



Grievance Resolution Policy - Employees and Volunteers

The purpose of this policy is to provide an avenue through which employees and volunteers can resolve work-related complaints as they arise. This policy applies to all employees and volunteer workers involved with the Murrumbateman Field Days (MFD). The policy does not apply to student placements.

Employees and volunteers have the choice of utilising either an informal or formal internal resolution process or engaging in external resolution processes.

Informal processes:

- the method of resolution is unstructured
- the emphasis is on resolution, not substantiating the grievance
- formal records are not necessary, unless requested by the parties involved
- corrective measures to resolve the situation are ideally gained through consensus.

Formal processes:

- the method of resolution is structured
- as well as resolution, the grievance may be judged to be substantiated or not
- written records are required
- the MFD Manager or Murrumbateman Community Association (MCA) President may direct that certain action be undertaken to resolve the situation.

It is the responsibility of the person receiving a formal complaint to ensure that any grievance is handled in accordance with the MFD dispute resolution principles and all parties are treated fairly. It is the responsibility of employees and volunteers to ensure that they attempt to resolve grievances in good faith, at the earliest opportunity and informally in the first instance, where possible and appropriate. As far as possible, and where appropriate, employees and volunteers should address any concerns directly with the person/s involved and endeavour to achieve an acceptable resolution without recourse to the formal complaints procedure.

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

Employees and volunteers have a right to a support person at any stage of the grievance resolution process.

All parties must maintain the highest standards of confidentiality. Whilst absolute confidentiality cannot be guaranteed in all circumstances, all parties should be aware of the circumstances where information confidential to the process will be divulged to another party.

MFD will provide a formal resolution mechanism to work-related complaints from employees and volunteers through the *MFD Formal Grievance Procedure* (see Attachment A). The goal of the procedure is to promote fast and efficient resolution of workplace issues so that issues can be resolved to satisfaction.

Dispute resolution principles

- Every attempt will be made to resolve disputes at the lowest possible level.
- If the dispute cannot be resolved informally, a more formal approach may be instigated.
- All parties involved will maintain the highest level of confidentiality.
- All parties will be given the opportunity to be heard.

Management of formal grievances

Formal grievances from employees and volunteers should be made to the MFD Manager, who will oversee the dispute resolution procedure. If the grievance is with the MFD Manager, the MCA President will receive the complaint and oversee the dispute resolution procedure.

Dissatisfaction with the *outcome* of a dispute resolution process is not in itself grounds for further complaint unless the complainant is unhappy with the *way* the grievance was dealt with.

Nothing in this policy precludes an employee or volunteer seeking redress through external dispute resolution mechanisms at any time.

Murrumbateman Field Days – Formal Grievance Procedure

This procedure will be followed where a concern, grievance or complaint made by an employee or volunteer has not been able to be resolved through informal processes.

This procedure does not apply where the complaint involves allegations of violence, the threat of violence, other criminal activity or issues concerning the protection and safety of a child. In those cases the allegations should be raised immediately with the Murrumbateman Field Days (MFD) Manager and Murrumbateman Community Association (MCA) President who will determine whether to refer the matter to the police.

Complaint must be in writing

A formal complaint must be in writing in accordance with Attachment B and provided to the MFD Manager. If the complaint is about the MFD Manager, then it should be provided to the MCA President.

Preliminary assessment

Upon receiving a written complaint, the MFD Manager or MCA President must, unless an actual or perceived conflict of interest exists, undertake an assessment to determine whether the matter can be resolved or whether or not further action is required.

The assessment must be done in an expedient manner and generally be limited to having discussions (either verbal or written) about the allegation or incident with the complainant, respondent, and, if requested, their representatives.

Although the principles of procedural fairness apply, this assessment is not a formal investigation (as this may occur after the assessment is undertaken) and is designed to enable the MFD Manager or MCA President to quickly determine whether or not formal investigation or other action is needed to resolve the issues.

A preliminary assessment may result in a recommendation that:

- no further action be taken in relation to the complaint
- the parties be invited to attend mediation
- the respondent be counselled – this is an opportunity for the respondent and MFD Manager to discuss possible causes and remedies for identified workplace problems
- a formal investigation be undertaken.

If the MFD Manager or MCA President determines that the allegations require investigation, then an investigation should be conducted in accordance with the formal investigation procedure set out below.

The MFD Manager or MCA President must communicate the outcomes to the complainant and respondent and their representatives if any.

Formal investigation

Upon receipt of a formal complaint, the MFD Manager or MCA President may appoint an independent investigator, who may be internal or external. If the allegation is serious or involves significant reputational risk for the MFD or MCA, an investigation should be undertaken by an external investigator.

The investigator must:

- seek information from the complainant where necessary
- seek information from the respondent where necessary
- obtain all relevant information, including, but not limited to, email correspondence, filenotes, CCTV footage and interviews with witnesses
- provide a written report to the MFD Manager or MCA President setting out the investigator's findings of fact. The investigator's findings of fact must be made on the balance of probabilities.

The investigator's written report should include:

- the findings of fact in relation to the alleged conduct
- what facts are, and are not, in dispute between the parties
- whether any systemic performance or management issues have been identified.

After considering the investigator's report, the MFD Manager or MCA President will determine next steps, which may include, but are not limited to:

- take no further action as the complaint is not substantiated or further action is not appropriate
- request a verbal or written apology by the respondent
- ask the respondent to participate in counselling
- provide the respondent with a formal verbal or written warning
- where the respondent is a volunteer – transferring them to a different role or location, or ending their participation as a volunteer
- where the respondent is an employee – referring the matter to the MCA Executive Committee.

The MFD Manager or MCA President must record their decision and the outcomes in writing and communicate the outcomes to the complainant and respondent and their representatives if any.

External review options

Nothing in this procedure precludes a complainant from raising the matter with an external review body such as:

Australian Human Rights Commission https://www.humanrights.gov.au/ Email: infoservice@humanrights.gov.au Phone: 1300 656 419 or 02 9284 9888	Anti-Discrimination Board of NSW https://www.antidiscrimination.justice.nsw.gov.au/ Email: complaintsadb@justice.nsw.gov.au Phone: 02 9268 5544 or free call: 1800 670 812
SafeWork NSW https://www.safework.nsw.gov.au/ Email: contact@safework.nsw.gov.au Phone: 13 10 50	Fair Work Commission https://www.fwc.gov.au/ Email: sydney@fwc.gov.au Phone: 1300 799 675

Murrumbateman Field Days - Formal Grievance/Complaint Form

Complainant name	
Phone number	
Email	
Name of offending party/s	
Phone number (if known)	
Email (if known)	
Date of Incident: <i>(If more than one event, please provide details of all incidents separately.)</i>	
Where did each incident occur?	
Please describe each incident that occurred.	
How did you react to each situation? Did you take any action to address each situation?	
Describe any harm you	

<p>have suffered as a result of the event.</p>	
<p>Is there any physical evidence that supports your complaint? If so, please describe or attach a copy of the evidence.</p>	
<p>Were there any witnesses to this specific event? (If yes, please provide their names.)</p>	
<p>What is your desired outcome of making this complaint?</p>	
<p>The information provided in this complaint is true and correct to the best of my knowledge. I am willing to cooperate fully in the investigation of my complaint and provide whatever evidence the MFD deems relevant.</p>	
<p>Signature:</p>	
<p>Date:</p>	
<p><i>Please return this form to the MFD Manager or, if the complaint concerns the MFD Manager, to the MCA President</i></p>	