

Policy Name	Grievance Policy		
Approver	Board	Owner	Chief People & Culture Officer
		Lead	Head of Workplace Experience & Compliance
Version	Date of Approval	Summary of changes made	Next review due
1.0	1 December 2017		
2.0	25 August 2023	Replacing existing Grievance Policy	2025

1 Purpose

- (a) Australian Red Cross is committed to providing a fair, safe, and productive environment where issues can be raised in a fair, timely and confidential manner.
- (b) This policy addresses Australian Red Cross' approach and expectations regarding raising and responding to grievances at Australian Red Cross, whether in relation to suspected misconduct or any other incident or issue.

2 Scope and Audiences

This policy:

- (a) Applies to all Australian Red Cross People.
- (b) Does not apply to the extent of any inconsistency with:
 - (i) Grievance or disciplinary procedures for members set out in the Divisional Regulations.
 - (ii) Requirements or processes set out in the Rules.
 - (iii) The dispute resolution provisions under any applicable industrial instruments in respect of matters required to be dealt with under those provisions.
 - (iv) Other Australian Red Cross policies and procedures concerning the raising and handling of certain types of grievances, complaints, or other reportable matters, such as whistleblower reports.
- (c) Does not apply to Lifeblood.

Note: This policy does not limit the right of any person to seek other forms of assistance for the resolution of the grievance.

3 Policy

3.1 Raising grievances

If you want to raise a grievance in relation to an incident or issue in connection with Australian Red Cross work/volunteering or the workplace, or which might otherwise affect Australian Red Cross, you should take the following steps.

- (a) **Resolving directly**
 - (i) Where the grievance concerns another individual and you are comfortable doing so, you should first try resolving the issue directly with that person.
 - (ii) This should be done in a respectful and constructive manner in attempt to amicably discuss the matter, identify all perspectives of the issues at hand and come to a mutually agreeable resolution.
 - (iii) You may also speak with your supervisor, manager, or People & Culture Business Partner for assistance on how to resolve a grievance directly with the individual concerned.
- (b) **Getting support with your grievance?**

If:

 - (i) The matter remains unresolved after trying to resolve it directly;
 - (ii) You were not comfortable trying to resolve it directly;
 - (iii) Your matter does not involve another person;
 - (iv) You are required by an Australian Red Cross policy or procedure; or

It is otherwise appropriate due to the matter's seriousness or complexity, you should raise the grievance to:

- (v) your supervisor, manager, People & Culture, or (where the Divisional Regulations apply) to the Divisional Advisory Board;
 - (vi) (If your supervisor or manager is the subject of the grievance) your manager's line manager or their relevant People & Culture Business Partner;
 - (vii) (If your grievance relates to a member of the Executive, Leadership Team, or CEO) the Chief People & Culture Officer; or
 - (viii) (If your grievance relates to the Chief People & Culture Officer, a Divisional Advisory Board member or a Board Member) the CEO,
- (referred to in this Policy as the '**Contact Person**')

Note: You may be asked to outline the relevant facts (including a written outline of your grievance), any steps already taken to resolve the matter and your desired outcome.

3.2 Responding to grievances

- (a) Given the varied nature of grievances and the need to maintain flexibility in resolving them, the action taken by Australian Red Cross in response to each grievance will depend on the particular circumstances but will generally follow either an informal or formal process (described in 3.2(d) below and noting that the processes can be varied if appropriate to the relevant circumstances).
- (b) Where the respondent to a grievance allegation is an employee or volunteer, in deciding which process to use, the Contact Person will consider the nature of the grievance, the seriousness of the allegations, the preliminary evidence available and any other relevant factors. The Contact Person may escalate this decision to a more senior manager or other People & Culture team member when warranted by the grievance's seriousness or complexity, and must do so if there are any circumstances that could (or may be perceived to) create a conflict of interest or a lack of objectivity for the Contact Person.

Note: The Contact Person should commence the relevant process as soon as possible after a grievance is raised and manage the process in a timely manner to minimise any delay in reaching a resolution.

- (c) Where the respondent to a grievance is:
 - (i) A **Member**: the grievance should be referred to the relevant Divisional Advisory Board to be addressed in accordance with the Divisional Regulations.
 - (ii) A **Board Member**: the grievance should be referred to the President (supported by advice from the General Counsel) to determine which process to use, taking into account the nature of the grievance, the seriousness of the allegations, the preliminary evidence available and any other relevant factors.
- (d) Process types:
 - (i) **Informal process:**
 - (A) The informal process is generally more suited to less serious allegations or where there is no (or limited) factual disputes regarding a grievance.
 - (B) Under the informal process, there are a broad range of options for addressing a grievance. The appropriate option will depend on the individual circumstances of each grievance.
 - (C) Possible options include:
 - (1) The Contact Person discussing the issue with the person against whom the grievance is made, any relevant witnesses and the person making the allegations.
 - (2) An informal investigation being conducted.
 - (3) The Contact Person convening a conciliation between the parties.
 - (4) The Contact Person helping formulate mutually agreeable guidelines with the parties to support a respectful and professional relationship in the future.
 - (5) The Contact Person trying to resolve the matter directly with the person raising the grievance.
 - (D) This informal process does not require documentation to be issued to the parties. However, the Contact Person should make sufficient records of the process.
 - (ii) **Formal process:**
 - (A) The formal process is generally more suited to more serious grievances, grievances involving a disputed factual allegation, circumstances where the Respondent may need to

be suspended or required to perform alternative duties and allegations that if proven, may result in disciplinary action.

- (B) The formal grievance process involves a formal investigation conducted by a person who Australian Red Cross deems appropriate. Sometimes, this may be an external investigator.
- (C) Investigations should be conducted in a manner that is timely, sensitive, and consistent with procedural fairness.
- (D) As a general guide, the formal process involves collecting information about the grievance and the surrounding circumstances, and then making a finding based on the available information as to whether it is more probable than not that any alleged incidents occurred or did not occur.
- (E) Once a finding is made as a result of a formal process, Australian Red Cross will consider any outcomes arising from the investigation.
- (F) Australian Red Cross may prior to or during the course of any investigation (if it deems it appropriate in the circumstances - for example, for the safe and efficient conduct of an investigation) either:
 - (1) Suspend the Respondent.
 - (2) Require the Respondent to perform alternative duties.
- (e) Australian Red Cross may also choose to commence an investigation (formal or informal) if it suspects or becomes aware of allegations of inappropriate behaviour other than through a grievance.

3.3 Grievance outcomes

The possible outcomes of a grievance process will depend on the nature of each individual case, the circumstances as a whole and the findings of the investigation (if applicable). Outcomes of grievance processes may include:

- (a) A requirement to undertake further training or coaching.
- (b) Monitoring to ensure that there are no further problems.
- (c) Requesting an apology.
- (d) Requiring an undertaking to stop certain behaviours.
- (e) Changes to working arrangements.
- (f) Disciplinary action, particularly in cases of misconduct or poor performance, which may include:
 - (i) Counselling.
 - (ii) A requirement to undertake training or coaching.
 - (iii) A warning or reprimand.
 - (iv) Demotion or changed working arrangements.
 - (v) Termination of employment or volunteer arrangement with Australian Red Cross (including, in the case of serious misconduct, termination without notice).

Note: *The Regulations may contain relevant matters for disciplinary action against a member. The Rules may contain relevant matters for disciplinary action against a Board member.*

- (g) No further action, for example, where an investigation finds allegations of misconduct to be unsubstantiated.

3.4 Vexatious grievances

Australian Red Cross People may be subject to disciplinary action for raising vexatious grievances, such as:

- (a) False allegations raised in bad faith (e.g., to adversely affect another person).
- (b) Raising grievances without any proper and reasonable basis to do so.
- (c) Raising an excessive number of grievances that are unfounded, false, or not made in good faith.

3.5 Support person

Australian Red Cross provides all Australian Red Cross People with access to a free, confidential, and independent Employee and Volunteer Assistance Program (EAP) which can be used to seek professional counselling on any work-related or non-work-related matter. For more information contact the People & Culture team or (for internal users only) visit [The Lounge > Departments > WHS > Employee and Volunteer Assistance Program](#).

- (a) Any person involved in a grievance or disciplinary process may choose to have a support person present during any meeting in the process.

- (b) The role of the support person is to provide support, not to advocate or speak on behalf of the person they are supporting.

Note: While Australian Red Cross will consider the circumstances, in general, an investigation will not be delayed to accommodate a preferred support person's availability.

3.6 Confidentiality

- (a) Allegations of inappropriate or unlawful behaviour can potentially harm a person's reputation, even where a complaint is ultimately unsubstantiated. Confidentiality is also important for maintaining procedural fairness throughout the process, protecting against victimisation, and protecting the privacy of those involved.
- (b) For these reasons, Australian Red Cross People must keep all aspects of a grievance process (including any grievances and disciplinary actions) confidential.

Note: Supervisors, managers, People & Culture, and (for members) Divisional Advisory Board members responsible for dealing with grievances will maintain confidentiality as far as possible. However, it may be necessary to speak with others to determine what happened, to afford fairness to those against whom a grievance has been raised and to resolve the grievance. This may mean a limited number of other people at Australian Red Cross are made aware of the grievance to the extent it is relevant to them.

4 Other

4.1 Definitions

Term	Definition
Australian Red Cross	Australian Red Cross Society
Australian Red Cross People	As the context requires, all employees, volunteers, and members of Australian Red Cross
Contact Person	The same meaning as set out in section 3.1(b) of this policy
Complainant	A person who raises a grievance
Divisional Advisory Board	The body as established in accordance with Rule 17.4 to provide advice in Divisions pursuant to the Divisional Regulations
Divisional Regulations	The same meaning as given to that term in the Rules
Lifblood	Australian Red Cross Lifblood, the trading name of Australian Red Cross Blood Service established under Rule 19.1
Respondent	A person who is the subject of a grievance process
Rule(s)	The rules of Australian Red Cross dated 2 August 2013 (as amended or substituted from time to time)

4.2 Related Documents

- (a) Divisional Regulations.
- (b) Complaints, Concerns and Feedback Policy.
- (c) Fraud Prevention and Control Policy.
- (d) Whistleblower Policy.
- (e) Respect (Bullying, Discrimination, Harassment, and Victimisation) Policy.
- (f) Disciplinary Policy.
- (g) Prevention of Sexual Exploitation, Abuse and Harassment Policy.

4.3 Related legislation / standards

- (a) *Fair Work Act 2009* (Cth).