



## STAFF GRIEVANCE POLICY

<b>Responsible officer</b>	Chief Community Life Officer	
<b>Contact</b>	Gayle Kent, Chief Community Life Officer, gaylek@morling.edu.au	
<b>Approved by</b>	MC Board	
<b>Responsible body</b>	MC Board	
<b>Approval date</b>	23 March 2019	
<b>Effective date</b>	23 March 2019	
<b>Review date</b>	March 2022	
<b>Superseded documents</b>	Staff Grievance Policy V4.2	
<b>Related documents</b>	Staff Grievance Procedure	
<b>Policy classification</b> <i>Select a General OR an Academic option</i>	<b>General</b> <i>Human Resources</i>	<b>Academic</b>

### 1. PURPOSE

To outline Morling College's approach to formal grievances in relation to an employee or volunteer.

### 2. DEFINITIONS

Key Term or Acronym	Definition
ACT	Australian College of Theology
CAO	Chief Academic Officer
CCLO	Chief Community Life Officer
COO	Chief Operating Officer
Complainant	A person who makes a statement expressing discontent or unhappiness about a situation.
Employee	Includes academic and administrative staff on permanent, fixed term and casual arrangements.
Grievance Officer	The CCLO or a suitable person selected (per this policy) to investigate the grievance.
Fixed term employee	A Morling College employee engaged on a fixed employment period.
MC	Morling College Limited, which includes Morling College and Morling Residential College
Respondent	The person about whom the complaint is made.
Support Person	A person that an complainant or respondent elects to provide support during formal discussion meetings. They may include a co-worker, a family member or friend.
Volunteer	An individual working for MC without being paid.

Student	A person who is enrolled at Morling College or is a student resident of Morling Residential College
---------	---

### 3. SCOPE

This policy applies to persons, internal or external to MC who have a grievance against an MC employee or volunteer, which does not fall within the scope of student policies.

Students with grievances which fall within the scope of the Australian College of Theology's (ACT) student grievance policies are to follow the relevant ACT policy:

- *Grievance Resolution Policy for Domestic Students*
- *Grievance Resolution Policy for Overseas Students.*

Students in the faculty of Education and the faculty of Counselling, Chaplaincy & Spiritual Care should likewise use the relevant MC Grievance policy if their grievance falls within it:

- *Grievance (Non-Academic Matters) Policy: Education; Counselling, Chaplaincy and Spiritual Care*
- *Grievance (Academic Matters) Policy: Education; Counselling, Chaplaincy and Spiritual Care*
- *Grievance Policy: International Counselling Students.*

### 4. POLICY STATEMENT

Morling College promotes open and effective communication and conflict resolution between all employees, volunteers or students. It encourages individuals to resolve issues and concerns informally, where possible. Where this is not possible a formal grievance process is available.

### 5. PRINCIPLES

Grievances Defined

5.1 "Grievances" covers a broad range of concerns, complaints, conflicts or disputes. A grievance can:

- be about any act, behaviour, omission, situation or decision impacting on a person that they think is unfair or unjustified;
- be about interactions with colleagues, supervisors, students or clients, and behaviours that they feel are offensive, upsetting or discriminatory;
- relate to any aspect of employment, including remuneration, performance appraisals, safety in the workplace, access to training and the manner of supervision etc.;
- relate to the result of a decision, the method through which the decision was made, or how the decision was communicated.

## **Who Investigates Formal Grievances?**

- 5.2 Formal grievances will be received by the CLO and investigated by the CLO or an alternative Grievance Officer appointed by the CLO. An exception is made for the cases outlined in 5.3 and 5.4, to satisfy the principle that those against whom allegations are made will play no role in the formal processes of investigation or determination.
- 5.3 Where a formal grievance implicates the Morling CLO, the Principal and Board Chair will fulfil the roles normally adopted by the CLO and Principal (respectively) for the purposes of this policy.
- 5.4 Where the Board receives a formal grievance implicating the Principal or a member of the College Board, the Board will nominate two of its disinterested members to form a subcommittee to investigate the matters or if the Board deems it necessary, appoint an external party or parties in accord with this policy. Determinations in relation to the Principal or a member of the College Board will be made by the College Board in accordance with its normal governance processes.

## **Confidentiality**

- 5.5 No individuals involved should disclose information to those not involved in the process. This includes the complainant, the respondent, management and investigators, and any individuals approached in the course of an investigation. This does not exclude the parties involved seeking external professional advice.
- 5.6 The CLO and the Principal will necessarily be made aware of formal grievances and any actions required to achieve their resolution.
- 5.7 Breaches in confidentiality will be subject to the Underperformance and Misconduct Policy.

## **Impartiality**

- 5.8 All parties will be given the opportunity to present information directly related to the grievance and no decisions or judgements will be made until all information has been carefully and impartially considered by those responsible for resolving the grievance.

## **Compassion and respect**

- 5.9 All people handling the grievance will be sensitive to the needs of those directly involved, and also to others who may be indirectly affected by the grievance.

## **Prompt action**

- 5.10 All grievances will be dealt with promptly, and time limits formally agreed to at all stages of the process.

### **Freedom from persecution or unjust repercussions**

- 5.11 No form of persecution, harassment or discrimination will be tolerated as a consequence of a person notifying a grievance, or as a consequence of the outcome of the grievance process.

### **Anonymous Grievances**

- 5.12 MC may receive anonymous grievances but MC may not be able to act on an anonymous concern or grievance. Procedural fairness requires that any person raising a concern or grievance needs to be identified. An anonymous concern or grievance can include (but is not restricted to) unsigned letters, unidentifiable e-mails or anonymous telephone calls.

### **Upholding Biblical principles**

- 5.13 All grievances processes will uphold the principles of justice (procedural fairness), humility and mercy (love) and transparency. (Micah 6:8).

### **Withdrawal of Grievances**

- 5.14 In the event the Complainant wishes to withdraw their grievance, MC may continue to investigate or take action with regards to the grievance if, for example, claims have been made that may mean there have been breaches of MC policy or of applicable legislation or regulations.

### **Frivolous or vexatious grievances**

- 5.15 Grievances must be made in good faith and staff must be honest, cooperative and provide any requested assistance during the process. In the course of the investigation or on a lodgment of a grievance, if it is found that the grievance lodged was frivolous or vexatious, MC will undertake action deemed appropriate. By way of example, a grievance that is false, lacks substance, purpose or value may be found to be frivolous and/or vexatious. Submission of vexatious anonymous grievances may be deemed so by the College Board.

### **Work to continue**

- 5.16 Work will continue as normal while a grievance is being dealt with under this policy. All persons affected by the grievance are expected to co-operate with MC to ensure the efficient and fair resolution of the grievance.
- 5.17 If MC considers it appropriate for the safe and efficient conduct of an investigation, employees may be required not to report for work and/or be required to take paid special leave during the investigation period.

### **Right of Appeal**

- 5.19 If either the complainant or respondent is unhappy with the management of their grievance by MC, the grievance may be referred to the MC Board for resolution.

## Victimisation

5.20 Employees, volunteers and students must not victimise or retaliate against a person who has lodged or is involved in a grievance under this Policy. Any employee, volunteer or student who engages in such conduct will be subject to Morling College Underperformance and Misconduct Policy

## Documentation

5.21 The documentation that is required to be kept will vary depending upon the process that was followed to resolve the matter. Where an Employee, Volunteer or Student resolves the concern personally, they should keep their own notes on the situation. Where a supervisor/grandparent manager and/or Grievance Officer is involved, all notes pertaining to the investigation and grievance should be kept on the staff file.

## 5 RELATED DOCUMENTS AND LEGISLATION

Staff Grievance Procedures and Flowchart

Whistleblower Policy and Procedure

ACT Grievance Resolution Policy for Domestic Students

ACT Grievance Resolution Policy for Overseas Students

Grievance (Non-Academic Matters) Policy: Education; Counselling, Chaplaincy and Spiritual Care

Grievance (Academic Matters) Policy: Education; Counselling, Chaplaincy and Spiritual Care

Grievance Policy: International Counselling Students.

## 6 REFERENCES

Nil

## 7 VERSION HISTORY

Version	Approved by	Approval Date	Effective Date	Changes made
4.3	Leadership Team	18 November 2020	18 November 2020	Amended 3. to exclude grievances which fall within the scope of student grievance policies.
4.2	COO	9 September 2020	9 September 2020	6. Related Documents: added Whistleblower Policy
4.1	HR Committee	30 April 2019	30 April 2019	Definition of Grievance Officer: added 'CCLO or' Definition of support person: replaced employer with 'complainant or

				respondent'. Scope: inserted, 'internal or external to MC'. 5.2 added 'alternative"
4	MC Board	23 March 2019	23 March 2019	Policy extracted from policy and procedures document formatted into policy template. Changes to reflect changes in MC structure and roles. Clarified investigation process in 5.2-5.4, confidentiality in 5.5, first and last sentence of 5.15. Edited for clarity: 5.18 and 5.19. Added Flowchart as a reference document.
3	MC Board	May 2018	May 2018	
2	MC Board	Feb 2016	Feb 2016	
1	MC Board			

Always **download** this policy anew from the Policies folder on the Morling share drive: Policies/Staff Policies, as it may have changed.