



# STANDARD OPERATING PROCEDURE

## SOP ADM 06 Grievance Handling

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## 1. Scope and Purpose

This SOP ADM 06 applies to Marine Rescue NSW (“**MRNSW**”) members and employees.

MRNSW is committed to fostering an environment that promotes cooperation, collaboration, and trust among its members and employees.

However, issues may sometimes arise among MRNSW members and/or employees regarding their actions or interactions with each other in relation to their volunteering or employment with MRNSW.

The purpose of this SOP is to guide members and employees on how MRNSW handles such issues.

SOP ADM 06 should be read with the MRNSW Code of Conduct and SOP ADM 05 Complaint Resolution and Discipline Procedures.

MRNSW employees should also read SOP ADM 06 in conjunction with their Employment Agreement. Nevertheless, it does not constitute part of their employment terms and conditions.

This SOP does not apply to breaches of the MRNSW Constitution, the Rules, the Code of Conduct, or legislation.

## 2. What is a Grievance

A Grievance is a dispute or problem related to work or the working environment, including:

- interpersonal conflict, including personality or workstyle clashes;
- a perceived lack of communication
- a perceived lack of or poor consultation
- workplace health and safety issues
- alleged unfair allocation of personal development opportunities;
- unreasonable assignment of work or tasks

A Grievance is not:

- conduct that breaches the MRNSW Code of Conduct
- conduct that breaches the MRNSW Constitution or the Rules
- allegations of misconduct
- allegations of disruptive behaviour
- allegations of serious breaches of discipline
- allegations of bullying, harassment or discrimination
- allegations of sexual harassment
- breaches of the *Child Safety and Wellbeing Policy*
- complaints about unsatisfactory performance
- complaints about the misuse of vehicles or vessels
- conduct that could constitute a criminal offence
- conduct that could constitute corruption
- conduct that the MRNSW Whistleblower Policy captures
- complaints about another member or employee's grooming
- training issues or related issues of dissatisfaction
- conduct that has industrial or policy implications for MRNSW

These matters should be dealt with under the SOP ADM 05 Complaint Resolution and Discipline Procedures or by other appropriate means.

Allegations concerning sexual harassment are dealt with under the Sexual Harassment Prevention Policy.

The person lodging a grievance is referred to as the **Complainant**.

The person (or persons) who is the subject of the grievance is referred to as the **Respondent** (or Respondents).

## 3. Mandatory Initial Steps

Before lodging a formal grievance and providing there is no risk to the health and safety of either person, a Complainant must attempt to resolve the matter informally with the person(s) concerned.

Assistance may be sought from a Zone Commander (ZC) or, for employees, from their supervisor to facilitate the informal resolution.

The resolution process is informal, and no written record of the grievance or outcome is required.

## 4. Grievance Resolution Process

### Lodging a Formal Grievance

A visual summary of the grievance handling process is provided in the accompanying flowchart (see Appendix A). The flowchart outlines the steps from lodging a grievance through to resolution, including informal dispute resolution, mediation, or referral to the Commissioner.

If the Complainant and the Respondent cannot resolve the matter informally, the Complainant may lodge a formal grievance with the Zone Commander or the employee's supervisor. This individual acts as the Grievance Handler for the complaint.

The grievance should be lodged with the relevant Zone Commander (ZC) if it concerns the member's UC or the employee's supervisor. The ZC will serve as the Grievance Handler.

The grievance should be lodged with a Deputy Commissioner if it concerns a Zone Commander. The Deputy Commissioner or their nominee will act as the Grievance Handler.

The grievance should be lodged with the Commissioner if it relates to a Deputy Commissioner. The Commissioner or their nominee will act as the Grievance Handler.

The grievance should be lodged with a Deputy Commissioner if it concerns the Commissioner. The Deputy Commissioner will then refer the matter to the Chairperson of the Board, who will decide who will act as the Grievance Handler.

A complainant may seek guidance from the Manager Member People & Culture if they are unsure who the correct person is to lodge the grievance with.

The grievance **MUST**:

- be in writing;
- lodged via email to the relevant person
- identify the Complainant and the respondent
- state the nature of the grievance
- disclose the names of any witnesses
- state the Complainant's preferred outcome
- provide the Complainant's preferred contact details

### Preliminary Matters

The Grievance Handler will confirm receipt of the grievance with the Complainant and explain the process for managing the grievance. At this point, the Grievance Handler must notify the Zone Commander and the Senior Manager, People and Culture about the grievance and any preliminary actions taken.

If appropriate, the Grievance handler will also inform the Respondent and outline the process for managing the grievance.

The Grievance Handler will take appropriate steps to minimise risks to the health and safety of the Complainant and the Respondent, which may include standing down either or both from all or part of their duties until the grievance is resolved.

### Step 1 - Preliminary Assessment

The Grievance Handler will gather information about the grievance, which may involve speaking with the Complainant and the Respondent to obtain more details, and conduct a preliminary assessment.

Following the assessment, the Grievance Handler may, at their absolute discretion:

1. Refer the grievance to a more senior officer or supervisor.
2. Dismiss the grievance in the following circumstances:
  - a. The subject matter is not a grievance under the definition in clause 2;
  - b. The subject matter has already been dealt with;
  - c. The grievance is frivolous or vexatious;
  - d. The subject matter of the grievance is trivial;
  - e. The conduct complained of occurred too long ago to enable an investigation;
  - f. There is an alternative and satisfactory means of redress in relation to the subject matter of the grievance; or
  - g. The complaint does not or could not have an interest, or a sufficient interest, in the conduct complained of.

The Grievance Handler, after advising and considering input from the Senior Manager, People and Culture, and the Zone Commander, will notify the Complainant if their grievance has been dismissed and explain the reason for the dismissal.

The Grievance Handler's decision is final and cannot be appealed. The Complainant must provide a written acknowledgment of their acceptance of the decision. Failure to accept the decision may be deemed a breach of the Code of Conduct.

If the grievance is not dismissed at the preliminary stage, the grievance proceeds to step 2.

Before moving to Step 2, the Grievance Handler may refer the grievance to a more senior officer or employee, or to the Senior Manager, People and Culture, and the Zone Commander, as appropriate to address the grievance. Any such referral must be approved by the Senior Manager, People and Culture, and the Zone Commander. The person to whom the grievance is referred will then act as the Grievance Handler for all subsequent steps.

## **Step 2- Obtaining Further Information**

The Grievance Handler should meet with the Complainant, obtain further information and ascertain the Complainant's desired outcome.

After meeting with the Complainant, the Grievance Handler should then meet with the Respondent to gather relevant information in response to the grievance. The Respondent should be given details about the grievance at least 48 hours prior to the interview.

The Grievance Handler should also meet with any relevant witnesses to obtain information about the grievance.

If necessary, the Grievance Handler should meet with the Complainant again to clarify matters raised by the Respondent or any witnesses.

Meetings may be recorded with the interviewee's explicit consent. At the Grievance Handler's discretion, a copy of any transcription of the interview may be provided to the interviewee, provided that persons named in the transcript are de-identified and sensitive matters are redacted. Refusal to consent to recording or receiving a transcript will not adversely affect the grievance process or its outcome. All recordings and transcripts are to be used solely for the purpose of the grievance investigation and stored securely.

Once the above steps are completed, the Grievance Handler will determine:

- whether the complaint should be dealt with under SOP ADM05

- whether the grievance is suitable for informal dispute resolution (step 3) or mediation (step 4), or
- be referred to the Commissioner for their determination (step 5)

### **Step 3 - Informal Dispute Resolution**

The Grievance Handler will speak with the Complainant and the Respondent to see if they are willing to participate in dispute resolution.

If both parties agree, the Grievance Handler will organise an informal discussion with the Complainant and the Respondent to seek a resolution of the grievance with as little formality as possible.

The meeting will be informal and will not be recorded. Participants must sign a document agreeing to participate in good faith and not disclose the meeting's content to anyone other than their immediate family or legal advisers.

The outcome of the dispute resolution will be documented.

The Complainant and the Respondent must provide a written acknowledgment of their acceptance of the outcome. Failure to accept the outcome may be regarded as a breach of the Code of Conduct.

If either party does not wish to participate in informal dispute resolution, the Grievance Handler will determine whether the parties should attempt mediation as outlined in step 4.

If mediation is unsuitable or dispute resolution fails, the grievance will be referred to the Commissioner for their decision as outlined in step 5.

### **Step 4 – Mediation**

The Grievance Handler will consult with the Complainant and the Respondent to see if they are willing to participate in mediation.

If the parties agree, the Grievance Handler will consult with the Deputy Commissioner, Chief Operations Officer to determine whether to engage an external mediator or utilise specialist internal personnel for mediation.

The mediation will be informal and not recorded. Participants must sign a document agreeing to participate in good faith and not disclose matters discussed in mediation to anyone except their immediate family or legal advisers.

The result of the mediation will be recorded.

The Complainant and the Respondent must provide a written acknowledgment of their acceptance of the outcome of mediation. Failure to accept the outcome may be a breach of the Code of Conduct.

If either party does not wish to participate or if mediation fails, the grievance will be referred to the Commissioner for further action, as outlined in step 5.

## **Step 5 - Referral to the Commissioner**

If the grievance is not suitable for dispute resolution or mediation, or if these processes do not resolve the grievance, the Commissioner may, at their absolute discretion, decide the grievance in the best interests of the MRNSW.

This may include directing the Complainant, the Respondent, MRNSW members, or employees to undertake or refrain from undertaking specific actions, attend training or dismiss the grievance.

The Commissioner's decision is final and not subject to appeal.

Failure to accept the Commissioner's determination of the grievance or not complying with the Commissioner's directions may be regarded as a breach of the Code of Conduct.

## **5. Records of Grievances**

Grievances will be recorded in a file marked "confidential", either electronically or in hard copy format.

Once the grievance is finalised, the file will be sent to Head Office for safekeeping and kept for a period of seven (7) years.

## **6. Support Person**

The Complainant, Respondent, or a witness may nominate a person to support them during the grievance process. The person can be an MRNSW member, employee, or an external party, provided they have no conflict of interest in the matter. Family members who are also MRNSW members, employees, or otherwise involved in the organisation cannot act as a support person if this creates a potential conflict of interest.

The support person may attend interviews or meetings. Their role is solely to offer advice, encouragement, and support to the interviewee or a meeting attendee. They cannot speak on behalf of the interviewee or a participant, nor can they suggest any evidentiary material.

Support persons who do not comply with this clause may be asked to leave the interview or meeting.

Employees and members must comply with the Code of Conduct when acting as a support person.

The support person must agree in writing not to disclose any matters discussed during an interview, informal dispute resolution meeting, or mediation. Employees or members who breach this agreement may be regarded as having breached the Code of Conduct.

## **7. Information and Guidance**

Members involved in a grievance can seek information or guidance from their Unit Commander (UC), Deputy Unit Commander (DUC), or the Zone Commander.

Employees can seek information or guidance from their supervisor or the Zone Commander for their Zone.

## 8. Definitions

In this Policy, unless the context otherwise requires, the following words mean:

<b>Complainant:</b>	the person who lodges a grievance
<b>Code of Conduct:</b>	the Volunteer Marine Rescue NSW <i>Code of Conduct</i>
<b>DUC:</b>	Deputy Unit Commander
<b>Employee:</b>	an employee of Volunteer Marine Rescue NSW.
<b>Member:</b>	a member of Volunteer Marine Rescue NSW.
<b>MRNSW:</b>	Volunteer Marine Rescue NSW.
<b>MRNSW Board:</b>	the Directors of Volunteer Marine Rescue NSW.
<b>MRNSW Executive:</b>	the Commissioner and Deputy Commissioners.
<b>Senior Officer:</b>	a person with delegated and lawful authority over a member, as defined by the Constitution, Rules, SOPs, or Policies. This includes the MRNSW Board, Commissioner, Deputy Commissioners, Unit Commanders, Zone Commanders, and Zone Duty Operations Managers.
<b>Respondent:</b>	the person who is the subject of a grievance
<b>SOP:</b>	MRNSW Standard Operating Procedure
<b>Supervisor:</b>	A person who is authorised by their position to supervise or direct employees. This includes the Commissioner, Deputy Commissioners, Zone Commanders and Zone Duty Operations Managers.
<b>UC:</b>	Unit Commander
<b>ZDOM:</b>	Zone Duty Operations Manager
<b>ZC:</b>	Zone Commander

## 9. Related Documents

Authority	Author	Date
MRNSW Constitution	Members	November 2022
MRNSW Rules	Board	January 2023
Code of Conduct	Commissioner	January 2024
SOP ADM 05 Complaint Resolution and Discipline Procedure	Commissioner	December 2025
SOP ADM 09 Suspension	Commissioner	April 2025
Bullying and Harassment Prevention Policy	Commissioner	January 2024
Sexual Harassment Prevention Policy	Commissioner	January 2024

## 10. Approval and Document Control

Version	Date Created	Author	
1.1,1.2	March 2010	Standards Committee	Final
2.0	May 2013	Board MRNSW	Final
3.0	October 2025	Commissioner	Final

## 11. Appendix

### Appendix A – Grievance Handling Process Flowchart