

# Marlborough Primary School

## School Policies Manual

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### INTERNAL GRIEVANCE POLICY

#### **Rationale:**

Under legislation governing public sector policy, schools and Out of School Hours Care are required to implement a process of grievance review as part of their process of addressing merit and equity goals.

The right of staff to have perceived breaches of merit and equity reviewed ensures confidence in the integrity of school management and helps monitor the effectiveness of people management policy and practice.

At Marlborough Primary School and OSHC Service it is expected that decisions involving staff shall be implemented using the principles of merit and equity within the context of school need and according to the School Policy and Advisory guide.

It is expected that adherence to such principles will ensure

- assessment of relative ability, knowledge and skills against defined criteria
- fair and open processes
- decisions which stand up to scrutiny
- prevention of direct and indirect discrimination
- natural justice and the opportunity to be heard by an unbiased decision maker.

It is the right of all staff as a principle of merit and equity to have access to grievance procedures when claiming unfair treatment.

While all staff have the right to lodge grievance with the -

- Merit Protection Board
- Anti Discrimination Tribunal
- Equal Opportunity Commission
- Australian Industrial Relations Commission
- Employee Relations Commission of Victoria

it is expected that in all instances where a grievance review process is instigated that every attempt will be made to resolve the grievance at the local level.

#### **Aim:**

- It is the right of all staff to have access to grievance procedures when claiming unfair treatment.
- A grievance is any complaint that the staff member has in relation taken or not taken that the staff member believes:
  - Is in breach of a relevant Act or Order.
  - Infringes the principles of Merit and Equity or any personnel policy or guidelines issued by DEECD.
  - Is otherwise unreasonable.

- Where a grievance cannot be dealt with at the local level an officer of DEECD may be contacted for assistance.

**Implementation:**

If staff have a grievance the matter should first be discussed with the staff member's immediate Team Leader or principal.

A staff member may request a representative to be present during this discussion. Team Leaders have an obligation to discuss the merit of the issues openly and in good faith.

If circumstances arise where the decision or action that is the subject of a grievance cannot be resolved at this level the staff member has the right to have the subject referred to a site level grievance panel.

The grievance panel will consist of –

- The Principal or Nominee
- An elected staff representative
- A nominated Merit / Equity trained staff member
- A nominee of the staff member

A written report indicating the panel's decision will be given to the staff member by the next working day of its hearing of an issue.

This site level policy does not detract from staff rights to pursue a grievance through formal processes as determined by relevant Acts.

Section 6.5.5 of the School Policy and Advisory guide details these rights and associated processes.

**References:**