

POLICY PURPOSE AND SCOPE

At TeamKids ("the Company") we aim to foster good relations amongst employees and between employees and management. If an employee working for the Company genuinely and reasonably believes they have been subject to some disadvantage, or unfair or inappropriate treatment at work due to some form of inappropriate conduct by one or more other employees in the workplace, they can raise a grievance and expect that it will be addressed in accordance with this Policy.

This policy explains how to raise a grievance and how the Company will respond.

General Principles

TeamKids is committed to dealing with any grievance as professionally, with sensitivity and, where possible, promptly and with the highest level of confidentiality. Employees involved in grievance resolution processes are expected to maintain confidentiality and not to discuss the matter with anybody in the workplace except as required in the resolution process. Breaches of confidentiality will be taken seriously by TeamKids and disciplinary action may result.

An employee who raises a grievance ("the aggrieved person") will not be subject to any victimisation or detrimental action by the Company by reason of doing so. Persons involved in any investigation process will also not be subject to victimisation or detrimental action by the Company because of their involvement.

Employees must also not victimise anybody involved in a grievance resolution process. Victimisation is unlawful and is a breach of this Policy which may result in disciplinary action.

Employees who become aware of any breach of confidentiality or of victimisation of a person involved in the grievance resolution process must report this to People & Culture.

GRIEVANCE HANDLING OPTIONS

1. Raise the grievance informally

A grievance can be dealt with informally by discussing the issue with the employee directly involved in the grievance. The aggrieved person can tell them that their behaviour, decision, actions, etc. was unfair, offensive, discriminatory etc., and why you believe this to be so. The person may have not been aware of the effect of their behaviour or decision. By making them aware, they will be given a chance to rectify the situation.

An employee's manager or the People & Culture team can provide advice about how an employee may go about this conversation.

If the aggrieved person does not feel comfortable speaking to the employee directly, they must first raise the grievance with their manager. If the grievance concerns their manager, the grievance may be raised with the employee's next most senior manager or a member of the People & Culture team.

The grievance should be discussed on an informal basis. The manager may consider the views of the aggrieved person and involve other persons in that discussion if they believe that their involvement will assist in the resolution of the grievance.

Informal grievance resolution may not be appropriate where the grievance relates to serious conduct or where the employee does not feel comfortable in doing so. Employees and managers can seek advice from People & Culture about whether or not a grievance is suitable to be resolved informally.

2. Formalise the grievance

Where the grievance cannot be resolved through informal discussion, the aggrieved person may formally ask the Company to take action to resolve the grievance.

Formalising a grievance requires the aggrieved person to detail the grievance in writing and providing the complaint to their manager and People & Culture.

The complaint should contain relevant facts such as:

- a description of the incident(s)
- decision or behaviour in question
- the time and date of the incident(s)
- the names of any witnesses and
- signature and date of the complaint.

As an alternative to putting the formal grievance in writing, an employee may choose to meet with People & Culture to discuss the grievance. The People & Culture team member will record the relevant facts as above and provide a copy of that record to the team member for them to sign and confirm as accurate.

3. Resolve the formal grievance

The Company will take steps considered appropriate by the Company to resolve the formal grievance. This may, depending on the circumstances, include:

- facilitating a discussion or mediation between the person aggrieved and the person the subject of the grievance;
- providing counselling and/or retraining to employees regarding unacceptable workplace behaviour;
- ongoing monitoring of workplace behaviour and/or
- commencing an investigation into the grievance.

Grievances will not ordinarily be managed by a person responsible for the day-to-day management of the aggrieved person (e.g. their line manager or team leader).

HOW WILL A FORMAL COMPLAINT BE HANDLED?

Where a grievance cannot be resolved informally, and the Company deems an investigation is required, the matter will be investigated by such appropriate person as the Company deems appropriate. How the investigation is to be conducted is at the complete discretion of the Company.

The following are general guidelines:

- Any grievance will be taken seriously, handled impartially, and any steps taken will be in accordance with the principles of procedural fairness.
- The person appointed to resolve the formal grievance will provide the aggrieved person a fair and reasonable opportunity to provide information to resolve the grievance.
- The process will be treated with confidentiality (except where the Company deems it is necessary to disclose the complaint to other parties solely for the purpose of dealing with it effectively. Disclosure will be no wider than is strictly necessary).
- The wellbeing of employees will be prioritised. The complaint process will be person-centred and trauma-focused to reduce further trauma or harm and allow employees and contractors to feel heard in a safe environment.
- It is important that the aggrieved person also maintains confidentiality and does not discuss their complaint with others unless the Company gives permission to do so.
- The aggrieved person may request the presence of a support person at any stage of the process.

The investigation process may also include:

- Undertaking an investigation to determine whether the facts alleged, as part of the grievance, are substantiated; and/or
- A recommendation to the Company to implement certain measures to address the grievance, which may include a conciliation or mediation involving the aggrieved person and other relevant parties.

The Company is committed to conducting complaint investigation processes efficiently and without undue delay to reduce the impacts on all parties involved.

WHAT ARE THE POSSIBLE OUTCOMES?

If the investigation reveals that the complaint is valid, a number of actions may be taken, depending on the nature of the complaint. The person against whom the complaint is made may be asked to provide a written apology, they may be given a written warning, counselling, transfer, further training, demotion, or may be subjected to disciplinary action up to and including termination of employment.

If the investigation is inconclusive, i.e., the complaint cannot be proved due to lack of evidence or the conduct is not sufficiently serious to justify disciplinary action, the Company may nevertheless take a number of actions. These may include training and/or monitoring of relevant employees.

If the complaint is found to have been completely fabricated or raised with the intent to cause distress, appropriate action may be taken against the aggrieved person including counselling, an official formal warning, transfer, demotion, or disciplinary action up to and including termination of employment, depending on the seriousness of the circumstances.

The person aggrieved and the person who is the subject of the grievance will be advised of the outcome of the investigation process.

WHAT IF YOU ARE NOT SATISFIED WITH THE OUTCOME?

If the aggrieved person is not satisfied with the way in which the grievance was handled, they may have the option of raising the complaint with an outside agency (depending upon the nature of the complaint). These include:

- Fair Work Ombudsman
- Fair Work Commission
- Australian Human Rights Commission
- Relevant State Anti-Discrimination Board

As far as this policy imposes any obligations on the Company (i.e., additional to those set out under legislation), those obligations are not contractual and do not give rise to any contractual rights. To the extent that this policy describes benefits and entitlements for employees (i.e., those additional to those set out under legislation), they are discretionary in nature and are also not intended to be contractual. The terms and conditions of employment that are intended to be contractual are set in an employee's written employment contract.

VERSION CONTROL

Policy Name	GRIEVANCE HANDLING POLICY
Policy No.	GHP 1
Month reviewed	October 2023
Month next review due	October 2024
Policy owner (Job Title)	Head of People & Culture