



## Grievance Policy & Procedures

### 1. Grievance Policy

The Hunter Wildlife Rescue (NATF<sup>Inc</sup>) recognises the importance of respecting the contribution of every member and working harmoniously for the benefit and progress of the core purpose of the association— the rescue, rehabilitation and release of injured, orphaned and distressed wildlife in the Hunter Region. It is expected that all members treat one another with respect and abide by the *Code Of Conduct* and the *OEH Code of Practice for Injured, Sick & Orphaned Protected Fauna*. This policy aims to address concerns of members and make systemic improvements to the functioning of the Hunter Wildlife Rescue (NATF<sup>Inc</sup>).

This Policy covers grievances made to the committee by any person that is a member of the association who:

- 1.1 Has identified a serious breach of the *Code of Conduct/or Code of Practice for Injured, Sick & Orphaned Protected Fauna*;
- 1.2 Has refused or neglected to comply with a provision or provisions of the *Code of Conduct*, Constitution or Committee directive; or
- 1.3 Has willfully acted in a manner prejudicial to the interests of the Hunter Wildlife Rescue (NATF<sup>Inc</sup>).

A grievance is any allegation of misconduct against a member or group of members made in writing by the aggrieved person or their representative that is likely to bring the organisation into disrepute or cause disruption to the normal conduct of the organisation's affairs.

These procedures are designed to promote fairness, objectivity and ensure that grievances are treated as close to the source and according to the nature and seriousness of the likely consequences to the organisation as best can be expected.

The principles guiding the resolution of conflict are based on confidentiality, procedural fairness, a reasonable timeframe that is free of unfair repercussions and recognises respect and sensitivity of both parties. Communications between all parties should be respectful and be based on factual evidence, not hearsay. Both parties have the right to be treated fairly. Threatening or derogatory comments will not be tolerated.

The following are the key principles of natural justice and are supported in this policy:

1. The person who is subject to a complaint must know the full basis of the complaint or allegations made against them;
2. This person must have the opportunity to put their case forward;
3. All parties to the complaint must have the right to be heard;
4. All relevant evidence and submissions must be considered;
5. The association must not take into account matters that are not relevant;
6. The person or people who lay the charge must not determine the charge; and
7. The decision must be fair and just.

Hunter Wildlife Rescue (NATF) recognises that as volunteers, mistakes may occur and the prime responsibility of the association is to support members to make improvements to wildlife rehabilitation practices and in working together harmoniously, with respect for one another and for the benefit of the association and its wildlife.

#### Respect

Respect is a common denominator for prevention and resolution of conflict.

- Treat people with courtesy
- Value every contribution to wildlife
- Listen to what others have to say before expressing your viewpoint
- Never put people down, disparage them, call them names or insult them
- It is OK to disagree with others, but stick to the point and remain calm
- Do not belittle, criticize little things, demean or patronize others. A series of small comments over time can amount to bullying
- Treat people equally
- Ensure that praise, recognition and appreciation is abundant.

In the first instance, the Committee will consider any remedial action that can be taken to systemically support the member and the association. Failure to respond to recommendations for improvements may result in a letter of direction or further disciplinary action. The Management Committee has the authority to give lawful directions.

## **2. Grievance Procedures**

- 2.1 In the first instance, members should attempt to resolve the matter with the person(s) involved, within a reasonable timeframe prior to a *Grievance Form* being lodged. Matters based on hearsay will not be entered into.
- 2.2 The completed *Grievance Form* must outline the exact nature of the grievance in terms of its breach of the *Code of Conduct* and/or *OEH Code of Practice for injured, sick or orphaned protected fauna* and provide sufficient support documentation and information (dates, locations, species, names of members of concern) that will allow the Committee to progress this matter to a satisfactory conclusion. Also included should be attempts to resolve the grievance, impact to the NATF<sup>Inc</sup> Hunter Wildlife Rescue and the resolution sought.
- 2.3 The Management Committee will make an initial assessment of the dispute. The Committee will assess the grievance on the basis that
  - a. It has substance that is, is not frivolous, malicious or vexatious;
  - b. Is supported by evidence that is without basis, and is not based on hearsay;
  - c. The member has made an attempt to resolve the grievance at the source;
  - d. The member's action(s) could bring the organisation into disrepute and/or disrupt the normal conduct of the organisation's affairs.
- 2.4 Committee members must, as soon as possible after the relevant facts have come to their attention, disclose and record in the minutes, any direct or indirect interest in the matter as Required under Clause 31-33 *Associations Incorporation Act 2009*.
  - (a) a committee member has a direct or indirect interest in a matter being considered or about to be considered at a committee meeting, and
  - (b) the interest appears to raise a conflict with the proper performance of the committee member's duties in relation to the consideration of the matter.
- 2.5 All matters pertaining to the grievance will be confidential between the Committee and the parties directly involved. All names or references to the allegations will be removed from public minutes unless the Constitution Section 12 *Right of Appeal of Disciplined Member* takes effect. However, the Committee may seek outside advice of a legal or technical nature if they so decide.
- 2.6 The aggrieved member will receive a full copy of the allegation and within 14 days have an opportunity to provide reasonable cause for the action and any reasonable contributing factors.
- 2.7 The Management Committee and/or Species Coordinator will assess the response in a fair, objective and transparent manner, using the key principals of natural justice, in terms of the breach of the Code of Conduct or Code of Practice and make a determination on the matter in light of the resolution sought and remedial or disciplinary action to be taken.

- 2.8 Mutual resolution and/or remedial action will be the Management Committee's priority consideration. Disciplining of members will be in line with the Constitution, Section 11 *Disciplining of members*.
- 2.9 Consideration of consequences to be imposed will be commensurate with the breach and take into account the character of the member and their contribution to the Hunter Wildlife Rescue (NATF).
- 2.10 Any decision by the Management Committee to expel the member from Hunter Wildlife Rescue (NATF) shall be in accordance with the Constitution.

### **3. Appeal Process**

**Appeal Process:** If either party is unhappy with the decision, an appeal of the decision can be made by

- i. Submitting a request to review the outcome articulating the reason for the outcome sought.
- ii. The Management Committee may determine to hold a mediation meeting of all parties. If a mediation meeting is recommended to resolve the grievance, each party may invite a support member of the organisation to accompany them to act as an observer and provide support and advice to the member.
- iii. Failure of one party to attend without cause will influence the outcome.
- iv. In the event that the above dispute cannot be resolved internally, the member may be referred to a Community Justice Centre for mediation under the Community Justice Centres Act 1983.

**Hunter Wildlife Rescue (NATF)**

**Grievance Form**

**1. Your details**

Date \_\_\_\_\_

Name \_\_\_\_\_ Phone Contact \_\_\_\_\_

Email \_\_\_\_\_

2. Outline the exact nature of the grievance – what action or inaction, you have found unwelcome and/or distressing. Provide sufficient support documentation and information (dates, locations, species, names of members of concern, how often this occurred) that will allow the Committee to progress this matter to a satisfactory conclusion in a timely fashion. (Please feel free to add additional pages)
  
3. Outline what attempt has been made to resolve the matter between both parties within a reasonable timeframe prior to a grievance form being lodged eg request the member for the behavior to stop; the other party has been informed that a grievance will be lodged if the matter cannot be resolved.
  
4. Outline how this grievance will bring the Hunter Wildlife Rescue (NATF) into disrepute or cause disruption to the normal conduct of the organisation's affairs.
  
5. Hunter Wildlife Rescue (NATF) recognises that as volunteers, mistakes may occur and the prime responsibility of the association is to support members to make improvements to wildlife rehabilitation practices and/or to work together positively and harmoniously for the benefit of the association and improved outcomes for wildlife. Outline the resolution expected e.g. an undertaking that the behaviour will not happen again, change to training agenda etc