



EXCELSIA
COLLEGE
Sydney - Australia

Document Name

STAFF GRIEVANCE POLICY AND PROCEDURE

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Purpose and Scope

The purpose of the Excelsia College Grievance Procedure is to assist in resolving workplace issues/problems as they develop. We recognise that workplace challenges may arise from time to time and have found that the best way of maintaining job satisfaction and good working relationship, is to follow a procedure for solving problems and grievances.

The procedure aims to provide all employees with a number of avenues to have their grievances heard and resolved.

Objectives

Excelsia College is committed to providing a fair, safe and productive work environment where grievances are dealt with sensitively and expeditiously.

Definitions

What is a grievance?

- A grievance is any type of problem, concern or complaint related to work or the work environment. For example, you could have a grievance about:
 - transfer or promotion
 - staff development or training availability
 - rosters or hours of work
 - wage or salary levels
 - leave allocation
 - the work environment
 - safety in the workplace
 - the nature of supervision
 - performance appraisal
 - discrimination or harassment.
- A grievance may be about any act, omission, situation or decision that you think is unfair, discriminatory or unjustified.
- Our policies regarding Equal Employment Opportunity, Bullying and our Harassment and Discriminatory outline the types of behaviour that are and are not acceptable within our workplace.

Responsibility

The following people have a responsibility in relation to this procedure:

- Chief Executive
- Director of People and Culture
- Management Committee
- Head of Schools & Departments
- Excelsia College Staff

Procedure

The following procedure sets out the way in which we will handle a complaint. Please use it if you need to. Do not let people get away with harassment and unfair behaviour.

1. Our Grievance Procedure is:

- **CONFIDENTIAL** - Only the people directly involved in the grievance, or in sorting it out, can have access to information about the grievance. Information goes on an employee’s personnel file only if they are disciplined as part of sorting out the grievance.
- **IMPARTIAL** - All sides get a chance to tell their side of the story. No-one makes any assumptions or takes any action until all relevant information has been collected and considered. All sides have access to support or representation if they want or need it.
- **FREE OF REPERCUSSIONS OR VICTIMISATION** - Management takes necessary steps to make sure that people involved in a grievance are not victimised by anyone for coming forward with the grievance or for helping to sort it out. Any victimisation will lead to disciplinary action. However, if the grievance procedure is used by an employee to lie about someone, the employee too can be disciplined. Of course, if we decide that we need to take disciplinary action against someone for breaching any of our policies or standards, then we will do so. However, we will do this fairly and consistently.
- **SENSITIVE** - the people who help sort out grievances have been specially trained to treat all grievances sensitively. You won’t be laughed at or treated badly for making a grievance, or for explaining your side of the story.
- **TIMELY** - Management aims to deal with all grievances as quickly as possible. There are time limits for the different stages. The aim is to sort out all grievances within four weeks if at all possible. Most grievances can be sorted out even faster than this.

2. Lodging a Grievance

The Grievance Process is a formal and agreed practice that the College’s employees may follow in order to resolve workplace problems. This is done by completing the Grievance Notification Form.

The Grievance Process is based on the principles of natural justice and aims to resolve problems that arise as close to the source as possible with graduated steps for further discussions and resolution at higher levels of authority, as necessary.

Stages in the process are set out in the chart below, ‘What to do if you have a grievance’.

WHAT TO DO IF YOU HAVE A GRIEVANCE

	What to do	When
Step 1	If you can, try to sort it out yourself with the person or people involved. You may find that they didn’t mean to do what they did.	Do this as soon as possible
Step 2	If: <ul style="list-style-type: none"> • you aren’t sure how to handle the problem yourself, or • you just want to talk confidentially about the problem with someone and get some more information about what you can do, talk to the Director of People and Culture. 	Do this as soon as possible The Director of People and Culture must speak with you as soon as they can and preferably on the same day you ask to see them

	What to do	When
Step 3	<p>To get the grievance sorted out, go to see:</p> <ul style="list-style-type: none"> • your supervisor, or if you don't want to see them, • your manager, or if you don't want to see them, • any other supervisor or manager who is at a higher level than you, or the Director of People and Culture. 	<p>Do this as soon as possible</p> <p>The person you see must get full information from you as soon as possible. You must complete the Grievance Notification Form. Unless there is a very good reason you must do this within two working days.</p> <p>Supervisor must sort out the grievance as quickly as possible.</p> <p>If resolution is successful; Grievance Resolution Form is complete by both Supervisor and employee.</p>
Step 4	<p>If you are unhappy with the way the grievance is being, or has been, sorted out, you can <u>firstly</u> appeal to:</p> <ul style="list-style-type: none"> • the manager of the person who was/is sorting out your complaint, or if you don't want to see them • any other more senior manager or the Director of People and Culture <p><i>Supervisor organises meeting between Manager and Employee.</i></p>	<p>Do this as soon as possible</p> <p>Manager must sort out the grievance as quickly as possible.</p> <p>If resolution is successful; Grievance Resolution Form is complete by both Manager and employee.</p>
Step 5	<p>If you are unhappy with the way the grievance is being, or has been, sorted out, you can <u>secondly</u> appeal to:</p> <ul style="list-style-type: none"> • the Chief Executive <p><i>Manager organises meeting between Chief Executive and Employee.</i></p>	<p>Do this as soon as possible</p> <p>Chief Executive must sort out the grievance as fast as possible.</p> <p>If resolution is successful; Grievance Resolution Form is complete by both Chief Executive and employee.</p>
Step 6	<p>If you are still unhappy, you can get advice from any relevant external agency, for example:</p> <ul style="list-style-type: none"> • the NSW Anti-Discrimination Board • the Australian Human Rights Commission • the NSW Industrial Relations Commission • the Australian Industrial Relations Commission 	<p>Do this as soon as possible</p> <p>Each agency will tell you what their time limits are</p>

Please Note: if the award provides for any grievance process which is different from the process outlined in the chart 'What to do if you have a grievance', then the provisions in the award should be followed, in conjunction with the instructions outlined above.

3. Some Possible Outcomes

3.1 Joint agreement

Many grievances will be able to be settled by joint agreement between the people involved in the grievance.

No records or notes will go on anyone's personnel file. The person who handled the grievance will write a confidential report. This report will be filed in a confidential grievance filing system within Human Resources. Only the Chief Executive and the Director of People and Culture will have access to this, and only when necessary.

3.2 Not enough proof to be able to act

If there is not enough proof to work out who is telling the truth, no disciplinary action will be taken. Instead, we may decide to:

- keep a closer watch on the people involved
- consider wider staff training on the particular policy or standard involved.

No records or notes will go on anyone's personnel file. The person who handled the grievance will write a confidential report. This report will be filed in a confidential grievance filing system within human resources. Only the Chief Executive and the Director of People and Culture will have access to this, and only when necessary.

3.3 Disciplinary action

If the person sorting out the grievance decides that there has been a breach of one of our policies or standards we may discipline the person or people who breached the standard or policy.

If your grievance consists of lies, you can be disciplined. If the person or people you complained about are found to have committed a breach of one of our policies or standards, they can be disciplined.

The level of discipline will depend on such things as:

- the seriousness of the breach
- whether they/you knew what they/you were doing and intended to do it
- whether they/you have been officially warned or disciplined before about this type of breach
- whether there are any circumstances that mean they/you should not be disciplined at all, or not disciplined so seriously.

Discipline could involve one or more of the following:

- a written apology
- counselling
- an official warning
- loss of promotion rights or wage/salary increases for a specified period
- transfer or demotion
- dismissal.

A record of the grievance and the resulting disciplinary action will be placed on the personnel file of the person who is disciplined. The grievance handlers will also send all their notes and a copy of the record of the grievance to the Director of People and Culture for filing.

3.4 How will the appeal work?

The person who handles an appeal will generally 'rehear' the grievance, by going through the same steps as the person who handled the original grievance. However, they may decide to interview more witnesses if they think they will be able to help.

They may confirm the original decision or overturn it.

In addition, if they believe the original grievance handler mishandled the grievance in a way that breaches this grievance procedure, they may recommend disciplinary action against that person.

4. Some Possible Outcomes

All records, including allegations, investigation reports, interviews and file notes will be securely kept within the Human Resources Department to ensure privacy and confidentiality is maintained for all parties involved.

References and Related Documents

Sample Grievance Procedure, Anti-Discrimination Board

Bullying Procedures and Policy

No Harassment and Discrimination Policy

EEO Policy

Staff Grievance Notification Form

Staff Grievance Resolution Form