

Policy Document

Grievance Procedures

Background

Southern New England Landcare values contributions and commitment by its members and staff. The success of the organisation depends on a harmonious relationship existing between all members and staff.

A grievance is a real, or fancied ground of complaint made by; an employee of Southern New England Landcare about their workplace, a decision that affects their employment, or another member of staff; or by members of Southern New England Landcare against other members or staff.

Policy

All members and staff have a right to work in a discrimination free environment. Southern New England Landcare has a legal duty under the NSW Anti-Discrimination Act (1977) to ensure employees are not subjected to discrimination. All staff should understand and implement all relevant Equal Employment Opportunity, Principles of Cultural Diversity, and Discrimination policies.

Problems and grievances that arise with the employer with other members or staff need to be acted upon. All grievances must be taken seriously and the aggrieved must be treated fairly by all members of Southern New England Landcare. Information provided within the grievance process must be treated with confidentiality by all parties concerned.

Resolution of grievances between members of Southern New England Landcare is best if resolved directly between those members. In the first instance, officers of the company are responsible for detecting and addressing grievances. Indeed, a person who has a grievance must take some responsibility for solving the grievance.

However, if a grievance cannot be resolved between the parties involved, they should utilize the Southern New England Landcare Grievance Procedure. The objectives of the procedure are to:

1. encourage members and staff to resolve grievances themselves
2. identify the steps required by members and staff in proceeding with a grievance
3. encourage the settlement of the grievance as quickly as possible, and identify an appropriate timeframe in which to resolve a grievance
4. solve problems and grievances internally and utilize external assistance where necessary
5. have a transparent process of resolving problems and grievances
6. identify the obligations members and staff have in resolving grievances
7. resolve grievances with confidentiality.

The procedure is outlined in full below.

Please note:

- Instigating the grievance procedure does NOT instigate or constitute a performance review, which is a completely separate process.
- If the grievance appears to involve legal issues, such as sexual harassment, or occupational health and safety, legal advice should be sought by the Board as a matter of priority.
- Each year, Southern New England Landcare will review and identify at least three members deemed as appropriate Grievance Contacts, so that staff or members know who to contact if they have a grievance.
- The Grievance Contacts (current as at 2008) are:
 - a. Peter Lytton-Hitchins (Chair)
 - b. Sonia Williams (Executive Officer)

c. Karen Zirkler (Director).

- During the grievance process, the person with the grievance may consult with anyone they choose. They may also have a person they choose present at meetings to resolve the grievance, as long as this person is not be their legal representative.

Procedure

Through these steps, Southern New England Landcare hopes all grievances can be resolved quickly and to the mutual satisfaction of those involved.

1. The person with the grievance should make an attempt to resolve the grievance directly and in person.
2. If this is unsuccessful, or they feel uncomfortable in doing so, the aggrieved person should raise the issue with one of the identified Grievance Contacts listed above.
3. The Grievance Contact should hear the grievance (preferably in person rather than email or phone) within 3 working days. The grievance may be resolved at this meeting.
4. If necessary, the Grievance Contact should bring the grievance to the attention of the Chair and/or Executive Officer.
5. A Grievance Panel with specific Terms of Reference should be set up by the Chair/Executive Officer. The aggrieved and the Chair/Executive Officer should mutually agree on three people to make up this panel and the Terms of Reference for the panel.
6. The Grievance Panel should meet with the aggrieved within one week. The grievance may be resolved at this meeting.
7. If the grievance remains unresolved and if the aggrieved wishes, a mutually acceptable Independent Third Party may be appointed to hear the grievance and the resolution of the grievance meeting. Terms of reference for the Independent Third Party need to be determined and agreed to by the aggrieved and the Chair/Executive Officer.
8. Disputes between members (in their capacity as members) of the Group, and disputes between members and the Group, are to be referred to a community justice center for mediation in accordance with the Community Justice Centers Act 1983.

Grievance Documentation

Any grievance involving personnel beyond the aggrieved and the other party, requires documentation.

The Executive Officer is responsible for collecting and maintaining all documents related to each grievance and ensuring the documents are stored confidentially.

If the grievance involves the Executive Officer, the President must appoint another Director of Southern New England Landcare (Monitoring Officer) who is mutually agreed by the aggrieved and the President, to carry out documentation and storage.

Documentation should include:

- The aggrieved must document their grievance. Within the documentation, the aggrieved should include the basis of the grievance, the other parties involved and the outcomes they hope for.
- The aggrieved must document any attempts to resolve their differences with the other party. This must be submitted to the Executive Officer, or Monitoring Officer.
- Outcomes of meeting between the aggrieved and the Grievance Panel need to be documented and agreed upon at the meeting.
- Outcomes of meetings between the aggrieved and the Independent Third Party need to be documented and agreed upon at the meeting.
- Outcomes of a review of the grievance within three months.

Review Process

To improve the satisfactory outcomes of a grievance resolution, and to improve Southern New England Landcare's grievance policy, a review of each grievance will be undertaken within three (3) months of the grievance being resolved.

This review will be undertaken by an executive officer of Southern New England Landcare, mutually acceptable to the aggrieved and the President. Issues to be reviewed shall include:

- Weaknesses within grievance process i.e.
 - Did the aggrieved believe their grievance was treated fairly and with respect by Southern New England Landcare management?
 - Was the grievance handled within an appropriate time frame?
 - Did the grievance process require involving personnel who caused undue stress to the aggrieved?
- Strengths of the grievance process i.e.
 - Did the grievance process allow the grievance to be heard at appropriate levels?
 - Was the grievance process easy to understand?

From the outcomes of each review, Southern New England Landcare should revise this grievance policy in light of the review issues.

Final

Grievance Procedure Summary

<p>Grievances covered Grievances within Southern New England Landcare relate to:</p> <ul style="list-style-type: none"> the workplace relations between members/staff. 	<p>Risks</p>
<p>Members/staff are required to:</p> <ul style="list-style-type: none"> Be responsible to attempt to resolve inter-personal grievances directly with the other member/staff. Share some of the responsibility of solving their grievance. Maintain confidentiality of grievance issues. Be aware of the grievance procedures. 	<ul style="list-style-type: none"> Members/staff not aware of the grievance process.
<p>Responsibilities of Southern New England Landcare Executive Officer:</p> <ul style="list-style-type: none"> Resolve problems and grievances among staff about their employment within the Southern New England Landcare workplace. Resolve problems and grievances between individual staff members. In the first instance, officers of the company are responsible for detecting and addressing grievances. Where possible the Executive Officer will act to address grievances when detected early. 	<ul style="list-style-type: none"> Executive Officer unaware of grievance process. Lack of communication of staff with Executive Officer. Lack of mediation skills by Executive Officer.
<p>Responsibilities of Southern New England Landcare Chair/President:</p> <ul style="list-style-type: none"> Resolve problems and grievances between Directors of Southern New England Landcare. Resolve problems and grievances between Staff and the Executive Officer. Resolve problems and grievances between Staff and Directors. In the first instance, officers of the company are responsible for detecting and addressing grievances. Where possible the Chair/President will act to address grievances when detected early. 	<ul style="list-style-type: none"> Chair/President unaware of grievance process. Chair/President not approachable to Directors or Members/Staff. Chair/President demonstrates bias in dealing with grievances.
<p>The Grievance Process</p> <ul style="list-style-type: none"> Attempt to resolve problems and grievances directly with the other party. Raise the issue formally with a Grievance Contact. Form a Grievance Panel. Appoint an independent third party to hear grievance. Refer the grievance to a community justice center. 	<ul style="list-style-type: none"> Members/staff not aware of or having read grievance procedures.
<p>Documentation Requirements:</p> <ul style="list-style-type: none"> The aggrieved must submit their grievance in writing. All meetings associated with the grievance must be fully documented. Review of grievance. 	<ul style="list-style-type: none"> Notes on meetings and agreements made during the grievance process not taken. Documents not held in a secure location.
<p>Grievance Review Process After three months of the grievance being satisfactorily resolved, a review of the grievance must be undertaken.</p>	<ul style="list-style-type: none"> Review process not undertaken within 3 months and information becomes unreliable. Review outcomes are not incorporated into Southern New England Landcare grievance procedure.