



Complaints & Grievances Policy

1. Principles

CCCM is committed to ensuring complaints and grievances are resolved as efficiently and appropriately as possible. A complaint must be in writing and contain the particulars of the allegations upon which it is founded.

The Central Coast Conservatorium of Music must consider the complaint as soon as practicable after the complaint is received. It may:

- Require the complainant to provide further particulars of the complaint
- Carry out an investigation into the complaint
- Attempt to resolve the matter by conciliation
- Decline to entertain the complaint because the matter is considered frivolous, vexatious or lacking in substance
- Conduct a hearing into the complaint.

After conducting a hearing into a complaint against one or more staff members, if the Central Coast Conservatorium of Music finds the complaint substantiated, it may:

- Caution or reprimand the staff member who is the subject of the complaint
- Require the staff member to undertake specified remedial training or instruction
- Require the staff member to apologise to the complainant, if appropriate
- Undertake disciplinary measures in accordance with industrial relations legislation.

After conducting a hearing into a complaint that does not concern the conduct of one or more staff members, if the Central Coast Conservatorium of Music finds the complaint substantiated, it may:

- Offer an apology to the complainant
- Offer financial compensation to the complainant, if appropriate and at the Central Coast Conservatorium of Music's sole discretion

- With the agreement of the complainant, refer the matter to a third party for conciliation
- Undertake remedial measures to avoid recurrence of the circumstances giving rise to the complaint.

A record of complaints should be kept by organisation management in written form and should include:

- The date and time the complaint was received
- The name and address of the complainant
- The substance of the complaint
- The substance and date of the Central Coast Conservatorium of Music's response(s).

Each record should be retained by the Central Coast Conservatorium of Music for a period of one (1) year from the date of receipt of the complaint or for a longer period if the Central Coast Conservatorium of Music so chooses.

2. Resolutions

At any point, a support person may accompany any party to a meeting regarding a complaint or grievance. The role of a support person is to provide the employee / stakeholder with emotional support during the meeting, take notes and adjourn the meeting for a break if required. The employee will be required to do most of the speaking as the support person cannot represent the employee and is not able to advocate on their behalf.

The grievance may be resolved through a facilitated discussion between parties.

'Facilitated discussions' refer to a non-adversarial way of settling a grievance. Impartial facilitators guide the process of the discussion between people in conflict to encourage the parties to identify the issues in dispute and explore options for agreement. This is a non-adversarial approach where the parties determine the outcome and aim to reach agreement which provides a level of satisfaction to all parties.

Where possible, within two working days of receiving the grievance the Chief Executive Officer will, with the agreement of the parties, initiate a facilitated discussion between the parties in an attempt to resolve the grievance. Unless otherwise agreed by the parties, the facilitated discussion must be completed within the seven days of commencing the facilitated discussion process.

Where facilitated discussion is not considered appropriate, or fails to resolve the grievance, a determination in relation to the grievance must be made by the General Manager. The aim is to have a determination within 21 days of lodgement of the grievance. If external advice is sought the determination may take longer.

2.1 Resolution by the Board

Where the Management Team cannot reach a determination, the Chair of the Board will convene a meeting of the members of the Board.

The written records of the grievance will be considered and the Board may ask both parties to attend the meeting at separate times to ensure that each party's case has been presented and understood. The Board will then attempt to resolve the grievance at the meeting. The Chair will give the persons involved a written response to the grievance within fourteen (14) days of the meeting.

2.2 Resolution with the assistance of an external mediator

If the Board cannot reach a determination, a mediation conference will be arranged with an independent external mediator. The independent mediator will attempt to resolve the matter and provide a written report for the Board including any recommendations. The mediator's report will be tabled at the next ordinary Board Meeting, at which time such recommendations will be accepted or modified or replaced.

The Board and CEO will oversee compliance with the recommendations.

3. Disciplinary Actions

The violation by staff of the CCCM Code of Conduct, Policies and Procedures, acts in contrast to legislation and regulations or displaying substandard performance will result in disciplinary action being taken. Staff will be afforded every reasonable opportunity to improve and rectify their behaviour and/or work performance.

Where disciplinary action is necessary the following four-tier system applies:

Verbal warning:

Served for minor offences.

Written warning:

Served for several minor offences or for minor offences that have already incurred one verbal warning.

Final warning:

After one or more written warnings.

Dismissal:

Committing an offence after receiving a final warning or

Committing an immediate dismissal offence according to Board Policy and staff Policy.

Dismissal may take place, including instant or summary dismissal where warranted, where it is proven that Staff commit one or more of the offences as listed in the Code of Conduct. Staff may commit an act of misconduct in their own time that warrants dismissal, for example posting comments on a social media channel.

Suspension from work or teaching on full or part pay may be affected where circumstances need to be investigated or reviewed prior to any further action being taken.

4. Performance Counselling

If staff fail to rectify their conduct or performance, the CEO will require staff to attend a meeting at which an official warning will be given. At the meeting the nature of the problem(s) will be clearly outlined and you will be given an opportunity to respond. Unless the response makes the warning obsolete, you will be issued with an official written warning and another review date will be determined.

The terms of the counselling and your written comments will be recorded and retained. Staff will be provided a copy of the meeting minutes.

At any point, a support person may accompany any party to performance counselling. The role of a support person is to provide the employee with emotional support during the meeting, take notes and adjourn the meeting for a break if required. The employee will be required to do most of the speaking as the support person cannot represent the employee and is not able to advocate on their behalf.