

## Grievance Resolution

### Policy

Dunlea Centre seeks to resolve all grievances in a timely and effective manner. This policy applies to all personnel at Dunlea Centre including employees, contractors, volunteers and placement students.

A workplace grievance can include but is not limited to:

- Conflict between personnel
- Bullying
- Harassment
- Victimisation
- Discrimination

### Procedure

If a staff member has a workplace grievance, they and Dunlea Centre should seek to resolve it by following the process as outlined below:

#### Step 1

Staff should address the issue directly with the person or persons involved to reach a solution. This should be done as soon as reasonably possible. However, they may choose to go directly to Step 2 or Step 3.

#### Step 2

If staff wish to seek advice on how to manage the issue, they should approach their direct manager. Depending on the nature of the grievance, the Manager may be legally obliged to take action so confidentiality cannot be guaranteed. Staff can be accompanied by a support person. Staff can also contact the Employee Assistance Program (AccessEAP) who can provide confidential counselling. Approaching a manager or contacting AccessEAP should be done as soon as reasonably possible. A record is made and stored securely in the staff member's confidential file.

#### Step 3

Staff may seek further assistance to resolve a grievance issue from the following sources:

- Their direct manager, or;
- Another manager, or;
- The Executive Director; or
- The Chair of the Board (if the grievance is regarding the Executive Director)



Employees are entitled to be accompanied by a support person. The Manager or Executive Director should attempt to resolve the issue where possible. A record is made and stored securely in the staff member's confidential file.

#### **Step 4**

If the matter cannot be resolved by utilising Steps 1 – 3, an informal investigation may be conducted:

- The Executive Director may appoint an investigating officer
- The Executive Director may seek advice from external sources
- Any named respondent/s may be informed of the grievance and given opportunity to respond
- The investigating officer may attempt to resolve the issue. This may involve conducting a mediation/conciliation conference between the employee and relevant parties. Both parties are permitted to have a support person present

If the grievance is able to be resolved through this internal process, a record is made and any agreed outcomes should be monitored by the Manager or Executive Director. This is securely stored in both staff members' confidential files.

If the grievance cannot be resolved through the internal process, or is of a serious nature, a formal investigation is conducted.

- The Executive Director will seek external assistance from appropriate agencies
- The complainant is requested to put their grievance in writing, although this is not mandatory
- An investigating officer is appointed by the Executive Director
- A copy of the written grievance, or an outline of the grievance if verbal, should be given to any named respondent(s). Any named respondent(s) should be provided with an opportunity to respond either verbally or in writing, within a reasonable time period.
- The investigating officer will interview the complainant, the respondent and any witnesses.
- The investigating officer will then make a decision, based on the evidence, as to whether the grievance is established on the balance of probabilities. A written report is provided which includes findings and recommendations

If the grievance is established, a number of actions may be taken. These may include the respondent making an apology, being given a written warning, counselling, disciplinary action or dismissal.

If the grievance is not established due to lack of evidence, Dunlea Centre may still take action. This may include staff training and monitoring of staff conduct.

If the grievance is found to be without substance, appropriate action may be taken against the complainant. Actions may include counselling, an apology to the





respondent, an official warning or dismissal depending on the seriousness of the allegation.

If the complainant or respondent is not satisfied with how the situation was managed, they can contact:

- The NSW Anti-Discrimination Board
- The Australian Human Rights Commission
- Legal advice/services

