

# Upper Great Southern Family Support Association (Inc)

## GRIEVANCE PROCEDURE –FAMILIES DISSATISFACTION

*All families have the right to have their views on how provision of services could be improved and personal complaints listened to and, where appropriate, acted upon. All complaints (expressions of dissatisfaction) should be reported and recorded. All complaints will be treated with respect and confidentiality.*

Families who are concerned about, or dissatisfied with a service they are receiving, should follow the following the procedure:

- ❑ Tell the staff member assisting them about their concerns. The staff member may be unaware of what is bothering the user and quickly able to solve the problem themselves or after consultation with the Executive Officer.
- ❑ If this does not resolve the matter, or they don't feel confident enough to approach the staff directly, then the Executive Officer should be contacted. Users are requested to not approach other direct service staff.
- ❑ If a service user is still dissatisfied or can't contact the Executive Officer, then they should approach a Board member of their choice.
- ❑ If the issue still hasn't been satisfactorily resolved, another Board Member should be contacted to present the issue to the Board.
- ❑ Users can utilise an advocate of their choice at any stage of the above procedure. They may for example be a relative or a staff member from the Disability Rights Service.

While anonymous complaints can be accepted, the action which can be taken may be very limited.

### **Staff who have a grievance should:**

- ❑ Initially, where appropriate, try to discuss the matter with the person concerned.
- ❑ If this is not appropriate, or fails to resolve the issue, then they should discuss the matter with the Executive Officer.
- ❑ Staff who have a grievance with the Executive Officer or are dissatisfied with the response they get from the Executive Officer should approach a Board Member of their choice.
- ❑ If the issue still hasn't been satisfactorily resolved, the Board through a Board Member can be contacted.

### **Staff dealing with a user or staff grievance should:**

- ❑ *Document what happens. The User Complaint Form should be used as the base for this.*
- ❑ *Handle the matter in an objective and fair manner.*
- ❑ *Listen carefully, all parties should have a fair chance to speak.*

- ❑ *Act so the person has no fear of retribution.*
- ❑ *Involve the least number of people possible.*
- ❑ *Be prompt in their response. All grievances are to be dealt with within 7 days.*
- ❑ *Liaise with all parties, regularly informing them of what is happening.*
- ❑ *Discuss possibilities for resolution and allow the complainant to control the direction pursued.*
- ❑ *Keep the President informed.*

#### **GRIEVANCE PROCEDURE – STAFF WORK PERFORMANCE**

*Dissatisfaction with the work performance of staff by management, other staff or users should be discussed with the staff member concerned promptly, objectively, fairly and as confidentially as possible.*

#### **Staff Attempt to Resolve the Grievance with a Verbal Warning.**

*If a grievance is not a serious issue it should first be discussed between the staff person concerned and the Executive Officer.*

- ❑ The Executive Officer should tell an employee as soon as possible of any complaint or issue concerning their work performance, try to determine if there are any special factors causing poor performance, identify solutions to contributing problems and advise how the performance should be improved.
- ❑ If any issue comes to the notice of the President or a Board Member directly they should pass it to the Executive Officer to deal with in the first instance.
- ❑ The Executive Officer will keep the President informed of any grievances and their outcomes.
- ❑ If the Executive Officer fails to resolve a problem with staff he/she should refer it to the President.
- ❑ If the problem is with the Executive Officer, the President may issue a verbal warning.

Notes must be made detailing the problem, instances when it has occurred, the date of the warning and the nature of the warning. Specify how the employee's performance should be improved.

#### **First Formal Caution**

*If the problem is serious or occurs again after the verbal warning, the matter should be referred to the President.*

- ❑ The President or Executive Officer should request the employee to attend a meeting to discuss the problem.
- ❑ At the meeting the employee can be accompanied by a representative of their choice and should have ample opportunity to discuss the complaints against them.
- ❑ The President and Executive Officer should clearly state what the problem is with the employee's performance and how their performance must be improved.

- ❑ The employee should be encouraged to explain any causes for the poor performance and together the President, Executive Officer and employee should work out a solution. This may involve all parties agreeing to do certain things within a set time.
- ❑ A review of the situation should take place after the set time.

As part of, or immediately after this meeting, the President/Executive Officer should provide the employee with a written notice specifying the problem with their performance, how their performance should be improved, what steps each party will take and any dates set. The notice should also clearly warn the employee that failure to improve their performance as required may lead to dismissal. A copy of the written notice must be kept.

### **Second Formal Warning**

*If the problem still persists then the employee should be requested to attend a meeting with the Board (or a sub-committee of the Board or a Board Member of their choice), President and Executive Officer.*

- ❑ The employee can again be accompanied by a representative of their choice.
- ❑ The aim of the meeting is to give the management staff another opportunity to try and understand any factors influencing the employee's performance and for both parties to try to find a solution to the ongoing problem.
- ❑ The meeting may decide that the management staff and employee will do certain things by a certain date and will set a review date.

After the meeting another written notice will be issued specifying the problem, how the employee's performance must be improved, what steps each party has agreed to take and any dates set. The notice should also state very clearly that it is a final warning and that if the problem occurs again or persists the employee will be dismissed.

### **Termination of Employment**

*If the problem occurs again or continues after the final written warning the Board will issue the employee a written notice of dismissal in line with any contractual arrangements which may apply.*

*Instant dismissal may occur in the event of gross misconduct, such as theft.*

### **External Grievance Mechanisms**

While it is preferable that grievances are resolved at the level at which they occur, this is not always possible. There are a number of external grievance mechanisms which consumers or staff may wish to utilise. These include the following:

People with Disabilities (WA) Inc  
 Disability Resource Centre  
 Ground Floor  
 5/189 Royal Street  
 EAST PERTH WA 6004  
 Phone 9222 2973  
 Fax 9222 2975  
 Toll free 1800 193 331

Guardianship Board  
Public Guardians Office  
Phone 9261 7620  
Fax 9261 7673  
Toll free 1800 807 437

Legal Aid Commission of WA  
105 St George's Terrace  
PERTH WA 6000  
Phone 9261 6222

Confidentiality is assured in regard to complaints. However, in instances where the law is broken there is a need to refer the matter to the appropriate authorities. In such cases the President will make the decision in conjunction with the Board after consultation with all parties.