

COMPLAINTS & GRIEVANCE POLICY AND PROCEDURE

PURPOSE

The Central Coast Community College (the College) recognises the rights of staff and others to make complaints or otherwise raise a grievance in good faith without fear of victimisation. This policy provides staff with a process to follow in making a complaint or otherwise raising a grievance.

APPLICATION OF POLICY

This policy applies to any complaint or grievance that a workplace participant has against a staff member, contractor or other third party.

PROCEDURE

Making a complaint

- If you raise a grievance or otherwise make a complaint, you must do so honestly and genuinely and must not raise a grievance or complaint frivolously
- Before making a complaint or grievance, ideally you would seek to resolve the issue yourself directly with the other individual(s) involved
- Where a complaint or grievance cannot reasonably be resolved directly with the individual(s) involved, you will seek assistance from your Manager who may take the following action:
 - organise an informal process e.g. discussions between parties
 - conduct a formal investigation process
 - arrange mediation

If your grievance is in relation to your Supervisor/Manager, your grievance should be raised with their manager or HR.

The HR team will facilitate a meeting between the parties, if appropriate, to reach a satisfactory outcome.

During this meeting an explanation will be given of:

- The Grievance Procedure including what may happen if there is enough evidence to support your complaint or what may happen if there is insufficient evidence to support your complaint
- Where you can go if you are not happy with the way the College handles the matter
- Other places to go for information.

A written record of the matter will be made by the HR Representative. The HR Representative will interview all parties involved in the matter to gather all relevant information. All parties may choose to have a support person/Union representative present during the interview process.

Any witnesses will be interviewed as necessary to establish all the facts. These interviews will remain confidential.

Where applicable, the Manager/Supervisor will present all relevant information.

A final assessment of all information will be made and a written report will be prepared.

Resolution of the issue

The Manager in consultation with HVTC's HR & Safety Manager, will decide what action will be taken and it will be determined whether:

- The matter was proven.
- The matter was not proven.
- The matter was vexatious i.e. the person making the complaint in fact made up or exaggerated the matter.
- Depending on the nature of the issue, the matter may be discussed with the College Chief Executive Officer (CEO).

A decision will be made on any appropriate action to be taken. This may include:

- An apology to be made by one or all parties
- An official warning to be given to one or all parties
- Counselling to be undertaken by one or all parties
- Movement of staff to another area
- Training to be undertaken by one or all parties
- Performance management of staff to be undertaken
- Ongoing monitoring of situation
- Dismissal of staff

The complainant will be advised of all outcomes as will any other relevant party.

Follow up

Follow up will take place to ensure the matter does not resurface. This may take the form of formal or informal discussion, planned meetings or other agreed processes.

Conduct after a complaint is made or while an investigation is underway

- All staff must conduct themselves appropriately
- Complainants and witnesses will not be treated adversely or otherwise victimised
- All staff must maintain confidentiality about a grievance or complaint, except as required

Conduct after a complaint is made or while an investigation is underway

Failure to comply with this policy, or a finding of misconduct or other inappropriate behaviour may result in disciplinary action which may include:

- training
- counselling

- monitoring
- an apology
- altered work arrangements
- a warning
- a final warning
- termination of employment

RELATED DOCUMENTS

Code of Conduct

Performance and Misconduct Policy and Procedure