

# Quality Area 7: Governance and leadership

## Grievance Procedure



### Introduction

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Kootingal & District Preschool will always aim to provide a fair and equitable workplace; this includes procedures for settling grievances. All team members should work together to ensure a safe, healthy, and harmonious work environment.

We acknowledge that conflict is a natural part of the work environment. It may relate to something simple, such as who leaves their dirty teacup on the sink or more major issues such as what changes to make to the daily routine. Conflict may also arise due to seemingly incompatible personalities. It is important that all conflict is resolved. Unresolved conflict leads to tension, stress, low productivity, sour relationships, excess time off, ill health, anxiety, and many other destructive emotions. When conflict is addressed and handled constructively the outcomes are feelings of relaxation, openness, high productivity, vitality, good health, empowerment, a sense of achievement etc.

It is every staff member's responsibility to contribute to the development of an open, healthy, and constructive work environment. All grievances, whether considered minor or not, are to be dealt with promptly and thoroughly.

All Kootingal & District Preschool employees are expected to look at conflict in a positive way, ready to learn something new, reflect on good quality practice, improve work relationships, and ultimately provide better care & education for children.

Employees are also to be aware of their responsibility in providing good role models for children in their handling not only of conflict with work colleagues, but with children, parents, and other associates.

Employees should regularly reflect on the Code of Ethics - Early Childhood Australia for guidance and direction of appropriate behaviour when dealing with conflict.

The Code of Ethics states that all team members should "make every effort to use constructive methods to resolve differences of opinion in the spirit of collegiality."

### Goals – What are we going to do?

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In servicing and resources on conflict resolution:

- A grievance can be any type of problem, concern or complaint related to work or the work environment raised by a staff member
- At all times, any grievance should be addressed immediately between the persons involved
- Employees are to use skills in conflict resolution and not act unreasonably, oppressively or in a discriminatory manner. It is important that all persons acknowledge that a grievance exists. It is the responsibility of all persons involved to confer with a view to resolve the grievance.
- All employees are encouraged to attend courses on 'Conflict Resolution' or similar courses on interpersonal communication skills as part of their professional development

- Resources are also available for borrowing through management

## Strategies – to achieve our goals

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When the persons involved cannot resolve the grievance between them in a constructive way the following steps will be followed:

1. The aggrieved person is to contact the Nominated Supervisor who will act as Mediator
  - The Mediator will have an interview with the persons involved and clarify the facts, work out whether advice is needed from other sources, discuss options available and help to formulate a plan of action.
  - If an employee does not feel comfortable in approaching their supervisor, or the conflict is with their immediate supervisor, they can contact the next level of management to act as Mediator.
2. If an amicable resolution does not occur at this meeting the Mediator is to present a report to the next level of management outlining:
  - The nature of the grievance
  - The procedures followed to date
  - The solution(s) sought
  - The recommended plan of action or resolution
3. If an agreement is reached the mediator is to present a report to the next level of management outlining:
  - The nature of the grievance
  - The procedures followed to date
  - The solution(s) agreed upon
  - The plan of action to reach this solution and review time if warranted

A copy of this report is to be provided to all persons involved in the grievance, and a copy is to be retained at the workplace.

### **Grievance Procedures**

Harmonious staff relations within the service largely depend on staff feeling satisfied that their professionalism is being acknowledged by their involvement in appropriate decision-making processes.

The quality of industrial relations is likely to be substantially better in a workplace if the decision-making processes adopted, permit staff to have input into decisions, which affect the nature and quality of their professional work.

Management and staff within the organisation will work together to develop and implement appropriate strategies to facilitate consultative and collaborative decision-making processes within the workplace. Where staff feel these processes have failed and are in conflict with decisions made by Management, including the Committee, the following procedures are to be ensued:

- The aggrieved person(s) is/are to discuss the grievance with their immediate supervisor
- The supervisor is to report to the Nominated Supervisor of the grievance
- The Mediator will seek advice as necessary from other sources, (e.g.: unions, Work Cover, and funding bodies)

- The Mediator will then advise Management of the possible solutions.

Meetings are to be arranged with the aggrieved person(s) as necessary throughout the process. The outcome of the grievance must be reported to the aggrieved person within a week of the decision.

## **Resolution of Grievances**

Grievances are considered resolved when all persons involved agree to a solution, when the cause of the grievance has been removed or resolved, and when arrangements have been made, if appropriate to repair any damage and distress suffered by the persons involved. Strategies agreed upon by both parties are to be put in place to help avoid further conflict.

## **Unresolved Conflict**

If resolution of the conflict is unsuccessful after all procedures in Grievance Policy have been followed it may then be necessary to take disciplinary action.

## **Confidentiality**

Mediators are to use discretion and to do their utmost to maintain confidentiality. Any breach of this confidentiality could result in a charge of misconduct. However, confidentiality cannot be guaranteed in the following situations: if it is considered that someone is in danger, if disciplinary action or criminal investigation might be necessary; or if employer liability might be involved.

No action will be taken against the person about whom a formal complaint is lodged until they are made aware of any allegations so that they may respond.

## **Support Person**

A staff member (members) can nominate a support person to attend any meetings with them. This person may be a union representative but is not limited to that. It can in fact be anyone else whom the staff member (members) feels comfortable will offer support.

## **Monitoring, Evaluation and Review**

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This policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the service will review this policy every two years.

Families and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.

In accordance with Regulation 172 of the Education and Care Services National Regulations, the service will ensure that families of children enrolled at the service are notified at least 14 days before making any change to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the service; a family's ability to utilise the service; the fees charged or the way in which fees are collected.

## **Links to other policies:**

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Code of Conduct for Staff Members

Harassment Free Workplace

Complaints and Feedback

Parent Code of Conduct

Participation of Volunteers and Students

## Related Legislation:

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### NQS

<b>Quality Area 4</b>		<b>Staffing arrangements</b>
<i>Standard</i>	4.2	<i>Professionalism</i>
<i>Element</i>	4.2.1	Professional collaboration
<i>Element</i>	4.2.2	Professional standards
<b>Quality Area 7</b>		<b>Governance and leadership</b>
<i>Standard</i>	7.2	<i>Leadership</i>
<i>Element</i>	7.2.1	Continuous improvement
<i>Element</i>	7.2.2	Educational leadership
<i>Element</i>	7.2.3	Development of professionals

### National Law

Section	168	Education and care services must have policies and procedures
Section	173	Prescribed information to be displayed
Section	176	Time to notify certain information to Regulatory Authority

### Sources:

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- Australian Children’s Education and Care Quality Authority (ACECQA) – [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Office of NSW Equal Employment Opportunities – Fact Sheet (1996) “Dealing with Work Concerns and Grievances” - [www.eeo.nsw.gov.au](http://www.eeo.nsw.gov.au)
- Code of Ethics- Early Childhood Australia
- National Quality Standards for Early Childhood Education and Care
- Fair Work Australia

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