



Staff and Volunteer Grievances and Dispute Resolution Policy

Wonthaggi Neighbourhood Centre at Mitchell House Inc. (WNC) is a non-profit, charitable organisation, based on community development principles, whose purpose it is to:

- *Provide a safe, welcoming and inclusive environment where people can meet to learn and share ideas, friendship, skills and information and improve social health and well-being.*

This central and fundamental purpose informs policy development and is reflected in all WNC policy documentation.

Introduction

Open communication and feedback are regarded as essential elements of a satisfying and productive work environment.

Wonthaggi Neighbourhood Centre at Mitchell House (WNC) encourages its employees and volunteers to resolve any issues or concerns that they may have at the earliest opportunity with each other or, failing that, the Centre Manager.

The preferred process involves employees and volunteers resolving issues to their satisfaction internally, without feeling they have to refer to external organisations or to authorities for assistance.

Purpose

The purpose of this document is to provide an avenue through which employees and volunteers, can resolve work-related complaints as they arise.

Policy

WNC will establish mechanisms to promote fast and efficient resolution of workplace issues.

Employees and volunteers should feel comfortable discussing issues in accordance with the procedures outlined below.

All formal avenues for handling of grievances will be fully documented and the employee/volunteer's wishes will be taken into account in determining the appropriate steps and actions.

No employee will be intimidated or unfairly treated in any respect if they utilise this Policy to resolve an issue.

This Policy applies to permanent and part-time paid employees and to volunteer workers.

Staff and Volunteer Grievances and Dispute Resolution Procedures

Responsibilities

It is the responsibility of the Centre Manager to ensure that:

- They identify, prevent and address potential problems before they become formal grievances;
- They are aware of and are committed to the principles of communicating and information sharing with their employees and volunteers;
- All decisions relating to employment practices are made with consideration given to the ramifications for the individual, as well as the organisation in general;
- Any grievance is handled in the most appropriate manner at the earliest opportunity;
- All employees and volunteers are treated fairly and without fear of intimidation.

It is the responsibility of Employees (including Volunteers) to ensure that:

- They attempt to resolve any issues through their immediate supervisor and through internal processes at the earliest opportunity.

It is the responsibility of the Committee of Management and where appropriate the Centre Manager to ensure that:

- The Centre Manager, employees and volunteers are aware of their obligations and responsibilities in relation to communication and information sharing with their employees;
- Ongoing support and guidance is provided to all employees in relation to employment and communication issues;
- The Centre Manager, employees and volunteers are aware of their obligations and responsibilities in relation to handling grievances;
- Any grievance that comes to the attention of the Committee of Management and where appropriate the Centre Manager is handled in the most appropriate manner at the earliest opportunity.

Employment Practices

The Centre Manager should be aware of the possible ramifications of their actions when dealing with employee/volunteer issues. They must ensure that all employees and volunteers are treated with fairness, equality and respect.

If there are any doubts or queries in relation to how to deal with a particular set of circumstances, the Centre Manager should contact our Workplace Relations organisation for advice at the earliest opportunity.

Where a grievance or dispute has been brought to the attention of the Centre Manager, they should assess whether the employee involved is covered by an Award or Agreement, and if so should refer to that document for grievance procedures. If the employee or volunteer involved is not covered by such a document, the guidelines below should be followed.

Grievances and Dispute Resolution

An employee or volunteer who considers that they have a dispute or grievance that they have not been able to resolve directly with any other involved party should raise the matter with the Centre Manager as a first step towards resolution. The two parties should discuss the matter openly and work together to achieve a desired outcome. The Centre Manager should proceed in line with the steps outlined below. If the dispute or grievance is with the Centre Manager the matter should be raised with the President of the Committee of Management in the first instance, the President will then follow the steps as outlined below.

- Make sure that the employee feels listened to and supported. You don't have to agree with what they say, but you must make sure that they know you will act on their concerns.
- If more than one person is present, establish the role of each person.
- Outline the process that is to be followed.
- Inform the parties that any information obtained in the conduct of the review is confidential.
- Listen to the complainant. Obtain a chronology of events (who, what, why, when, how etc).
- Run through the applicable policies and procedures with the complainant.
- Ask the complainant what kind of outcome they are hoping for (best case scenario) and then talk them through next steps: e.g. you will discuss the matter confidentially with the President to determine a way in which to deal with the issue and report back to them within a set timeframe.
- Provide the complainant with the organisation's confidentiality and non-victimisation agreement. Explain that they cannot be adversely affected because they have made a complaint and explain who to report matters to internally if they do feel that they are being adversely affected.

- Provide the complainant with plenty of time to ask questions.
- Offer the complainant assistance (such as counselling through an Employee Assistance Program) or a way to get home safely if they are visibly upset.
- Provide the complainant with a direct contact number that they can call if they have any concerns or queries.
- Take accurate and detailed notes of all conversations (including dates, people involved) and attach any supporting documentation.
- If deemed necessary, provide the employee/volunteer with a written summary of the meeting and clarification of the next steps to be taken.

The Centre Manager/President must ensure that the manner in which the meeting is conducted will be conducive to maintaining positive working relationships, and will provide a fair, objective and independent analysis of the situation.

All parties are to maintain complete confidentiality at all times.

Investigating a Grievance or Dispute

Procedural fairness and transparency can make or break a workplace investigation. Maintaining procedural fairness means that you can:

- protect the interests of the participants in the investigation;
- enhance the credibility of the investigation process;
- rely on the investigation (and your findings) when making employment decisions; and
- defend your employment decisions in a court or tribunal.

Following are some pointers to ensure that a workplace investigation is procedurally fair. The investigator should ensure that:

- the respondent is aware of all the allegations made against them in sufficient detail;
- the respondent is allowed a reasonable opportunity, including adequate time, to respond to each of the allegations;
- the investigation is carried out in a reasonable time frame;
- all participants are given the opportunity to have a support person in the interviews pertaining to the investigation;
- all participants are required to maintain confidentiality and sign a confidentiality agreement;
- the investigator has no personal interest or bias in the matter being investigated;
- all participants are given the opportunity to respond to any contradictory evidence;

- the investigator makes reasonable and diligent enquiries to ensure that there is sufficient evidence before making findings on the balance of probabilities.

The Importance of Impartiality

It is critical to ensure that the person responsible for carrying out an investigation is impartial. The investigator must not have a vested interest in the outcome of the matter. Employees may consider that the Manager/President is not sufficiently impartial because of their involvement and role in the workplace. If such a concern is raised, it is important to consider:

- whether the use of an external investigator is necessary to ensure impartiality;
- whether any conflicts of interest need to be disclosed (e.g. if any individuals are friends outside the workplace); and
- whether the investigator has handled any previous disciplinary matters.

If there is the possibility that a person's employment will be terminated if the allegations are proven as part of an investigation, then you should seriously consider the use of an external investigator to ensure that your investigation and the process followed will stand up in any potential court proceedings.



CONFIDENTIALITY AND NON-VICTIMISATION AGREEMENT

I, **[Insert name]**, understand that:

This investigation, and all discussions and information regarding the investigation, will remain confidential; and

No individual is to be victimised or bullied because of their involvement in this investigation; and

If I have any concerns regarding confidentiality, victimisation or bullying as a result of this investigation I will immediately notify **[insert appropriate contact person]** on **[insert contact details]**.

Signature.....

Date.....