QUEENSLANDERS WITH DISABILITY NETWORK

Grievance Procedure

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1	16/04/2024	Based on EAP Assist model	MR McKeon	M Moss	Board

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1 About

This document provides guidance on the implementation of QDN P0240 *Conflict and Grievance Management Policy*. It explains what to do if you have a workplace concern, or a grievance about any act, policy, omission, situation or decision that you think is unfair, discriminatory or constitutes harassment or bullying.

We will deal with any complaint seriously, impartially, quickly, fairly and as confidentially as possible. We will do our best to ensure that you are not victimised in any way for lodging a complaint, involvement in the investigation or a complaint, or for supporting someone else's complaint.

All members, Directors and staff members of QDN may follow this grievance procedure.

2 What to do if you have a grievance

There are informal and formal ways to manage a grievance.

An informal process is usually nominated unless the complainant prefers to follow the formal grievance process, or if the circumstances make it inappropriate to do so.

The informal process may be initiated verbally and does not require lodging a grievance in writing. However, the supervisor or other QDN representative should prepare sufficient notes to document the initial discussion, any developments and the reasons behind any decisions made.

The formal process must be lodged in writing, and contain sufficient information regarding the nature of the issue. It must be signed and dated by the complainant, and where there is more than one complainant, all complainants must sign and date the document. The CEO, Chair or other QDN representative must also take sufficient notes to document all discussions, developments, and outline the reasons for any decisions made.

Any documentation associated with a grievance will be kept in confidential files, which will be separate from the personnel files (if they are staff members) of both the complainant and respondent. This information will only be placed in a personnel file where the complaint results in disciplinary action, or involves substandard performance. The staff member will be notified as appropriate where any such information is recorded on their personnel file.

If a member, Director or staff member is unsure about the most appropriate process to follow for a grievance, they can speak to the CEO for guidance, or if they are uncomfortable speaking to the CEO, they can speak with the Company Secretary.

3 Informal process

An informal grievance process involves a member, Director or staff member (the complainant) seeking to resolve a grievance they have with someone else at QDN (respondent) by themselves, or (if they are a staff member) with the help of their supervisor.

Where there is an allegation of bullying or harassment the complainant may choose not to be directly involved in raising the issue with the respondent.

Where the matter relates to conditions of work, such as workload, the staff member's supervisor may be the respondent, in which case the supervisor's manager may be involved to facilitate the process.

Where the grievance is in relation to a general workplace concern and does not involve a respondent, the complainant should speak with their supervisor or manager as appropriate.

An informal process does not result in 'findings' about whether the alleged conduct did or did not occur.

An informal process is appropriate in some circumstances, including where:

(a) the complainant wishes to deal with the matter informally

(b) the complaint is relatively minor in nature

(c) the respondent has no recorded history of engaging in conduct of the kind alleged by the complainant, and/or

(d) the respondent does not deny the substance of the allegation.

Even if a complainant wishes to deal with an issue informally, we may determine that the matter must be dealt with in a formal process. We may determine that an issue should be dealt with formally if it is a serious allegation or there is a history of complaints against the respondent.

Outcomes from an informal process may include, but are not limited to:

(a) an acknowledgement and apology by the respondent

(b) an agreement by the respondent to undertake training or coaching

(c) the change or development of a policy or practice, and/or

(d) a change in behaviour by the respondent, as directed.

A successful outcome to an informal grievance process consists of all parties having had an opportunity to present their story, along with consensus by all on the decisions made and any provisions for resolution of the grievance. Where applicable, the parties should feel capable of continuing to work together in a professional capacity.

4 Formal process

A formal process involves the initiation of a formal review of an allegation made by a complainant.

The formal process is appropriate where:

(a) the complainant wishes to deal with the matter formally

(b) the allegations are serious

(c) an informal process has not resolved the complaint (however an informal process is not required before a formal investigation commences), and/or

(d) there is a history of complaints against the respondent.

A formal process involves the complainant making the complaint to the complainant's supervisor or manager without first speaking directly with the respondent, or if the CEO determines that a formal process is appropriate in the circumstances.

During the formal process:

(a) the complainant and the respondent are interviewed separately to give their version of events

(b) any other relevant people are interviewed to give their version of events

(c) recommendations to resolve the complaint are made

(d) parties, including the complainant and the respondent, are kept informed as appropriate, and

(e) details may be noted on personnel files.

Complaints will be dealt with seriously, impartially, quickly and fairly. In order for us to deal with a complaint, it may not be possible for the complainant to remain anonymous however we will maintain confidentiality as much as possible.

Outcomes from a formal process may include, but are not limited to:

(a) an acknowledgement and apology by the respondent

(b) changes in office seating or work arrangements, such as reporting lines or work responsibilities

(c) a change in behaviour by the respondent, as directed, and/or

(d) disciplinary action, which may include summary dismissal if appropriate.

5 External process

If you feel that you have been discriminated against, bullied or harassed, or if you believe your complaint cannot be resolved by internal processes, you may also seek advice from an external agency such as EAP Assist or the other agencies listed in section 6.3 of QDN P0240 *Conflict and Grievance Management Policy*, or make a complaint to one of those bodies. However, it is recommended that the internal processes outlined above are followed first before you contact an external agency, to provide QDN with the opportunity to resolve any grievances.

6 Frivolous and/or vexatious complaints

Any employees who lodge a grievance are expected to cooperate with the process and provide evidence where possible.

If at any stage of the grievance resolution process QDN is satisfied that a grievance is frivolous, vexatious, misconceived or lacking in substance, the complaint may be dismissed. A finding that a complaint has been made frivolously or vexatiously may lead to disciplinary action against the complainant.

However, we encourage staff to speak up if they believe they have a legitimate grievance or complaint. We will do our best to ensure that you are not victimised in any way for lodging a genuine complaint, being involved in the investigation process, or for supporting someone else's complaint.