

Human Resources: Not up to the Job?

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The following narrative is based on personal experience, but confidentiality and the potential of disciplinary action requires that details of the actual case are redacted.

If Lancaster University's (LU) Performance Development Review (PDR) and its grievance procedure were constrained by the Trades Descriptions Act, the Human Resources Division (HR) would have a hard time defending itself. In regard to the annual PDR:

'Reviewers are asked to attend training (provided by the HR Division) prior to undertaking reviews for the first time, and to ensure their reviewees are fully briefed and prepared for the process. All Reviewers should attend further training every three years to keep up-to-date and refine skills'.

However, in July 2013, the then HR partner advised: 'There is no requirement for the reviewer to be trained providing they have, in the view of the HOD, sufficient experience to undertake PDRs'. The clear implication is that an HOD has *carte blanche* to appoint anyone to the role of a reviewer, with or without training. Furthermore, in discounting the relevance of training, the PDR may be hijacked for an ulterior purpose: to manage a 'team'. Those who attend training sessions know that the use of a PDR for team management is explicitly precluded.

In reaction to that misuse of the PDR and to the introduction (and idiosyncratic application) of departmental criteria to deliver discriminatory allocations of research time, the LU grievance procedure was invoked.

As lay magistrates are guided by a professional clerk-of-the-court, so an experienced HR practitioner is expected to guide an adjudicator through the grievance procedure. In the event, HR guidelines were ignored and the process was wantonly partial:

(i) written evidence was submitted by the plaintiff; (ii) the adjudicator raised points for clarification; (iii) the adjudicator invited individuals who were instrumental to the grievance to respond; (iv) the plaintiff was afforded no opportunity to challenge any of the responses; (v) the adjudicator refused to take evidence from three individuals as requested by the plaintiff; (vi) the adjudicator declared the case 'not upheld'.

The case was taken to appeal where a Grievance Appeal Panel (GAP) comprised three senior members of the University. Their recommendations addressed the key elements of the grievance: (i) the misuse of the PDR for management purposes; and (ii) the idiosyncratic application of local research criteria.

However, when permission was sought to circulate those recommendations to departmental colleagues, the University Secretary issued a gagging order:

'It is a matter for the relevant managers to determine how to respond to those recommendations, including whether or not to publicize them and it is not for you to make those recommendations public.'

And so, the GAP recommendations have been reported only to the managers against whom grievances were alleged. Although those managers have treated those recommendations with disdain, again, the detail remains censored.

Most serious is a general issue of governance.

The LU grievance procedure produced a set of recommendations which, if implemented, would have settled the grievance. Those recommendations were censored and then set aside. This could apply to any future case. By this precedent, the outcome of any grievance process can be ignored by any line manager with no ensuing accountability.