



Revision	Drafted By / Date	Approved By / Date	Issued By / Date
01	Natalie Freeman 02/06/2024	MD Board Members	19/07/2024

Purpose

The purpose of this procedure is to establish a consistent approach for dealing with issues, conflicts and complaints that arise in the workplace during employment at Mater Dei.

This procedure is designed to allow workers (including employees, contractors, and volunteers) to have a clear understanding of what is considered a grievance and what actions to take to get the matter resolved.

The scope of this procedure applies to all workers that are engaged by Mater Dei. It is not limited to behaviour that occurs within the workplace or during work hours. It extends to all functions and events that are work related including, lunches, parties, social events as well as social media activity where the subject is related to Mater Dei.

This procedure does not apply to the following matters:

- ❖ Student complaints
- ❖ Parent complaints
- ❖ Privacy complaints
- ❖ Matters relating to child protection
- ❖ Allegations of malpractice, misconduct, or conflicts of interest (e.g. Whistleblowing)
- ❖ Work health and safety incidents or return to work practices
- ❖ Disputes or grievances relating to an award, enterprise agreement or national employment standards

In addition, Mater Dei may determine that a particular grievance is of such a serious nature that it must be dealt with in accordance with applicable laws and regulations, relevant discipline, and termination processes for addressing allegations of misconduct or serious misconduct.

What is a Grievance?

A grievance is a statement made by a worker about a work-related problem, concern, decision or complaint between workers or a worker and Mater Dei.



Grievance Procedure Principles

Privacy and Confidentiality

Only the people directly involved in the grievance will have access to the information relevant to the grievance and are responsible for maintaining confidentiality as far as reasonably practicable. For clarification purposes a worker can discuss the matter with their support person, union representative or immediate family only. If it is found that any party to a grievance has breached confidentiality, they may be subject to disciplinary action.

Please note, anonymity of a complainant cannot be assured. Depending on the circumstances the principles of natural justice may require disclosure of a worker's identity to the party against whom an allegation has been made.

Freedom of Victimisation

All necessary steps are taken to ensure those involved in a grievance are not victimised by anyone for coming forward with the grievance or for helping to manage it. Any victimisation may lead to disciplinary action.

Equity

Workers will be treated equitably regardless of their position in the organisation. This includes but not limited to background, race, gender etc or their relationships with other employees involved in the grievance.

Timeliness

Mater Dei aims to deal with any grievance promptly having regard to the circumstances of each grievance, including the nature of the grievance, operational requirements of the organisation, whilst meeting all legal obligations.

How to Lodge a Grievance

The best way of resolving a grievance will depend on the circumstances. However, all workers are encouraged to act promptly once a grievance situation arises and aim to resolve the conflict as close as possible to its source. This avoids unnecessary escalation of the problem.

Mater Dei provides a number of options on how to lodge a grievance.

1. *Speaking Directly to the Person Concerned*



A worker may speak directly with the relevant person/s involved, provided they feel comfortable in doing so. Sometimes speaking with the person/s involved or writing to them can put a stop to the situation. You should indicate the nature of your grievance and how you would like the grievance to be resolved (e.g. what you would like them to do or not to do) going forward. If the matter continues or cannot be resolved directly, a formal grievance can be raised with the Program Manager or Head of People, Culture, Risk and Compliance.

2. *Program Manager*

A worker may raise their grievance with their Program Manager. This is done by sending an email clearly stating the nature of the grievance including as much detail as possible (e.g. what, how, when, dates, times, attempts made to resolve grievance etc). If the worker does not feel comfortable sending an email, a face-to-face meeting with their Program Manager can be organised for the Program Manager to resolve the grievance accordingly.

3. *Head of People, Culture, Risk and Compliance*

If a worker does not feel comfortable raising the matter directly with the person/s involved or with their Program Manager, or if they have done so and is not satisfied with the response, workers are encouraged to contact the Head of People, Culture, Risk and Compliance. This is done by sending an email clearly stating the nature of the grievance including as much detail as possible (e.g. what, how, when, dates, times, attempts made to resolve grievance etc). If the worker does not feel comfortable sending an email, a face-to-face meeting with the Head of People, Culture, Risk and Compliance can be organised to discuss the grievance.

4. *Chief Executive Officer*

If a worker does not feel comfortable raising the matter directly with the person/s involved or with their Program Manager or the Head of People, Culture, Risk and Compliance, workers are encouraged to contact the Chief Executive Officer. This is done by sending an email clearly stating the nature of the grievance including as much detail as possible (e.g. what, how, when, dates, times, attempts made to resolve grievance etc). If the worker does not feel comfortable sending an email, a face-to-face meeting with the Chief Executive Officer can be organised to discuss the grievance.



5. *Chair of the Board*

If a worker does not feel comfortable raising the matter directly with the person/s involved or with their Program Manager, Head of People, Culture, Risk and Compliance or Chief Executive Officer, workers are encouraged to contact the Chair of the Board. This is done by sending an email clearly stating the nature of the grievance including as much detail as possible (e.g. what, how, when, dates, times, attempts made to resolve grievance etc). If the worker does not feel comfortable sending an email, a face-to-face meeting with the Chair of the Board can be organised to discuss the grievance.

Mater Dei in consultation with the worker will determine the most appropriate process for dealing with the grievance. This may include conducting a conciliation or an investigation.

Next Steps - Conciliation and Investigation

1. *Conciliation*

Conciliation involves all parties involved to meet in person to attempt to achieve a best agreed outcome. The conciliation may be facilitated by the above mentioned (Program Manager, Head of People, Culture, Risk and Compliance or the Chief Executive Officer) or by an external party nominated by the person managing the grievance.

The aim of the conciliation is to facilitate discussions and assist with negotiating an outcome in a less formal way without having to make a finding of fact or determine if the grievance is substantiated.

Where an outcome is agreed through conciliation, it will be documented via email, saved in the worker's personnel file and provided to all parties.

2. *Investigation*

It should be noted, the person appointed to conduct the investigation may vary depending on the nature of the grievance and the identity of the person against whom the grievance has been made.

The investigation may involve interviewing all parties, witnesses (if applicable) and examining any additional relevant information.

All parties will have the opportunity to respond to any allegations that have been raised against them.



During the investigation and resolution process, normal work will usually continue, subject to addressing any foreseeable risks to the health, safety and wellbeing of the people involved.

Mater Dei retains the rights to implement corrective action where it believes the matter is of a serious nature.

Support Options

1. Employee Assistance Program

All workers at Mater Dei are encouraged to utilise the Employee Assistance Program provided by Catholic Care if they would like confidential support.

Email: intakeservice@catholiccare.dow.org.au

Phone: (02) 4254 9395

2. Support Person

All parties involved in the grievance can nominate and have a support person in attendance at any meetings provided the chosen support person does not have a perceived conflict of interest. As a rule, the support person cannot be the Manager or Supervisor of the parties to a grievance. Support persons are also bound by the principle of confidentiality and are unable to speak about the grievance to any other party. Failure to do so may result in disciplinary action.

The role of the support person is to simply act as a support to one of the identified parties to a grievance. They are not permitted to advocate for the individual or represent them in anyway. They may be asked to take notes during the meeting or ask the interviewer to consider a break in proceedings where appropriate for the purpose of supporting the worker.

3. External Support

If a worker is not comfortable raising a grievance through this procedure or have done so and are not satisfied with the outcome, a worker may lodge a complaint with their union in the first instance, the Fair Work Commission, or seek independent external advice where appropriate.

It should be noted that the Fair Work Ombudsman can also provide information about resolving a grievance in the workplace.
