**Grievance Handling Policy and Proceure**

**Purpose**

Company Name (‘short name’) is committed to providing an environment where all Workers are treated equally and with respect. From time to time, issues or conflict may arise which cause a Worker to feel uncomfortable or upset. This Policy aims to provide Workers with a process to resolve a grievance, complaint or dispute in a consistent and efficient manner.

Company short name to provide Workers with a process that:

* applies equally to all Workers;
* Encourages a Worker to raise their grievance without fear of disadvantage or victimisation;
* promotes timely resolution of grievances at a level appropriate to the seriousness of the complaint or issue;
* recognises the importance of sensitivity, confidentiality and objectivity in the resolution process;
* ensures all reasonable steps are taken to respect the confidentiality of the people involved in a grievance or complaint;
* ensures appropriate records are maintained throughout the resolution process; and
* ensures that Workers who raise a grievance or complaint are regularly informed of the progress of the matter.

**Scope**

This Policy applies to all Company short name employees, contractors, subcontractors, outworkers, trainees, work experience students and volunteers (‘Workers’).

**What is a Grievance**

A grievance is a concern someone has about any workplace behaviour that they believe infringes on Company short name’s policies and procedures. A grievance is a type of problem, concern or complaint related to work, or the work environment. It can relate to any aspect of employment (for example, work hours, supervision, leave allocation), and may be about any act, behaviour, omission, situation, or decision impacting a staff member, that is considered to be unfair, unreasonable, or unjustified.

This Policy covers any workplace grievance, complaint or dispute that is not directly related to work health and safety. For information concerning work health and safety please refer to the *Work Health and Safety Policy* and related procedures.

**How to Raise Concern**

**Informal Process**

If a Worker has a grievance with another person at Company short name, it is strongly recommended that the Worker approach the person and discuss the issue with them directly and informally. The person may not be aware of how their behaviour is affecting others and therefore it is best to give them an opportunity to reflect on and adjust their behaviour before escalating the issue to management.

If a Worker does not feel comfortable doing so, or the behaviour does not change after the initial discussion, the Worker should speak directly with their Manager. Managers are responsible for assisting Workers to resolve issues in a confidential, timely and sensitive way. When speaking with their Manager, Workers should clearly articulate what the ideal outcome would be for them as this will assist the Manager to resolve the issue.

Should the issue involve the Manager, Workers should speak with the People and Culture Team.

**Formal process**

If, following the informal process, a Worker continues to have a grievance with a colleague, or if the grievance is of a serious nature, the Worker may choose to lodge a formal grievance.

Company short name will treat all formal grievances seriously. The principles of procedural fairness apply during the grievance resolution process and therefore the respondent (Worker whom the grievance is against) will be informed of the allegations against them. Both parties will have the opportunity to express their point of view and the mediator/investigator will be impartial. I

If a Worker wishes to submit a formal grievance, they should follow the steps below

**Provide a written complaint to the Manager or the People ad Culture Team**

In the complaint, the issues associated with the grievance should be provided, along with as many facts as possible about the allegations being made including times and dates of when incidents occurred, who was involved, whether there were any witnesses etc

**Preliminary Investigation**

Managers will consult with the HR Team as soon as possible after receiving a written complaint to determine if a formal investigation into the allegations is required. If the grievance does not warrant an investigation, the Manager will work with the Worker to resolve the issue.

**Formal Workplace Investigation**

If the HR Team determines that a formal investigation is to be conducted, an investigator will be appointed, which may be someone external to the organisation. The role of the investigator is to determine the facts of the matter. They do this by interviewing the relevant parties, interviewing witnesses, and reviewing other evidence. The investigation will seek to make findings in relation to each of the allegations. The types of findings that may be made and the potential consequences are outlined below:

* **Substantiated** (a finding that the alleged conduct did occur): Company short name may take disciplinary action (up to and including termination) against the offender(s);
* **Unsubstantiated** (a finding that the conduct did not occur or that there is insufficient evidence to prove it did): the Worker who submitted the grievance will be given an explanation as to why that finding was made, and recommendations and strategies may be provided and implemented to avoid repetition of the issue; and
* **False and/or vexatious**: Company short name may take disciplinary action against the Worker who submitted the grievance (up to and including termination).

Nothing in this Policy will limit the rights, responsibilities or opportunities of Company short name to discipline Workers, including termination in appropriate circumstances.

**Follow Up and Review**

Following the implementation of the accepted recommendations, the HR Team is responsible for conducting a review within a reasonable timeframe to ensure the objectives arising out of the recommendations have, or are, being met.

**Support and Assistance**

Workers are entitled to a support person throughout the grievance resolution process. This may be a friend, union representative, interpreter or family member. It is noted that a support person is also bound by confidentiality requirements.

**Records**

Records of actions taken following a complaint will be stored on the relevant Worker’s file.

**Responsibilities**

**Company short name’s responsibility**

It is Company short name’s responsibility to ensure that:

* management are empowered to educate their teams on a regular basis about the existence of this Policy, and their rights and responsibilities in relation to implementing it;
* persons with responsibilities under this Policy are appropriately trained to undertake such responsibilities; and
* any breach of this Policy is dealt with in a fair and consistent manner.

When a grievance is made, the People and Culture Team will determine if reasonable grounds exist to commence an investigation and will co-ordinate any such investigation.

**Managers Responsibilities**

Managers are required to:

* work with Workers to resolve grievances in a timely, sensitive, impartial and confidential manner; and
* seek support from the HR Team where required to determine if a formal investigation is required. Where an investigation is conducted, the HR Team is responsible for reviewing the recommendations of the investigation and determining the most appropriate course of action.

**Workers Responsibilities**

At Company short name, Workers are expected to:

* raise any grievances as soon as possible by following the processes outlined in this Policy. Workers must also be committed to working towards a solution with the assistance and support of their Manager;
* raise grievances in good faith and not raise grievances that are frivolous or vexatious. Complaints that are found to be frivolous or vexatious may result in disciplinary action; and
* maintain the status quo while matters are being resolved, notwithstanding any risks that may exist with regards to work health and safety which Company short name will seek to minimise while matters are being resolved.

**Relevant Reference Material**

The following documents may provide relevant supplementary information:

* Company short name Code of Conduct
* Company short name Bullying, Discrimination and Harassment Policy
* Company short name Work Health and Safety Policy

**Contact**

Should any clarification be needed for the contents of this Policy, the reader should contact your Manager or the HR team via phone (Company Phone Number) or email (Company Email).

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**Monitor and Review**

This Policy will be reviewed from two (2) years from date of adoption.

**Approval**

This Policy was drafted on Date and approved by [NAME], [POSITION TITLE], on [DATE].