

## MUSCULAR DYSTROPHY ASSOCIATION OF NSW

### GRIEVANCE POLICY

1. This grievance policy applies to all aspects of the operations of the Muscular Dystrophy Association of New South Wales (“the Association”).
2. Any individual, be they a client, member, parent/guardian, member of the public, volunteer, or a member of staff, has the right to use the grievance process described in this document to resolve a dispute.
3. For many, the Association recognises that the prospect of raising a grievance is an uncomfortable decision. The Association respects the individual’s right to raise a grievance without the fear of reprisals from doing so.
4. The following terms and definitions apply to this document:

**Grievance process.** A process whereby grievances are raised, reviewed and resolved

**Issue.** An action perceived by a person to be inappropriate or in contravention of established societal rules, or Association procedures or policies.

**Dispute resolution.** The review of facts concerning an issue to ascertain if there is a case to answer, what remedies may be appropriate, and the settlement of the issue to both parties’ satisfaction.

**Remedies.** Those actions instigated as a result of a review to rectify an issue.

**Internal review.** That part of the grievance process whereby an issue is reviewed by the Association.

**External review.** That part of the grievance process whereby an issue is reviewed by an appropriate agency that is external to the Association.

5. The grievance process involves the following actions
  - Recognition of an issue
  - Notification of the issue
  - Dispute resolution
  - Remedies and satisfaction with the process or further action via referral to other dispute resolution forums as necessary.
6. The responsibility for initiating the grievance process rests with the person who believes that the Association has a case to answer over an issue.
7. If a person has an issue with the Association, they are welcome to discuss it with the CEO or the President of the Association as the case may require. The Association accepts that, for some, this discussion may be difficult and that they may prefer to use an advocate to discuss the issue on their behalf with the Association.
8. While it is desirable that any notification of an issue be in writing, the Association appreciates that some persons may not wish to do this. In this event, the Association welcomes verbal advice so that it can act. If the initial Association action does not resolve the issue, a written account of the issue may be necessary for the Association or an external agency to investigate it

further. If necessary, the Association will assist in the development of written material that identifies the issue.

9. The person who has identified the issue initiates the grievance process. That person notifies the Association of the issue and the outcome they seek. After initial review of this information and investigation of the situation the Association contacts the person to advise

Whether the issue identified is considered an issue by the Association

What action is proposed to be taken by the Association

Whether the Association will satisfy the desired outcome as sought by the person

What other avenues are available within or external to the Association should the person still not be satisfied with the action advised or taken by the Association

10. The person may feel more comfortable with an advocate representing them either present with the person or on their behalf in their absence. It is not Association policy to fund advocacy support.
11. A person from an Aboriginal or Torres Strait Islander background or with a culturally or linguistically diverse (CALD) background should inform Association staff if they require support services to undertake the dispute resolution process. Association staff can advise points of contact for these support services to assist in progressing the dispute resolution process. It is not Association policy to fund these services.
12. Should the person not be satisfied with the outcome of the dispute resolution process they have other options for action including reference to the Association President or to relevant external agencies.
13. The dispute resolution process may result in outcomes that:
  - Do not require any Association action if the issue cannot be sustained; or
  - Require action by the Association if the issue is substantiated and action is agreed.
14. If action is required by the Association the person will be informed of the appropriate remedies when they have been completed or will be provided with progressive information if the remedy is to occur over time. Remedies may include:
  - Amendment to or formulation of Association policy or process
  - Conduct of staff training or counselling
  - A formal apology

15. All activity concerning the notification of an issue and any subsequent dispute resolution is to be formally recorded by Association staff and a written copy provided to the person. The person is to be invited to review the documentation and to advise whether, in their opinion, it is a true and accurate account. If the person advises their agreement with the document they will be requested to sign the Association copy to acknowledge this. If the person advises inaccuracies in the document Association staff will review the document and make relevant amendments if they believe such amendments to be warranted. If Association staff do not believe that amendment of the document is warranted they will advise the person of this and invite the person to record a comment to that effect on the Association copy.
16. This policy document is to be made available via;  
  
The Association website at [www.mdansw.org](http://www.mdansw.org)  
  
In written form
17. The Association requires that all staff involved in any part of the grievance process undertake their assigned or assumed duties in a timely, professional and responsive manner. As a guide the following timings are provided:  
  
The notification of an issue is to be reported to the Association CEO or, in their absence, the Association President within one working day of its receipt.  
  
The formal record of dispute resolution proceedings is to be finalised for review by the Association CEO and distribution to interested parties within three working days of the meetings.
18. All documentation concerning the notification of an issue and any subsequent dispute resolution is to have restricted access in accordance with the Association privacy policy.
19. Any document concerning Association actions in response to a notified issue is to be retained by the Association and is not to be amended or destroyed without written confirmation by the Association CEO.
20. All notifications of an issue are to be recorded in the Association grievance register regardless of how minor they may be or how quickly they are resolved. The register is to include the date and time of the notification, the nature of the grievance, and the name and contact details of the person notifying the grievance.
21. This document is to be reviewed annually by the Association CEO to ensure its relevance of application.
22. Association staff are to advise the Association CEO of any suggested amendments to this document.

3 December 2004