

GRIEVANCE POLICY AND DISPUTE RESOLUTION STRATEGY

1. PURPOSE

- 1.1 The purpose of this policy is to give all members of U3A South Coast access to a means of resolving grievances and disputes between those Members, and to
- 1.2 Establish a transparent and fair process that achieves Purpose 1.1 and that protects the organisation against risk of loss or action being taken against the organisation, its officers, committee and sub-committee members, group leaders or individual members.

2. POLICY

Informal and formal Procedures are in place for resolving disputes and grievances. All members and visitors are responsible for ensuring that the Code of Conduct is the reference guide to interactions.

3. THE AUTHORITIES FOR THIS POLICY

- 3.1 U3A South Coast Code of Conduct, Privacy Policy and Photo Policy
- 3.2 U3A South Coast Inc. Constitution and Rules
- 3.3 An understanding of relevant state and federal legislation, notably discrimination law including but not limited to Equal Opportunity Act 1984, Racial Vilification Act 1995, Australian Human Rights Commission Act 1986;
- 3.4 Australian Privacy Principles and Privacy Act 1988 and 2018

4. GRIEVANCES AND DISPUTE RESOLUTION – RESPONSIBILITIES OF STAKEHOLDERS

- 4.1 The [U3A South Coast] President and Management Committee have overall responsibility for establishing and conducting a grievance procedure and deciding an outcome.
- 4.2 Group Leaders and members may, informally where possible, resolve a dispute or grievance with explanations and negotiating. If issues remain unresolved they should refer complainants to the President and/or members of the Management Committee.
- 4.3 All Members are considered to have a duty of calm and helpful interaction where it is feasible to work at negotiating a resolution to any dispute or grievance. They are also entitled to refer the matter to the President and/or members of the Management Committee for resolution.
- 4.4 Visitors should conform to directions expressed by the group leader and the venue's rules

5. GRIEVANCE PRINCIPLES

- 5.1 The Code of Conduct is the primary guide to maintaining a respectful culture.
- 5.2 The complainant should consider resolving the dispute or grievance directly. If the matter cannot be resolved, then approach one of President, Vice President or a Past President.
- 5.3 A grievance procedure should be fair, promptly applied, simple and formalised.
- 5.4 The grievance should be resolved in the simplest way and at the lowest level. Escalation to a formal procedure is a last resort.
- 5.5 All parties must have an opportunity to state their case. The complainant may bring another person to a meeting for support.
- 5.6 The investigator must show an open, non-judgmental attitude towards the aggrieved member (complainant), display a sincere interest in the problems of the complainant and a willingness to be of help. The investigator is at the same time the representative of the management committee, and the representative of the complainant to the management committee, and must be both impartial and objective.
- 5.7 In handling grievances, thought must be given not only to the short-term effects of a decision but also to its long-term implications. An expedient solution may have unforeseen and unwanted long-term implications.

6. GRIEVANCE PROCEDURE

6.1 THE INFORMAL PROCEDURE

- 6.1.1 The aim of this Grievance Procedure is to settle grievances or complaints fairly and it is intended to operate simply and quickly in discussion. Every effort will be made to resolve the issue at the earliest possible stage, and at each stage efforts will be made to settle the issue amicably in order to avoid proceeding to the next stage.
- 6.1.2 If a Member is unable to sort the problem out informally, the matter should be referred to the President. You may be able to agree an informal solution between you.
- 6.1.3 If the problem is serious or remains unresolved or the Member wishes to raise the matter formally, the Member can use the formal grievance procedure.
- 6.1.4 In the case of a grievance being taken out as a counter-grievance, or in response to the start of disciplinary action, it may be appropriate to deal with both issues at the same time. If appropriate, the disciplinary procedure may be temporarily suspended in order to deal with the grievance

6.2 THE **FORMAL** PROCEDURE

6.2.1 Raise the grievance in writing:

6.2.2 The member should raise a grievance with their group leader without unreasonable delay, normally within one month of the incident (or final incident) which gives rise to the complaint.

6.2.3 The matter should be directed to the President, Vice President or a Past President.

6.2.4 Whoever deals with the grievance at a meeting, will normally be excluded from hearing any appeal. The Member must detail in writing the specific circumstance or circumstances which constitute the grievance, with dates, times, witnesses, etc. as applicable. Members should stick to the facts and insulting or abusive language should not be accepted.

6.3 INVITATION TO A GRIEVANCE MEETING:

6.3.1 The President or alternative will invite the Member to attend a meeting, without unavoidable delay to discuss the matter.

6.3.2 The President or alternative will also state that the Member is entitled to be accompanied by a colleague at the meeting.

6.4 THE GRIEVANCE MEETING:

6.4.1 Where possible, a note-taker, who must be uninvolved in the case will take down a record of the proceedings, or arrange for the proceedings to be recorded where acceptable by participants.

6.4.2 The President will introduce the meeting, read out the grounds of the Member's grievance, ask the Member if they are correct and require the Member to provide clarification regarding details of the grievance if unclear

6.4.3 The Member will be given the opportunity to put forward her/his case and say how they would like to see it resolved. The Member may call witnesses and refer to any documents previously provided. The President or alternative may question the Member and any of the Member's witnesses. The Member/companion will be given the opportunity to sum up but may not introduce any new material. The meeting may be adjourned by the President or alternative if it is considered necessary to undertake further investigation. Any necessary

Investigations will be carried out to establish the facts of the case. The meeting will be reconvened as soon as possible

6.4.4 Having considered the grievance, the President or alternative will give her/his decision regarding the case in writing to the Member which will normally be within five working days. If appropriate, the decision will set out what action the Management Committee intends to take to resolve the grievance or if the grievance is not upheld, will explain the reasons. This will also include notifying the Member of her/his right of appeal and the procedure to be followed.

6.5 APPEAL:

6.5.1 The Member wishing to appeal against a grievance decision must do so in writing within five days of receiving written notification of the grievance decision, stating the reasons for the appeal. Any documents submitted in support of the appeal must be attached. Arrangements for the appeal meeting will be made by the President or Vice President or a Past President who will ensure that a note-taker recording facility is present if possible. The appeal meeting should be held without unavoidable delay.

6.5.2 Where possible, at least two members of the Management Committee will constitute an Appeal Panel. Those hearing the appeal should, if at all possible, have had no direct involvement in the case. The Member is entitled to be accompanied by a colleague at the appeal. The meeting may be adjourned by the Appeal Panel or person hearing the appeal, if it is considered necessary to undertake further investigation. The meeting will be reconvened as soon as possible.

6.5.3 The decision of the Appeal Panel or person hearing the appeal shall be final.

7 FURTHER ACTIONS

7.1 A complainant who wishes to pursue police action as part of their grievance may do so; similarly, the Management Committee investigator may recommend that course of action, or initiate it personally.

7.2 Should the decision be that the dispute or grievance has been frivolous, mischievous or even malicious, the decision may be to end the membership of the member concerned.

8 REVIEW

8.1 Unless otherwise required, this Policy and Procedures document should be reviewed at 2 year intervals following its acceptance and implementation.