addition to supporting our Strategic HR Partners with large scale restructuring exercises and the subsequent redundancies. The data in this newsletter will give you a flavour of the volume of work being undertaken by our volunteer Investigating Officers to whom we are hugely grateful.

Last year we canvassed the views of our Investigating Officers with regard to where we could improve our support. One suggestion was our training programme for Investigating Officers. We are therefore reviewing this to take on board that feedback and make the necessary refinements. We are always looking to enlist more investigating officers and will run more training sessions this year.

We are also working with Organisational Development to expand our training sessions and will be providing short bite size sessions on **Managing Staff during Probation**. We plan to have this ready for roll out later this month.

Wishing you all a great Easter holiday.

With best wishes

Ann

Ann Kelly  
Head of Employee Relations

## Meet the Employee Relations (ER) team



Visit the [ER Contact Us page](#), for information on the ER team and our contact details.

## News you can use!



### Importance of keeping training relevant and up-to-date:

The importance of keeping training current and relevant was highlighted when the Employment Appeal Tribunal (EAT) recently upheld an employment tribunal's decision to reject an employer's defence against a racial harassment claim, based on training which had been delivered several years before the events in question was "clearly stale".

Under the Equality Act, an employer can be liable for acts of harassment by its employees done in the course of their employment, unless it can show that it took "all reasonable steps" to prevent them from acting in that way.

The key point in this case was that although all the employees had been given anti-harassment training, this had been some years ago, and the evidence showed that it was not being followed.

The EAT asked the question how effective will training be to prevent harassment, and how long will it last.

At the very least, this decision shows that the effectiveness of training should be monitored, and further training delivered as required. Without that, an employer is unlikely to satisfy the employment tribunal that it has taken "all reasonable steps" to prevent the harassment from occurring.

To this end and following feedback, as Ann mentioned in her introduction, the ER team are currently reviewing and improving the training we deliver, such as our Investigating Officer sessions.

We would also like to take the opportunity to remind you to look at your own training and attend refreshers where necessary; for example, in Unconscious Bias and Diversity training. Please see links to training below:

<https://www.imperial.ac.uk/equality/support-for-staff/training/unconscious-bias/>

<https://www.imperial.ac.uk/equality/support-for-staff/training/equality-diversity-and-inclusion-at-imperial/>

<https://www.imperial.ac.uk/equality/support-for-staff/training/>

## Update on Training



### Sickness Absence Workshops

These sessions are designed to support line managers in managing attendance effectively and consistently in line with Imperial policies. Its aim is to provide line managers with the confidence to understand and apply best practice even when working remotely or when back on campus. The workshops are suitable for new and existing line managers and are delivered jointly by the Employee Relations and Strategy Support teams.

The next scheduled sessions are:

Thursday 29 April 2021

Thursday 01 July 2021

Wednesday 25 August 2021

Thursday 28 October 2021

Thursday 09 December 2021

All sessions start at 10:00am and finish at 12:00noon.

The April and July sessions will be held remotely via Teams. Venues for the remaining sessions will be confirmed at a later date depending on any social distancing restrictions that may be in place at the time.

If you are interested in registering for any of these sessions, please contact Tara Cox: [t.cox@imperial.ac.uk](mailto:t.cox@imperial.ac.uk).

### **Investigating Officer Training sessions**

Following feedback from attendees, the structure and content of these sessions are being reviewed. The course will return in an improved format and we shall announce the re-launch in due course.

### **Managing Staff during Probation sessions**

As mentioned above, later this month we aim to begin providing short sessions (with a maximum of one hour duration) providing advice and guidance for managers on effectively managing the probation periods of new non-academic members of staff

If you would be interested in either of these workshops, please contact Tara Cox: [t.cox@imperial.ac.uk](mailto:t.cox@imperial.ac.uk)

## **Investigating Officer Feedback**

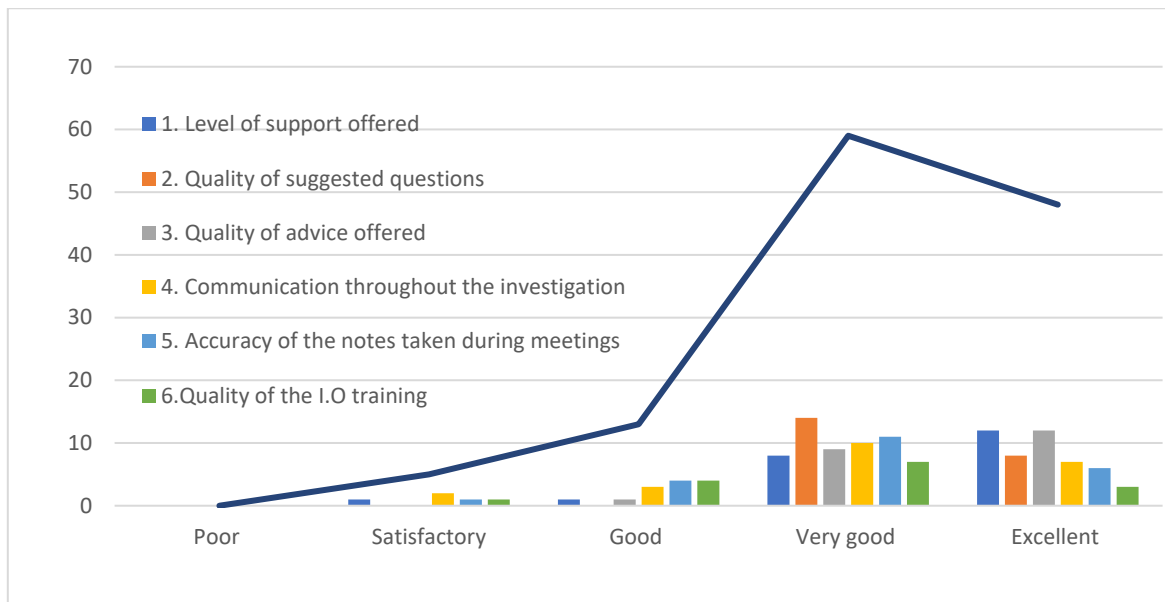


You may recall in the last edition we requested feedback from colleagues, who had kindly supported us as Investigating Officers (IO), about the support the team had, in turn, provided to them during the investigation. We would like to thank you for taking the time out of your busy schedules to complete our questionnaire.

As a reminder, there were six questions covering the following aspects of our work:

1. Level of support provided during the investigation
2. Quality of suggested questions
3. Quality of advice offered
4. Communication throughout the investigation
5. Accuracy of the notes taken during the meetings
6. Quality of the IO training session

The questions were rated on a scale ranging from 1 (Poor) to 5 (Excellent). The results are displayed on the next page.



It was reassuring that, overall, when considering the support provided by the team during an investigation, 91% of the responses rated us as either very good or excellent.

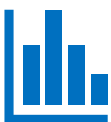
The meeting notes question produced a slightly lower, although still positive, score of 77% at either very good or excellent.

That there can be a time lapse between attending the Investigating Officer training and being asked to undertake an investigation was noted and, where this is the case, the ER team member will be happy to provide a 1:1 session to review the IO's understanding of their role and explain the steps of the process and what happens at the different stages.

We have introduced as part of our weekly team meetings the opportunity for the team to discuss any learning points identified from the previous week's activity; this means we can share and discuss improvements/best practice with each other.

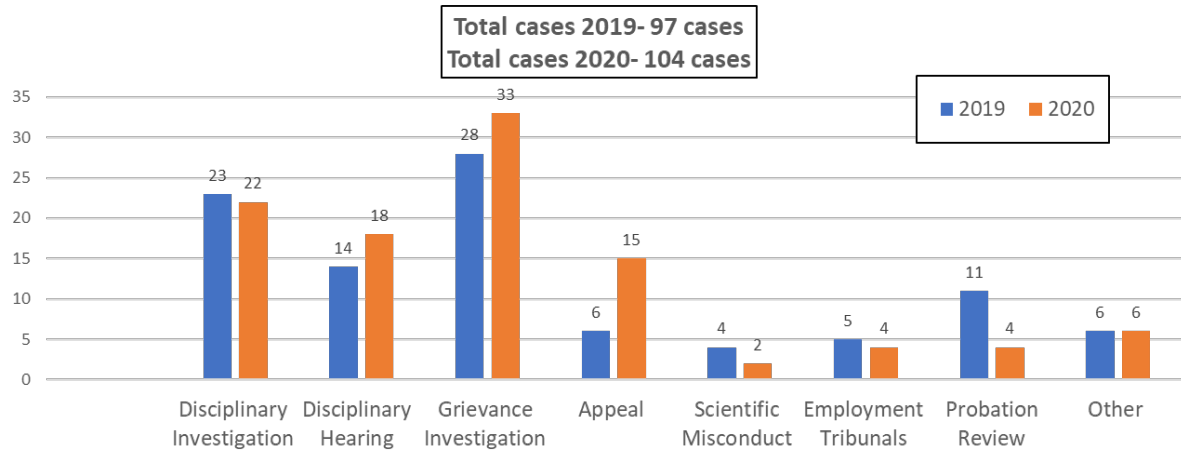
Please contact Ann directly at [a.kelly@imperial.ac.uk](mailto:a.kelly@imperial.ac.uk) if you have any comments or thoughts you wish to share.

## ER Statistics



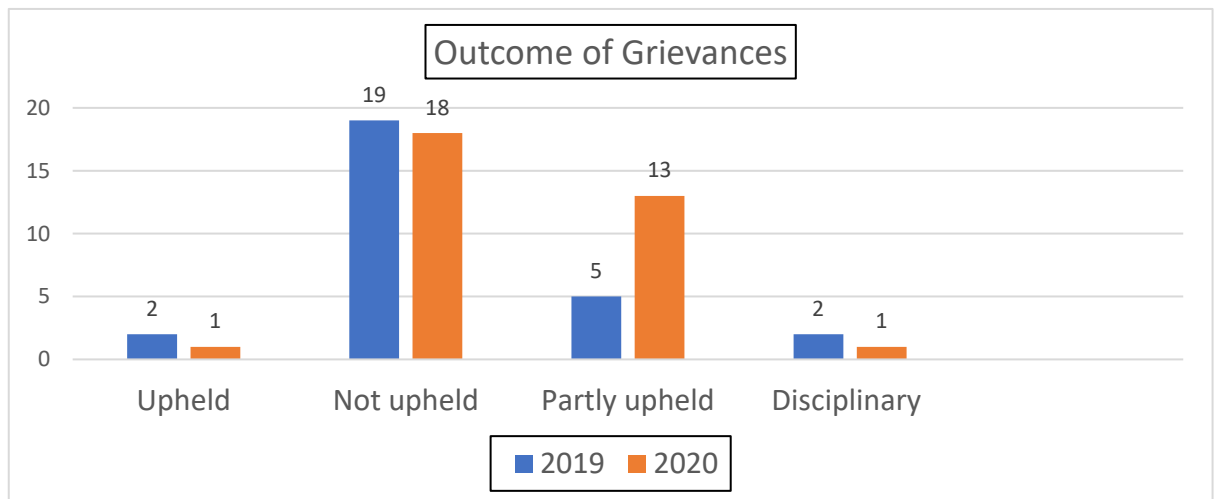
We recently compiled our statistics for the calendar years 2019 and 2020 in order to better understand the volume and nature of the case work and this is outlined below.

The total number of cases was similar in each year: 97 in 2019 and 104 in 2020 and the main category of cases were disciplinarys and grievances. The number of disciplinary cases was almost identical with 23 cases in 2019 and 22 in 2020. There was a slight increase from 28 grievances raised by members of staff in 2019 to 32 in 2020.



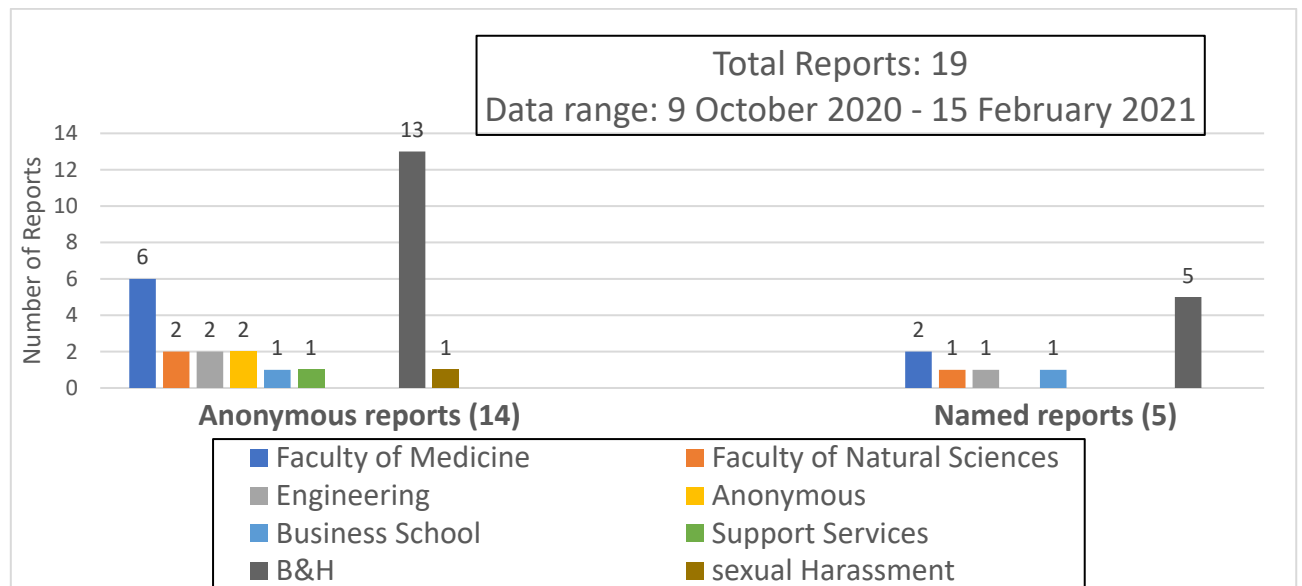
Of the disciplinary and grievance cases investigated, in 2019 14 progressed to formal disciplinary hearings and this number increased in 2020 to 18.

The number of formal grievance complaints which were either not upheld (18 in 2020) or were only partly upheld (13 in 2020) was noticeable; with only one case being upheld and proceeding to a disciplinary hearing as an outcome of a grievance investigation (please see the graphic below). This emphasises the importance of resolving issues and conflicts early. As mentioned in previous newsletters, the team have been working towards informal mechanisms to resolve conflict including facilitated conversations which focuses on providing individuals with the opportunity to raise and resolve their concerns as quickly as possible without reliance on a formal procedure.



Report and Support is a relatively new reporting tool providing the means for someone to report something they have witnessed or experienced. Reports can be made either anonymously or submit details for a member of the ER team to make contact to discuss the situation. Details can be found here: <https://www.imperial.ac.uk/equality/resources/report-and-support/>

Between 09 October 2020 and 15 February 2021, there were 19 reports submitted using this tool (14 anonymously); 18 of which related to bullying and harassment and at least 8 (2 reports did not specify the faculty/department) were from Faculty of Medicine staff.



## Further information



Please click <https://www.imperial.ac.uk/human-resources/about-us/contact-us/employee-relations/> for more information about the ER team.

Please click <https://www.imperial.ac.uk/human-resources/procedures/covid/> for current general HR information.

Please contact the team if you have any questions or ideas. We would really appreciate your feedback as to what you would like to see in future editions.