



<b>PROCEDURE</b>	
<b>Grievance Resolution</b>	
<b>Scope (Staff):</b>	All employees
<b>Scope (Area):</b>	Child and Adolescent Health Service (CAHS)
<b>Child Safe Organisation Statement of Commitment</b>	
<p>The Child and Adolescent Health Service (CAHS) commits to being a child safe organisation by meeting the National Child Safe Principles and National Child Safe Standards. This is a commitment to a strong culture supported by robust policies and procedures to ensure the safety and wellbeing of children at CAHS.</p>	

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## Aim

To outline the options for employees to express concerns with workplace relationships and/or workplace systems and have them addressed in an equitable and timely manner in accordance with the CAHS Values.

## Background

On occasions there may be differences of opinion and conflict within the workplace that can impact negatively on working relationships if not addressed or resolved.

This procedure is underpinned by the [WA Health Grievance Resolution Policy](#) (the Policy) which outlines the minimum requirements of the CAHS Grievance Resolution process. The Policy requires the CAHS procedure to:

- Align with the Public Sector Commission's Grievance Resolution Standard (Standard);
- Ensure that grievances are managed in line with the CAHS Authorisations Schedule;
- Ensure the Complainant and Respondent are afforded Procedural Fairness; and
- Clearly define the roles and responsibilities of CAHS and an individual in lodging and resolving a Grievance.

## Out of Scope

Matters outside the CAHS Grievance Resolution Guideline (the Guideline) include those that are regulated by legislation or other WA Health policies some of which include, but are not limited to, the following:

- Alleged acts of misconduct or breaches of discipline including behaviours which may place an individual at risk of harm including actions that may be contrary to the CAHS Values.
  - Refer to the [WA Health Notifiable and Reportable Conduct Policy](#)
  - [WA Health Discipline Policy](#)
- Unsatisfactory and Substandard performance
  - Refer to the [WA Health Managing Unsatisfactory and Substandard Performance Policy](#).
- Workers Compensation
  - Refer to the [CAHS Injury Management and Workers Compensation](#) process.
- Disputes over the application or operation of Awards and/or Agreements
  - Refer to the relevant [Industrial Agreement](#).
- Other industrial matters that are within the scope of the Industrial Magistrates Court or are subject to application to the Western Australian Industrial Relations Commission.
- Matters that have been lodged with the Equal Opportunity Commission.
- [Public Interest Disclosure](#) matters.

## Definitions

**Decision Maker** makes decisions in regards to commencing, progressing, reaching a finding and determining the CAHS response to an employee grievance.

**Grievance Resolution** is the process used to resolve or redress employee grievances. Grievance resolution is not a disciplinary process but more serious matters may be dealt with via the WA Health Discipline Policy in which case the grievance resolution will cease.

**Victimisation** is the act of punishing or threatening to punish someone.

**Parties** refer to the Complainant (the employee with a grievance) and the Respondent (the employee who the grievance is about) in a grievance resolution process.

## Key Points

- This procedure has been written to comply with the Public Sector Commission [Grievance Resolution Standard](#) (the Standard).
- The Standard outlines the principles of procedural fairness that must be followed by all Parties during the grievance resolution process. Managers and employees should make themselves familiar with these principles before commencing a grievance resolution process.
- Grievance Resolution will be addressed in line with the CAHS Values, the Commissioner's Instruction No. 7 - Code of Ethics and the [WA Health Code of Conduct](#) (the Code).
- In accordance with the [WA Health Grievance Resolution Policy](#), parties must attempt to resolve the grievance informally before resorting to a formal process.
- Confidentiality and acknowledgement of individual concerns are important in dealing with any issue relating to potential conflict and individual concerns.
- It is important that the individual managing the grievance (whether through an informal or formal resolution process) be impartial, not a party to the grievance and they should not be perceived as having a conflict of interest.
- Conflicts of Interest by any of the Parties must be declared. Refer to the [WA Health Managing Conflict of Interest Policy](#).
- Unfair treatment or victimisation of any party during or following a grievance resolution process will not be tolerated and may result in the commencement of a disciplinary process. It is important to recognise and act on the potential for retaliation and victimisation ensuring that all employees involved in the grievance, whether that be as a participant or otherwise, are counselled and supported appropriately.

## Resolution of Workplace Bullying

Reporting and resolution of workplace bullying matters must be managed in accordance with the Code. If the staff member suspects a breach of the Code has occurred, they must refer to the section on *Reporting Suspected Breaches of the Code* in the Code and follow the process as detailed. If a grievance is lodged, the process must comply with this procedure.

## Confidentiality

- All Parties are required to maintain appropriate confidentiality and sensitivity during the grievance resolution process.

- Grievance matters should only be discussed with involved parties or other people that need to know about the process.
- Breaching confidentiality may result in the commencement of a disciplinary process.
- Certain occasions may exist where confidentiality cannot be maintained, particularly in situations where the safety of an employee, patient, client, and/or visitor is at risk. Managers must ensure the relevant Parties are aware of these circumstances.

### Employee Support

#### Support Person

- Each party involved in a grievance process is entitled to have a Support Person of their choice to accompany them to meetings (for example a friend/family member, union representative, or colleague). More information about the Support Person can be found under **Roles and Responsibilities**.
- Employees from culturally diverse groups, such as those from non-English speaking or Aboriginal and Torres Strait Islander background, may require the support of someone from their cultural group in working through the grievance resolution process.
- Each party also has the right (at their own cost) to have a suitably qualified person to advise or support them in dealing with the grievance. Managers should inform employees of this right and give them reasonable time to organise it.

#### Employee Assistance Program (EAP)

- The CAHS EAP provides a free, confidential counselling service to employees and members of their families on a range of workplace and personal issues. More information on the EAP providers can be found on [HealthPoint](#).

### Record Management

Accurate and detailed documentation of each grievance resolution process should be kept to ensure the process is transparent and capable of review.

#### *Informal Grievance Records*

- Where a Manager provides assistance in resolving an informal grievance, it is important that they keep records. This may include a file note of events, copies of relevant emails or letters, along with brief notes of important telephone calls and verbal conversations.
- It is important to ensure any file notes or records are made in a timely manner to ensure accuracy and currency.

#### *Formal Grievances Records*

- All documentation relating to a formal grievance, investigation and resolution should be kept in a secure confidential file in the Electronic Document and Records Management System by Human Resources (HR).
- Meetings and discussions should be recorded in writing in a timely manner having regard to accuracy and currency.
- Information should include:
  - How and when employees were informed of their rights and responsibilities.
  - How the issues to focus on were identified and examined.
  - Key activities undertaken during the process, including discussions with all Parties.

- Copies of any correspondence relating to the grievance.
- What actions were taken to address or resolve the issue/s.
- How and when employees were informed of any delays in the process.
- The basis for the final decision and how it was communicated to the Parties.
- Notification in writing to the Parties of the outcome with advice that they may make a Breach of Standard claim in relation to the reviewable decision.
- Documentation should be maintained having due regard for Public Sector record keeping practices, the provision of the [General Disposal Authority for State Government Information](#) and the requirements of the Freedom of Information Act 1992.

## **Roles and Responsibilities**

### *Complainant and Respondent*

- Attempt to resolve the grievance informally before resorting to a formal process.
- Provide sufficient information to enable CAHS to assess the grievance.
- Maintain confidentiality and conduct themselves in a manner that will not adversely affect CAHS, its employees and/or WA Health.
- Participate in the resolution process in line with the CAHS Values.
- Undertake any reasonable actions necessary to achieve a timely and fair resolution.

### *Support Person*

- Provide support and advice to the employee, but not actively participate in the process, such as answering questions on the employee's behalf.
- Must be independent to the grievance, for example they must not be a witness.
- Must meet all CAHS Infection Prevention and Control requirements if attending from outside of the workplace.

### *Line Manager*

- Maintain accountability for the grievance resolution process for employees within their area of responsibility.
- Be familiar with the requirements of this procedure.
- Consider grievances seriously and sensitively ensuring the CAHS Values guide the process.
- Inform the Parties of their rights and responsibilities in the process, including access to a support person/representation and the EAP.
- Ensure the principles of procedural fairness are applied throughout the process.
- Take action to ensure the lodgement of a grievance does not result in unfair treatment or victimisation of any party to the grievance process.
- Ensure that confidentiality is maintained at all times throughout the process.
- Maintain appropriate documentation including file notes, notes of discussions, records of meetings and correspondence.
- Communicate with relevant parties during the process and advise them of the outcome, proposed resolution action(s) and provide reasons for the decision reached.

- Engage HR in the event of a formal grievance to assist with the facilitation of the process.

### *Decision Maker*

- Ensure they have the delegated authority in accordance with CAHS Authorisation Schedule to make decisions in regards to commencing, progressing, reaching a finding and determining the CAHS response to an employee grievance.
- Declare any perceived, potential or actual conflict of interest with respect to any parties associated with the grievance process before agreeing to undertake the role.
- Be familiar with the WA Health Grievance Resolution Policy and this procedure and ensure compliance.
- Ensure a proper assessment is conducted, allowing a genuine and thorough examination that takes into account all relevant facts and circumstances that are reasonably available and known at the time of the decision.
- If necessary, consider appointing an investigator, in consultation with HR, to independently gather evidence.
- Base any decisions on supporting evidence, be impartial and act without bias when making a determination, finding or decision about the grievance.

### *Human Resources (HR)*

- Provide advice about the grievance resolution process.
- Facilitate and advise managers in achieving a resolution to the grievance.
- Responsible for the secure storage of formal grievance records that are facilitated by HR.

## **Mediation in Grievance Resolution**

- Mediation is confidential, voluntary and impartial and assists the Parties to identify and resolve issues themselves.
- 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 those issues.
- Some key points when engaging in mediation:
  - Mediators are neutral assistants, who do not make judgments.
  - All Parties to a grievance need to agree to mediation and be able to accept the mediator as being independent and having no vested interest in the outcome of the mediation.
  - Mediators can be a manager or an external professional Mediator which can be arranged via the [Employee Assistance Program](#) (EAP) providers at the cost of the department. 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 the Parties to find their own solution and may, in some instances, offer suggestions for resolution.

- The Mediator does not influence a decision or provide advice about likely outcomes, rather they support the Parties in solving their own problems and making their own decisions.
- Even if agreement is not reached on all issues in dispute, Parties are assisted to discuss their grievances in a constructive manner, and to reach an understanding of each other’s position.

**Withdrawal of Grievance**

- A Complainant may withdraw their grievance at any stage of the grievance resolution process, with all aspects of confidentiality being maintained throughout.
- Formal grievances should be withdrawn in writing to the decision maker and the Parties to the grievance advised in writing by CAHS HR.
- The withdrawal of a formal grievance does not however preclude management taking action on serious concerns where it is necessary to meet their duty of care.

**Vexatious, Frivolous or Malicious Matters**

- While the great majority of employee grievances are motivated by genuine concern about perceived inappropriate or unfair behaviour or actions, on some occasions a grievance may be vexatious, frivolous or malicious (that is, designed to harass or annoy, to cause delay or detriment, or for any other wrongful purpose).
- Employees should be made aware that if a grievance is investigated and found to be vexatious, frivolous or malicious, then a disciplinary process may commence.
- Employees who believe they are the subject of a vexatious, frivolous or malicious grievance are encouraged to seek advice from their manager or CAHS HR.


<b>Related internal policies, procedures and guidelines</b>
<a href="#">CAHS Authorisation Schedule</a>
<a href="#">Employee Assistance Program</a> (EAP)
<a href="#">Public Interest Disclosure</a>

<b>References</b>
<a href="#">WA Health Grievance Resolution Policy</a>
<a href="#">WA Health Notifiable and Reportable Conduct Policy</a>
<a href="#">WA Health Managing Unsatisfactory and Substandard Performance Policy</a>
<a href="#">Award and Agreement Library</a>
<a href="#">Grievance Resolution Standard</a>



<a href="#">Public Sector Code of Ethics</a>
<a href="#">WA Health Code of Conduct</a>
<a href="#">WA Health Managing Conflict of Interest Policy</a>
<a href="#">General Disposal Authority for State Government Information</a>
<a href="#">Whole of Government Common Use Agreement (CUA) - Human Resources Investigation Services</a>

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## Healthy kids, healthy communities

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## Appendix 1: Informal Grievance Resolution Process

The informal grievance resolution process is where the Parties involved attempt to resolve the matter with minimal intervention through informal discussions and meetings.

Many grievances can be dealt with satisfactorily at an informal level, with the result more likely to be accepted and committed to by both Parties. If necessary, the Manager may become involved in discussing the matter with the Parties and attempting to informally negotiate a satisfactory solution. Corrective measures to resolve the situation should ideally be gained by consensus.

The following sections are suggested options to informally resolve a grievance.

### Option 1: Resolution by Complainant

Wherever possible, and only in a situation where there is minimal conflict and limited potential for hostility, the Complainant should first seek to resolve a grievance by directly addressing the matter with the person.

This can also be done via a third party.

For example:

- The Complainant or a colleague acting as their representative should talk directly to the person responsible if the grievance is about minor behaviour of that person. This would usually be in a situation where there has been a minor misunderstanding; or
- Where the grievance is about a decision, process or activity of CAHS that they believe adversely affects them, then an informal discussion should be held with the person with management responsibility for that decision, process or activity.

If the Parties reach agreement on their own, the grievance is resolved and no further action is required, other than to implement any actions that were agreed to by the Parties. In some situations an acknowledgement of the offence or concern raised and or an apology is sufficient to restore the working relationship.

### Option 2: Resolution by Manager

Where an issue has not been resolved by speaking to the person directly (or the Complainant is not comfortable doing so) they may involve their manager to facilitate an informal resolution to their grievance. If the Complainant believes that a situation exists which makes it difficult for them to raise the issue of concern with their line manager, they should approach an alternative line manager or [CAHS HR](#).

The following are suggested steps to assist the manager to informally resolve the grievance.

#### *Step 1 - Preliminary Assessment of the Grievance*

- When an employee raises an issue of concern, the information needs to be assessed to determine the nature and severity of the complaint and whether the issue is within scope. If the assessment indicates the complaint is within scope go to Step 2.
- If the assessment indicates the complaint is out of scope of the Policy and this Procedure the matter is to be progressed in accordance with the applicable legislation, standard or relevant policy.

- If the Manager suspects that the complaint may be vexatious, frivolous or malicious they should seek advice from CAHS HR before taking any further action. Refer to the relevant section on **Vexatious, Frivolous or Malicious Matters**.

### *Step 2 - Clarify Issues and Concerns*

Meet separately with the Parties as soon as possible to;

- a) explain that the purpose of the grievance resolution process is to achieve a resolution; it is not a disciplinary process;
- b) explain their rights and responsibilities in grievance resolution (refer to the section on **Roles and Responsibilities**) including the right to have a support person at all meetings, confidentiality requirements and the availability of the EAP;
- c) clarify the Complainant's issues and concerns and what they are seeking from the process; OR explain the details of the grievance to the Respondent and provide them with the opportunity to respond; and
- d) explore/discuss any actions which may assist in resolving the matter.

### *Step 3 - Finalise the Informal Grievance Process*

The informal grievance process can be finalised by either;

- a) negotiating a resolution with each party separately;
  - b) gaining the consent of both parties to attend facilitated meeting/s to resolve the grievance;
  - c) making a final decision based on consideration of all available facts and circumstances. The Parties must be advised of the decision and the basis for the decision; or
  - d) recommending mediation or another alternative dispute resolution method which may assist in achieving agreement on a resolution.
- 
- CAHS HR is available to provide advice on alternative dispute resolution methods.
  - If resolution is achieved, the grievance process is complete. If the grievance is not resolved informally, or if it is too complex or the Complainant or the Manager believes informal resolution is inappropriate, the formal resolution process should commence.

## Appendix 2: Formal Grievance Resolution Process

A formal grievance resolution process is initiated when;

- a) an informal grievance resolution has been unsuccessful;
- b) a complainant informs their line manager that they wish to progress the matter as a formal grievance following an unsuccessful attempt at informal resolution;  
or
- c) the seriousness or complexity of the issue makes informal resolution unsuitable. This can be determined in consultation with CAHS HR.

All documentation relating to formal grievance, investigation and resolution should be kept in a secure confidential file by CAHS HR.

The following steps are provided as a guide and may not be relevant in all situations.

### *Step 1 - Lodge a formal grievance*

- Whilst it is preferable that the Complainant submits their grievance in writing, a verbal complaint can be recorded in writing by the receiving officer. If the Complainant considers that it is inappropriate to lodge their grievance with their immediate line manager they can lodge it with an alternative manager or director or CAHS HR.
- A formal grievance should contain the detail and circumstances of the grievance. For example:
  - What was said or done
  - Persons involved
  - Date and time
  - Place
  - Witnesses
  - Action taken to date in an attempt to resolve the grievance informally (if any) or reasons why informal resolution processes were not attempted.
  - Outcomes

### *Step 2 - Manage a formal grievance*

- Upon the receipt of a formal grievance the manager is responsible for managing the grievance through to resolution provided they have the ability and delegated authority to resolve or redress a particular grievance. The [CAHS Authorisation Schedule](#) states the minimum tier level manager that can approve:
  - a) the initiation of an investigation of an employee grievance by an internal reviewer;
  - b) the initiation of an investigation of an employee grievance by an external investigator; and
  - c) a determination of an employee grievance.
- Managers should contact their line manager or CAHS HR if they have any issues or concerns in relation to their role in a grievance resolution process.

### *Step 3 - Preliminary assessment*

- The Manager should undertake a preliminary assessment of the available information to examine the nature of the complaint.
- If the grievance has not gone through any informal process, the Manager should meet with the Complainant to clarify the issues raised and outcomes sought.

- In consultation with CAHS HR, the Manager shall determine whether the complaint falls within the scope of the Policy and this Procedure. If the complaint is within scope the Manager together with CAHS HR will determine a course of action.
- If the complaint is out of scope, the matter is to be progressed in accordance with the relevant policy and/or procedure.

*Step 4(a) - Appointment of an Internal Reviewer*

- If able to be investigated internally, the delegated authority in consultation with CAHS HR shall appoint an internal reviewer.
- When deciding which internal officer should undertake the investigation, consideration should be given to the following:
  - a) The knowledge and expertise of the internal officer.
  - b) The impartiality of the person – ensuring they are not a party to the grievance nor have a perceived or actual conflict of interest.
- If the most appropriate identified internal reviewer is the Tier 4 Manager, the delegation of authority to endorse recommendations and make decisions will then be escalated to the Tier 3 Manager.

*Step 4(b) - Appointment of an External Investigator*

- The delegated authority, in consultation with CAHS HR, may elect to appoint an external investigator.
- In instances where an external investigator is engaged they will be provided with a clear scope of work. The person conducting the investigation must be provided copies of all relevant documents including a copy of the Policy and this Procedure.
- All Parties must be informed of the decision to engage an External Investigator.
- Paid external investigators must be contracted in consultation with CAHS HR and in line with the [Whole of Government Common Use Agreement \(CUA\) - Human Resources Investigation Services](#).

## **Investigation of the Grievance**

The following information applies to an appointed investigator (internal or external).

- It is an expectation of CAHS that the appointed investigator 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. These must be kept on file along with the documented responses.

*Step 5 - Clarify the issues and concerns*

- Contact the Complainant as soon as possible to arrange a meeting with them. During the initial contact with the Complainant:
  1. Explain the purpose of the grievance resolution process; importantly that it is not a disciplinary process.
  2. Advise that they are entitled to have a support person accompany them to any meetings that are held and that confidentiality must be maintained throughout the process.
  3. Inform them of the steps that will be applied during the grievance resolution process. This may include information on;
    - the meetings that will take place;

- the purpose of the meetings;
  - the type of questions that will be asked;
  - how long their interview will take;
  - the location of the meetings;
  - who will be attending;
  - how they will be kept informed of the progress of the process; and
  - how the final decision will be made.
4. Explain the investigators role during the process.
- During the meeting with the **Complainant**:
    1. Explain their rights and responsibilities in the grievance resolution process (refer to the section on **Roles and Responsibilities**) including the right to have a support person at all meetings, confidentiality requirements and the availability of the EAP.
    2. Provide them with a copy of the Policy and this Procedure.
    3. Re-iterate the key points and principles that relate to the process.
    4. Clarify their concerns and identify the issues and document these accordingly:
      - What does the Complainant believe to be the problem?
      - Who or what is perceived to be the cause of the problem?
      - Where, when and why did the problem/s occur (dates, time) and how often?
      - Is there any evidence (documentary, statistical or other)?
      - What effect does the issue have on the complainant, their colleagues or patients?
      - Clarify their desired resolution to the problem.
      - Clarify what attempts, if any, have been made to resolve the problem to date?
    5. Advise the Complainant that if their grievance relates to another employee, then the employee (the Respondent) will be given an opportunity to respond.
    6. Ask the Complainant to identify any documents or information that can support their version of events, or to identify any person that can assist with inquiries.
    7. Advise the expected next steps and, where possible establish timeframes.
  - Following the meeting with the **Complainant**:
    1. Confirm the details in writing to the Complainant outlining the scope of their grievance and what they are seeking from the process in order for their grievance to be resolved (CAHS HR can assist in drafting the letter).
    2. Sometimes a decision may be made to not examine a particular issue. For example, the matter has already been considered by CAHS or is part of another process. Any decision not to examine a particular issue/s should be clearly communicated to the Complainant.
    3. Contact the Respondent as soon as possible to inform them that a grievance has been lodged, and explain the grievance resolution process. Refer to **Step 5** in relation to the initial contact requirements.
  - Meet with **Respondent**. During this meeting:
    1. Explain their rights and responsibilities in grievance resolution (refer to the section on **Roles and Responsibilities**) including the right to have a support person at all meetings, confidentiality requirements and the availability of the EAP.
    2. Provide them with a copy of the Policy and this Procedure.
    3. Re-iterate the key points and principles that relate to the process.
    4. Explain the details of the grievance, providing a copy in writing.

5. Provide the Respondent with an opportunity to respond to the grievance. Also inform them that they will be provided with sufficient time to prepare a response to the grievance if they choose not to respond at the meeting.
6. Ensure the Respondent has enough information to fully understand the allegations as they relate to them. Issues may be provided in writing or the respondent may agree to further meetings to have allegations explained.
7. Ask the Respondent to identify any documents or information that can support their version of events, or to identify any person that can assist with inquiries.
8. All information must be documented.

## **Evaluation of the Grievance**

### *Step 6 - Develop plan outlining how the facts and circumstances will be evaluated*

1. Record the identified issues and determine how the facts will be gathered. For example, identify what material needs to be reviewed (documents, files, emails) and who needs to be interviewed.
2. Formulate questions that will help explore the issues raised.
3. Provide the Complainant and Respondent with sufficient prior notice relating to any further meetings to give them time to prepare.
4. Record important facts during any interviews and prepare a written record of any meetings and/or statements gathered. The Parties must sign them as confirmation as a correct record of the discussions.
5. If the Parties have identified any relevant person to support their version of events, then those individuals should be interviewed independently. Although it is not necessary to interview everyone it is important that any decision not to interview a particular person is well considered and documented.
6. The investigator may identify other persons or witnesses who have knowledge of the matter to gain a better understanding of the issues. Any additional person identified to provide information should be communicated to the Parties to ensure any issues around conflict of interest can be identified.
7. Provide regular updates on progress or delays to the Complainant and Respondent throughout the resolution process.
8. Document the process thoroughly. Records should include when, what and how the information was conveyed to the Parties.
9. The investigator completes the final report and submits it to the Decision Maker.

### *Step 7 - Evaluate information and present preliminary views to the Parties for comment*

After evaluating and considering all the information gathered from the investigation, the Decision Maker;

- a) may feedback any preliminary views to the Parties for comment and/or to check the facts;
- b) should consider any criticisms or concerns raised by the Parties and whether these need to be addressed to ensure the process is transparent and conducted in consideration of the principles of procedural fairness and grievance resolution;
- c) should determine if any additional work is required based on any discussions with the Parties. This may include additional interviews or document reviews or whether any areas of the investigation need to be reconsidered to ensure accuracy;
- d) will evaluate the information gathered during the discussions and all other available relevant evidence; and
- e) will identify and consider various options for resolving the grievance, having regard for the implications including cost, industrial, policy or precedent implications, and



advantages and disadvantages of identified options. All selected options must be compliant with relevant legislative, regulatory and/or award/industrial agreement provisions.

### *Step 8 - Make a final decision*

After following the above steps, and assessing all gathered facts, and ensuring any recommendations are made in consideration of those facts, the Decision Maker should;

- a) decide if it is possible to achieve a resolution. This may be achieved by bringing the Parties together to jointly decide upon a solution that will lead to a successful outcome. (Mediation may assist in this step – refer to [Mediation in Grievance Resolution](#) above); or
- b) negotiate a resolution with each party separately (this may include for example moving staff, reallocation of work or changing of work processes); or
- c) make a final decision based on consideration of all available facts and circumstances. A decision that one or more of the Parties is unhappy with is not necessarily the wrong decision, provided it has been made with all the available facts and given due consideration. Not all grievances can be resolved to the complete satisfaction of all the Parties.

## **Documentation**

*Step 9: Document the basis for the decision and notify the Parties of the outcome.*

- Grievance resolution decisions are open to review by the Public Sector Commission and it is a requirement that there is appropriate documentation kept on file to explain;
  - a) the decision that was made; and
  - b) the grounds that led to the final decision being made.
- A quality check of the process should be undertaken by CAHS HR to ensure the key steps have been undertaken and sufficient documentation of the process has been recorded to understand why a particular decision has been made.
- The Complainant and Respondent must be notified in writing of the outcome at the conclusion of the grievance resolution process.
- Once a reviewable decision is reached, the process used to determine the outcome is appealable against the Standard. CAHS HR provide the Parties with written notification of their right to lodge a breach of standard claim against the Standard, including breach of standard claim details.