

## Grievance Resolution Procedure

### 1. Policy Title

Grievance Resolution Policy

### 2. Preamble

The Grievance Resolution Policy ensures employees and clients understand and value grievance resolution and have access to a fair and impartial resolution process. The urgency and sensitivity of any grievance is recognised and there is a commitment to acknowledging a grievance within 24 hours, and finding a resolution in a timely and considered manner. A grievance can be made in writing or verbally.

In the first instance settlement of any grievance is based on consultation, co-operation and discussion with the aim of avoiding interruption to work performance and service delivery. These procedures are in accordance with the *South Australian Modern Public Sector Enterprise Agreement: Salaried 2017*.

### 3. Step-by-Step Process

These steps are recommended however you can move straight to Step 3.3 and lodge a formal (internal) complaint.

#### 3.1 Step 1 - Self Help

Try to resolve the problem directly with the person or people involved and inform them that you felt their behaviour, decision or action was unfair, offensive or discriminatory, and why you believe it to be so. You may find that they didn't mean to do what they did.

You could also access Carclew's Employee Assistance Program. This is a free and anonymous service for staff and their immediate family to assist with work-related or personal queries that may impact job performance, health mental or emotional well-being. For further information see Carclew Administration or visit LifeWorks by Morneau Shepell [www.lifeworks.com/au](http://www.lifeworks.com/au)

Even in the early stages of any grievance (including informal) it is important for both parties to document, for their own records, the circumstances of the grievance and any resolution achieved without the involvement of a Grievance Officer or other third party. This will assist you if further action is required at a later date.

#### 3.2 Step 2 - Informal

Talk to Carclew's Grievance Officer, supervisor/manager, or another manager:

- If you are not sure how to discuss the matter directly with the person/people central to the issue, or
- If you want to talk confidentially about the problem with someone and get some more information about what you can do before you make any direct approaches.

It is highly likely that you and the Grievance Officer will then have a private and confidential meeting with the person that you have made the complaint about to discuss the nature of the issue. The aim would be to air the grievance and find solutions for working together in the future. The Grievance Officer will document any meeting or discussions.

#### 3.3 Step 3 - Formal (Internal)

Grievances between employees are to be recorded on the Formal Employee Grievance Form then lodged with the Grievance Officer or supervisor/manager and the Chief Executive. The form is in *R:\Policies & Procedures\Grievance Resolution Policy\Formal Employee Grievance Form v1.2*.

If your grievance involves the Chief Executive, give the form to the Chair of the Carclew Board.

The Formal Employee Grievance Form asks you to provide exact details of your allegations:

- An indication of the date, time and detailed description of the incident or incidents.
- Who your grievance is with, why you have a grievance, naming any possible witnesses to the behaviour in question.
- Indicate any previous action taken to resolve the problem and any action that is being sought at the time of writing.

It is likely that this will lead to a process of mediation. Mediation must be voluntary and requires the commitment of both parties. The mediator will be an impartial person selected and agreed to by both parties from within Carclew or an independent person.

If all parties are satisfied after mediation then all involved will be asked to sign a mutually agreed 'confidentiality agreement'.

If either party is not satisfied with the resolution the grievance can be taken to the Chief Executive.

#### 3.4 Step 4 - Formal (External)

If you are still unhappy, you can get further advice from a relevant external agency, such as:

- Employee Assistance Program (if you have not already accessed)
- The South Australian Equal Opportunity Commission
- Workplace Services
- Union (if you are a member).

#### 3.5 Evaluation

A Carclew Grievance Officer will follow up to ensure a satisfactory result for those involved regarding re-occurrences, and their frequency and nature if they occur.

#### 3.6 Grievances from clients and stakeholders

Grievances and complaints received from clients and stakeholders will be handled as above: Steps 3.1 - 3.5.

#### 3.7 Grievance or Complaints involving children

Any grievance or complaint that is made and involves a child or young person cannot be dealt with informally. Consult with a Carclew Grievance Officer in the first instance who will escalate the complaint appropriately.

#### 3.8 Anonymous grievance

You can make an anonymous complaint to the Grievance Officer or Chief Executive and your identity will be kept confidential. However, this may limit the organisation's ability to resolve the issue.

#### 3.9 Possible Outcomes

If the grievance or complaint is well founded, possible outcomes are:

- A written apology
- Counselling
- An official warning
- Changes to duties, and/or appropriate training and/or monitoring their behaviour
- Disciplinary action under the *South Australian Public Sector Act 2009*
- Referral to a relevant regulatory body or authority.

If there is not enough evidence to support the complaint, or if there is conflicting evidence and the issue cannot be reconciled, possible outcomes are:

- No further action
- Appropriate training for the people involved
- Monitoring of behaviour of people involved
- Changes to the person's employment duties.

If the complaint was not made in good faith, possible outcomes are:

- A written apology from the complainant
- Counselling
- An official warning
- Appropriate training
- Disciplinary action in accordance with the *South Australian Public Sector Act 2009*.
- Referral to a relevant regulatory body or authority.

#### **4. Documentation and record keeping**

You should keep confidential notes of your complaint and the steps undertaken to resolve it. In a formal complaint the Grievance Form and statement are filed in a secure location separate to the personnel files of those involved along with a record of the resolution process and outcomes.

#### **5. Additional Information**

Formal Employee Grievance Form

Carclew Respectful Behaviours Policy

Carclew Child Safe Environment Policy

Carclew Code of Conduct

Employee Assistance Program: LifeWorks by Morneau Shepell [www.lifeworks.com/au](http://www.lifeworks.com/au)

WorkSafe SA <https://www.safework.sa.gov.au/workers/health-and-wellbeing/discrimination>

<https://www.safework.sa.gov.au/workers/health-and-wellbeing/bullying-and-inappropriate-behaviours>