



Governance Documents

Volume 2: Policies

2.5.2: Grievance Resolution Policy

Board approved 27/07/14

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Summary Statement

GGA recognises that from time to time members, volunteers and members of State Girl Guide Organisations (SGGOs) may have concerns arising from behaviour or actions of appointees, volunteers and employees; or with decisions that seem to be unfair, discriminatory or unjustified with regard to national matters.

GGA provides a fair, effective and timely procedure to investigate, rectify and resolve grievances that arise as close to the source as possible. The procedure is detailed in the GGA Grievance Resolution Procedure.

GGA encourages people to raise issues they perceive to be unfair, harsh or unreasonable and to try to resolve any issues or concerns that they may have at the earliest opportunity.

GGA will strive to reach a resolution to the satisfaction of all parties.

1 About this Document

1.1 Purpose

The purpose of this document is to outline the policy of Girl Guides Australia (GGA) in relation to the resolution of grievances. This Policy is intended to outline the principles by which GGA provides a fair, effective and timely process to investigate, rectify and resolve grievances that arise as close to the source as possible.

This document does not limit the powers or duties of GGA.

1.2 Approval by the Board

This document has been approved by the Board.

1.3 Review

The Board will ensure that this document is reviewed.

1.4 Amendment

The Board may amend this document at any time.

1.5 Responsibility

Responsibilities under this policy are:

Position	Responsibility
Board	Policy owner
CEO	Executive Office oversight, policy review

1.6 Document Management

Approval and Change History

This table summarises the changes to and approval of this document. While the document is reviewed at least annually, it is only subject to approval if changed.

Version	Author	Date	Approved By	Comments
20051007	xxx	07/10/2005	GGA	Initial document creation
20051202	xxx	2/12/2005	GGA	Updated with minor changes
20060217	xxx	17/02/2006	GGA	Annual Review
20120413	xxx	13/4/2012	GGA	Updated with minor amendment
20140727		27/07/2014	GGA	Board approved

2 Policy

2.1 Application

This Grievance Resolution Procedure for National matters applies to:

- SGGOs
- Current members of SGGOs or parent/guardians if the complainant is a youth member
- National appointees

2.2 Principles

GGA recognises that from time to time members, volunteers and members of State Girl Guide Organisations (SGGOs) may have concerns arising from behaviour or actions of appointees, volunteers and employees; or with decisions that seem to be unfair, discriminatory or unjustified with regard to national matters.

- A Grievance, as related to this procedure, is a dispute, concern or complaint on a national matter which an SGGO, volunteer, member or an employee considers to be unfair, unjust, unreasonable or inadequate.
- If the complainant has a grievance against a person who is working in a national role or is representing GGA by virtue of the work being undertaken (at the time of the grievance) the GGA Grievance Policy applies.
- Conversely, if the grievance is raised by a person against a person acting in a State role that State's grievance policy applies.
- Members of SGGOs or parent/guardians if the complainant is a youth member should refer to their State Grievance Resolution Policy and Procedure which will apply in instances not related to a national matter.
- GGA encourages people to raise issues they perceive to be unfair, harsh or unreasonable within GGA and to try to resolve any issues or concerns that they may have at the earliest opportunity
- Complainants should ensure that an issue is reasonably raised in good faith, is not trivial and relates to a national matter.
- This Grievance Resolution Procedure applies to all grievances including alleged breaches of expected codes of behaviour and includes but is not limited to, issues in relation to:
 - Harassment (including sexual harassment)
 - Discrimination
 - Bullying
 - Performance management
 - Duty of care
 - General grievances

3 Process

Grievances will be resolved in a process as outlined in this procedure. Grievances must be actioned confidentially and dealt with promptly in an objective and impartial manner.

The HR committee and CEO may provide advice on the GGA procedure and the resolution options available, however the choice of resolution option remains with the complainant.

If a complainant believes that she/he has a legitimate grievance which is a national matter they may choose from the following resolution options:

- Informal GGA resolution
- Formal GGA resolution

3.1 Informal Resolution

The objective of this process is to contain the complaint to the parties involved in order to reach a resolution to the satisfaction of all parties.

Concerns, issues or problems should first be addressed between the parties immediately involved in the dispute. Underpinning this procedure is the belief that personal grievances at GGA should be able to be resolved in a spirit of open cooperation, within the context of conciliation and without the need of formal processes. For this to occur, all parties must accept responsibility for contributing to the creation and maintenance of a harmonious GGA environment.

Self Help: If the complainant feels confident enough to confront the respondent and raise the concern, where the concern is related to behaviour, they should inform them that the behaviour is unwelcomed and request that it should stop. The complainant should keep a record of the incident/s and the respondent's response to their approach.

If the issue is not resolved, the behaviour continues or the respondent denies the behaviour, the complainant should cease this approach and contact the CEO and/or the Chair of the GGA HR Committee as appropriate and utilise the Formal Resolution process.

3.2 Formal Resolution

A formal complaint must be made in writing to the CEO or Chair of the GGA HR Committee for referral to the Grievance Officer. The complaint must contain the following information:

- The full name and contact details of the person/organisation making the complaint
- The nature of the complaint
- The precise detail (e.g. exactly what was said/done and by whom)
- Date/time and any potential witnesses (with contact details if appropriate)
- What outcome the complainant is seeking

The role of the Grievance Officer is to determine if the complaint has substance and to ascertain whether or not further inquiry is warranted.

4 Procedures

4.1 The Formal Process

The Initial Interview

Within a 21 day period the Grievance Officer must speak with the complainant to collect any further details of the complaint and advise the complainant of the procedure to be followed and reassure them that their confidentiality will be respected.

The complainant should be offered a support person of their choice to be present if required. The Grievance Officer should review all details of the alleged complaint including any notes prepared by the complainant and prepare notes of their own. Based on the evidence collected the Grievance Officer will determine if the complaint has substance. If the complaint is determined to have no substance the complainant will be advised in writing and no further action will be taken. If it is determined that the complaint has substance the Grievance Officer would move to the next step.

Inquiry

The Grievance Officer must inform the respondent of the allegations in writing within 21 days of the initial interview and prior to the inquiry to allow them time to prepare a response to the allegations. The response to the allegations will be heard at the Inquiry. Any witnesses will be interviewed separately. Full records of these interviews will be kept by the Grievance Officer in a secure and confidential location in the GGA office.

Recommendation

After review of all the information, if it is determined, on balance that the allegations are upheld, one of the Chief Commissioner/ National Team/ Board, as is most appropriate, is to be notified and they shall determine what further action is to be taken. Actions may include mediation between the parties and a range of recommendations related to either party.

If the complaint cannot be founded or is found to be vexatious, both parties must be advised in writing that no further action will be taken.

Upon substantiation of a complaint, the Chief Commissioner/ Board, as is most appropriate, acting on the recommendation of the Grievance Officer is to determine the appropriate action. Action which may be taken, depending on the nature and seriousness of the Grievance and outcome of procedures, range from requesting a written apology, to issuing a warning, arranging for training or counselling or in extreme cases the termination of Leadership or volunteer Role, or in the case of a complaint from an SGGO, amending or refuting a decision.

This determination must be made within a reasonable timeframe of the receipt of the report from the Grievance Officer with a copy to both parties.

4.2 Accountabilities and responsibilities

Chief Commissioner/ National Team/ GGA Board	<p>Take a leadership role in demonstrating a commitment to the timely resolution of grievances</p> <p>Ensure that:</p> <p>There is an effective, timely, impartial and just system for dealing with grievances as outlined above</p> <p>Access to grievance resolution processes is open and fair for all parties</p> <p>People who deal with grievances are adequately trained and supported</p>
	<p>Members, volunteers and employees understand and have confidence in the system to deal with their grievances</p> <p>Grievances are dealt with promptly, impartially, justly and confidentially</p> <p>Follow-up occurs to ensure the outcomes of the resolution are achieved</p> <p>People who raise concerns are not victimised</p>
Grievance Officer	<p>Receive grievances</p> <p>Manage the grievance resolution system</p>
HR Committee	<p>Present a Grievance Resolution Process for Board approval</p> <p>Encourage appointees, volunteers and employees to understand GGA's processes for resolving GGA related grievances</p> <p>Receive grievances through the Grievance Officer</p> <p>Act as impartial observers in meetings if requested</p> <p>Provide timely and confidential assistance to appointees/ volunteers/ employees</p> <p>Keep records in accordance with the appropriate processes</p>
Members/ Volunteers/ Employees	<p>Keep informed about the grievance procedure and attend any training as required</p> <p>Prevent victimisation and harassment throughout GGA</p> <p>Are obliged to take informal action as a minimum, if they observe any harassment, bullying, discrimination or potential breach of GGA policies and procedure</p> <p>Take prompt action of GGA related grievances in accordance with the proper processes</p>

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4.3 General Advice that applies to the Grievance Resolution Procedure

Confidentiality

All parties involved are required to maintain confidentiality and must not discuss the grievance with others without the agreement of the complainant. The exceptions are in circumstances where it is considered that someone is in danger, criminal investigation may be necessary, or GGA liability may be involved. Any necessary discussion of the grievance among relevant appointees or employees will remain confidential.

Right to answer a grievance

If a grievance involves another person they have the right to be given a full account of the nature of the complaint with sufficient notice to prepare a response.

Support person

Any party involved has the right to bring a support person. The support person is not there as an advocate. The support person cannot be someone who is directly involved in the grievance process e.g. a witness. They may not speak openly but may take notes for the person they are supporting.

Withdrawing a grievance

A grievance can be withdrawn at any time in writing with all aspects of confidentiality being maintained throughout. No further action will be taken unless the grievance relates to possible physical danger, criminal investigation or GGA liability. In these cases it will be referred to the Chief Commissioner.

Right of Appeal

If a complainant believes that the processes set out in this policy were not followed, or were not

followed properly, the complainant may appeal in writing to the Chief Commissioner (or the Board of GGA if it was the Chief Commissioner who undertook the Formal Resolution process or was involved in the complaint). The Chief Commissioner (or Board) may prescribe a plan of action to resolve the grievance and nominate a time frame for implementation or determine the grievance outcome. This decision is final.

Informing external bodies in serious or criminal circumstances

Alleged matters of a criminal nature will be immediately referred to the police.

Storage of formal grievance documentation

The following written records will be made and retained for the required time, in a secure location in the GGA Office as part of the formal grievance procedure:

- The written statement of the complainant with the grievance and any other relevant person/ witness.
- Notes or reports of those reviewing the grievance.
- Any supporting documentation.

Appendix 1: Definitions and Abbreviations

Term	Definition/Abbreviation
Appointee	A person appointed or elected to a position with GGA.
Board	The Board of GGA.
Chief Commissioner of GGA	CC
Complainant	An individual or SGGO with a grievance arising from behaviour or actions of appointees, volunteers and employees of GGA; or with decisions of GGA that seem to be unfair, discriminatory or unjustified.
Employee	A person paid to work for GGA or an SGGO.
Girl Guides Australia	GGA
Grievance Officer	A member of the HR committee of GGA appointed by the CC to operate as described in this document (or in the case of a complaint regarding the CC or Board an independent lawyer, who is not a member of a SGGO or an appointee).
HR committee	The Human Resources committee of GGA.
Members of GGA	The SGGOs.
Members of the SGGOs	Current financial members of the SGGOs.
National Appointees	Any individual who is appointed to, elected to or representing GGA
National Matters	Activities and work which is delivered by and comes under the auspice of the National organisation. E.g. National events, National Managers and Committees, Members representing GGA at international events.
National Team	The group comprising the CC and all Assistant Chief Commissioners.
Chief Executive Officer of GGA	CEO
State Girl Guide Organisations	SGGO: Girl Guides New South Wales and the Australian Capital Territory, Girl Guides Northern Territory, Girl Guides Queensland, Girl Guides South Australia, Girl Guides Tasmania, Girl Guides Victoria and Girl Guides Western Australia.
Support person	A person, not directly involved in the grievance process, invited to accompany a party involved in the dispute.
Volunteer	A person doing unpaid work for or on behalf of GGA or a SGGO.
Youth members	Current financial members of the SGGOs under 18 years of age.