PERSONAL GRIEVANCE POLICY

Human Resources
YASC POL 07 – V7

2026

YARRABAH ABORIGINAL SHIRE COUNCIL
56 Sawmill Rd Yarrabah, QLD 4871

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1. LEGISLATION AND AUTHORITY

The Local Government Act 2009 (Qld)
Local Government Regulation 2012 (Qld)
YASC Code of Conduct - POL 01
YASC Anti-Discrimination and EEO Policy - POL 08

2. COUNCIL'S STATEMENT

Yarrabah Aboriginal Shire Council *('Council')* conducts its business with integrity, honesty and fairness. All employees are expected to work within the rules and actions of Council will comply with all relevant laws, regulations, codes and corporate standards.

Everyone representing Council must reflect the highest standards of behaviour. Our relationships are critical to the ongoing success of our organisation. Our leaders have responsibility for fostering a culture where ethical conduct is recognised, valued and applied at all levels.

This policy is to be read in conjunction with the Code of Conduct, which outlines our standards of behaviour and workplace culture are in accordance with Council's principles:-

3. PURPOSE

The procedures outlined in this Policy aim to achieve consistent treatment in the handling of personal grievances in the workplace and provide a procedure to follow in the event a personal grievance arises.

4. COMMENCEMENT OF POLICY

This Policy replaces all other personal grievance policies of Yarrabah Aboriginal Shire Council ("YASC") (whether written or not).

5. APPLICATION OF THE POLICY

This Policy applies to all employees, contractors and volunteers of YASC. It does not form part of any employee's contract of employment.

This Policy does not apply to grievances related to discrimination, harassment or bullying. If such a grievance arises, refer to Council's Anti-Discrimination and EEO Policy 08, which outlines a specific complaints procedure to deal with those grievances.

YASC may at its sole discretion, on a case by case basis, alter the manner in which the process outlined in this Policy is conducted to ensure it suits the particular grievance.

6. WHAT IS A GRIEVANCE

A grievance is any type of problem, concern or complaint related to an employee's work or the work environment. A personal grievance can be about any act, behaviour, omission, situation or decision impacting on an employee that the employee thinks is unfair or unjustified.

A grievance can relate to almost any aspect of employment, for example:

- Safety in the workplace
- Staff development or training
- Leave allocation
- Supervision
- Rosters or hours of work
- Performance appraisal

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- Transfer or promotion
- Wage or salary levels

7. DEALING WITH PERSONAL GRIEVANCES

YASC recognises that an employee may not perform to the best of their ability if they feel they are being treated unfairly or are feeling aggrieved. Accordingly, YASC will endeavour to provide a fair and just working environment, by aiming to ensure that employees have access to processes for the resolution of genuine personal grievances related to the workplace.

As such, YASC will use its reasonable endeavours to:

- encourage staff to come forward with personal grievances;
- deal with personal grievances in a supportive way, without victimisation or intimidation of any person connected with the grievance;
- encourage fairness, impartiality and the resolution of personal grievances as reasonably promptly and as close as possible to the source of the grievance; and
- have managers and supervisors seek to prevent and resolve personal grievances.

Many personal grievances are able to be resolved through the informal procedure. However, in circumstances where YASC considers the informal procedure is not appropriate, and the grievance is sufficiently serious, the grievance may be escalated to the formal procedure.

8. SUMMARY OF YASC'S PERSONAL GRIEVANCE PROCEDURE

Where a personal grievance arises, YASC will endeavour, if appropriate, to resolve the dispute in line with the following procedures:

8.1 Informal Procedure

Should an employee, contractor or volunteer have a grievance, they should try and resolve the grievance themselves with the person they feel have grieved them. This may be verbal and informal. Every effort should be made to resolve the grievance before it is formalised.

This may include:

- Speaking with the person or persons that may have grieved you and resolve the issue.
- Speaking with your manager to assist with the grievance to endeavour to resolve the issue.
- Speaking to the Human Resources team to assist with the grievance to endeavour to resolve the issue.
- Raising the issue through YASC's complaints process.

If the matter cannot be resolved in this manner, then the formal complaint procedure may need to be applied. The employee, contractor or volunteer can consult with their Manager and/or the Human Resources team to commence this complaint process.

8.2 Formal Procedure

To commence the formal procedure, the employee, contractor or volunteer should outline their grievance in writing, with as much detail as possible. This should be sent to either their Manager and/or directly to the Director – Human Resources, Risk & Regulations.

Once the completed complaint is submitted, the Manager (or other relevant party) will acknowledge receipt of the complaint and proceed with the Investigation process.

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The Respondent will be given details of the complaint and the opportunity to respond within a reasonable time frame. The Manager may have a discussion with both parties in an effort to genuinely resolve the complaint at workplace level.

Where required, the Director – Human Resources, Risk & Regulations or an appointed external investigator will commence an investigation and all parties will be notified accordingly. The investigation will be completed in a timely manner (no more than 14 working days after the complaint has been submitted and receipted by the Manager. All nominated employees, contractors or volunteers, are expected to participate and make themselves available for the investigation processes. Witnesses may be identified in the strictest confidence.

On completion of the investigation finding, all parties involved will be informed of the outcome (if appropriate) and the prescribed actions and recommendations.

9. OTHER PROCEDURAL ACTIONS

9.1 Work to Continue

Work will continue as normal while a personal grievance is being dealt with under this Policy. All persons affected by the grievance are expected to co-operate with YASC to ensure the efficient and fair resolution of the grievance.

9.2 Victimisation

Disciplinary action will be taken against any person who victimises or retaliates against a person who has lodged or is involved in a personal grievance issue under this Policy. Such action may include termination of employment.

9.3 Confidentiality

The Contact Person(s) will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other employees or workplace participants in order to determine what happened, to afford fairness to those against whom the complaint has been made and to resolve the grievance.

All employees and workplace participants involved in the grievance must also maintain confidentiality, including the employee who lodges the complaint. The complainant may discuss the grievance with a designated support person or representative. However, the support person or representative must also maintain confidentiality.

If a person breaches confidentiality they may be disciplined. Such action may include termination of employment.

9.4 Malicious or Vexatious Complaints

It is a serious breach of this policy to lodge a complaint that is known to be false or that is malicious or vexatious. Any such conduct may result in disciplinary action up to and including termination of employment.

Employees should be assured, however, that they will not be subjected to disciplinary action simply because they raise a grievance that YASC determines is unsubstantiated.

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9.5 Documentation

Where considered appropriate, agreed resolutions of personal grievances arising from the informal procedure may be recorded and signed by all parties. Generally, it will not be necessary to put records of a personal grievance on an employee's personnel file, unless there is some disciplinary action taken as a result of the grievance. A record of any disciplinary action that is taken arising from a formal investigation will be placed on the personnel file of any person who is disciplined.

9.6 Access to support and representation

The employee can seek advice from their manager, supervisor or a support person at any stage during the grievance process. The employee can bring a support person to a grievance meeting if so desired.

9.7 Possible Outcomes

The outcomes will depend on the nature of the grievance and the procedure followed to address the grievance. Where an investigation results in a finding that a person has engaged in conduct in breach of a YASC Policy, that person may be disciplined. The type and severity of disciplinary action will depend on the nature of the grievance and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result in instant dismissal. Any disciplinary action is a confidential matter between the affected person(s) and YASC.

YASC may take a range of other non-disciplinary measures to resolve a grievance. Examples include, but are not limited to:

- training to assist in addressing the problems underpinning the grievance;
- monitoring to ensure that there are no further problems;
- implementing a new policy;
- requiring an apology or an undertaking that certain behaviour stop; and/or
- changing work arrangements.

10. VARIATIONS

Council *reserves the right to vary, replace or terminate this policy from time to time.*

11. DOCUMENT CONTROL

Adoption Date:	17 November 2015	Resolution No.	Version No: 1
Amended Date:	03 February 2020	Resolution No. 03:30/01/2020	Version No: 2
Amended Date:	17 February 2021	Resolution No. 05:17/02/2021	Version No. 3
Amended Date:	18 May 2022	Resolution No. 09:18/05/2022	Version No. 4
Amended Date:	29 June 2023	Resolution No. 11:29/06/2023	Version No. 5
Reviewed date:	26 July 2024	Resolution No. 12:26/07/2024	Version No. 6
Reviewed Date:	19 August 2026	Resolution No. 28:19/08/2026	Version No. 7
Next Review Date:	2027		
Responsible Officer:	Chief Executive Officer		

Richard Wright
Chief Executive Officer

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