



# Grievance Resolution Guideline

## 1. Guiding Principles

WA Country Health Service (WACHS) is a diverse organisation encompassing people with a wide range of life experiences, values, thoughts and ideas. These attributes are major contributors to the continued vibrancy and success of the organisation. It is acknowledged that differences of opinion and conflict may occur. As a part of our commitment to promote positive workplaces, WACHS aims for the equitable and timely resolution of staff grievances.

The guidelines are to be read in conjunction with the WA health system [Grievance Resolution Policy](#) (Policy) and the Public Sector Commission (PSC) Public Sector Standards in Human Resource Management – Grievance Resolution Standard.

The equitable and timely resolution of a grievance is consistent with the WACHS values of community, compassion, quality, integrity, justice and curiosity which underpin these guidelines.

## 2. Guideline

### 2.1 What is a grievance?

A grievance is any real or perceived problem or concern in relation to work, the work environment or working relationships which is raised by staff (the complainant), where the problem or concern has a direct impact upon the complainant. Grievances may arise about the perceived fairness or propriety of decisions or actions taken or not taken by another person (the respondent) that adversely affects the complainant/s, and may include:

- allocation of work or training and development opportunities;
- workplace communication and interpersonal conflict;
- the application of policy, practice or procedure;
- administrative decisions; and
- issues with work processes or work systems.

Grievance resolution is the process used to resolve or redress staff grievances. Grievance resolution is not a disciplinary process; it is about resolving a problem between parties. The parties are required to attempt to resolve the grievance informally before resorting to formal or more structured processes.

An informal grievance resolution process (or workplace issue) is where the parties involved attempt to resolve the matter with minimal intervention. This can be through (but is not limited to):

- the complainant talking directly with the respondent; or
- informal meetings and discussions between the parties which may be facilitated by a third party (e.g. a manager).

The formal grievance resolution process is used to address issues of concern where:

- the informal grievance resolution process has been unsuccessful; or
- the seriousness or complexity of the issue makes informal resolution unsuitable.

Please refer to Human Resources (HR) if a grievance needs to be resolved formally.

### 2.2 What is not a grievance?

The following situations have their own mechanisms for resolution and are excluded from being considered a grievance:

- Alleged acts of misconduct (refer to the [WA health system Discipline Policy](#))
- Substandard performance (refer to the MP004/16 [Managing Unsatisfactory and Substandard Performance Policy & Explanatory Notes](#))
- Alleged breaches of the [Public Sector Standards in Human Resource Management](#)
- Disputes over the application or operation of Awards and/or Agreements (refer to the relevant [Industrial Agreement](#)).
- Disputed compensation or reclassification claims;
- Matters that have been lodged with the Equal Opportunity Commission; and
- Public Interest Disclosure.

### 2.3 Reasonable management is not a grievance

Managers have the right to direct and control how work is undertaken, and the responsibility to monitor and give feedback on performance. Where feedback is constructive it does not constitute grounds for lodging a grievance.

Examples of reasonable management include:

- Action taken to transfer a staff member;
- The issuing of a lawful direction;
- The appropriate allocation of work tasks;
- Sending/not sending staff on a training course;
- Not approving leave for dates requested based on operational requirements;
- Managing staff who may be injured or unwell; and
- Business processes, such as workplace changes or restructuring.

Managers have a right to make legitimate management decisions and direct staff activities in the best interests of the operation of WACHS; Provided that decisions are made on a fair and equitable basis, even if staff don't always like the decision that has been made.

### 2.4 Timeframes

Acknowledgement and prompt handling of workplace issues or grievances by line managers is critical to resolving them. All grievances should be resolved in a timely manner.

### 2.5 Resolution

Resolution is achieved when any (but not limited to) of the following occurs:

- All parties agree on a resolution.
- Parties agree to certain actions and these are implemented e.g. a written or verbal apology, counselling or transfer to a different work location.
- The complainant withdraws the issue in writing.
- There is no evidence to substantiate the grievance.
- Parties have not agreed with the resolution, however, the T4 believes that all actions taken to resolve the grievance are appropriate and closes the matter.

Complainants need to be aware that they may not be advised of all the actions/sanctions that are applied. All staff (including the respondent) have a right to confidentiality.

### 2.6 Guiding principles

#### 2.6.1 Public Sector Standards

The Public Sector Standards in Human Resource Management set out the minimum standards required of all Western Australian public sector bodies.

The Grievance Resolution Standard states that the minimum standard of merit, equity and probity is met if:

- Staff are informed of their rights and responsibilities in the grievance resolution process.
- The process is based on proper consideration of the facts and circumstances prevailing at the time of the grievance.
- Decisions are impartial, transparent and capable of review.

Staff who are of the view that the Public Sector Standard for Grievance Resolution has been breached is entitled to lodge an application for review of the process in accordance with the Public Sector Management (Breaches of Public Sector Standards) Regulations 2005. For further information please refer to the [PSC web site](#).

#### 2.6.2 Procedural fairness

Procedural fairness (sometimes referred to as natural justice) requires that fair and proper procedures be applied to the resolution of a grievance. The principles of procedural fairness that need to be observed are:

- **The Hearing Rule** Information about the issues are provided, reasonable opportunity to respond is provided and the responses are genuinely considered.
- **The Bias Rule** Reviewers act fairly and without bias by not holding a vested or direct personal interest in the outcome of the process.
- **The Evidence Rule** Decisions are logical and based on evidence and the balance of probabilities.

Further information on procedural fairness can be found at the [Ombudsman WA website](#).

### 2.6.3 Confidentiality

All information relating to a grievance must be kept in trust and divulged only to those with a need to know, with regard to the *Freedom of Information Act 1992*.

Maintaining confidentiality protects the interests of those involved and can assist to facilitate a successful resolution by limiting the number of people involved in the grievance. Having regard for confidentiality also removes the complication of any potential actions that may result from a breach in confidentiality.

Grievances should only be discussed with those involved in the process or who otherwise have a genuine need to know about the matter. The person responsible for handling the resolution process should ensure that this requirement of confidentiality is clearly understood by all parties. If one of the parties commits a breach of confidentiality, it is essential that this is dealt with immediately.

Certain occasions may exist where confidentiality cannot be maintained, particularly in situations where a person's safety is at risk. Managers are advised to ensure the complainant is aware of these circumstances.

### 2.6.4 Victimisation

Victimisation is the act of subjecting or threatening to subject another person to any detriment where that person has lodged, or proposes to lodge a grievance. This includes any intentional unfavourable treatment. Staff who make a grievance, are the subject of a grievance, or are involved in the review should be able to participate in the grievance process without fear of unfair treatment or victimisation.

Victimisation during a grievance resolution process will not be tolerated and may result in disciplinary action.

## 2.7 Available support

Staff should not hesitate to seek advice, particularly if the grievance has serious implications and/or if they wish for someone to accompany them to a meeting. In addition to line managers and HR, there are a number of additional resources available to WACHS staff.

Interpreters and assistance are to be provided on request for people with disabilities, people from a non-English speaking background, Aboriginal people and people from other backgrounds.

### 2.7.1 Support person

All parties to a grievance, whether informal or formal, are entitled to have one support person of their choice accompany them to meetings/discussions. The person could be a friend or colleague, or a delegate/representative from their Union. The support person should not speak on the staff member's behalf or offer their opinions during the course of interviews. A support person is required to maintain confidentiality throughout the process.

### 2.7.2 Contact officers

Contact Officers (sometimes known as Employee Support Officers or Peer Support Officers) provide support to their peers/work colleagues with a non-threatening and unbiased avenue to seek confidential information and support to help them make independent, informed decisions about work related issues. The Contact Officer can provide the following:

- Understanding of what is and what is not acceptable workplace behaviours and practices, covered by the [WA health system Code of Conduct](#);
- A confidential point of contact for staff who wish to make an enquiry, talk about a concern or who have query about a workplace issue and the options to resolve it;
- Information on related Codes, Policies and Legislation to assist in the clarification of appropriate pathways to resolve issue; and
- Where appropriate, provide information on the services of the Employee Assistance providers.

Officers are trained to listen and provide support. Not all regions of WACHS have these positions. Please refer to the [intranet](#) to confirm whether Contact Officers are available to you.

### 2.7.3 Employee Assistance Program

The Employee Assistance Program provides staff and/or their immediate family with a free, professional, independent and confidential counselling service for a range of workplace and personal issues. The support is short term and solution focused for staff and eligible members of their families. Information on the WACHS providers can be found on the [intranet](#).

### 2.7.4 Union and employee association representatives

Staff who are members of Unions or Employee Associations can seek advice from these organisations at any point. Staff may elect to have a representative from their Union or Association present during any meetings that staff are required to attend. WACHS is not obliged to correspond with such organisations or provide them with additional copies of documentation or notices of intended actions.

## 2.8 Resolving informal grievances

In the first instance staff are encouraged to seek informal resolution as this avenue allows for grievances to be resolved directly and promptly. An informal grievance can be raised verbally and/or in writing (by email for example).

### 2.8.1 Resolution by complainant

Wherever possible and appropriate, the complainant should first seek to resolve a grievance by talking directly to the person with whom they have the grievance. For instance:

- The complainant should talk directly to the person responsible if the grievance is about the behaviour of that person.

OR

- Where the grievance is about a decision, process or activity of the health service that they believe adversely affects them, they should talk to the person with management responsibility for that decision, process or activity.

If the two parties reach an agreement, the grievance is resolved and no further action is required, other than to implement any actions that were agreed to.

If the complainant does not feel comfortable about making this initial direct contact, advice and/or support should be sought from their line manager, HR or Contact Officer.

### 2.8.2 Resolution by line manager

Where an issue has not been resolved by approaching the relevant person and the complainant wishes for assistance to address a grievance, they should request that their line manager assist to informally facilitate the resolution of their grievance.

If the line manager feels their ability to be impartial has been or could be compromised they should inform the complainant and withdraw from the process (see [WA health system Managing Conflict of Interest Policy](#) for further information). Where appropriate the grievance may then be escalated to a more senior management level.

If the complainant believes that a situation exists which makes it impossible for them to raise the issue of concern with their line manager (e.g. because it is the line manager they have a grievance with), they should approach the next level manager or HR.

### 2.8.3 Suggested actions for the line manager

Grievance resolution is the responsibility of the line manager. The following steps are suggested actions to assist a line manager in resolving a grievance informally:

- STEP 1** Consult separately with the complainant (preferably via a face to face meeting) and with the respondent as soon as possible. In this meeting, managers should:
- a) Explain the grievance resolution process.
  - b) Explain rights and responsibilities in grievance resolution (refer to section 4 of these Guidelines), including the right to have one support person at all meetings.
  - c) Clarify their concern/s and expectation/s and document them accordingly.
  - d) Advise that confidentiality should be maintained throughout the process.
  - e) Advise the expected next steps with approximate timeframes.

- STEP 2** Assess the nature of the grievance to determine a course of action. Where the complainant and respondent disagree on elements of the grievance ask both parties to identify any person(s) or provide information, documents or communications that support their version of events. Seek other relevant information as required. Assess all this information to determine to what extent it supports the complainants or respondents version of events.

Some issues may relate to communication problems or interpersonal conflict that may benefit from bringing the parties together, others will

require a more detailed examination of the issues. If the issue relates to exclusion, (see section 2.3) the matter is to be progressed in accordance with the relevant policy.

- STEP 3** Finalise the informal grievance resolution process by either:
- a) Gaining the consent of both parties to attend meeting/s to resolve the grievance.
  - b) Negotiating a settlement with each party separately.
  - c) Taking action based on consideration of all available facts and circumstances. The complainant and respondent must be advised of this and the reasons for the action.
  - d) Recommending further facilitated meetings, mediation (by an external party) or another alternative dispute resolution method which may assist in achieving agreement on a resolution.

Once an informal grievance has been resolved and, regardless of the steps taken to resolve the grievance, the line manager should:

- Monitor the situation which led to the grievance by communicating regularly with the complainant and respondent proceeding the resolution.
- Ensure current management systems are adequate and implement appropriate and preventative strategies to reduce the possibility of similar grievances occurring.

For serious and complex matters that are reported verbally, managers may identify that a formal review is required. Managers should seek advice from HR in these circumstances.

### 2.9 Grievance resolution – formal

The decision to proceed to formal grievance resolution must be submitted in writing, except where the employer has a duty of care to take action to protect people or property.

#### 2.9.1 Lodgement of a grievance

The formal grievance resolution procedure is initiated when informal grievance resolution has been unsuccessful or the seriousness or complexity of the issue makes informal resolution unsuitable. The complainant must submit their complaint in writing, through the completion of a [WACHS Employee Grievance Lodgement Form](#).

Workplace grievances can be emotive. Therefore, it is necessary when filling in the form to ensure that the information is concise and accurate. By keeping the information factual and relevant the grievance is more likely to be resolved.

A written grievance should:

- Identify the behaviour that was of concern i.e. what was said or done?
- Include what happened or didn't happen?
- Identify the parties perpetrating this behaviour i.e. who was involved?
- Detail times, dates and places the behaviour occurred i.e. when did it happen? Where did it take place?
- Identify any witnesses to the behaviour.

- Include actions taken to attempt to resolve the grievance; and
- Identify outcomes being sought

### **2.9.2 Registering the grievance**

All formal grievances, regardless of where it is lodged (e.g. the line manager or T4) need a copy to be sent to HR for processing. HR will register the formal grievance.

### **2.9.3 Who can assess a grievance?**

Once a grievance has been received by the T4 they will assess the grievance to ensure that the issue/s do not relate to an exclusion (see Section 2.3) and confirm that they do not have a conflict of interest to be the decision maker. If an exclusion is evident, the matter is to be progressed in accordance with the relevant policy/procedure.

Correspondence will be issued to the complainant and respondent advising them that a grievance has been lodged. This will include link/copies of the grievance policy and procedures. In addition, it will explain their rights to request the presence of one support person and to contact HR if they need to have the policy and procedures explained.

The T4 will have a discussion with HR as to who is the most appropriate person to facilitate a resolution. This may be someone internal to WACHS, such as the line manager, HR (in exceptional circumstances) or a manager from another area. Where a grievance is complex or serious in nature an external assessor, such as a private consultant, may be appointed by the T3A in consultation with Director HR. In the first instance, WACHS will attempt to resolve the matter internally whenever possible.

A number of factors must be considered when determining who will undertake the assessment. The grievance should be managed by a person who:

- Has the knowledge and expertise to resolve the particular complaint.
- Is impartial.
- Is not a party to the grievance.
- Does not have a conflict of interest.

The T4 cannot undertake the enquiry as they are delegated to make a determination about the grievance.

### **2.9.4 Reviewing the grievance**

The person appointed to review the grievance is required to record identified issues and determine how to gather facts, for example, what information needs to be reviewed, who needs to be interviewed and the order in which information will be sought. Questions should be formulated to ask that will help to thoroughly explore the issues raised. These must be kept on file along with the documented responses.

### **2.9.5 Appointment of an external reviewer**

Where a grievance is particularly serious and complex in nature, approval to initiate the review of a grievance by an external reviewer must be approved by the Tier 3A in consultation with HR. The appointment of an external reviewer should occur in situations where there is a risk that the grievance cannot be handled objectively internally due to a real or perceived conflict of interest. HR will provide the Request for

Engagement of a Grievance Reviewer form which is to be completed for the HR Director's endorsement.

External reviewers are to be contracted in line with the Department of Finance's [Common Use Arrangement](#) for Human Resource (HR) Investigation Services. HR will assist with this.

When engaging an external reviewer, Terms of Reference between the provider and the health service should be agreed on so that all parties are aware of the scope of the review. A grievance review is different to a discipline investigation and this should be clearly communicated to the reviewer. The Terms of Reference should include the [WA health system Grievance Resolution Policy](#) and these guidelines.

The person conducting the review must be provided with copies of all relevant documents.

The T4 line manager must ensure that the complainant and the respondent receive notice of the external review in writing. HR will assist with preparation of this correspondence.

The person conducting the review will submit their findings, in writing, to the Tier 3A who will distribute accordingly.

### **2.9.6 Vexatious, frivolous or malicious matters**

While the majority of grievances are motivated by genuine concern about perceived inappropriate or unfair behaviour or actions, on some occasions a grievance may be deemed to be vexatious, frivolous or malicious i.e. designed to harass or annoy, to cause delay or detriment or for any other wrongful purpose. Staff should be made aware that if a grievance is investigated and found to be vexatious, frivolous or malicious then disciplinary action may result.

Staff who believe they are the subject of a vexatious, frivolous or malicious grievance are encouraged to seek advice from their line manager or HR.

### **2.9.7 Withdrawal**

A complainant may withdraw their grievance at any stage of the resolution process, all aspects of confidentiality will be maintained.

Formal grievances should be withdrawn in writing and the parties to the grievance will be formally advised. The withdrawal of a formal grievance will result in closure of the grievance. However, this does not preclude management initiated action. This means management may take action on serious concerns where it is necessary to meet their duty of care.

## **2.10 Mediation in grievance resolution**

Mediation is confidential, voluntary and impartial and assists complainants to identify and resolve issues. An appropriately skilled mediator assists people in conflict to identify and isolate issues under dispute, and to identify and if possible, agree on potential options to resolve these issues.

Sometimes it is not practical or conducive to the resolution process to have parties to the grievance in the same room at the same time. In this situation, it may be more beneficial for the line manager or mediator to act as an intermediary between the parties, relaying messages to help achieve resolution. The aim is to get the parties to agree to an outcome by removing the emotion of having the parties face-to-face in a meeting.

Whilst the line manager can facilitate discussions between the parties, mediation is conducted by someone with extensive experience or training. Mediators are neutral assistants, who do not make judgments. Both parties need to be able to accept the mediator as being independent and having no vested interest in the outcome of the mediation:

- The mediator can be a manager, HR or an external professional mediator. When choosing a mediator, the occupations of the parties should be considered to ensure that the mediator has the appropriate skills and qualifications.
- During mediation, the mediator aims to assist parties to find their own solution and may, in some instances, offer suggestions for resolution.
- The mediator does not direct a decision or provides advice about likely outcomes; rather they support the parties in solving their own problems and making their own decisions.
- Both parties to a grievance need to agree to mediation.
- Even if agreement is not reached on all issues in dispute, parties are assisted to air their grievances in a constructive manner, and to reach an understanding of each other's position.

### 3. Definitions

<b>Assessor/Reviewer</b>	Where a formal grievance is lodged the reviewer is someone sufficiently independent (they may be internal or external to WACHS) with the necessary expertise to thoroughly examine the issues.
<b>Complainant</b>	The person(s) who lodges a grievance pursuant to these guidelines.
<b>Conflict of Interest</b>	As defined by the WA health system <a href="#">Managing Conflict of Interest Policy</a> is a situation giving rise to form a conflict between the performance of public duty and private or personal interests. Conflicts of interest may be actual, or be perceived to exist, or potentially exist at some time in the future.
<b>Manager</b>	The position, however titled, who has control of the work area and has line management responsibility for staff.
<b>Respondent</b>	The person(s) against whom a grievance has been lodged.

<b>Tier 4 (T4) or Decision Maker</b>	The individual with the delegated authority to make a determination, finding or decision about the grievance based on the supporting evidence.
<b>Tier 3A (T3A)</b>	The individual with the delegated authority to appoint an external reviewer.
<b>Victimisation</b>	Subjecting a person to any detriment or threat of detriment because they have: <ul style="list-style-type: none"> <li>• Made or propose to make a complaint;</li> <li>• Furnished or propose to furnish, information or documents;</li> <li>• Attended or proposes to attend, a conciliation conference;</li> <li>• Appeared or proposes to appear, as a witness in proceedings; or</li> <li>• Reasonably asserted their own or another person’s rights.</li> </ul>
<b>Witness(es)</b>	A person/people who see an event or incident relating to the grievance. Witnesses have the right to decline to speak or participate in the resolution process. Witnesses are required to maintain confidentiality.

#### 4. Roles and Responsibilities

**The complainant** has a responsibility to:

- Attempt to resolve the issue or concern directly with the person involved and if this does not work or is not appropriate, raise the issue or concern with the line manager.
- Provide sufficient information to enable the line manager/reviewer to assess the grievance.
- Maintain confidentiality and conduct themselves in a manner that is professional, courteous and respectful.
- Ensure that they understand the [WA health system Grievance Resolution Policy](#) and these guidelines and are familiar with their own responsibilities with respect to them.
- Participate in the grievance resolution process in good faith, and do all things reasonably necessary to achieve a timely and fair resolution.

**The respondent** has a responsibility to:

- Maintain confidentiality and conduct themselves in a manner professional, courteous and respectful.
- Provide sufficient information to enable the line manager/reviewer to assess the grievance.
- Ensure that they understand the [WA health system Grievance Resolution Policy](#) and these guidelines and are familiar with their own responsibilities with respect to them.
- Participate in the grievance resolution process in good faith, and do all things reasonably necessary to achieve a timely and fair resolution.

**The line manager** has primary responsibility for responding to any grievance. Managers have a duty of care to protect staff that have or may be subjected to physical or psychological harm. Line managers who are involved in resolving grievances should:

- Set standards of behaviour and communicate them at orientation, team meetings and planning sessions.
- Ensure workplaces under their supervision are free from all forms of harassment, discrimination, victimisation and bullying that may harm the health, welfare and morale of staff.
- Act on inappropriate behaviour within their work area that may be offensive to other staff.
- Treat all grievances seriously, and act quickly and sensitively to address issues affecting staff.
- Advise HR in the event of a formal grievance and seek any necessary advice from them.
- Advise staff of their rights and responsibilities in the grievance resolution process.
- Listen to the complainant's grievance and outline the possible options and outcomes for resolution.
- Ensure the respondent has the opportunity to present their version of events.
- Manage the expectations of the parties involved in the grievance.
- Provide time and facilities for meetings and discussions that may assist in resolving the issue.
- Ensure that confidentiality is maintained at all times.
- Document meetings and relevant information.
- Retain records in accordance with the appropriate record keeping requirements.
- Advise parties of the timeframes, the status of the grievance and any delays.
- If appropriate, attempt to facilitate informal resolution of the grievance.
- Follow up with relevant parties to ensure any agreed commitments have been implemented.
- Co-operate and participate with any person appointed as a reviewer, mediator or facilitator.
- Advise staff of the Employee Assistance Provider (EAP) and if necessary seek assistance from HR on formally referring staff to the EAP.
- Ensure the principles of procedural fairness are applied throughout the process.
- Be familiar with the [WA health system Grievance Resolution Policy](#) and these guidelines.
- Make grievance resolution processes available to all staff for whom they are responsible.
- Remind staff participating in the grievance resolution process that victimisation will not be tolerated.

**The T4 manager** or above has the authority to determine grievances and includes:

- All responsibilities listed for the line manager where the T4 manager is also a line manager.

- Ensure all line managers within their responsibility are adequately aware of and skilled in grievance resolution processes.
- Provide advice and support, in consultation with HR, to line managers who are resolving grievances.
- In consultation with HR, lead the escalated grievance resolution process:
  - Ensure the line manager is appropriately involved and informed regarding the progress and outcomes of the grievance.
  - Make decisions concerning the course of action to be taken in dealing with a grievance.
  - Request a review by an external assessor in consultation with HR.
  - Work with parties to achieve a resolution.
  - Review and consider proposed resolution.
  - Ensure any follow-up action resulting from a grievance is implemented.
  - Decide whether to cease a grievance process and deal with the matter as misconduct.
  - Advise parties of the grievance resolution decision.

**The T3A** has delegated authority to appoint an external reviewer in consultation with HR.

**Human Resources** has a responsibility to:

- Provide advice and assistance to managers, supervisors and staff about preventing and resolving workplace issues and grievances.
- Organise relevant training for managers, staff and Contact Officers.
- Maintain the network of Contact Officers (where one exists).
- Observe confidentiality requirements.
- Maintain and promote Employee Assistance Program services.
- Register and record formal grievances.
- Provide assistance with correspondence and templates.
- Consolidate information for grievance breach claim responses.
- Formally advise relevant parties regarding outcome and breach claim processes once a determination has been made regarding a grievance.

**The Director Human Resources** has responsibility to:

- Consider requests for external reviewers.
- Provide the Terms of Reference for the engagement of external reviewers.
- Oversee grievance breach claims that have been lodged with the Public Sector Commission.
- Report on WACHS grievances to the Public Sector Commission.

**Reviewers** have a responsibility to:

- Gather all the relevant facts in a timely manner.
- Evaluate the information in order to identify options and recommendations for resolution.
- Summarise findings, options for resolution and recommendations in a written report (if required).
- Operate as per the agreed Terms of Reference.

**All Staff** are required to work within policies and guidelines to make sure that WACHS is a safe, equitable and positive place to be.

### 5. Compliance

Failure to comply with this guideline may constitute a breach of the WA health system Code of Conduct (Code). The Code is part of the [Integrity Policy Framework](#) issued pursuant to section 26 of the [Health Services Act 2016](#) (WA) and is binding on all WACHS staff which for this purpose includes trainees, students, volunteers, researchers, contractors for service (including all visiting health professionals and agency staff) and persons delivering training or education within WACHS.

WACHS staff are reminded that compliance with all policies is mandatory.

### 6. Records Management

All WACHS corporate records must be stored in the approved Electronic Documents and Records Management System.

Where a manager provides assistance in resolving an informal grievance resolution process, it is important that they keep documentation. This may be a file note of events including copies of relevant emails or letters and brief notes of important phone calls. The records may be a useful reference for issues that may arise in the future. Adequate records of grievance resolution processes should be kept for two years to ensure processes are transparent and capable of review.

A formal grievance requires comprehensive documentation to be kept related to the process undertaken and include any relevant supporting information and evidence. Records are required to be kept for seven years after the action has been completed for formal grievances.

Documentation should be maintained having due regard for Public Sector record keeping practices, the provisions of the [General Disposal Authority State Government Information](#) and the requirements of the Freedom of Information Act 1992.

All records relating to grievances are to be treated as confidential information and stored securely.

### 7. Evaluation

Monitoring of compliance with this document is to be carried out by HR.

### 8. Standards

[National Safety and Quality Health Service Standards](#) – 1.1

### 9. Legislation

[Public Sector Management Act 1994](#)  
[Public Sector Management \(Breaches of Public Sector Standards\) Regulations 2005](#)  
[Freedom of Information Act 1992](#)  
[Public Interest Disclosure Act 2003](#)  
[State Records Act 2000](#)  
[Occupational Safety and Health Act 1984](#)

### 10. References

Ombudsman Western Australia (2019) *Guidelines Procedural fairness (Natural Justice)*  
<http://www.ombudsman.wa.gov.au/Publications/Documents/guidelines/Procedural-fairness-guidelines.pdf>

Public Sector Commission (2013) *Managing workplace behaviour – A guide for agencies* [www.publicsector.wa.gov.au](http://www.publicsector.wa.gov.au)

### 11. Related Forms

WACHS [Grievance Lodgement Form](#)

### 12. Related Policy Documents

Nil

### 13. Related WA Health System Policies

MP 0041/16 [Managing Unsatisfactory and Substandard Performance Policy with Explanatory Notes, PIP and Template Letters](#)  
MP 0116/19 [Grievance Resolution Policy](#)  
MP 0127/20 [Discipline Policy](#)  
MP 0138/20 [Managing Conflicts of Interest Policy](#)

### 14. Policy Framework

[Employment Policy Framework](#)

**This document can be made available in alternative formats  
on request for a person with a disability**

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