



HR Conflict Management and Grievance Strategy



(Forms part of Human Resources Management Policy)

1. Purpose and Scope:

This document provides guidelines to the board, staff, volunteer and participants of Tailem Bend Community Centre Incorporated (TBCC) to achieve resolution of conflict and grievances in a positive manner, as quickly, fairly and effectively as possible. TBCC recognises that grievances do occur and that staff, volunteers (including members of the Management Committee) and participants have the right to raise complaints or grievance and have them heard and acted upon. The satisfactory resolution of any grievance will be the ultimate goal for all parties.

2. Definitions:

Grievance – a complaint about a (real or imaginary) wrong that causes resentment and is grounds for action or an allegation that something imposes an illegal obligation or denies some legal right or causes injustice.

Complaint – an expression of grievance or resentment

Conflict – incompatible goals and overt opposition by one person to another person's actions or statements

Resolving conflict -The participants in a conflict isolate the issue, develop options, consider alternatives and reach a consensual settlement that will accommodate the participants` needs either between themselves or with a neutral third party.

3. Background:

3.1 Grievances can occur as a result of any behaviour or circumstance which may threaten the ability of TBCC staff or volunteers (including members of the Management Committee) to manage their roles and responsibilities properly, or may threaten any participant's ability; to enjoy and benefit from the activities of the Centre.

3.2 Grievances can have a major impact on TBCC without clear procedures to deal with these quickly there can be negative consequences such as loss of work satisfaction, poor work performance, discontent, a lack of team and/or organisational cohesiveness and a negative perception and dissatisfaction within the community.


3.3 This document acknowledges the legal responsibilities that employers and Employees have in relation to:

- The Work Health & Safety Act (SA) 2012
- The (Federal) Sex Discrimination Act 1984
- The Equal Opportunity Act 1984 (SA)
- Specific Industrial Awards and Agreements give a framework to follow in cases of harassment, bullying etc.

4. Strategy:

- 4.1 TBCC will ensure that grievances are treated seriously and are addressed in a fair and consistent manner that respects the rights of all involved.
- 4.2 TBCC will make every effort to establish an atmosphere of trust and open communication so that grievances are dealt with in a constructive manner.
- 4.3 The resolution process will focus on the re-establishment of good relationships and positive outcomes through conciliation and negotiation.
- 4.4 All staff, volunteers and participants of TBCC are to be informed of the Grievance Policy and Procedure through hand books and notices. They will be prominently displayed and made available to anyone requesting a copy.
- 4.5 All relevant parties must be informed when the Grievance Procedure is instigated and must be given the opportunity to present their case, be fully informed about any allegations and decisions made and have the right to be supported by a person of their choice.
- 4.6 Resolution of any grievance is to be achieved as quickly as possible and with a minimum number of people involved.
- 4.7 Where the grievance may fall under Federal or State Legislation (e.g. Work Health and Safety, the Disability Discrimination Act, the Equal Opportunity Act or specific Industrial Awards or Agreements) the staff member has the right to seek information and/or follow process which may be set out under these Acts.
- 4.8 Action is to be commenced within 1 week of a formal complaint being made. In most cases, it is expected that resolution will be achieved within a further two weeks.
- 4.9 All parties have a right to confidentiality and privacy, subject to the necessary legal responsibilities of TBCC its staff and its volunteers or Management Committee.
- 4.10 Every effort will be made to resolve the grievance within a framework of informal but open and honest communication. If the staff member, volunteer or participant is not satisfied with the result of any informal discussions they will be asked to put their complaint in writing.
- 4.11 Written complaints are to be signed and dated by both the complainant and the person receiving the complaint on behalf of TBCC
- 4.12 TBCC will ensure that all persons against whom a grievance is made will have the right to access an Advocate of their choice to assist in the resolution process. The Advocate may be a friend, a relative or a representative from another organisation –providing the Advocate does not have a conflict of interest in the process.
- 4.13 All parties to any grievance resolution process should take responsibility for ensuring that the discussion is limited to details of the complaint and must also act only within their role – as a participant, staff member, volunteer or member of the Committee of Management responsible for managing the affairs of TBCC in a fair and accountable manner.
- 4.14 A staff member who has commenced a grievance may withdraw and stop the process at any time without penalty. No staff member should suffer any personal professional disadvantage because he/she decides to pursue a grievance.

- 4.15 TBCC is committed to effectively resolving grievances. This policy and the associated conflict and grievance procedures are to be used when a grievance occurs and a person believes he/she has been unfairly or badly treated and wishes some action to be taken to remedy the situation.
- 4.16 TBCC has a strong commitment to the safety and wellbeing of children and young people. Staff and volunteers will listen and respond to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well. Promote the human rights, safety and wellbeing of all children at all times. Report all suspected or disclosed child harm or abuse as required by [relevant legislation] and by TBCC policy and procedure on internal and external reporting.
- 4.17 Comply with [relevant legislation] and TBCC policies and procedures on record keeping and information sharing.

Date first formulated	December 2015 (previously Conflict Management and Grievance Policy V1 12/09/2005)	
Dates approved by Board	V1 (Incorporated into Human Resources Management Policy as HR Conflict Management and Grievance Strategy) V2 V3	June 2016 Feb 2018 April 2020
Next Review Date	April 2023	
Related Documents	Delegation of Authority Policy Diversity and Social Inclusion Policy Feedback and Complaints Policy Privacy and Confidentiality Policy Work Health and Safety Policy Volunteering Strategy for South Australia (SA Govt. Office for Volunteers) Aged care Charter of rights Aged Care Quality Standards National Principles for Child Safe Organisations Children's Rights Overview of child protection legislation across state and territory jurisdictions. Resource sheet developed by the Australian Institute of Family Studies Australian and New Zealand Standard. Guidelines for complaint management in organizations (AS/NZS 10002:2014)	
Legislation	Equal Opportunity Act 1984 Work Health & Safety Act Children and Young People (Safety) Act 2017 Commonwealth Privacy Act 1988 Department Human Service DHS Critical Client Incidents Policy State Records Act 1997 Guardianship and Administration Act 1993 Information Sharing Guidelines Workplace Gender Equality Act 2012 Australian Human Rights Commission Act 1986 (Federal) Crimes Act 1914 (Federal) Criminal Law Consolidation Act 1935 (SA) Fair Work Act 2009 Volunteers Protection Act 2001 (SA) Return to Work Act 2014	
Signed on behalf of TBCC Board of Management by:		
Name: Jack Hunt		
Position held: Chairperson		
		Signature: 
		7 April 2020

