

Teach For Australia

Grievance Resolution Policy

Policy Owner:	People & Culture	Policy Author:	People & Culture
Approved By:	Chief Operating Officer	Approval Date:	January 2024
Effective Date:	January 2024	Version:	1.2
Next Review Due:	January 2025		

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1. Scope

This policy applies to all ongoing, fixed-term and casual employees of Teach For Australia (TFA). This policy also extends to contractors, volunteers, interns and agency employees working at TFA. Collectively, these groups are referred to as 'workplace participants'. This policy does not apply to Associate's (incoming or placed).

2. Compliance

This policy is compliant with the minimum provisions of the [Social, Community, Home Care and Disability Services Award 2010](#), [Fair Work Act 2009](#) (Cth) and the [National Employment Standards](#) (NES).

3. Purpose

TFA is committed to creating and maintaining a harmonious workplace, where employees can be confident that their concerns will be reviewed and managed in a timely manner.

The purpose of this policy is to assist TFA employees to resolve grievances. TFA's aim, as far as practicable, is to resolve grievances informally, confidentially and in a timely manner.

4. Key Principles

- In the first instance, a People & Culture representative is responsible for the management of grievances at TFA;
- If a conflict of interest arises, the Chief Operating Officer or an appropriate person will assume this responsibility;
- Where reasonable, TFA employees are expected to attempt to resolve a grievance informally in the first instance;
- TFA will not accept grievances that are frivolous, vexatious or lacking in substance;
- TFA will not accept grievances that result from **Reasonable Management Action** as defined under the *Fair Work Act 2009* (Cth);
- Formal grievances must be submitted to the grievance Point of Contact through the [Grievance Application Form](#);
- Disputes about a termination of employment cannot be dealt with under this policy.

5. Organisational Requirements

Element	Requirement
Grievances	<ul style="list-style-type: none"> ▪ A workplace participant may raise a grievance under the Grievance Process regarding an action related to their employment including: workplace behaviours/work environment, bullying and harassment etc; ▪ If the grievance cannot be resolved internally under the Grievances Process, the workplace participant with the grievance may be able to appeal to the Fair Work Commission (if the person is covered by the National Employment Standards in the <i>Fair Work Act</i>); ▪ The Grievance Process is outlined in Appendix A.
Time Frames:	<ul style="list-style-type: none"> ▪ A grievance must be raised within a reasonable timeframe from the date the alleged action/s, incident or behaviour occurred, unless otherwise stated (usually no more than 12 months). TFA will consider the time between the alleged actions, the incident being raised and the nature of the allegations in determining whether the matter can be progressed.
Business Continuity	<ul style="list-style-type: none"> ▪ Usual work continues while a grievance is being resolved; ▪ P&C may take reasonable steps to ensure the health, safety and wellbeing of the parties to the grievance such as changing work arrangements, providing additional supervision and/or support and counselling.
Representation	<ul style="list-style-type: none"> ▪ An applicant or other party to a grievance must not be accompanied by a legal practitioner, unless the party conducting the grievance process (TFA) considers that the applicant or other party would be at a significant disadvantage in the absence of a legal practitioner.
Support person	<ul style="list-style-type: none"> ▪ The use of a support person may be offered by TFA at appropriate points in the resolution process. The support person provides emotional support during the process, they do not represent, advocate for or speak on behalf of the person they are supporting.

Role	Actions when responding to a Grievance
Grievance point of contact (usually P&C)	<ul style="list-style-type: none"> ▪ Provide information, assistance and guidance to workplace participants and managers on the processes outlined in this policy; ▪ Ensure that managers are involved in the process as early as possible (if appropriate); ▪ Attempt to resolve grievances submitted to them, in accordance with this policy; ▪ Maintain confidentiality at all times; ▪ Adhere to the rules of natural justice.
TFA Manager	<ul style="list-style-type: none"> ▪ Attempt to resolve grievances made by workplace participants in a timely manner, in accordance with this policy; ▪ Provide support to parties involved in the grievance process; ▪ Seek assistance from a member of the People & Culture team; ▪ Maintain confidentiality at all times; ▪ Adhere to the rules of natural justice.
Independent Investigator	<ul style="list-style-type: none"> ▪ Appointed by the grievance point of contact to conduct a formal investigation (as determined by TFA); ▪ Be unconnected with the action or any investigation relating to the grievance; ▪ Conduct an investigation into the grievance in accordance with the rules of natural justice; ▪ Report on the investigation to the grievance point of contact; ▪ Maintain confidentiality at all times.
Parties involved in the Grievance	<ul style="list-style-type: none"> ▪ Raise grievances and engage in the resolution process in good faith; ▪ Good faith includes not making frivolous or vexatious grievances and/or raising a grievance that results from reasonable management action; ▪ Acting truthfully, professionally and confidentially throughout the resolution process.

6. Roles and Responsibilities

Role	Responsibility
Chief Executive Officer	<i>Owner</i> – Ultimately accountable for the Grievance Resolution policy.
Chief Operating Officer	<i>Owner</i> – Accountable for reviewing and making any final decisions relating to Grievance Resolution outside the scope of this policy or disputes that cannot be resolved at a manager level, including any issues that have reputational and/or financial implication to the business.
People and Culture	<i>Custodian</i> – Responsible for ensuring currency of the policy and related documents. Responsible for maintaining policy, standards, procedure or guides and associated documents. Grievance Resolution point of contact.
Managers	<i>Endorsement</i> – Responsible for encouraging and supporting the use of L&G allowances and managing any requests related to L&G allowances.
All staff	<i>Implementation</i> – Responsible for acting in compliance with the policy and related documents.

7. Related Documents and References

- Social, Community, Home Care and Disability Services Industry Award 2010
- The National Employment Standards (Fair Work Act 2009)
- TFA Health, Safety & Wellbeing Policy
- TFA Respectful Workplace Policy
- TFA Way: Culture Code Book
- TFA Code of Conduct TFA Code of Conduct

8. Version History

Version	Date	Action
1	2019	Previous version implemented
1.2	December 2023	Drafted by National P&C Manager
1.3	January 2024	Approved by Chief Operating Officer

Appendix A – Grievance Resolution Process

A workplace participant may raise a grievance under this process related to an action including matters of employment, workplace behaviours/work environment, bullying and harassment etc.

The stages of the process set out below proceed from an informal to a formal level. If a stage of the process is completed but the matter is not resolved, the next stage should be commenced.

A. Stage One: Attempt informal resolution

Step	Activity	Responsibility
1.	<ul style="list-style-type: none"> ▪ The workplace participant should first seek to resolve the grievance locally, by discussing the grievance with the parties involved. ▪ The workplace participant may directly approach the parties involved and constructively discuss the grievance. <p>They should:</p> <ul style="list-style-type: none"> ○ approach the parties involved as soon as practicable after an issue arises; ○ identify the specific behaviour or issue; ○ explain the impact of the behaviour or issue on them; and ○ request that the behaviour stops (if applicable) or some other remedial steps be taken by the parties involved to resolve the issue. 	Workplace participant with a grievance
2.	<ul style="list-style-type: none"> ▪ Inform the person against whom the grievance has been made. 	Workplace participant with a grievance / Grievance point of Contact
3.	<ul style="list-style-type: none"> ▪ If appropriate, the parties impacted and involved may agree to participate in a mediation, conciliation, or other alternative dispute resolution process. 	Involved parties
4.	<ul style="list-style-type: none"> ▪ Informal resolution achieved or not achieved. 	Involved parties

B. Stage Two: discussion with Manager

Step	Activity	Responsibility
1.	<ul style="list-style-type: none"> ▪ If a grievance is not resolved informally, or informal resolution is not appropriate, they should discuss the grievance with their manager; ▪ They may seek the assistance of the grievance point of contact before taking this step; ▪ If the grievance is against the manager of the workplace participant with a grievance, they should proceed to <i>Stage Three</i>. 	Workplace participant with a grievance
2.	<ul style="list-style-type: none"> ▪ The manager will generally need to disclose the details of the grievance to the parties involved to give that person(s) the opportunity to respond to the grievance. 	Manager
3.	<p>Some options for the manager when attempting to resolve a grievance include:</p> <ul style="list-style-type: none"> ○ meeting with the workplace participant with a grievance and parties involved (either separately or together) to discuss the grievance and attempt to resolve it; ○ with guidance from People & Culture, further look into an issue on behalf of the parties involved; ○ arranging training for the parties involved or the team generally to address alleged unacceptable behaviour. 	Manager
4.	<ul style="list-style-type: none"> ▪ The Manager should aim to resolve the grievance as soon as practically possible. 	Manager

C. Stage Three: Referral to Grievance Point of Contact

Step	Activity	Responsibility
1.	<ul style="list-style-type: none"> If a grievance is not resolved by the manager, or is about the manager, the workplace participant with a grievance may submit the grievance in writing using the Grievance Application Form to the grievance point of contact, who will review the grievance and attempt to resolve the grievance if it is accepted. The grievance point of contact will ensure the right to a fair process is adhered to at all times during the process; 	<p>Workplace participant with a grievance</p> <p>Grievance point of contact</p>
2.	<p>The workplace participant with a grievance should include in the written grievance:</p> <ul style="list-style-type: none"> details of the specific incident, behaviour or issue complained of (including, if relevant, the name of the parties involved) and their relationship to each other; basis of the grievance; any action/s already taken to resolve the issue; the remedy or outcome sought. 	Workplace participant with a grievance
3.	<p>In seeking to resolve the grievance, the grievance point of contact may:</p> <ul style="list-style-type: none"> arrange a mediation or conciliation of the grievance, if this is appropriate as a first step (or following an investigation); if the grievance relates to a dispute about a matter arising under the <i>Award</i> or <i>National Employment Standards in the Fair Work Act</i>, the grievance point of contact will take into consideration the views of the workplace participant with the grievance and the parties involved on who should conduct the mediation or conciliation; and/or initiate an independent investigation (internal or external) into the matters alleged by the workplace participant with the grievance. 	Grievance point of contact
4.	<ul style="list-style-type: none"> Provide the person against whom the grievance has been made with a reasonable opportunity to respond to adverse comments or opinions. 	Grievance point of contact

5.	<p>The grievance point of contact:</p> <ul style="list-style-type: none"> ○ will notify workplace participant with a grievance and parties involved of the outcome of the grievance as soon as practically possible; 	Grievance point of contact
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External Review

Whilst TFA aims to resolve grievances internally wherever possible, TFA may seek the assistance of an external agency at any time, including if the workplace participant with a grievance is not satisfied with the internal review under this section. This step is at the discretion of the business.

Relevant agencies may include:

- Workplace relations consultants;
- Fair Work Commission;
- Worksafe Victoria: for bullying & occupational violence; and
- Victorian Equal Opportunity & Human Rights Commission or the Australian Human Rights Commission: for discrimination & harassment.