



THE DIOCESAN SCHOOL FOR GIRLS

# **STAFF GRIEVANCE POLICY AND PROCEDURE**

*This version: 30 June 2020*

Reviewed June 2020

## OBJECTIVES

The objective of this policy is to provide a formal and effective channel for resolving staff member grievances.

This document is intended as a business tool and to provide guidelines in terms of addressing workplace grievances effectively and successfully. It does not create contractual obligations for the employer or any additional legal entitlements.

## DEFINITIONS

A grievance relates to an unhappiness experienced by a staff member which is caused directly by some particular working condition, or treatment / behaviour by another person in the School, which may impact negatively upon their work performance, motivation, or dignity.

## SCOPE

The scope of this policy applies to all staff members.

## INTRODUCTION

- A grievance is any dissatisfaction, or feeling of injustice, experienced by a staff member or group of staff members, in connection with his/her/their work situation or treatment/behaviour by another person in the School, which may impact negatively upon their work performance, motivation or dignity.
- A grievance may be brought to the attention of Management.
- Grievances exclude an appeal against disciplinary action.
- The key purpose of the Grievance Procedure is to establish a structured and formal communication channel through which staff members may bring bona fide grievances to Management's attention, and to have it resolved without delay at the lowest possible level.
- Disputes can be effectively dealt with to avoid them from developing further.
- Every effort will therefore be made to resolve the grievance at the earliest stage, close to its source, and as quickly as possible.
- All staff members are free to submit grievances with the assurance that their standing with the School will not be prejudiced by submitting a grievance.
- All staff members, irrespective of their position, seniority or service, are encouraged to utilise this procedure to seek to address their concerns.
- A grievance must be raised within one week after it has come to the notice of the staff member and late submission will only be considered on good cause shown.

## PRINCIPLES

The following general principles must be observed:

- Management will grant staff members an opportunity to air their individual grievances and provide the necessary mechanisms to do so.
- The staff member will be allowed representation / assistance by a co-worker if he/she so chooses.

- Management at all levels will make a concerted effort to resolve grievances in an open and honest manner.
- Each stage of the grievance procedure must be accompanied by time limits.
- Only once the staff member declares him/herself satisfied, will the grievance have been resolved.

## **EXPEDITED GRIEVANCE PROCEDURE**

This procedure only makes provision for a simple and expedited 'two-step' process, in the interests of speedy grievance resolution and the escalation of formal grievances to the School Head without undue delay.

This procedure intentionally does NOT make provision for the escalation of grievances to the School Council, but consultation with the School Council by the Head is encouraged.

### **Step 1 - Informal Discussion and Written Grievance to Superior**

- 1.1 Parties to any grievance must in the first instance, and wherever possible, resolve grievances informally, i.e. with their line manager or involved colleagues, before 'escalating' the issue to the formal level.
- 1.2 If a resolution is not possible, a formal written grievance may be lodged with the staff member's line manager, who must investigate the matter and respond personally to the staff member's grievance within five (5) days unless good reason for a longer delay exists. [If the staff member reports directly to the Head, skip to Step 2 below.]
- 1.3 The relevant line manager should attempt to resolve the matter through discussions with the staff member and/or any other persons involved and make a decision or propose a possible resolution within this period.
- 1.4 The attached **Grievance Form 1** should be used for this process and should be fully completed.

### **Step 2 - Formal Grievance to Head**

- 2.1 Should the grievance not be resolved to the staff member's satisfaction by way of Step 1, it may be pursued further by the staff member by the completion of **Grievance Form 2**.
- 2.2 The grievance in the appropriate format will then be submitted to the Head within one (1) week of Step 1 being finalised. [If the grievance is instituted against the Head in the first instance, please refer to clause 3 below.]
- 2.3 The Head should investigate the matter and respond personally to the staff member's grievance within five (5) days unless good reason for a longer delay exists.
- 2.4 The Head should attempt to resolve the matter through discussions with the staff member and/or any other persons involved and will, if necessary, conduct a formal grievance enquiry in order to establish the facts. Minutes of such an enquiry should be kept.
  - 2.4.1 The parties at the grievance enquiry should include the aggrieved staff

- member and the person(s) against whom the grievance has been lodged, if applicable. The services of an interpreter should be arranged if so required.
- 2.4.2 A fellow co-worker (who is willing to assist the aggrieved staff member) may also be present, if this is required by the staff member. Legal representation for any party at grievance hearings is not allowed.
  - 2.4.3 If required, arrangements must be made by the School Head for relevant witnesses to be available to give evidence, if there are other staff members or persons who are involved in the grievance, or its resolution.
  - 2.4.4 The Head as convener (or his/her designate, which may include an external person) may hear evidence from relevant parties, frankly discuss the matter with all the parties and should attempt to facilitate an appropriate resolution of the grievance.
  - 2.4.5 The School Head / convener will consider the evidence heard during the hearing and conduct any further investigation necessary to arrive at a decision.
- 2.5 If the matter is not resolved during the enquiry, the Head must within three (3) days after the enquiry respond to the grievance in writing regarding the School's decision as to how the grievance will best be resolved.
  - 2.6 The attached **Grievance Form 2** must be used as part of this process and should be fully completed.
  - 2.7 The decision reached will be final.
  - 2.8 Copies of the completed grievance forms should be provided to the staff member and his/her manager or other parties involved. These forms must be placed in the staff member's personnel file once the matter has been dealt with.

### 3 Non-Resolution and Referral

- 3.1 Dissatisfaction with the outcome of the grievance process may be pursued by the staff member in terms of any legal remedies that are available to him/her in terms of the Labour Relations Act or other law.
- 3.2 If the grievance is against the Head in the first instance and remains unresolved, then a referral of the grievance to the School Board can be made and the procedure as outlined in Step 2 will be followed by the Board to try and resolve the grievance, after which par. 3.1. above will apply.

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End of Pro Forma: Grievance Procedure

**Attachments:** Grievance form 1

Grievance form 2

Grievance Enquiry record

These Forms are Indicative of Form and Content and are not Prescriptive

**GRIEVANCE FORMS**

**FORM 1**

(Attach extra paper if space is insufficient)

Date: ..... Name: .....

Name of representative: .....

Details of staff member's grievance:

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Solution required: .....

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Signed: ..... .....

Staff member

Staff member representative

**RECEIVED BY SUPERVISOR/MANAGER**

Name of Supervisor: .....

Date received: .....

Supervisor's investigation: .....

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Supervisor's decision/comment: .....

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Staff member notified on ..... (Date) .....

Staff member's signature

Solution agreed upon: .....

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OR

Grievance remains unresolved

Supervisor's signature .....

**FORM 2**

(Attach extra paper if space is insufficient)

Date: ..... Name: .....

Name of representative: .....

Details of staff member's grievance

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Solution required: .....

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Signed: ..... .....

Staff member

Staff member representative

**RECEIVED BY HEAD**

Name of Head: .....

Date received: .....

Head's investigation: .....

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[If a grievance enquiry is convened, attach minutes and outcome.]

Head's decision/comment: .....

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Staff member notified on: ..... (Date) .....

Staff member's signature

Solution agreed upon: .....

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OR

Grievance remains unresolved

Signature (Head) .....

**Grievance Enquiry Record**

(Attach extra paper / notes if space is insufficient)

Date grievance meeting held: .....

Present: .....  
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Details of staff member's grievance and solution required:

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Further evidence heard:

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Date

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Signature (Staff member)

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