

# C-7 Grievance Procedures

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Epping Heights OSHC.

## NQS

QA. 4.2	Professionalism.
QA. 4.2.1	Professional collaboration.
QA. 4.2.2	Professional standards.
QA. 7.1.2	Management systems.
QA. 7.1.3	Roles and responsibilities.
QA. 7.2.1	Continuous improvement.

## National Regulations

Reg. 168	Education and care service must have policies and procedures
Reg. 170	Policies and procedures to be followed
Reg. 171	Policies and procedures to be kept available
Reg. 173	Prescribed information to be displayed

## POLICY STATEMENT

We aim to maintain a positive working environment for staff and for the Management Committee. This will be achieved through addressing all work-related problems, complaints or concerns as quickly and effectively as possible. The procedure encourages ownership of issues and participation in the resolution process. The highest standards of confidentiality will be practiced at all times. (See Privacy and Confidentiality Policy)

## RELATED POLICIES

- Epping Heights OSHC Policy A-11: Maintenance of Records
- Epping Heights OSHC Policy A-12: Policy Development and Review
- Epping Heights OSHC Policy A-15: Role of the Management Committee
- Epping Heights OSHC Policy A-17: Privacy and Confidentiality
- Epping Heights OSHC Policy C-3: Staff Orientation and Induction
- Epping Heights OSHC Policy C-4: Staff Professionalism
- Epping Heights OSHC Policy C-8: Disciplinary Action

## PROCEDURE

General Grievance Procedure

On commencement, all staff and Management Committee members will be given the guidelines for Grievance Procedure through the staff handbook.

To facilitate communication between staff and Management, the Management Committee will annually appoint one of its members as the Liaison. (See Roles of Management policy)

Staff and Management Committee members will annually be offered the opportunity to participate in Conflict Resolution training. The Management Committee will ensure funds are set aside in the budget for this.

All persons involved in the grievance should attempt to resolve the issue in a timely manner through informal discussion and use of problem-solving techniques.

Persons directly involved in a legitimate grievance process will be expected to continue to conduct themselves at and around the Centre in a professional manner.

Malicious or vexatious claims will not be tolerated and will be subject of disciplinary action where appropriate. (See Disciplinary Action policy)

Any problem, complaint or concern arising between staff and between Management Committee members should be dealt with by the persons concerned as close to the event as possible in order to avoid an escalation of the issue.

Meetings of staff and/or Management Committee members provide regular opportunities to raise and discuss general issues or concerns about the Centre (see Communication Policy). All discussions will be conducted in a confidential manner and involve only relevant persons. Only when all parties agree there is a benefit, should the discussion broaden to involve children and/or parents as appropriate.

Either party may withdraw their grievance at any time. However where the grievance identifies other issues of concern, Management may decide to investigate those other issues.

### **Formal Grievance Procedure**

Where the resolution of a grievance has not been satisfactorily achieved through the informal procedure, then a more formal approach should be taken.

NOTE: Grievance between staff: as appropriate, the Centre Coordinator or the Liaison member of the Management Committee should be briefed about the grievance and its current status.

Grievance between committee members: The whole committee should be briefed.

The grievance(s) will be firstly investigated by the Centre Coordinator or Management Committee as appropriate.

The investigation will involve:

Interviews with both parties and/or witnesses

Assessment of relevant documentation e.g. job descriptions, policies etc.

Preparation of a clear description of the issue.

Arranging a formal meeting between parties.

A meeting will be conducted by a neutral third person. This person will manage the conduct of the meeting, is impartial having no input to the content of the meeting and will prepare a written record of the outcome(s) of the meeting (see Communication policy).

Where the Centre cannot identify a suitably impartial person, the Management Committee will agree to invite a qualified mediator to assist.

The meeting will:

Identify the issue(s) of concern and persons who are involved.

Arrange all parties to be involved and to put forward their views.

Identify alternative solutions

Attempt to reach a mutually satisfactory resolution of the issue(s).

At formal grievance resolution meetings, all parties are entitled to invite a support person to attend. This person does not provide input to the meeting but may offer support and advice to their party during the meeting.

A confidential written record of the outcome of the meeting will be given to all participants who are to acknowledge their agreement by signing the record. A signed copy will be kept with staff files (see Privacy and Confidentiality policy)

The neutral party will inform the Management Committee of the meeting's outcome(s).

Management will ensure that outcomes are included in job descriptions or Centre policies as appropriate.

If one party remains dissatisfied with the meetings outcome(s) then this should be in writing to the Management Committee asking that the process be reviewed or stating that they intend to pursue the grievance further through other suitable avenues.

NOTE: Where the issue of grievance is between Management and staff and concerns standard of work performance or work practice, then the Disciplinary Action policy will be followed.

Notification to the NSW Early Childhood Education and Care Directorate and NSW Office of the Children's Guardian should be made if a formal grievance involves the standard of care at the centre.

## SOURCES

- Education and Care Services National Regulations 2011
- National Quality Standard
- Children (Education and Care Services National Law Application) Act 2010
- Privacy Act 1988
- Community Services (Complaints, Reviews and Monitoring) Act (1993) No.2
- Network of Community Activities Factsheet – 'Complaints/Grievance Procedures'

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