

# GREY WARD CHILDREN'S CENTRE

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## GRIEVANCE HANDLING

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### RATIONALE

Differences in opinion will inevitably arise. The Centre believes that responsive organisations view grievances as an opportunity for continuous improvement in service and performance. Grievances need to be managed in a way that is respectful of individuals needs and at the same time balance the rights and responsibilities of parties directly or indirectly involved in the conflict. Grievances are more likely to be resolved when all parties seek commonality of needs and work from an attitude of respecting and valuing difference rather than judging or blaming. While the Centre believes that the first step will always be to address grievances in a mutually respectful way with the parties directly involved, it does acknowledge that there will be times when grievances may need to be managed within a framework.

### AIMS

- ❖ To assist staff, management committee members, and parents in resolving concerns effectively and agreeably.
- ❖ To act promptly when concerns are raised with the assistance of realistic time frames.
- ❖ To build successful partnerships with parents and staff which reflects mutual respect.
- ❖ To appreciate and understand each other's perspectives.
- ❖ To use open, respectful communication.
- ❖ To have realistic expectations by setting common goals.
- ❖ To clarify responsibilities and expectations of people involved (particularly staff members and management members).
- ❖ To officially minute all interviews/meetings using a previously agreed upon minute taker.
- ❖ To organise mediators where necessary.
- ❖ To maintain confidentiality during and after the process of making and resolving grievances as inappropriate disclosure could leave an individual liable to a defamation claim and to disciplinary action.

### DEFINITIONS

*Grievance* - occurs when a person (staff member, parent) believes that s/he has been unfairly or badly treated by another person (staff member, parent, but not a child) at the Centre or by a management decision and wishes some action to be taken to remedy the situation. Those grievances which pertain to a report of misconduct or poor work performance about a staff member will be dealt with under disciplinary or staff performance development processes rather than the grievance process. Other grievances may be dealt with in one or more of the following ways:

- *Personal resolution* – where the grievance is dealt with personally ie with the person responsible for the behaviour, without reporting the incident to anyone. Advice from the director may be sought in relation to strategies to deal personally with a grievance or different options available to resolve a grievance.
- *Expression of concern* – usually verbal. Is where the person does not wish to lodge a formal grievance yet wants a behaviour to stop and/or believes there are implications for others. The action taken will vary according to the nature and seriousness of the concern, including consideration of the impact on the victim. In managing an expression of concern the director should keep the person up to date with actions taken.
- *Formal grievance* – in writing. Formal grievances should be marked ‘Confidential’ and forwarded to the director/management committee, (whichever is most relevant) as soon as possible after the event(s) which have prompted the grievance. A formal investigation will then be undertaken to gather information relating to the allegations. The investigating officer will then make a determination whether or not to uphold the grievance. All parties involved will be informed of the outcome and action taken. All efforts will be made to resolve the grievance at the local level.
- *Formal grievance to other agencies* – while it is preferable that grievances are dealt with within the Centre, advice may be sought from, and grievances may be lodged with, outside agencies.

## PROCEDURE

- ❖ In the interest of all concerned, grievances should receive a high priority and should be resolved as quickly and as effectively as possible.
- ❖ All parties should try to resolve the matter informally through discussion, moving to formal processes only if this does not succeed.
- ❖ A person raising a grievance has the right to have another person of her/his choice present at any meetings or interviews for moral support eg. friend, solicitor, advocate etc. A staff member has the right to have a union representative assist him/her at any stage of the process.
- ❖ If informal discussions are unable to resolve a grievance(s), an impartial mediator from an outside organisation, may be called to help resolve a grievance(s) at any stage.
- ❖ A person who has commenced a grievance process may withdraw and stop the process at any time without penalty.
- ❖ There should be no personal sufferance or professional disadvantage if a person decides to pursue a grievance.
- ❖ Every attempt should be made to resolve grievances in ways which are agreeable to all parties concerned.
- ❖ Where formal procedures are used in resolving a grievance, these should be clearly documented. This documentation should be kept secure and confidential until the grievance is resolved, then it should be destroyed (unless the outcome of the grievance requires that it be kept for a period of time). Tape recordings of procedures can be made with prior permission from the parties concerned.
- ❖ If a grievance has gone to mediation the director should inform the management committee at the nearest convenient time.
- ❖ Confidentiality is vital. No one may discuss information about a grievance outside the grievance procedures or after the grievance has been resolved.

## STEPS FOR STAFF GRIEVANCES

1. *Staff member(s) with a staff member(s) excluding the director.*
  - 1.1 All staff are encouraged to resolve grievances initially through *personal resolution*.
  - 1.2 If *personal resolution* fails to resolve the grievance, assistance from the director may be initiated by one or both parties.
  - 1.3 The director will investigate both parties' issues. From this investigation, the director will then determine whether it is a grievance or a report of misconduct for poor work performance, better suited to be dealt with under disciplinary action or staff performance development processes.
  - 1.4 If it is deemed to be a grievance the director will facilitate an informal meeting with both parties with the intention of reaching a resolve.
  - 1.5 In the event that the grievance is not resolved the director will seek assistance from an impartial mediator.
  - 1.6 In the event that the grievance is not resolved or either/both parties refuses mediation the staff member(s) should seek assistance from the management committee. The staff member(s) should table a detailed letter outlining the issues.
  - 1.7 On receiving the letter the chairperson should call a meeting of the full management committee (unless one is due within 7 days). This meeting is intended to listen to all parties' concerns and recommend a course of action, in writing, signed by the chairperson, within 24 hours.
  - 1.8 This decision will be final and is to be upheld by all parties via a written, signed agreement.
  - 1.9 If this decision is not upheld by either party or is considered to be unsatisfactory by either party, the staff member(s) will be supported to find alternative employment.
  
2. *Staff member(s) with the director.*
  - 2.1 All staff are encouraged to resolve grievances initially through *personal resolution*.
  - 2.2 If the staff member(s) feels that it is an issue of misconduct for poor work performance, better suited to be dealt with under disciplinary action or staff performance development processes the staff member(s) should seek assistance from the management committee by tabling a detailed letter outlining the issues. Actions 2.4 – 2.6 should then be implemented.
  - 2.3 If it is a grievance and *personal resolution* fails to resolve the grievance, assistance from an impartial mediator may be initiated by one or both parties. In the event that the grievance is not resolved or either/both parties refuses mediation the staff member should seek assistance from the management committee by tabling a detailed letter outlining the issues.
  - 2.4 On receiving the letter the chairperson should call a meeting of the full management committee (unless one is due within 7 days). This meeting is intended to listen to all parties' concerns and recommend a course of action, in writing, signed by the chairperson, within 24 hours.
  - 2.5 This decision will be final and is to be upheld by all parties via a written, signed agreement.
  - 2.6 If this decision is not upheld by either party or is considered to be unsatisfactory by either party, the staff member(s) or director will be supported to find alternative employment.

3. *Staff member(s) with a decision made by the director.*

- 3.1 All staff are encouraged to resolve grievances initially through *personal resolution*.
- 3.2 If the staff member(s) feels that it is an issue of misconduct for poor work performance, better suited to be dealt with under disciplinary action or staff performance development processes the staff member(s) should seek assistance from the management committee by tabling a detailed letter outlining the issues. Actions 3.4 – 3.6 should then be implemented
- 3.3 If it is a grievance and *personal resolution* fails to resolve the grievance, assistance from an impartial mediator may be initiated by one or both parties. In the event that the grievance is not resolved or either/both parties refuses mediation the staff member should seek assistance from the management committee by tabling a detailed letter outlining the issues.
- 3.4 On receiving the letter the chairperson should call a meeting of the full management committee (unless one is due within 7 days). This meeting is intended to listen to all parties' concerns and recommend a course of action, in writing, signed by the chairperson, within 24 hours.
- 3.5 This decision will be final and is to be upheld by all parties via a written, signed agreement.
- 3.6 If this decision is not upheld by either party or is considered to be unsatisfactory by either party, the staff member(s) or director will be supported to find alternative employment.

4. *Staff member(s) with a management committee decision(s).*

- 4.1 In regards to the management committee all staff are encouraged to express their concern(s) to the staff representative.
- 4.2 The staff representative may then seek assistance from the director.
- 4.3 Upon reflection of the issues, the director can then decide whether discussion with the management committee is necessary.
- 4.4 If discussion with the management committee is necessary, the staff representative will table a detailed letter outlining the issues.
- 4.5 On receiving the letter the chairperson should call a meeting of the full management committee (unless one is due within 7 days). This meeting is intended to listen to all parties concerns and to give the management committee the opportunity to reconsider the decision(s) previously made.
- 4.6 The management committee or staff member(s) may elect to have an impartial mediator present.
- 4.7 From this meeting, a course of action will be recommended by the management committee in writing within 24 hours.
- 4.8 This decision will be final and is to be upheld by all parties via a written, signed agreement.
- 4.9 If this decision is not upheld by either party or is considered to be unsatisfactory by either party, the staff member(s) will be supported to find alternative employment, or the committee member(s) will be asked to step down from the management committee and if appropriate seek alternative care arrangements.

5. *Staff member(s) with a parent(s).*

- 5.1 All staff are encouraged to resolve grievances initially through *personal resolution*.
- 5.2 If *personal resolution* fails to resolve the grievance, assistance from the director may be initiated by one or both parties.
- 5.3 The director will investigate both parties' issues. From the investigation, the director will then determine whether it is a grievance or an administration, policy or procedural issue.
- 5.4 If it is deemed to be a grievance the director will facilitate an informal meeting with both parties with the intention of reaching a resolve.
- 5.5 In the event that the grievance is not resolved the director will seek assistance from an impartial mediator.
- 5.6 In the event that the grievance is not resolved or either/both parties refuses mediation the staff member(s) should seek assistance from the management committee by tabling a detailed letter outlining the issues.
- 5.7 On receiving the letter the chairperson should call a meeting of the full management committee (unless one is due within 7 days). This meeting is intended to listen to all parties concerns and recommend a course of action, in writing, signed by the chairperson, within 24 hours.
- 5.8 This decision will be final and is to be upheld by all parties via a written, signed agreement.
- 5.9 If this decision is not upheld by either party or is considered to be unsatisfactory by either party, the staff member(s) will be supported to find alternative employment or the parent will be supported to find alternative care arrangements.

## STEPS FOR PARENT GRIEVANCES

1. *Parent(s) with a staff member(s) excluding the director.*
  - 1.1 All Parents are encouraged to resolve grievances initially through *personal resolution*.
  - 1.2 If *personal resolution* fails to resolve the grievance assistance from the director may be initiated by one or both parties.
  - 1.3 The director will investigate both parties' issues. From the investigation, the director will then determine whether it is a grievance, an issue of misconduct/poor work performance, or an administration, policy or procedural issue.
  - 1.4 If it is deemed to be a grievance the director will facilitate an informal meeting with both parties with the intention of reaching a resolve.
  - 1.5 In the event that the grievance is not resolved the director will seek assistance from an impartial mediator.
  - 1.6 In the event that the grievance is not resolved or either/both parties refuses mediation the parent(s) should seek assistance from the management committee by tabling a detailed letter outlining the issues.
  - 1.7 On receiving the letter the chairperson should call a meeting of the full management committee (unless one is due within 7 days). This meeting is intended to listen to all parties concerns and recommend a course of action, in writing, signed by the chairperson, within 24 hours.
  - 1.8 This decision will be final and is to be upheld by all parties via a written, signed agreement.
  - 1.9 If this decision is not upheld by either party or is considered to be unsatisfactory by either party, the parent(s) will be supported to find alternative care arrangements or the staff member(s) will be supported to find alternative employment.
  
2. *Parent(s) with the director.*
  - 2.1 All Parents are encouraged to resolve grievances initially through *personal resolution*.
  - 2.2 If the parent(s) feels it is an issue of misconduct for poor work performance, better suited to be dealt with under disciplinary action or staff performance development processes the parent(s) should seek assistance from the management committee by tabling a detailed letter outlining the issues. Actions 2.4 – 2.6 should then be implemented.
  - 2.3 If it is a grievance and *personal resolution* fails to resolve the grievance, assistance from an impartial mediator may be initiated by one or both parties. In the event that the grievance is not resolved or either/both parties refuses mediation the parent(s) should seek assistance from the management committee by tabling a detailed letter outlining the issues.
  - 2.4 On receiving the letter the chairperson should call a meeting of the full management committee (unless one is due within 7 days). This meeting is intended to listen to all parties concerns and recommend a course of action, in writing, signed by the chairperson, within 24 hours.
  - 2.5 This decision will be final and is to be upheld by all parties via a written, signed agreement.
  - 2.6 If this decision is not upheld by either party or is considered to be unsatisfactory by either party, the parent(s) will be supported to find alternative care arrangements or the director will be supported to find alternative employment.

3. *Parent(s) with a decision made by the director.*
  - 3.1 All parents are encouraged to resolve these grievances initially through *personal resolution* with the director.
  - 3.2 If the parent(s) feels that it is a policy issue, or an issue of misconduct for poor work performance, better suited to be dealt with under disciplinary action or staff performance development processes, the parent(s) should seek assistance from the management committee by tabling a detailed letter outlining the issues. Actions 3.4 – 3.6 should then be implemented.
  - 3.3 If it is a grievance and *personal resolution* fails to resolve the grievance, assistance from an impartial mediator may be initiated by one or both parties. In the event that the grievance is not resolved or either/both parties refuses mediation the parent should seek assistance from the management committee. The parent should table a detailed letter outlining the issues.
  - 3.4 On receiving the letter the chairperson should call a meeting of the full management committee (unless one is due within 7 days). This meeting is intended to listen to all parties concerns and recommend a course of action, in writing, signed by the chairperson, within 24 hours.
  - 3.5 This decision will be final and is to be upheld by all parties via a written, signed agreement.
  - 3.6 If this decision is not upheld by either party or is considered to be unsatisfactory by either party, the parent(s) will be supported to find alternative care arrangements or the director will be supported to find alternative employment.
  
4. *Parent(s) with a decision(s) made by the management committee.*
  - 4.1 In regards to the management committee all parents are encouraged to express their concern(s) to the director.
  - 4.2 Upon reflection of the issues, the director can then decide whether discussion with the management committee is necessary.
  - 4.3 If discussion with the management committee is required, the parent(s) will table a detailed letter outlining the issues.
  - 4.4 On receiving the letter the chairperson should call a meeting of the full management committee (unless one is due within 7 days). This meeting is intended to listen to all parties concerns and to give the management committee the opportunity to reconsider the decision(s) previously made.
  - 4.5 The management committee or parent(s) may elect to have an impartial mediator present.
  - 4.6 From this meeting a course of action will be recommended by the management committee in writing within 24 hours.
  - 4.7 This decision will be final and is to be upheld by all parties via a written, signed agreement.
  - 4.8 If this decision is not upheld by either party or is considered to be unsatisfactory by either party, the parent(s) will be supported to find alternative care arrangements, or the committee member(s) will be asked to step down from the management committee and if appropriate seek alternative care arrangements.

5. *Parent(s) with another parent(s).*
- 5.1 In regards to other parents, parents are encouraged to express their concerns to a staff member in their child's room.
- 5.2 Depending on the severity of the concern, the staff member may then seek assistance from the director.
- 5.3 Upon reflection of the issues, the director will then decide whether this issue can be resolved at the local level with a mediated discussion between the parents. If so, the director can make arrangements for this to occur.
- 5.4 In the event that this is not possible or is not considered to be a satisfactory alternative, the director may seek assistance from the management committee via a detailed letter outlining the issues.
- 4.7 On receiving the letter the chairperson should call a meeting of the full management committee (unless one is due within 7 days). This meeting is intended to listen to all parties concerns and to recommend a course of action in writing within 24 hours.
- 4.7 This decision will be final and is to be upheld by all parties via a written, signed agreement.
- 4.8 If this decision is not upheld by either party or is considered to be unsatisfactory by either party, the parent(s) will be supported to find alternative care arrangements.

In the event that a parent(s) becomes concerned about another child's behaviour, they are encouraged to express these concerns with a staff member in their child's room. Due to the nature of children's behaviour, the staff member will then decide what course of action is deemed to be appropriate:-

- i) if the child's behaviour is deemed to be developmentally appropriate and/or a Behaviour Management Plan is already in place for that child, the staff member will then assure the parent(s) who raised the concern(s) that these issues have been acknowledged and strategies are being implemented in conjunction with that child's family. Suggestions will also be made to the parent(s) (who raised the concern) about what they can do to assist the staff and the child, eg implement the technique of ignoring or distraction.
- ii) if the child's behaviour is deemed to be inconsiderate staff will engage the Centre's Behaviour Management Policy and begin the process of a Behaviour Management Plan in consultation with the child's family.

## EVALUATION

This policy will be implemented and monitored by staff and the management committee. Policies will be regularly reviewed and may be altered due to changes in legislation and practices.

Policy Reviewed	Modifications	Next Review Date
May 2018		May 2019

## REFERENCES

Department of Education Training and Employment. (2000). *Responding to concerns from parents and caregivers in DETE preschools and schools: A resource pack for managing complaints and challenging situations.*

Department of Education Training & Employment. (1998). *Grievance procedures for employees in children's services & school sector: including administrative and support services.*

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