

GRIEVANCE POLICY

WHY IS THIS POLICY REQUIRED

Hobart FM is committed to ensuring there are appropriate strategies and support within the organisation to resolve grievance.

DEFINITION

For the purposes of this policy and procedures, a “grievance” can be described as occurring when a volunteer, presenter, committee member or member feels aggrieved about a matter associated with his or her work environment, or when he or she disagrees with a decision, action or behaviours by a fellow volunteer, presenter, committee member or member, supervisor or the Coordinator that may adversely affect the working relationship or working environment. The grievance may arise when an individual/ group, fellow volunteer or member of the association has:

- Done something wrong
- Failed to do something that should have been done
- Acted unfairly, improperly or inappropriately; which in the opinion of the individual/ group has adversely or unfairly affected their involvement and/or all matters pertaining to his or her volunteering agreement.

POLICY

A grievance may occur in the workplace between two or more members (including volunteers), between a committee member(s) and management. A grievance can be behaviour, which is lawful, but unreasonable, such as ongoing conflict or it can be behaviour, which is unlawful, such as sexual harassment. All grievances should be handled in a confidential and sensitive manner, Hobart FM will work to ensure all grievances are addressed and resolved effectively through a common process of discussion and perhaps investigation.

PRINCIPLES

Natural Justice and Procedural Fairness.

The principles of natural justice and procedural fairness apply to the resolution of grievances and the grievance process.

The principles of procedural fairness include

- The grievance should be clearly defined by the Complainant.
 - Describe the details of your grievances and or concerns for the Committee or Coordinator to review
 - Describe what you believe is the underlying problem, activity or non-performance
 - Detail what you believe is the solution

- Describe what you have done in a constructive manner relative to your solution in 3 above
 - Is there any additional information that may assist the Committee in the Review Process
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- The grievances should be addressed as soon as practicable after the alleged behaviour/ incident is reported.
 - The Respondent has the right to know the substance of the allegations
 - The Respondent and the Complainant have a right to respond.
 - Any investigation should be free from bias.
 - The right to access any documentation generated due to the lodgement of a formal grievance applies to all persons involved in the grievance resolution process.
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- The investigation of a formal grievance should be dealt with within a reasonable timeframe.

Appropriate use of Discretion

The principle of appropriate use of discretion requires that decisions made during the grievance resolution process are based only on:

- Relevant factors
- Presented evidence and
- Reasonable action

Confidentiality

Confidentiality will be respected, only those involved in the grievance resolution process will have access to relevant information regarding the grievance. If allegations of criminal behaviour emerge during the investigation of a grievance, such allegations must be by law reported to external authorities.

Confidentiality must be adhered to during and after the process of making and resolving grievances.

Self Resolution

It is a principle of Hobart FM Grievance policy that complainants will generally try to resolve concerns directly with the other party concerned prior to initiating a formal grievance. The complainant should clearly outline the reasons they feel aggrieved and what actions or options they believe are necessary to resolve the issue. They should initiate face to face contact with the person/s they have the grievance and may enlist the assistance of a support person in doing so.

It is expected that both complainants and respondents will participate in good faith in resolving grievances so Hobart FM maintains a respectful and harmonious environment.

If an approach to the respondent does not lead to a resolution of the problem the complainant should follow the Formal Grievance Procedures.

Equal Access and Representation

The principal of fair and equitable treatment entitles all parties to appropriate support and counselling during the course of an investigation. This may include the presence of a support person at any discussions. The role of this person is to support, not to undertake the role of an advocate.

An employee may seek the advice and support of another impartial person in order to undertake a resolutions process. This person maybe an external party.

Anonymous grievances

Anonymous complaints, or complaints from individuals that indicate that they do not wish to be identified, may still be considered from a system/process improvement point of view only. A complete and fair process is likely to be limited if instigated from anonymous sources. Procedural fairness requires that Respondents be given full details of the allegations made against them and have a fair chance to put their side.

General Exclusions from the grievance process

Grievances will not be investigated where the grounds for the grievance appear to be vexatious, frivolous or malicious or where it is considered that they are lodged to avoid performance management, misconduct or other serious workplace matters.

Record Keeping

Notes should be kept at all stages of the grievance process by the Claimant and the Respondent and any other person involved.

If a formal grievance is to be lodged, it should be done so in writing and lodged with the Manager with any other supporting documentation.

All documentation generated as a result of the grievance investigation shall be subject to the principles of this Policy, in particular the principle of Confidentiality.

At the conclusion of a grievance process, documentation shall be stored in a secure environment in the office of the Manager.

Notice given advising of the outcome of any formal grievance shall be stored on the personnel file of both the Claimant and the Respondent.

Procedure

- Self Resolution – the issue is raised by the complainant directly with the other party concerned, clearly outlining the reasons they feel aggrieved and what action or options they believe are necessary to resolve the issue. The complainant should prepare for the discussion and aim to create an environment for resolution through conciliation and possible compromise, they may also consider using email or other medium prior to face- to face discussion to raise the respondent's awareness of the issues and the impact it has/ had on them. Discussion with another supportive person prior to arranging a meeting may also be considered, as well as accompanying them to the meeting with the respondent.
- Raise concern with member of staff – if an approach to the respondent does not lead to a resolution of the problem or if the complainant does not feel comfortable about approaching the respondent, they may choose to approach a neutral staff member.
- Every reasonable effort should be made by the Coordinator and the complainant to resolve the issue with the respondent. It is expected that in most circumstances, the resolution of the grievance should be achieved within two weeks from the date the grievance was first brought to the attention of the Coordinator. If the matter is unresolved to the complainant's satisfaction within two weeks and the Coordinator is unable to appease concerns, then they may commence a formal grievance/ complaint process by presenting their concerns in writing to the President of the Committee or relevant person.

Step 2 formal grievance process – note: where the word Coordinator is mentioned this should be substituted for Chairman of the Committee where the member or a member of the Committee of Management is the subject of a grievance investigation.

1. The Coordinator having first been satisfied that reasonable efforts have been made to resolve the matter informally by using the steps outlined in the informal process, may meet with all parties concerned (individually or together) and /or may require that either or all parties provide written comments. The Coordinator will investigate the concerns fully and take action to resolve the issue.

The actions taken by the coordinator may include any or a combination of the following:

- Mediation
 - Conciliation
 - Counselling
 - Discipline
 - Arbitration
 - Referral
 - Revision of Procedures
2. The outcome of the Coordinators decision and action(s) will be forwarded to the complainant raising the grievance, in writing within one month of first contact with the Coordinator on the issue. If a final decision has not been arrived at by this time, the Coordinator will write stating the reason for the delay, and the expected timeframe for a final conclusion/resolution.

The Coordinator's outcome will state whether-

- The grievance has been substantiated and what further action is recommended;

OR

- The grievance has not been substantiated and that no further action is recommended;

OR

- The grievance has not been substantiated but actions such as changes to policy or procedures are nevertheless recommended

The outcome will outline the reasons for decision and a follow-up meeting can be arranged to clarify any aspects the complainant is unclear about.

External Appeal

Although the principles of natural justice (procedural fairness) apply to the resolution of grievances and the grievances process at Hobart FM, no one can be guaranteed of obtaining the outcome they want. A complainant may decide to pursue their grievance through avenues that are external to Hobart FM.

Records

Any person raising a grievance should keep a record of all meetings, (times, dates, discussion summary etc), Hobart FM will keep a note of all formal meetings, and any formal correspondence generated as a result of the process. Records shall be stored in a locked filing cabinet with access restricted to the Manager.

RELATED DOCUMENTS/POLICIES:

- Bullying Policy
- Dispute Resolution Policy
- Misconduct Policy
- Code of Conduct Policy
- Sexual Harassment Policy
- Committee Confidentiality Policy
- Social Media Policy

*This policy meets the requirement of Code 2.3(d).
Community Radio Broadcasting Association Codes of Practice.*

AUTHORISATION

Date approved by the Committee: 17th January 2018
Review Date: January 2020

Committee President: _____
[Name]

[Signature]

Committee Secretary: _____
[Name]

[Signature]