

Grievance Policy



Richmond Turf Club

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Appropriate legal advice should be obtained in actual situations.

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1. Policy Validity Statement

If this document has passed its review date (as shown on the cover page), it may be invalid. Please ensure you are referring to the most current version before relying on its contents.

2. Purpose

This policy explains the process and procedure followed at Richmond Turf Club to resolve any grievance or complaint against any individual, expeditiously and where possible, at the lowest organisational level.

3. Scope

This policy applies to all current employees, work experience students, volunteers, contractors, subcontractors or agents (collectively, Workers) in respect of grievances or complaints regarding workplace issues, including but not limited to:

- decisions made by management in relation to a person's engagement with Richmond Turf Club;
- discrimination, bullying, sexual harassment and other inappropriate workplace behaviours;
- terms and conditions of employment; and
- the application of policies and procedures.

This policy does not apply to decisions made to terminate a Worker's employment.

4. References

- 4.1. *Work Health and Safety Act 2011* (QLD)
- 4.2. *Work Health and Safety Regulation 2011* (QLD)
- 4.3. *Safe Work Australia: Guide for Preventing and Responding to Workplace Bullying*
- 4.4. *Anti-Discrimination Act 1991* (QLD) and corresponding federal legislation
- 4.5. *Human Rights Act 2019* (QLD)
- 4.6. *Fair Work Act 2009* (Cth)
- 4.7. *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022* (Cth)
- 4.8. *Sex Discrimination Act 1984* (Cth)

5. Definitions

5.1. Complaint

A concern, dissatisfaction or frustration with an aspect of Richmond Turf Club. This could include an issue relating to a policy or procedure or the behaviour of another individual or group of individuals.

5.2. Grievance

An alleged wrong doing or hardship suffered, which is the ground for a complaint. It could include action or inaction from another person, behaviours or decisions which a Worker feels is unjustified or unfair or a repeated course of conduct.

6. Our Grievance Principles

Richmond Turf Club is committed to ensuring that all Workers are treated justly and fairly by providing a prompt and straightforward process for dealing with complaints and grievances. We seek to foster a culture of respect, dignity and fair treatment as a daily reality for everyone who works with us.

Richmond Turf Club aims to resolve problems and grievances promptly and as close to the source as possible with graduated steps for further discussions and resolution at higher levels of authority as necessary.

Workers are encouraged to act promptly in respect of complaints and grievances and raise them as soon as possible rather than letting issues escalate. Complaints and grievances should be raised in accordance with the procedure set out in this policy.

Workers may wish to keep a diary noting the events giving rise to the grievance or complaint, the names of any witnesses to events and the effect that the events have had on them. This information may be needed as the complaint or grievance progresses.

Richmond Turf Club encourages direct dealing wherever possible but understands that in some circumstances it may not be possible or appropriate for people to speak directly to the person involved or central to the complaint or grievance and in such circumstances the matter may need to be escalated.

All formal complaints and grievances will be taken seriously by and in most circumstances will be the subject of some form of mediation or investigation.

Workers must ensure that they do not make frivolous, false or vexatious complaints or grievances.

When dealing with complaints and grievances Richmond Turf Club will endeavour to ensure that Workers are treated with dignity and respect and that they are afforded procedural fairness and natural justice.

All Workers involved in a complaint or grievance (whether as a complainant, witness or respondent) must keep the details of the matter confidential and must not discuss the matter with anyone other than Executive Committee involved in resolving the matter.

In the event that a complaint or grievance relates to potentially criminal behaviour, Richmond Turf Club may be required to refer the matter to the police rather than, or in addition to, dealing with the matter under this policy. Examples of such situations may include workplace violence and sexual assault.

7. Procedure

7.1. Stage 1: Direct dealing

In most circumstances the Worker with the complaint or grievance (complainant) should speak to the other Worker involved (respondent) and try to resolve the matter directly. This discussion should be conducted in a courteous and professional manner.

Sometimes people just need a reminder about their behaviour, or to be told when they have stepped over the line and what you want them to do or not do. This may not work in every situation or you may not feel comfortable about approaching the person.

Other options at this early stage include:

- raising the matter in confidence with a member of Executive Committee and seeking advice as to how to best resolve the matter
- Race Day – raising matter with Racing Qld Stewards on course

7.2. Stage 2: Formal complaint or grievance

At times it may not be possible to resolve a matter informally through direct dealing or the nature of the matter requires a more formal approach. Where this occurs you are encouraged to lodge a formal complaint or grievance through Richmond Turf Club Secretary or Racing Queensland.

In the event that the person to whom you should lodge the complaint is in some way involved in the subject matter of the complaint or has a close personal relationship with the person to whom you have the grievance with, you may lodge your complaint with the next most appropriate person.

Formal complaints and grievances may be made orally or in writing. However, where a complaint or grievance is raised orally, you may be asked to put the matter in writing. This will usually be the case where the matter involves allegations of bullying, sexual harassment, victimisation or vilification.

Irrespective of whether the complaint or grievance is made orally or in writing you will need to provide details of the matters alleged, including the times, dates, locations and people involved.

Where a formal complaint or grievance has been raised, a meeting will be held with the complainant as soon as possible to discuss the issue in more detail along with possible options for addressing or resolving the grievance.

Options for addressing or resolving complaints and grievances will vary depending on the nature of the matter, but may include:

- no action being taken (e.g. in circumstances where the complaint or grievance is found to be frivolous, false or vexatious, or where the complainant decides not to progress with the grievance and it is not a serious matter that Richmond Turf Club is obliged to investigate)
- the matter being addressed directly with the respondent
- round table discussion/mediation between the complainant and respondent, or
- formal investigation by Richmond Turf Club or a third party.

In most cases, grievances regarding bullying, discrimination, sexual harassment, victimisation or vilification will be the subject of a formal investigation.

7.2.1. *Natural justice and procedural fairness*

Where a formal complaint or grievance is raised, Richmond Turf Club will endeavour to ensure that the principles of natural justice and procedural fairness are adhered to. This means that we will endeavour to adhere to the following rules:

- the respondent should be fully informed of the nature of the grievance against them as soon as reasonably practicable (this does not necessarily mean that the respondent is entitled to a copy of the written grievance or written witness statements)
- the complainant and the respondent should be given details of the process that will be followed in respect of addressing or resolving the grievance
- the respondent should be given a reasonable opportunity to provide a response to the grievance
- the respondent should be treated as innocent until proven guilty
- the complainant and respondent will be entitled to be supported by a person of their choice (e.g. family member, friend), and
- the details of the grievance and the investigation/resolution process should be kept confidential and only disclosed on a 'need to know' basis.

Persons dealing with grievances should endeavour to adhere to the above rules and to resolve the matter as quickly as possible.

7.2.2. *Possible outcomes*

In many cases it may be possible to resolve a complaint or grievance by a set of agreed actions with both parties.

However, where it is determined that there has been misconduct or breach of a policy or procedure of the Code of Conduct, the relevant person may be subject to disciplinary action.

Disciplinary action may include but is not limited to:

- requiring a written apology and undertaking that the behaviour will not occur again
- a direction to attend additional training, counselling or coaching
- a warning being issued
- ongoing monitoring of behaviour
- a period of suspension or demotion
- termination of employment.

Both the complainant and the respondent will be notified in writing of the outcome of any formal complaint or grievance.

7.2.3. Appeals

If you are dissatisfied with the process or the outcome, you may appeal. Appeals should be made within 7 working days of receiving written notification of the outcome of the matter and should be lodged with the relevant party as detailed in 7.2 above.

Richmond Turf Club may decide to review the matter internally or may, at its discretion, appoint an independent party to review the matter.

You will be advised of the results of the appeal in writing.

8. Compliance

All Workers who witness behaviour that does not align with our Code of Conduct have an obligation to report it to President of Richmond Turf Club. Failure to do so will result in disciplinary action.

8.1. Executive Committee

Under this policy, Exec Committee have a responsibility to:

- act on any complaint or grievance
- provide support to Workers involved in grievances
- where appropriate obtain full details of any formal grievance
- keep written records of formal grievances and the steps taken to resolve such grievances
- maintain confidentiality at all times and only disclose information to others as directed by management
- participate in processes designed to address or resolve grievances
- ensure that complainants are not victimised or treated adversely as a result of raising a grievance pursuant to this policy, and
- comply with the procedures and principles set out in this policy.

8.2. Workers

Under this policy, Workers have a responsibility to:

- be truthful in their dealings with Richmond Turf Club in respect of grievances
- participate in processes designed to address or resolve grievances
- maintain confidentiality of the grievance and the grievances process at all times
- not make false, frivolous or vexatious grievances, and
- comply with the procedures and principles set out in this policy.

8.3. Breach of policy

Breach of this policy may result in disciplinary action being taken against the relevant Worker.

No disciplinary action will be taken against a complainant as a result of a genuine grievance or a grievance is ultimately found to be disproven or unsubstantiated, unless the grievance is found to be deliberately false, frivolous or vexatious.

9. Endorsement

Richmond Turf Club is committed to this policy and its implementation to ensure a healthy, safe and harmonious work environment. Failure of anyone to comply with this policy may result in disciplinary action, including dismissal.