



EMPLOYEE GRIEVANCE MANAGEMENT/RESOLUTION POLICY

1.1 Purpose

The purpose of this policy is to provide a constructive, resolution focused framework for management of workplace grievances for employees of University College ("The College") in a manner that is, fair, inclusive, legislatively compliant, and consistent with its values, and the principles of natural justice.

1.2 Scope

This policy applies to all employees and contractors ("Employees") of the College and relates to internal grievances that arise from engagement with the organisation in the course of their employment (including out-of-hours work-related functions or functions/meetings and/or events that take place off-site).

This policy complements the resolution processes outlined in the College's Equal Opportunity Policy, Sexual Harassment and Sex Based Harassment Policy, Bullying Policy, Occupational Health and Safety (OHS) Policy and Workers Compensation. Resolution processes may differ where required under those policies and/or related legislative obligations.

Any grievance raised within the provisions of this policy should relate directly to the employee bringing that grievance. Grievances cannot be made by third parties, or on behalf of another employee.

If Council receives an anonymous grievance, in the absence of an identifiable complainant, the matter will be unable to be progressed.

This policy does not apply to any outcome or final decision made by the College in relation to lawful disciplinary action (up to and including dismissal).

1.3 Policy Statement

University College seeks to attract and retain an engaged, satisfied and effective workforce, where employees feel safe, respected and empowered in their work.

To this end, the Grievance Resolution Policy is intended to

- Reflect and reinforce our values: Empowerment and Growth; Personal Responsibility; Staying True; Respect and Kindness; Care for Community; Progressive[ness]
- Support the high standards of professional behaviour and ethical conduct expected of college employees.

- Support the high standards of performance, collaboration, and service delivery expected of college employees.
- Set out a fair, consistent and graduated resolution process for any grievances that may arise in the workplace
- Encourage prompt, procedurally fair and just resolution as close to the source of the grievance as possible.

1.4 Objectives

The College strives to resolve all grievances constructively and equitably in good faith at the lowest/most direct level possible by respectful and objective consultation, cooperation and discussion; in a manner that is appropriately considerate of and responsive to the physical and psychosocial safety and wellbeing of all parties.

1.5 Definitions

Code	Employee Code of Conduct
Complainant	An employee who brings a grievance to the attention of the College under the provisions of this policy
Dispute	A state of disagreement over an issue or group of issues between an employer and its employees
Good Faith	Good faith includes not making frivolous or vexatious complaints and acting truthfully and confidentially throughout the resolution process.
Grievance	An issue where an employee has concerns that a) they have been adversely affected by a decision, an action or an omission of the College that the employee thinks is unfair, unreasonable or unjust. b) they have been adversely affected by the behaviour of employee/s which has, or is likely to have, an unreasonable negative impact on the ability of the employee to undertake their duties
Frivolous or Vexatious	A grievance will be considered frivolous or vexatious where the grievance: <ul style="list-style-type: none"> • is so obviously untenable that it cannot possibly succeed • is manifestly groundless, or without objective, factual evidence • Is deliberately provocative or designed to provoke discord • is manifestly based on personal bias or other agenda/s rather than a legitimate, factually supported issue of workplace concern
Natural Justice	Procedural fairness to ensure the person who is the subject of the grievance has sufficient information to respond to the matter, proper investigation occurs, all parties are heard, all submissions are considered, reasons are provided for decisions made and officers handling the grievance act fairly and without real or apparent bias.

Procedural Fairness	Procedural fairness is concerned with the procedures used by a decision maker, rather than the actual outcome reached. It requires a fair and proper procedure be used when making a decision, on the basis that this maximises the likelihood that the decision maker who follows a fair procedure will reach a fair and correct decision.
Psychosocial Safety	the psychological and social conditions in a workplace that can affect the mental health of employees. These include factors like workload, job clarity, workplace relationships, and access to support.
Resolution	Outcome/s or solution/s for all parties to a grievance that addresses the original matter leading to the grievance.
Respondent	Person or entity whose behaviours, actions or decisions are the subject of the grievance.
Victimisation/Adverse Action	Treating a person less favourably because they have asserted their right to raise a grievance, supported someone else to raise a grievance, acted as a witness to a grievance or refused to do something because it is unlawful, or breaches College policies

1.6 Principles

The principles of natural justice, procedural fairness, confidentiality, privacy and respect will apply to this Policy and related processes to facilitate effective, fair, transparent and timely resolution of workplace grievances.

Grievance resolution can be achieved through:

- Conversation and discussion
- Mediation (informal or formal)
- Negotiation, and/or
- Formal investigation.

These processes shall also be professional and confidential and take into consideration the following guiding principles:

- Grievances will be addressed in good faith and taken seriously
- Grievances will be resolved at the lowest possible level
- Grievances will be dealt with promptly and fairly in accordance with the principles of procedural fairness and natural justice
- All parties to a grievance have the right to have a support person at any time or attend meetings with a support person

External Assistance – Employer

Where grievances relate to matters that are serious and/or unlawful, the College may elect to initiate a formal investigation at any stage, regardless of the wishes of the Complainant or whether they have formally lodged a grievance.

External Assistance- Employee

While the College aims to resolve all grievances internally, nothing in this Policy will prevent an employee from seeking the assistance of an external authority at any time. Any internal grievance resolution activity may be suspended until the external authority's process is finalised.

Presence of Support Person/s

Employees have a right to *request* a support person in any discussions relating to a grievance or grievance related investigations. The College will not unreasonably refuse any such request; however, it is important to note that:

- Any resolution or investigation process cannot be unreasonably delayed to accommodate the availability of a support person
- The support person is not acting or intending to act an advocate for or speak on behalf of the employee – they are there in the capacity of supportive observer. Should the employee and their support person wish to briefly confer during a resolution process, they may request a brief break to do so, provided such requests are proportional, the breaks are appropriately timed, and not disruptive or counterproductive to the process.
- The support person is expected to behave in a professional, respectful and courteous manner
- The support person is also bound by privacy and confidentiality obligations in relation to all matters relating to the grievance.

Outcomes of Grievances

Outcomes arising from the Grievance Resolution Process can include the following:

- An apology – either verbal or written
- Mediation – with an internal or external mediator
- Disciplinary action
- A behavioural contract
- Counselling and/or wellbeing assistance/support
- Formal training
- Performance counselling/coaching (including a performance improvement planning)
- Additional professional training/development
- An understanding/genuine commitment that the behaviour will not be repeated – accompanied by a demonstrable change in behaviour
- A change in policy or procedure

2.1 Process

The following three approaches may be taken to raise a grievance and seek resolution:

- **Approach 1:** Conversation
- **Approach 2:** Management/Supervisor Support
- **Approach 3:** Formal lodgement of a grievance

Each of these approaches is described in detail in *Appendix 1*.

2.2 Expectations During the Resolution Process

Irrespective of the approach taken, it is expected that:

- Performance of duties will continue in a normal manner until the outcome of a grievance is determined. However, during this time, the College may take reasonable steps to ensure the health and safety of the employee/s involved in the grievance, and to minimise adverse impact to operations/student services. Such steps may include standing down an employee from work or requesting them to work remotely for a period of time, changing work arrangements, additional supervision and support and counselling. These measures are in no way punitive or indicative of the College's views regarding the grievance.
- Confidentiality will be respected and maintained by all parties to the grievance. Privacy will be respected, and disclosure of information will be limited to the requirements of a full investigation. Breaches of confidentiality may result in disciplinary processes, up to and including suspension and/or dismissal.
- There will be no adverse action, reprisals, disadvantage or victimisation of any employee who raises a grievance in good faith, acts as a witness to a grievance, or is involved in an investigation, should that be required.
- When a grievance has been lodged formally, progress on the grievance will be regularly and appropriately communicated with the complainant, and the respondent.
- Grievances will be addressed within a reasonably practicable timeframe

2.3 Formal Appeal of an Outcome

If an employee is dissatisfied with the outcome of the process, they can appeal the outcome to the Head of College, or if the complaint relates to the Head of College, to the President of the College Council.

This will require the employee to provide an outline of the grounds for the appeal, which will generally relate to the process set out in this policy and procedure not being followed, rather than the outcome of the grievance (except for matters relating to Flexible Work Arrangements, which are to be dealt with under the provisions of the College's Flexible Work Arrangements Policy).

The Head of College (or where required, President of Council) will review the case and may call on some of the parties to the case or the investigator to provide them with further information.

The decision on the matter will be final and will be conveyed to the employee in a timely manner.

3. Related Policies/Documents/Legislation

Policies/Documents

- Code of Conduct
- College Values (as articulated in the 2025-2027 Strategic Plan)
- Privacy Policy
- Occupational Health and Safety Policy
- Equal Opportunity Policy
- Sexual Harassment and Sex Based Harassment Policy and Bullying Policy
- Whistleblower Policy

Legislation

Grievances can arise from workplace behaviours and attitudes that may also be covered/governed by relevant Federal or State legislation. The College is required to comply with a broad range of statutes in carrying out its day-to-day activities.

Applicable legislation may include:

Commonwealth

- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Australian Human Rights Commission Act 1986
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Fair Work Act 2009 (including the National Employment Standards)

State

- Racial and Religious Tolerance Act 2001
- Occupational Health & Safety Act 2004
- Privacy and Data Protection Act 2014
- Charter of Human Rights and Responsibilities Act 2006
- Public Interest Disclosures Act 2012
- Crimes Act 1958
- Equal Opportunity Act 2010
- Gender Equality Act 2020
- Protected Disclosure Act 2012

COMMUNICATION AND IMPLEMENTATION OF POLICY

- 6.1. This Policy is available on the College’s website and is communicated to all employees in their Contracts and during their Induction. This Policy will be reviewed in accordance with the Policy Review Schedule.

APPROVAL AND REVIEW DETAILS

Approval and Policy Owner	Details
Approval Authority	Council
Advisory Committee to Approval Authority	Governance Committee
Policy Owners	Executive Leadership Team
Next Review Date	February 2026

Version Control	Date Approved	Description of Change
V1	February 2025	Original

APPENDIX 1 – GRIEVANCE PROCEDURE

Approach 1: Conversation

If an employee feels comfortable and safe to do so, they are encouraged to speak directly to the person concerned (Respondent) as soon as possible to resolve the grievance.

In doing so, the employee should:

- Identify the specific behaviour or issue
- Prepare the details to be discussed with the respondent
- Arrange to meet/speak confidentially with the respondent
- Maintain confidentiality and ask the respondent to maintain confidentiality
- Speak respectfully and remain calm
- Describe the specific behaviour or issue – factually and without personalisation
- Explain the impact of the behaviour or issue on the employee
- Request that the behaviour stop (if applicable) or that other, appropriate and reasonable steps be taken by the respondent to resolve the issue, and
- If a resolution is agreed, write an email to the respondent confirming the outcome and offering that the respondent provide their comments

If the employee requires advice on how to approach the respondent to resolve the grievance, employee's immediate supervisor/manager may assist the employee to prepare for this process.

The employee is also encouraged to consider accessing the College's Employee Assistance Program (EAP) for support and advice.

Approach 2: Manager Support

In this approach the employee seeks resolution through the involvement of their direct manager, however, where the grievance may be about their immediate leader seeking advice and support from their “next level” Manager may be necessary to assist in resolution of the matter, eg:

- If the grievance is one involving their Supervisor/ Manager, the complainant may discuss the issue with their relevant Senior Manager.
- If the grievance is one involving their Senior Manager, the complainant may discuss the issue with the Dean of Studies and Deputy Head of College.
- If the grievance is one involving the Dean of Studies and Deputy Head of College, the complainant may discuss the issue with the Head of College.
- If the grievance is one involving the Head of College, the complainant may discuss the issue with the President of the College Council.

The informal resolution process can still be applied at this stage. However, where the matter is serious, and involves a senior Manager, the President may seek the advice of an independent advisor/consultant, and/or member of council to resolve the grievance.

It is important that the Manager/President discloses the details of the grievance to the respondent(s), to give that person or persons the opportunity to respond.

Approach 3: Formal lodgment of a grievance

Grievances can be formally lodged with the employee's Manager, either verbally or in writing (and/or in accordance with the hierarchy outlined in Approach Two) (see Appendix 2 to this policy which provides a template for a written grievance).

If the grievance is lodged verbally then notes will be taken of the interview and a complainant will be asked to sign that record of their interview to confirm that the details provided are true and correct.

At this stage, despite a formal lodgment of a grievance, a matter can still be resolved informally.

However, it may require a formal investigation, to be determined by the Head of College, in consultation with the President of the College Council.

APPENDIX 2 – GRIEVANCE LODGEMENT FORM

NAME _____

DEPARTMENT _____

POSITION TITLE _____

DATE LODGED _____

REPORT MADE TO _____

POSITION TITLE _____

DEPARTMENT _____

GRIEVANCE DETAILS:

1. Describe the situation which led to you lodging this grievance (attach additional pages if required)
2. List who was involved in the situation (respondent, witnesses)
3. When did this situation occur?
4. What approach have you taken to resolve the situation?
5. What would you like to see happen to resolve this grievance?

EMPLOYEE SIGNATURE _____

Please make a copy of this form, once completed, for your records and forward to your supervisor, Manager or, where appropriate, next level Manager/Head of College as soon as possible.