

1.1 Conflict and Grievance Management

1.1.1 Purpose and Scope

This policy provides guidelines to the Board, staff, volunteers and members of QDN to achieve resolution of conflict and grievances in a positive manner, as quickly, fairly and effectively as possible, and with regard to the human rights of complainants and respondents.

QDN recognises that conflict is a normal part of interpersonal interaction in the workplace.

QDN recognises that service users, staff, volunteers (including members of the Board), members and external parties have the right to raise complaints or grievances and have them heard and acted upon.

QDN also acknowledges that differences and conflict can be an important opportunity for personal and organisational growth if managed constructively.

While informal means of conflict resolution between the immediate parties is preferred, it is recognised that these may not always be successful or appropriate.

Staff members, volunteers and members are encouraged to approach conflict from a non-blaming position that values difference and seeks to provide a positive solution, within a supportive framework, for all involved.

This policy is intended to guide formal resolution processes when required. The satisfactory resolution of any grievance will be the ultimate goal for all parties.

1.1.2 Definitions

Term	Explanation
Complaint	An expression of grievance or resentment.
Complainant	As defined earlier.
Conflict	Incompatible goals and overt opposition by one person to another person's actions or statements.
Emergency Issues	Emergency issues are complaints which allege physical or sexual abuse, emotional abuse, theft or other crimes. Emergency issues should be 'Fast Tracked' and appropriate external complaints systems invoked.
Grievance	A complaint about a (real or imaginary) wrong that causes resentment and is grounds for action or an allegation that something imposes an illegal obligation or denies some legal right or causes injustice.

Term	Explanation
Resolving conflict	The parties in a conflict isolate the issues, develop options, consider alternatives and reach a consensual settlement that will accommodate the parties' needs either between themselves or with a neutral third party.
Service User	A person with disability who comes into contact with QDN.

1.1.3 Policy Rationale

Grievances can occur as a result of any behaviour or circumstance which may threaten the ability of QDN staff, volunteers (including members of the Board), or members to manage their roles and responsibilities properly, or may threaten the ability of any member or external party to enjoy and benefit from the activities of QDN.

Grievances can have a major impact on QDN. Without clear procedures to deal with these quickly there can be negative consequences such as loss of work satisfaction, poor work performance, discontent, member disengagement, reputational damage, a lack of team and/or organisational cohesiveness and a negative perception and dissatisfaction within the workplace or network.

This policy acknowledges the legal responsibilities that employers and employees have in relation to the following legislation, awards and documents:

Australian Legislation/Awards/Documents	Queensland Legislation/Awards/Documents
<ul style="list-style-type: none"> • Sex Discrimination Act 1984 • Human Rights Commission Act 1986 • Age Discrimination Act 2004 • Disability Discrimination Act 1992 • Race Discrimination Act 1975 • Sex Discrimination Act 1984 • Equal Opportunity Act 1995 • National Disability Insurance Scheme Act 2013 • National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018 	<ul style="list-style-type: none"> • Work Health and Safety Act 2011 • Disability Services Act 2006 • Prevention and Elimination of Workplace Harassment Code of Practice 2004 • Anti-Discrimination Act 1991 • Human Rights Act 2019 • Social, Community, Home Care and Disability Services industry Award 2010

These give a framework to follow to resolve cases of service complaints, discrimination, harassment and workplace conflict.

1.1.4 Grievance Policy

QDN is committed to effectively resolving grievances. This policy and the associated conflict and grievance procedures are to be used when a grievance is raised and a

person believes s/he has been unfairly or badly treated and wishes some action to be taken to remedy the situation. QDN sees the raising of grievance as contributing towards the continuous improvement of the organisation. A complainant party will be encouraged to raise a complaint without fear of retribution. QDN will ensure that grievances are treated seriously and are addressed in a fair and consistent manner that respects the rights of all involved.

The following principles apply:

- (a) QDN will make every effort to establish an atmosphere of trust and open communication so that grievances are dealt with in a constructive manner.
- (b) The resolution process will focus on the re-establishment of good relationships and positive outcomes through negotiation and/or conciliation.
- (c) All staff, volunteers and members of QDN are to be informed of the Grievance Policy and Procedure through handbooks and notices. They will be prominently displayed and made available to anyone requesting a copy.
- (d) All relevant parties must be informed when the Grievance Procedure is instigated and must be given the opportunity to present their case, be fully informed about any allegations made against them, any decisions made by the CEO and/or Board and have the right to be supported by a person of their choice.
- (e) Resolution of any grievance is to be achieved as quickly as possible and with a minimum number of people involved.
- (f) Where the grievance may fall under Federal or State Legislation (listed above) the staff member, volunteer or member has the right to seek information and/or utilise the complaint procedures provided by the legislation.
- (g) Action is to be commenced within one week of a formal complaint being made. In most cases, it is expected that resolution will be achieved within a further 15 working days and will be guided by the nature and seriousness of the complaint.
- (h) All parties have a right to confidentiality and privacy, subject to the necessary legal responsibilities of QDN, its staff, Board and members.
- (i) Every effort will be made to resolve the grievance within a framework of open and honest communication. If any party to the complaint wishes to pursue their grievance, they will be invited to put their complaint in writing, using the QDN Complaint Form from the Forms and Registers Section of the Quality Management System.
- (j) Written complaints may be anonymous, but are to be signed and dated by the person receiving the complaint on behalf of QDN.
- (k) QDN will ensure that all persons against whom a grievance is made will have the right to access an independent support person of their choice to assist in the resolution process. The support person may be a friend, a relative or a representative from another organisation – providing he or she was not a party to the original grievance.

- (l) All parties to any grievance resolution process should take responsibility for ensuring that the discussion is limited to details of the complaint and must also act only within their role – as a member, staff member, volunteer or member of the Board responsible for managing the affairs of QDN in a fair and accountable manner.
- (m) Any party who has commenced a grievance may withdraw and stop the process at any time without penalty. No person should suffer any personal or professional disadvantage because s/he decides to pursue a grievance.
- (n) Communication regarding any complaints process involving a person with a disability should be provided to the person with disability in a manner appropriate to their communication needs.
- (o) On resolution, complaints will be reviewed to identify potential service improvements which are then included in the continuous improvement register.
- (p) Information about complaints shall be available in accessible formats to meet the diverse communication needs of service users, members, staff and volunteers.