



# Epping Views Primary Outside School Hours Care GRIEVANCE POLICY (STAFF)

Reviewed:	November 2019	Next Review Date: November 2020
Policy Owner:	Epping Views Primary School Age Care	
National Quality Standards (NQS)	4.1.1, 4.1.2, 4.2, 4.2.1	
Related Policies, regulations and laws	Code of Conduct Policy, Grievance Policy (Families), Privacy and Confidentiality Policy, Respect for Children Policy, Responsible Person Policy and Student and Volunteer Workers Policy  Education and Care Services National Law Education and Care Services National Regulations. (2017). Early Childhood Australia Code of Ethics. (2016). National Quality Standard. (2018).	

## PURPOSE:

Epping Views Primary Outside School Hours Care Service aims to investigate all complaints and grievances with a high standard of equity and fairness. We believe in team collaboration to ensure a safe, healthy and harmonious work environment.

We will ensure that all persons making a complaint are guided by the following policy values:

- Procedural fairness and natural justice
- Code of ethics and conduct
- Culture free from discrimination and harassment
- Transparent policies and procedures
- Opportunities for further investigation
- Adhering to our OSHC service philosophy

## Procedural fairness and natural justice

Epping Views Primary Outside School Hours Care service believes in procedural fairness and natural justice that govern the strategies and practices, which include:

- The right to be heard fairly
- The right to an unbiased decision made by an objective decision maker
- The right to have the decision based on relevant evidence

## **PROCEDURE:**

Grievances can transpire in any workplace. Handling them appropriately is imperative for sustaining a safe, healthy, harmonious and productive work environment. The Grievance Policy ensures that all persons are presented with procedures that:

- Value the opportunity to be heard
- Promote conflict resolution
- Encourage the development of harmonious partnerships
- Ensure that conflicts and grievances are mediated fairly
- Are transparent and equitable

Positive communication between educators is vital to the smooth running of the Service and to ensure a positive environment for children. Educators are expected to treat other educators with respect, accept differences and share ideas. It is every staff member's responsibility to contribute to the development of an open, healthy and constructive work environment. All grievances, whether considered minor or not, are to be dealt with promptly, professionally and thoroughly.

Epping Views Primary Outside School Hours Care Service's employees are expected to look at conflict in a positive way, ready to learn something new, reflect on good quality practice, improve work relationships and ultimately provide better care and education for children.

Employees are also to be aware of their responsibility to be a good role model for children, and appropriately and professionally handle conflict with work colleagues, children, parents, and other associates.

### **Privacy and Confidentiality**

- Management and Educators will adhere to our *Privacy and Confidentiality Policy* when dealing with grievances. However, if a grievance involves a staff member or child protection issues, a government agency may need to be informed.

### **Conflict of Interest**

It is important for the complainant to feel confident in

- Being heard fairly
- An unbiased decision-making process

Should a conflict of interest arise during a grievance or complaint that involves the Approved Provider or Nominated Supervisor, other Management will be nominated as an alternative mediator.

Epping Views Primary School, Outside School Hours Care, Service may also engage the resources of an Independent Conflict Resolution Service to assist with the mediation of a dispute. We will ensure that throughout the conflict resolution process the Services Code of Conduct is be adhered to.

**MANAGEMENT AND/OR NOMINATED SUPERVISOR WILL:**

- Treat all grievances seriously and as a priority.
- Ensure grievances remain confidential.
- Ensure grievances reflect procedural fairness and natural justice.
- Discuss the issue with the complainant within 24 hours of receiving the verbal or written complaint.
- Investigate and document the grievance fairly and impartially. The investigation will consist of:
  - Reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and pertinent.
  - Discussing the nature of the complaint (or breach) and giving the accused educator, staff member, volunteer or visitor an opportunity to respond.
  - Permitting the accused person to have a support person present during the consultation (for example: Union Representative or family member; however, this does not include a lawyer acting in a professional capacity).
  - Providing the employee with a clear written statement outlining the outcome of the investigation.
- Advise the complainant and all affected parties of the outcome within 7 working days of receiving the verbal or written complaint.
  - Management will provide a written response outlining the outcome and provide a copy to all parties involved.
  - If a written agreement about the resolution of the complaint is prepared, all parties will ensure the outcomes accurately reflects the resolution and sign in agreeance.
- Should management decide not to proceed with the investigation after initial enquiries, a written notification outlining the reasoning will be provided to the complainant
- Keep appropriate records of the investigation and outcome and store these records in accordance with our Privacy and Confidentiality Policy and Record Keeping and Retention Policy.
- Monitor ongoing behaviour and provide support as required.

- Ensure the parties are protected from victimisation and Bullying.
- Request feedback on the grievance process using a feedback form.
- Track complaints to identify recurring issues within the Service.
- Notify the Department of Education and Communities within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised.

#### **EDUCATORS WILL:**

- Be aware of the possible ramifications of their actions when dealing with staff issues.
- Raise the grievance or complaint directly with the person they have grievance with, in a professional manner and at an appropriate time. Both parties should try to resolve the issue and develop solutions to ensure the problem does not happen again. Discussions should be based on the principles of privacy, confidentiality, respect and open-mindedness, will not involve other educators, staff, volunteers or visitors (e.g. parents) and will take place away from children.
- If the person is unable to resolve the issue or feels uncomfortable raising the matter directly with the person concerned, the grievance or complaint must be raised with the Approved Provider/Management or Nominated Supervisor. The Approved Provider or Nominated Supervisor (or other manager) may ask for the complaint/grievance to be put in writing.
- Provide all relevant information, outlining the issue, identifying any other person involved in the problem, and any suggested solution.
- Communicate openly about the issue with the relevant parties.
- Raise any grievance involving suspected or actual unlawful activity (including bullying) with the Approved Provider or Nominated Supervisor immediately and privately.
- Maintain confidentiality at all times.
- Maintain professionalism at all times.

Harmonious staff relations within Epping Views Primary Outside School Hours Care Service is largely dependent on staff feeling satisfied that their professionalism is acknowledged by their involvement in appropriate decision-making processes.

The quality of industrial relations is likely to be substantially better in a workplace if the decision-making processes adopted permit staff to have input into decisions that affect the nature and quality of their professional work.

Management and staff within the organisation will work together to develop and implement appropriate strategies to facilitate consultative and collaborative decision-making processes within the workplace.

Where staff feel these processes have failed and are in conflict with decisions made by Management, including the Board, the following procedure is to be followed:

- The aggrieved person(s) will discuss the grievance with their immediate supervisor.
- The supervisor is to report the grievance to the Nominated Supervisor/ Licensee.
- The Mediator will seek advice as necessary from other sources, (e.g.: unions, Work Cover and funding bodies).
- The Mediator will then advise Management of the possible solutions.

Meetings are to be arranged with the aggrieved person(s) as necessary throughout the process. The outcome of the grievance must be reported to the aggrieved person within a week of the decision.