

Name of Guidelines	Grievance Management Guidelines for Supervisors	
Description of Guidelines	<p>These Guidelines should be consulted by supervisors, or those other staff who are involved in the process of managing grievances, and utilised to assist to develop appropriate strategies and courses of action for concluding grievances.</p> <p>These Guidelines should be read in conjunction with the Staff Grievance Management Policy and the Policy on the University Visitor.</p>	
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Description of Revision		

Human Resources Directorate

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1. Staff Grievance Management Guidelines

These Guidelines are not prescriptive - they contain a statement of how the University proposes to generally deal with grievances. They have been developed to assist grievance receivers, who are normally nominated supervisors, in the management of grievances.

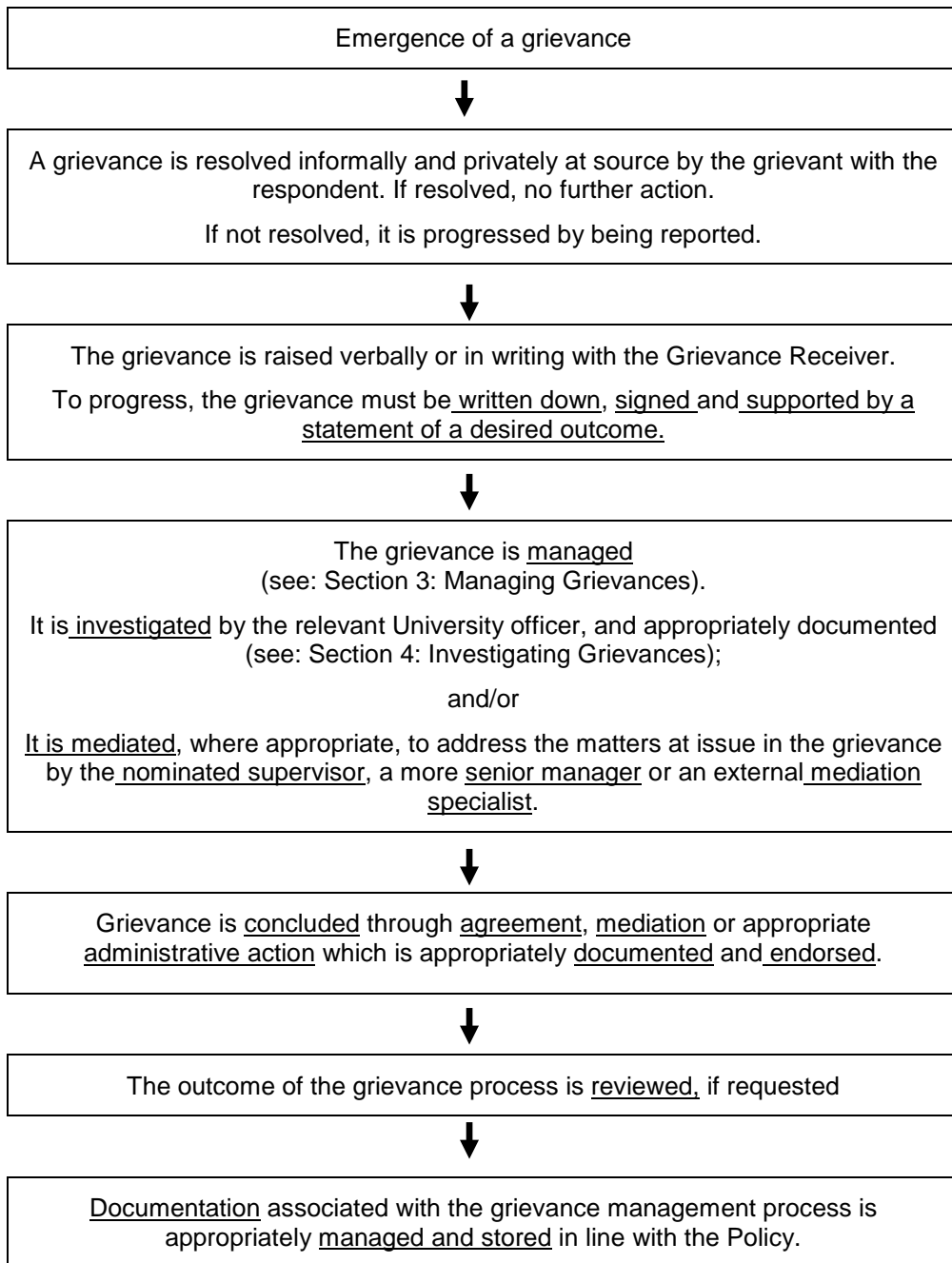
In dealing with grievances, it is necessary to be flexible and sometimes it may not be appropriate to follow these guidelines without modification. Further, the University may amend or vary these guidelines from time to time as it considers necessary.

The Guidelines should be consulted by supervisors, or those other staff who are involved in the process of managing grievances, and utilised to assist to develop appropriate strategies and courses of action for concluding grievances. They provide information and advice on the following:

- Receiving a Grievance
- Managing Grievances
- Investigating Grievances
- Mediation of Grievances
- Concluding a Grievance
- Documenting Grievances

The guidelines have been developed to complement the stages generally outlined in the University Staff Grievance Management Policy. These stages are outlined in the schema below:

Steps in Grievance Management



2. Receiving a Grievance

In receiving a grievance the grievance receiver should generally:

- consider the grievance conscientiously and sensitively;
- listen and respond promptly and endeavour to understand the grievant's concern;
- be aware that the matter may have been weighing on the mind of the grievant for some time;
- be sensitive to the grievant's possible feelings of uncertainty and concern at any potential repercussions arising from the complaint;
- explore whether further assistance is required by the grievant (e.g. through consultation with the relevant University Executive staff member, Human Resources Consultant, Manager, Staff Equity and Diversity, (in the case of harassment or discrimination matters) or referral to the Employee Assistance Program);
- seek to clarify with the grievant the facts of the matter in so far as they are perceived or can be established at this time;
- ensure where needed that any appropriate documentation of the grievance (including any remedy sought) is provided and have it signed by the grievant;
- be aware of grievances that suggest repeated incidents on the part of the respondent (e.g. harassment, bullying or victimisation);
- clarify with the grievant, appropriate options available for managing the grievance and any associated action (and the possible consequences) which the grievant seeks to address the grievance and find out if the grievant has taken, or proposes to take, any external action and if so, refer the matter to the Director, Human Resources as this may impact on how the grievance is dealt with;
- determine whether the grievance raises issues concerning disciplinary action, criminal investigation or harm to another person for which the University may become vicariously liable. In these circumstances, the grievance receiver should discuss the matter with a more senior University officer or the appropriate University Executive Staff member;
- undertake to take action only on the basis of what has been agreed upon with the grievant unless there has been what appears to be misconduct or a breach of the law (e.g.: in relation to discrimination and harassment in which case the matter should be referred to the Director, Human Resources); and,
- take appropriate steps to maintain confidentiality (as defined in the Policy).

3. Managing Grievances

The three basic stages in managing a grievance are:

Stage One – the grievant raises the issue with the other person/persons involved and the matter is dealt with informally and locally.

Stage Two – if the local informal approach is not successful or suitable for dealing with the grievance, the grievant may raise the issue with their supervisor or other

appropriate officer. The Grievance Receiver will discuss the issue with the grievant and respondent and undertake activities to conclude the grievance by agreement between the parties.

Stage Three – if this approach is not successful or not suitable for dealing with the grievance (depending on the nature of the grievance), it will then become necessary to conduct a formal investigation.

As the officer primarily responsible for dealing with a grievance, the nominated supervisor should have regard to the matters stated above.

3.1 Informal resolution of grievances (Stage One)

Where possible and appropriate, the grievant may raise the issue directly with the person or persons involved in an attempt to resolve the matter without the intervention of any third parties.

3.2 Informal resolution of grievances (Stage Two)

Informal resolution of grievances may be achievable without the need for detailed investigations being conducted and in many cases, it will be sufficient for the nominated supervisor/grievance receiver to discuss the matter only with the grievant and respondent. In addition, the grievance receiver may, on request by either party, undertake activities to assist in the resolution of a grievance at the early stages, such as: discussion with the parties involved; research of University policy and procedures; consideration of any other information relevant to the situation; and/or, making use of mediation.

Although it is not necessary to make an official record of the grievance, it is advisable for the grievance receiver to make a suitably detailed file note of the grievance and the agreed outcome and retain it in a secure location. If, in the event, a further grievance is raised, this file note may be called upon.

3.3 Formal resolution of grievances (Stage Three)

In cases where a grievance has not been informally concluded between the parties, grievances should be formalised in writing in sufficient detail to enable the resolution of the grievance to proceed. In these circumstances, the grievant should specify in sufficient detail:

- the nature of the grievance so as to enable the matter to be addressed effectively; and
- any remedy sought by the grievant.

This written record must be signed by the grievant. Responsibility, however, for subsequently ensuring clear documentation of the grievance, including signing by the grievant, rests normally with the grievance receiver. The use of the Grievance Record Form (see Appendix 1) to document a grievant's statement is recommended.

Following assessment and consideration of the nature and seriousness of the grievance, the grievance receiver may determine to investigate the grievance or to propose mediation between the parties. However, if in the judgment of the grievance receiver, the matter is sufficiently serious (see 3.4 below), it may be necessary to refer the grievance to a more senior University officer for investigation and perhaps take action outside this policy.

Similarly, if the grievance receiver does not have the authority to deal with a grievance, this should be discussed with the grievant as soon as practicable, to decide on the appropriate course of action, which might include referring the matter to the next more senior University officer in the line. If the grievance receiver is unsure about this, he/she

should first discuss the matter with the senior officer who may consult the Director, Human Resources.

Whenever a formal investigation is conducted, details of the grievance and the conclusion should be recorded in a written agreement, and wherever practicable, signed by the parties concerned. A copy of the signed written agreement is to be given to each of the parties and, a copy sent to the Director, Human Resources where it will be retained on a secure file.

If no agreement can be reached to conclude a grievance in which a nominated supervisor has been involved, the supervisor shall prepare and submit a report to the relevant University Executive Staff member and provide a copy to each of the parties. The Executive Staff member will, following consideration of the report, attempt further action to achieve a conclusion to the grievance.

Normally the agreement of the grievant will be obtained before any further action is taken to address the grievance. However, in some circumstances (eg claimed sexual or other assault or a breach of the law) the matter may require investigation and/or action even though the person concerned might wish to withdraw the complaint and does not agree to any action being taken - this is a decision that must be made by the Director, Human Resources.

3.4 Determining whether the Staff Grievance Management Policy is appropriate to the complaint

Whereupon receipt of a grievance or during the course of a grievance investigation, there is an indication that a breach of discipline may have occurred, the matter must be reported to the relevant University Executive Staff member responsible for the staff member concerned as soon as possible.

The grievance receiver should, whilst maintaining appropriate confidentiality (as defined in the Policy) consult with the Manager, Staff Equity and Diversity on all grievances alleging harassment, unlawful discrimination or breaches of equal opportunity in line with the University Policy on Discrimination and Harassment.

If formal disciplinary procedures are to be implemented, it is probable that a grievance investigation (whether formal or informal) under this Policy will not continue, but be replaced by the appropriate disciplinary procedure for academic or general staff. At this time, a progress report on the investigation and any findings should be provided to the relevant senior University officer. However, in some cases there may be parts of the grievance which do not appear to be related to the matters subject to any disciplinary process. After discussion with the relevant senior University officer, it may be decided to manage these parts separately, in which case they should continue to be dealt with under these procedures and concluded as expeditiously as practicable.

Where formal disciplinary procedures are to be implemented, the grievance receiver should inform the grievant and the respondent of this and of any parts of the grievance to which these grievance management procedures will continue to apply.

The need to consider formal disciplinary procedures may also arise in the course of a grievance investigation if a breach of confidentiality or victimisation occurs, or there is reason to believe that the grievance is not bona fide (e.g., has been raised for malicious or vexatious reasons). In these circumstances, such action must be reported to the relevant senior University officer who will determine the appropriate action in consultation with the Director, Human Resources.

Problems that are raised as a grievance may also affect other people in the University. Unless the nominated supervisor believes the grievance should be referred to another member of staff, the nominated supervisor should address individual grievances while, at the same time, take appropriate action to resolve any underlying problems that

currently are or may subsequently impact on other staff. Where appropriate, the nominated supervisor should also consult other members of staff during the grievance management process.

4. Investigating Grievances (Stage Three)

When investigating a grievance, the grievance receiver should proceed by taking note of the following:

4.1 With the Grievant:

- Ensure that there is a written record of the grievance including any remedy sought, and of the intended method of investigation. This record must be signed by the grievant and the grievance receiver. The use of the Grievance Record Form (see Appendix 1) to document a grievant's statement is required.
- Ensure that the facts (including alleged actions, time/s, date/s, place/s, the names of any witness(es), etc) relating to the grievance are clarified as far as practicable and documented in discussion with the grievant.
- Explain the need for confidentiality and have the grievant read and sign the Confidentiality Agreement (see Appendix 2 for a copy of the Confidentiality Agreement form).
- Explain to the grievant the importance of the respondent(s) receiving a fully detailed outline of the grievance and a right of reply so that the University can consider the respondent's response prior to a decision being made about how to proceed.
- Explain to the grievant the process of investigation.
- Provide a copy of the initial written record referred to above, to the grievant who is required to sign the record, before progressing further.

4.2 With the Respondent:

- Inform the respondent(s) as soon as practicable, in writing and without implying judgement about:
 - the nature of the complaint;
 - the name of the grievant;
 - that they must provide a response to the complaint in writing within ten (10) working days - unless a longer period is appropriate;
 - that a further investigation may need to be undertaken following consideration of the respondent's response;
 - that they are to maintain a proper workplace relationship with the grievant;
 - that they are not at this stage to approach the grievant concerning the matter and not to discuss the matter with any other person (inside or outside the University) other than a family member, a person who is external to the University who is providing private independent support and/or advice to the respondent or persons within the University who the respondent has a legitimate need to speak to in order to prepare the written response.
 - the need for them to read and sign the Confidentiality Agreement (see Appendix 2 for a copy of the Confidentiality Agreement form).

- Should the respondent decline to provide a written response, the respondent may be formally directed by the University to respond. In some cases an investigation may be instigated by the University Executive Staff member responsible for the work area in the absence of a written response from the respondent if he/she believes the matter is of such seriousness to warrant such action.
- On receipt of the respondent's written response to the grievance, the person managing the grievance should fully and objectively consider the material and decide whether to proceed to investigate the claim/s further or to seek to explain the respondent's position to the grievant. Should the latter approach be decided on, the person managing the grievance will need to endeavour to ensure that any misunderstanding or misinterpretations held by either party are clarified with a view to the circumstances not re-emerging. A record of any associated discussions with either the grievant or respondent will need to be prepared by the person managing the grievance.
- If a decision is made to proceed to further investigate the claims, the person managing the grievance will endeavour to determine the facts of the situation through interviews with all other parties either involved in or with direct knowledge of the situation. The person conducting the investigation will also conduct a review, if appropriate, of any associated relevant University records that may have a bearing on the grievance. A record of these interviews is to be kept and a copy provided to the interviewee who is required to sign the record as received and sighted. The use of the Grievance Record Form (see Appendix 1) to document statements provided in interview by respondents and witnesses is recommended.

4.3 In general when investigating a grievance, the grievance receiver should:

- Clarify policies and procedures relevant to the matter and, if necessary, seek advice from the senior University officer who is the officer responsible for the relevant policy area.
- As appropriate, consult with other relevant persons (as referred to in Section 7 of the Policy) within the University to develop strategies for possible resolution, if appropriate. Such persons include a Human Resources Consultant, the Manager, Employee Relations, the Manager, Staff Equity and Diversity, or a Campus Minister.
- Discuss options for resolution with the grievant and other parties to the grievance.
- Ensure that steps are taken to try and reach a reasonable conclusion of the grievance and/or make recommendations as to the avenue for conclusion.
- Prepare a report on the investigation and any findings, conclusions and proposals for action to be submitted to the relevant University Executive Staff member to whom the grievance receiver reports. A copy of the report will be sent to the Director, Human Resources for filing in a secure location.
- Throughout the process, the person conducting the investigation should ensure that:
 - dates of all discussions and outcomes are recorded;
 - all statements taken are dated and signed 'as sighted' by the person giving the statement, or if this is declined, a notation is made that the

person declined to do so and this notation is signed and dated by the investigator;

- persons making a statement are provided with a copy of the signed statement;
 - the grievant and respondent(s) are regularly informed of progress; and,
 - appropriate confidentiality (as defined in the Policy) is maintained.
- Investigations and the conclusion of grievances should be completed as expeditiously as reasonably practicable, unless there are factors directly related to the grievance which make this impractical (e.g. unavailability of one or more parties or claimed witnesses to the grievance). In such circumstances, the Director, Human Resources must also be consulted by the relevant University Executive Staff member.
 - An important requirement of any investigative process associated with the management of a grievance is the protection of the interests of all parties to the grievance. Therefore the investigator must exercise appropriate discretion and confidentiality (as defined in the Policy) to protect the interests of all parties, including the University.

5. Mediation of Grievances

In the course of resolving grievances, it may be appropriate to attempt mediation between the parties. In the case of some less serious grievances, mediation may be undertaken by the nominated supervisor or by another person agreed by the persons concerned. However, as mediation is usually a structured and specific process that requires specific training, in most cases it will be more appropriate to seek the assistance of a person with specialist skills in mediation from either within or outside of the University. Where this occurs, and costs apply, these shall be borne by the organisational unit in which the grievant is employed.

Mediation requires the consent of the parties involved in the process and generally, third parties - other than the mediator - shall not participate in or observe the process unless their attendance is necessary for the conduct of the mediation.

Generally, mediators deal only with the persons directly involved in the matter and should not involve others or discuss the matter with anyone else other than to clarify, for example, an issue of policy or procedure. Where clarification is being sought, the names of the persons involved in the mediation should not be revealed (unless it is necessary to do so). Where the relevant manager or supervisor acts as the mediator, he or she should ensure, to the best of her/his ability, that the mediation process is conducted fairly and equitably.

At the conclusion of the mediation process, a record of the outcome should be signed by the persons concerned, each of whom retains a copy. A copy should also be forwarded to the Director, Human Resources for placement of a confidential file. This approach should be followed whether or not a conclusion to the matter is reached. Any conclusion proposed by the parties in mediation may require endorsement by the relevant manager or the University Executive Staff member responsible for the work area and must have regard to University policies, industrial agreements or relevant legislation.

Unless it is necessary to do so, e.g. to seek the endorsement referred to above, no information should be divulged by the mediator, grievant or respondent, other than as agreed during the course of mediation.

6. Concluding a Grievance

The constructive conclusion of a grievance to the satisfaction of all the parties is the desirable outcome of effective grievance management. This, however, may not always be practicable as not all grievances can be concluded by agreement between the parties. When determining what administrative or other measures might be taken to address the causes of a particular grievance, consideration of the following representative factors might be of assistance. Note: These factors are issued as guidance only and are not exhaustive. Therefore, they may not be appropriate to all circumstances.

6.1 Grievances relating to perceived procedural unfairness

Where the grievance relates to perceived procedural unfairness in a management process of the particular workplace, the following factors may be relevant:

- whether the process was, in fact, procedurally unfair;
- whether the grievant has suffered actual disadvantage due to an unfair process;
- whether practicable steps are available to rectify any actual disadvantage; and,
- if not the case, what measures need to be taken to assist the grievant to clarify her/his understanding of workplace processes and practices in the area.

6.2 Grievances relating to perceived inequity in management processes

Where the grievance relates to perceived inequity in the management processes of the particular workplace, the following factors may be relevant:

- whether the grievant was treated differently to other employees in identical or similar circumstances;
- whether any such differential treatment was inequitable;
- whether the grievant suffered actual disadvantage as a consequence of any such inequity in treatment;
- whether practicable steps are available to rectify any actual disadvantage; and/or,
- if not the case, what measures need to be taken to assist the grievant clarify her/his understanding of workplace management processes and practices in the area.

6.3 Grievances relating to other perceived causes

In other cases, and depending on the known facts as they have been established through investigation, the following factors may be relevant:

- whether the grievant's perception of her/his treatment is consistent with the factual situation established through investigation;
- whether or not a reasonable person would identify the factual treatment of the grievant as indicating disregard for the personal or professional dignity of the grievant;
- whether the factual treatment appears to have compromised the University's occupational health and safety obligations or other legal obligations and, if so, the nature of any remedial action that is required;
- the nature of the practical steps, if any, which are required to provide an appropriate affirmation of the personal dignity of the grievant or respondent; or to afford appropriate recognition and/or acknowledgment of the dignity of the calling of the grievant or respondent; or to address the occupational health and

- safety responsibilities of the University or other legal obligations (as the case may be) having particular regard to his or her factual treatment;
- the nature of the practical steps, if any, which could prevent a recurrence of the factual treatment of the grievant or respondent;
 - whether the respondent's perception of her/his behaviour is consistent with the factual situation established through the investigation;
 - the nature of the practical steps, if any, which may be required in order to avoid the emergence of similar factual treatment in relation to other staff; and/or,
 - whether the grievant's or respondent's perception of her/his treatment indicates that counselling or other support for the grievant or respondent may be an appropriate management response to the perceived grievance.

6.4 Resolution of Grievance by Agreement

Any conclusion of a grievance by agreement between the parties and any administrative measures decided upon to manage a grievance must be within the scope of the delegated authority of the parties or of the person managing the grievance. Where this is not the case, approval of either the proposed agreed conclusion or administrative measure by the relevant University Executive Staff member up the line must be obtained prior to implementation.

An administrative measure proposed to manage conclusion of a grievance must not be implemented where the implementation without consent would constitute a breach of:

- the contract of employment of a party to the grievance;
- any relevant University policy;
- an industrial instrument binding upon the University; or
- any relevant legislative requirement.

Unless the University's occupational health and safety obligations so require, transfer of a grievant or respondent to another work unit or site is not to be considered as a means of resolving or managing a grievance until all other reasonable options have been exhausted, particularly where the grievance arises from interpersonal difficulties.

Where conclusion by agreement between the parties has occurred, the agreement is to be fully documented and outcomes are to be recorded and signed by the parties to the grievance. Normally such an agreement will conclude the matter.

Despite the above, persons managing grievances or others acting as mediators, should be alert to situations in which a party to a grievance might acquiesce in a particular outcome (e.g. in order that the process is completed or because she/he may not know what else might be achieved). Such outcomes should be guarded against as they may result in further tensions/flare ups between the parties emanating from a perception of injustice.

6.5 Failure to Resolve a Grievance by Agreement

If, despite the grievance management process being undertaken, a grievance cannot be concluded by agreement between the parties, it will be necessary for the person managing the grievance to consider what administrative or other measures, if any, should be taken to help address apparent causes, having regard to the facts and circumstances disclosed through the processes established by this policy and associated procedures. When considering such measures, reference may be made to the preceding types of representative matters that need to be taken into account when considering appropriate actions for concluding a particular grievance.

6.6 Grievance Not Substantiated

Where the grievance receiver concludes that a grievance has not been substantiated or where, having taken all of the relevant matters into account, decides that no administrative or other measures are required in particular circumstances, this conclusion should be placed before the parties concerned who may be asked to formally acknowledge this to be the outcome of the application of proceedings in this policy.

6.7 Withdrawal of Grievance

The application of the processes in this Policy may be stopped at any time by the grievant notifying the manager, supervisor or relevant University Executive Staff member, in writing, that the grievance is withdrawn. The receipt of such a notification, however, does not necessarily mean that the grievance has been concluded or that administrative measures need no longer be considered to prevent recurrence or to address apparent issues. Also, further measures may need to be taken regardless of the withdrawal (e.g. under a disciplinary process).

7. Documenting Grievances

Throughout the grievance management process, accurate documentation and records must be prepared by the relevant parties. Except where it is not appropriate (i.e. at Stages One where the grievance is resolved informally and privately at source), as a minimum, the grievant and the respondent should each be asked to read and sign the Confidentiality Agreement (Stage Two). See Appendix 2 for a copy of the Confidentiality Agreement.

If the grievance is to be formally investigated (Stage Three), the grievant and the respondent should each be asked to document their position and the nominated supervisor or Executive Staff member conducting the investigation should properly document the investigation. The use of the Grievance Record Form (see Appendix 1) is required to document statements by grievants, respondents, and witnesses. The records kept by the University should be securely retained to ensure, where practicable, appropriate confidentiality. Usually, the nominated supervisor or Executive Staff member should collect all such documents and place them on a file which will be held by the Human Resources in a restricted access file in accordance with University policy on records retention.

Grievances that are resolved privately and directly between staff (i.e. Stage One - where a nominated supervisor has had no involvement whatsoever) will not normally be documented other than perhaps by way of a brief personal file note privately retained by either or both grievant and respondent.

In Stage Two cases, where a nominated supervisor is involved in managing a grievance generally, all notes and records of discussions should be kept on the file maintained by the nominated supervisor or Executive Staff member conducting the investigation.

For grievances dealt with at Stage Three, the documents or records that might be created include items such as:

- the initial request for investigation/mediation prepared by the grievant;
- a copy of the acknowledgment of the receipt of the grievance;
- Confidentiality Agreements signed by all parties involved, including any observers accompanying grievant or respondent to interviews (see Appendix 2 for a copy of the Confidentiality Agreement form)

- Grievance Record including dates of contact;
- dates of actions taken;
- proposed conclusion activities;
- the outcome of the activities (i.e. whether conclusion was achieved or not) including any signed written agreement if this was achieved;
- all correspondence associated with the grievance and its investigation; and
- any other relevant documentation that may apply in a particular case.

Where mediation occurs, the relevant nominated supervisor should, in relation to the actual mediation, retain only a record of the names of the parties involved, the person performing the mediation, whether conclusion was achieved and if so on what terms, any issue(s) left unresolved with the agreement of the parties and whether further action was required. The relevant nominated supervisor should also place this information on the file held by the Human Resources.

Grievance Record

Name of Grievance
Receiver/Investigator

Part 1 – Grievant’s Statement

Name of Grievant

Date of interview

Interview Started at

am/pm

Concluded at:

am/pm

Present at the interview.

The facts as stated by the Grievant: (if insufficient space, attach more pages)

Feeling expressed by Grievant (as a way of helping to separate the emotional content from the facts)

What the Grievant would like to see happen to deal with the Grievance:

What I (Investigator) advised them:

Signed by Grievant:

Date

Signed by Investigator:

Date

**The Grievant must read and complete a "Confidentiality Agreement" form.
Provide the Grievant with a copy of their signed Confidentiality Agreement and their signed statement.**

Part 2 – Respondent’s Statement

Name of Respondent

Name of Investigator

Date of interview

Interview Started at

am/pm

Concluded at:

am/pm

Present at the interview:

The facts as stated by the Respondent: (if insufficient space, attach more pages)

Feeling expressed by Respondent (as a way of helping to separate the emotional content from the facts)

What the Respondent would like to see happen to deal with the grievance:

What I (Investigator) advised them:

Signed by Respondent:

Date

Signed by Investigator:

Date

The Respondent must read and complete a "Confidentiality Agreement" form.

Provide the Respondent with a copy of their signed Confidentiality Agreement and their signed statement.

Part 3 – Witness Statement

NOTE: Several witness statements may be collected. All should be dated and signed and kept with the original Grievant and Respondent's papers.

Name of Witness

Name of Investigator

Date of interview

Interview Started at

am/pm

Concluded at:

am/pm

Present at the interview:

The facts as stated by the Witness: (must be confined to the actual grievance and not be allowed to introduce other factors)

Feeling expressed by Witness (as a way of helping to separate the emotional content from the facts)

Signed by Witness:

Date

Signed by Investigator:

Date

The Witness must read and complete a "Confidentiality Agreement" form.

Provide the Witness with a copy of their signed Confidentiality Agreement and their signed statement.

Part 4 – Conclusion

1. Please tick appropriate box:

Has the matter been substantiated? Yes No

No further action at the request of the grievant (minor matters only).

Mediated by joint agreement (go to 2 below).

Matter referred to Senior Staff Member (go to 3).

Disciplinary action recommended (go to 4).

If the matter is mediated

Date of mediation:

Were both parties present?

Name of mediator:

Terms of agreement reached:

Yes

If Yes, attach a copy of the Agreement.

No

Are you taking or recommending any other preventative action? If yes, what action?

If the matter is referred to a Senior Staff Member:

Date of referral:

To whom was the matter referred?

On what grounds was the matter referred?

If further administrative or disciplinary action recommended:

What evidence do you have that supports the need for further administrative action to be taken?:

What type of action is recommended against whom and why? Explain if there are circumstances that lead to a lesser or stronger type of action.

Do you recommend taking any wider preventative action (eg. general training sessions)? If yes, what action?

Do you think is necessary to bring in a mediator to help staff work together again? If yes, why?

Signed by Investigator

Date

Grievance Record: Confidentiality Agreement

A Confidentiality Agreement must be obtained from each party to a grievance.
Please indicate below the relevant party to this Agreement.

Confidentiality Agreement	<input type="checkbox"/> Grievant	<input type="checkbox"/> Respondent
	<input type="checkbox"/> Witness	<input type="checkbox"/> Observer

A significant aspect of managing grievances/complaints at ACU is the issue of confidentiality. The following sets out the process for undertaking an enquiry/investigation into an alleged grievance under the ACU Student Grievance Management Policy or Staff Grievance Management Policy and asks you to commit to this Confidentiality Agreement.

Please read the document carefully. You are invited to ask any questions you may have prior to signing it. You will be provided with a copy of this document.

1. This is an enquiry/investigation into an alleged grievance/complaint at Australian Catholic University. If you are the **Grievant, Respondent or Witness**, you may bring a support person (Observer) with you to the interview. (If you are the **Observer** (support person) your role is to observe the interview only.) The interview can be halted at any time if you wish to take a break and reconvene at a later time.
2. Your cooperation in establishing the circumstances surrounding the matter is fundamental to the grievance/complaints process of natural justice. Therefore your full and truthful witness is sought.
3. **Appropriate confidentiality must be observed by all parties involved.** This means that there must be no discussion by you with other people about the facts or substance of the details of interview or the applications. Discussions with health, legal or other advisers or nominated senior officers of Australian Catholic University are permitted if you clearly stated those involved that all such discussions are confidential.
4. Breach of confidentiality would be viewed seriously by the University and may result in disciplinary action.
5. Untruthful or dishonest conduct in relation to any grievance/complaint, or conduct that could give rise to an allegation of victimisation by any other person involved in the grievance/complaint process, would be viewed seriously by the University and may result in disciplinary action.
6. Concise notes will be taken at any interview and a copy provided to you after the interview. A sign-off will then be requested that the notes reflect a true and accurate record of interview. You will have the opportunity to clarify the content of such notes if this is necessary, prior to signing them.

<p><u>Confidentiality Agreement</u></p> <p><i>I have read and understand the above.</i> <i>I agree to observe the protocols outlined and maintain confidentiality.</i></p>	
Name (please print)	
Course/Work unit	Contact Tel.
Signature	Date
Witnessed by	
Signature	Date