

UQ College (UQC)

Policy and Procedure

Reference:	HR5.1.06
Title:	Staff Grievance Resolution Policy
Custodian:	CEO
Reviewer:	Senior Manager Corporate Services
Date Approved:	15 March 2023
Review Date:	15 March 2025
Audience:	All UQ College Staff
Associated Policies:	<p>UQC HR.1.01 Staff Code of Conduct</p> <p>UQC HR3.1.02 Prevention of Discrimination, Harassment and Bullying Behaviours Procedure</p> <p>Educational Services (Post-Secondary Education) Award 2020</p> <p>UQ Staff Code of Conduct</p>
Legislation	<p>Fair Work Act 2009 (Cth)</p> <p>Public Sector Ethics Act 1994 (Qld)</p> <p>Human Rights Act 2019 (Qld)</p>
Version:	3.0

Purpose and Scope

Purpose

The purpose of this policy is to ensure that staff grievances and complaints are recorded and managed fairly, efficient, and effectively.

This policy outlines the provisions available to staff, in their capacity as staff of UQ College (UQC or the College), to resolve any grievance expeditiously and at the lowest possible organisational level.

Scope

This policy applies to all professional and academic staff of UQC during their period of employment with UQC.

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1. Policy Statement

UQ College (UQC or the College) is committed to maintaining and developing a harmonious, fair and productive working environment. This policy aims to:

1. Outline the means for early grievance resolution through informal mechanisms wherever possible and in accordance with the policy principles in Section 5;
2. Prevent personal conflicts from becoming entrenched;
3. Resolve grievances without unreasonable delay and wherever possible in a conciliatory and effective manner; and
4. Determine the matters in question when conciliation has not proved to be effective or possible.

Grievance resolution is an integral part of a supervisor's duties. It is the primary responsibility of supervisors to identify, respond to and address problems in the workplace and to take all reasonable steps to ensure that victimisation of either a complainant or a respondent does not take place. So far as reasonably practicable, supervisors should recognise the early signs of disharmony in their teams and if possible, take early, sensitive and positive steps to prevent and resolve potential or actual grievances between their staff.

This policy outlines the provisions available to staff, in their capacity as staff of UQ College, to resolve any grievance expeditiously and at the lowest possible organisational level.

Nothing in this policy prevents or restricts the right of a staff member to refer their grievance to an external authority at any time.

2. Policy Coverage

Grievances lodged in accordance with the provisions of UQC HR3.1.02 Prevention of Discrimination, Harassment and Bullying Behaviours Procedure must be lodged no later than 12 months from the date of the most recent incident complained of.

All other grievances must be lodged as soon as possible after the date when the problem or concern arose and usually no later than six months from the date of the most recent incident complained of.

Complainants who are considering lodging a complaint with an external jurisdiction (e.g. [Anti-Discrimination Commission Queensland](#), [Australian Human Rights Commission](#), [Fair Work Commission](#), [Fair Work Ombudsman](#)) should note that specific timeframes may apply. Complainants should inform themselves of any such timeframes that may be applicable by contacting the relevant external jurisdiction directly.

This policy does not apply to grievances where the subject of the complaint is a Public Interest Disclosure. In such circumstances the complainant should refer to UQC GM1.1.06 Public Interest Disclosure Policy.

This policy does not apply to grievances where the subject of the complaint relates to a decision or outcome arising from the application of a UQC policy, procedures or guidelines. However, a grievance may arise by the alleged failure of the College to follow a policy or procedures where the staff member making the grievance has suffered a detriment as a result.

3. Policy Principles

1. Less formal and early resolution of grievances is encouraged where possible.
2. Staff should be advised that they are entitled, if they so request, to a representative at all stages of the formal resolution procedures.
3. Confidentiality must be respected and maintained at all times by all parties within the constraints of the need to fully investigate a grievance, subject to any legal requirements for disclosure and consistent with the principles of natural justice.

4. Parties to a grievance should engage in the procedures for grievance resolution in good faith and focus on achieving resolution to the concerns raised.
5. The principles of procedural fairness (natural justice) will apply to all parties.

The term procedural fairness refers to the processes by which an outcome is reached and not the outcome itself. With regard to grievance resolution, procedural fairness requires that a respondent to a complaint must be provided with:

- the relevant details of the complaint to enable the respondent to formulate a response in the case of an investigation;
- information about the process by which the matter is to be resolved; and
- the opportunity to put their case and respond to the complaint during an investigation.

In addition:

- any decision-maker must act impartially and without bias;
 - all relevant submissions and evidence must be considered;
 - irrelevant matters must not be taken into account; and
 - the complaint must be dealt with in a timely manner.
6. Victimisation of either a complainant, respondent or any other person with a legitimate involvement in a grievance resolution process will not be tolerated by UQC.
 7. UQC will not tolerate frivolous or vexatious grievances. Frivolous or vexatious grievances may be considered to be misconduct or serious misconduct and investigated under the UQC Staff Code of Conduct.

Definitions

Complainant	- the staff member(s) who has/have lodged a grievance
Grievance	- complaint by a staff member made in accordance with the UQC Staff Grievance Resolution Procedures about a problem or concern in relation to something affecting their employment with the College, which the staff member seeks to resolve.
Formal Report	- is providing a formal statement regarding sexual misconduct to the persons or units specified in section 2.3 of the Procedures.
Representative	- another member of staff, a union representative and/or, at the choice of the staff member(s) involved, another nominee provided that the representative is not a currently practicing solicitor or barrister.
Respondent(s)	- one or more persons who are the subject of the staff member's grievance.

Document History

Version	Summary of changes	Author	Action date
3.0	Updated for transfer of business to UQC CRICOS Code	Senior Manager Corporate Services	15 March 2023