



STAFF GRIEVANCE PROCEDURE

Responsible officer	Chief Community Life Officer	
Contact	Gayle Kent, Chief Community Life Office, gaylek@morling.edu.au	
Approved by	Morling College Board	
Approval date	23 March 2019	
Effective date	23 March 2019	
Review date	March 2022	
Superseded documents	Staff Grievance Policy and Procedure 2018	
Related documents	Staff Grievance Policy	
Procedure classification <i>Select a General OR an Academic option</i>	General Corporate Governance	Academic Choose an item.

1. PURPOSE

To describe the process for resolving grievances raised against an MC employee, or volunteer, and to represent it in a flowchart.

2. DEFINITIONS

Key Term	Definition
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.
Employees	Includes Faculty and Administrative Staff on permanent, fixed term and casual arrangements.
Grandparent manager	The Supervisor's manager i.e. two levels about the employee in the organisational chart. In case of Principal, this is the Board Chair (or delegate)
GO	Grievance Officer
Grievance Officer	The CCLO or a suitable staff person selected by the Chief Operating Officer to investigate the grievance. Or a suitable external person selected by the Board 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 a complaint is made.

Support Person	A person that a 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. STEPS

STEP 1 – IS THERE AN GRIEVANCE?

The complainant makes an evaluation of whether they have a discernible grievance before proceeding.

STEP 2 – ATTEMPT TO RESOLVE THE GRIEVANCE DIRECTLY

2.1 If the complainant feels comfortable doing so, in the first instance they should raise the issue with the person(s) directly involved with the grievance. This can often be the most effective way to resolve the issue.

Depending on the concerns, the complainant should clarify the situation with the other person, obtain more details or reasons, communicate their concern or the effect the person’s behaviour has had on them. The complainant should also communicate their expectations and preferred outcomes.

2.2 The complainant should keep written records of this conversation should this be required at a later date.

2.3 If a complainant does not feel comfortable in bringing the issue forward to the person(s) directly or such an action does not result in a suitable outcome, they should make the grievance with their direct supervisor. If the grievance is about the supervisor, it should be made to the grandparent manager

Step 3 – RAISE THE GRIEVANCE WITH DIRECT SUPERVISOR OR GRANDPARENT MANAGER

3.1 The employee, volunteer or student can make the grievance verbally or in writing and should include the following information:

- The complainant’s name, position, location and contact details;
- Name of respondent (if the grievance is about a person)
- Details of the specific incident or issue including dates, locations & actions already taken;
- The complainant’s preferred methods for dealing with the grievance (i.e. informal or formal); and
- The remedy/outcome the complainant is seeking

- 3.2 The Complainant will receive acknowledgement of their grievance within 48 business hours of it being lodged.
- 3.3 The supervisor or grandparent manager will review the grievance and consult with the CLO on appropriate steps to resolve the grievance, which could include an investigation.
- 3.4 Complainants need to be aware that the CLO will generally need to disclose details of the grievance to the respondent (if there is one) in order to afford procedural fairness.
- 3.5 Complainants need to consider whether they would like their grievance to be handled formally or informally. While the CLO is ultimately responsible for determining which process will be used, the complainant's preference will be considered.

STEP 4 - INFORMAL GRIEVANCE PROCESS

- 4.1 The informal grievance procedure is suited to less serious issues, such as interpersonal conflict or the application of policies and procedures. The informal procedure may also be appropriate where the parties are likely to continue working together.
- 4.2 Some techniques used to address the grievance informally can include (but not limited to):
 - The supervisor or grandparent manager meeting with the complainant and respondent (either separately or together) to discuss the issues and explore possible resolutions;
 - The supervisor or grandparent manager arranging a mediation or conciliation; or
 - The supervisor or grandparent manager exploring an issue on behalf of the complainant and options to address the issue.
- 4.3 If the matter is resolved to the satisfaction of all parties, the matter will be concluded. If the matter is not resolved, either party may refer the matter to the Grievance Officer. The Grievance Officer will determine if further action is required. The complainant at this time may also decide to make a formal grievance.
- 4.4 For efficiency, the information collected during the informal grievance procedure will be used in the formal grievance procedure.

STEP 5 - FORMAL GRIEVANCE PROCESS

- 5.1 Claimant submits grievance on the MC Grievance Form to CLO
The formal grievance procedure is suited to serious issues, such as sexual harassment, discrimination or other unlawful conduct

Also, if the CCLO Officer believes that a grievance is against policy or the safety and welfare of employees are at risk, the situation will be dealt with formally.

5.2 The CCLO will become the Grievance Officer or if this is not appropriate, the COO will appoint and alternate as per the Grievance Policy (see 5.2, 5.3 and 5.4)

5.3 The GO will acknowledge receipt of the grievance and notify the

- CAO and/or COO (as appropriate)
- Principal
- respondent
- managers of the complainant and respondent.

5.4 The Grievance Officer investigates. Claimants and respondents are able to bring a Support Person to interviews.

STEP 6 – OUTCOME OF A GRIEVANCE INVESTIGATION

6.1 The Grievance Officer will provide a report based on his/her investigation of the grievance. The report will be received by the Principal and the CCLO or COO (as appropriate) in order to make a determination of the outcome of the grievance. The possible outcomes will depend on the nature of the circumstances of the complaint. Where an investigation results in a finding that a person has engaged in inappropriate behaviour, misconduct or breached MC Policies, that person will be subject to the MC Underperformance and Misconduct Policy.

6.2 MC may take a range of other non-disciplinary outcomes to resolve a complaint, depending on the particular circumstances. Examples may include, but are not limited to:

- o Training to assist in addressing the problems underpinning the complaint;
- o Monitoring to ensure that there are no further problems;
- o Implementing a new policy and/or reviewing existing policy;
- o Requiring an apology or an undertaking that certain behaviour stop and/or changing work arrangements.

The proposed resolution is determined and communicated to Complainant and Respondent

6.3 If Grievance resolved, the recommended action is taken and documentation filed.

STEP 7 – APPEAL TO MC BOARD

7.1 If not satisfied with the outcome of the formal procedure the complainant (or respondent) may referred to the Board within 15 working days of being notified of outcome (as per 6.2).

- 7.2 The Board notifies the complainant and respondent of receipt of the appeal. Complainant and respondent have 7 working days from notification to submit supporting documentation.
- 7.3 The Board reviews the and, if appropriate initiates further investigation, which may include appointing an external Grievance Officer.
- 7.4 The Board determines its decision and notifies complain, respondent and CCLO/COO within 15 working days.
If Grievance resolved, the recommended action is taken and documentation filed.

STEP 8 – APPEAL TO EXTERNAL BODY

- 8.1 If the grievance is not resolved then a complaint may be made to the relevant external agency.
- 8.2 The external body will consider the complaint and notify the complainant of the outcome.
- 8.3 Recommendation action taken and documentation filed.

4. RESPONSIBILITIES

Title/Position	Responsibility
Employees, Volunteers or Student	To consider and try raising your concerns with the person directly; To not let your grievances, build up, but rather take action to resolve the situation; and Maintain confidentiality if involved in a grievance in any capacity.
Managers	Take all concerns that employees, volunteers or student raise seriously and with sensitivity; Attempt to resolve the situation at the local level where possible; Advise the Grievance Officer when a grievance is raised in order to obtain advice for coaching and for the purpose of incident tracking Maintain confidentiality if you're are involved in a grievance in any capacity Keep records of relevant discussions, actions and results; and If you consider a breach of Morling College policy or other laws or regulations have occurred, you must address the issue and notify the COO, even if the employee, volunteer or student does not want you to.

Leadership Team	<p>Coach employees, volunteers, students and managers to appropriately notify, address and resolve grievances at the local level;</p> <p>Consider the best method to effectively resolve the situation;</p> <p>If you consider a breach of Morling policy or other laws or regulation has occurred, you must address the issue, even if the employee, volunteer or student does not want you to</p> <p>To provide relevant reporting to managers on grievance occurrence.</p>
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5. VERSION HISTORY

Version	Approved by	Approval Date	Effective Date	Changes made
1.1	HR Committee and CCLO	3 June 2019	3 June 2019	Changed the number of days in steps 7.1 and 7.4 from 14 to 15.
1	MC Board	March 2019	March 2019	Procedures extracted from former policy and procedure document and formatted as separate document into the procedure template. Procedure amended to reflect changes in structure and roles. Flow chart (Appendix), updated

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

APPENDIX Grievance Procedure Flow chart, cont

