

# Rigpa Australia - Grievance Policy and Procedure

## Table of Contents

<b>Table of Contents</b>	<b>1</b>
<b>GRIEVANCE POLICY AND PROCEDURE</b>	<b>2</b>
GRIEVANCE POLICY SCOPE	2
GRIEVANCE POLICY STATEMENT	2
GRIEVANCE PROCEDURES	3
WHAT SHOULD I DO, IF A PERSON IS NOT BEHAVING APPROPRIATELY?	3
Dealing with a concern directly	3
Support in raising a concern	3
Referring the concern to a member of the Board, National Executive or local centre grievance advocate.	3
Whistleblower Hotline	4
HOW WILL RIGPA AUSTRALIA DEAL WITH MY CONCERN?	4
The approach Rigpa Australia will apply to resolution of my concerns, as a volunteer, member, staff, course participant or visitor	4
Investigation	4
Choice of process	5
Escalating my concern	6
CONFIDENTIALITY	7
RAISING MATTERS IN GOOD FAITH - No victimisation or detrimental action	7
Concerns raised vexatiously	7
WHAT SHOULD I DO IF I AM APPROACHED BY A PERSON, WHO SAYS I AM NOT BEHAVING APPROPRIATELY?	7
Dealing with a concern directly	7
Support in raising a concern	7
Referring the concern to a member of the Board, National Executive or local centre grievance advocate.	8
HOW WILL RIGPA AUSTRALIA DEAL WITH MY PERSPECTIVE AND THE CONCERN RAISED BY THE OTHER PERSON?	8
HOW IS A COMPLAINT BY A MEMBER OF THE PUBLIC RELATING TO A RIGPA AUSTRALIA PERSON TO BE HANDLED?	9
FURTHER INFORMATION REGARDING INDUSTRIAL INSTRUMENTS	9
RAISING CONCERNS WITH EXTERNAL AGENCIES	9

# **GRIEVANCE POLICY AND PROCEDURE**

## **GRIEVANCE POLICY SCOPE**

All Rigpa Australia people commit to behaving in accordance with the Rigpa's Shared Values and Code of Conduct, which reflects our values and Fundamental Principles and guides how we work, *every person, every day.*

As a Rigpa Australia person – a member of staff, a volunteer, a member, a course participant or a visitor - I am accountable for contributing to an environment that is harmonious, where all people are treated with dignity and respect.

## **GRIEVANCE POLICY STATEMENT**

This Grievance Policy applies to all Rigpa Australia people - staff, volunteers, members, course participant and visitors.

Rigpa Australia is committed to maintaining a workplace that encourages collaboration, trust, cooperation and communication, and where all words, actions and/or behaviours are consistent with the Australian Rigpa Australia's Shared Values and Code of Conduct and the principles of natural justice.

It is recognised, however, that on occasions inappropriate words, actions and/or behaviours may occur and that a complaints and grievance process is required to resolve complaints or concerns.

This policy aims to ensure that complaints and grievances are handled and resolved in an appropriate, fair, transparent and timely manner.

# GRIEVANCE PROCEDURES

These Grievance Procedures apply to volunteers, staff, members, course participants and visitors while engaged in all Rigpa Australia programs.

As with staff and volunteers (see below), members, course participants and visitors are encouraged to deal with any concerns directly between themselves, if they reasonably can. If that is unsuccessful, or inappropriate, these Grievance Procedures will be used to deal with an issue that is unresolved and has been escalated to a grievance person or team.

## WHAT SHOULD I DO, IF A PERSON IS NOT BEHAVING APPROPRIATELY?

As a volunteer, staff, member, course participant or visitor, I may have a concern or grievance about the behaviour of another person which I consider may not be in accordance with Rigpa's Shared Values and Code of Conduct.

### Dealing with a concern directly

If I am concerned about another person's words, actions and/or behaviour, and I am comfortable to do so, I will raise my concern in good faith directly with that person.

I will seek to resolve the concern with the other person in a respectful, constructive and reasonable way that reflects my commitment to Rigpa's Shared Values and Code of Conduct.

If the other person and I agree on a reasonable way of resolving my concern, which I am satisfied with, that will be the end of the matter.

### Support in raising a concern

- I may speak to a member of the Rigpa Board, a member of the National Executive team or my local centre grievance advocate on a confidential basis if I would like to discuss how to deal with my concern directly with the other person.
- If my concern relates to harassment, bullying or discriminatory behaviour, I may have a confidential discussion with the local centre grievance advocate on how to deal with my concern (e.g. about how to directly deal with the other person).

### Referring the concern to a member of the Board, National Executive or local centre grievance advocate.

As a member, staff, volunteer, course participant or visitor, I will refer my concern to a member of the Board, National Executive Team or local centre grievance advocate if I:

- do not feel comfortable discussing the concern with the other person directly;
- have discussed the concern in good faith with the other person but I am not satisfied with the outcome.

I can expect the person I approach to listen objectively, with an open heart and with the intention to create a safe and non-judgemental space for me to share my grievance.

I may be asked by the individual I contact to provide further information or a written outline of my concern.

If I have already raised my concern with a Board member, National Executive team member or my local centre grievance advocate but my concern remains unresolved, I may refer my concern directly to the Grievance Panel {insert names} through using the email address here {insert email address}.

Again, I can expect the person(s) I approach to listen objectively, with an open heart and with the intention to create a safe and non-judgemental space for me to share my grievance.

I may be asked by a Grievance Panel member to provide further information or a written outline of my concern.

## **Whistleblower Hotline**

If I am genuinely unable to raise my concern within Rigpa Australia I may contact the confidential whistleblower hotline, STOPline on 1300 304 550, in accordance with the Rigpa Australia Whistleblower Policy.

## **HOW WILL RIGPA AUSTRALIA DEAL WITH MY CONCERN?**

### **The approach Rigpa Australia will apply to resolution of my concerns, as a volunteer, member, staff, course participant or visitor**

I understand that a concern I raise will be dealt with and resolved by Rigpa Australia under this Procedure. It will be resolved in a manner which is in accordance with Rigpa's Shared Values and Code of Conduct and is timely and fair, and consistent with the principles of natural justice, and Rigpa Australia standards and policies.

Rigpa Australia may, at its discretion, choose to take appropriate steps to investigate and deal with these allegations. This applies even if I have not raised a concern with Rigpa Australia.

### **Investigation**

If I raise a concern in one of the situations set out above, my concern may be investigated by Rigpa Australia in a way which is suitable in the circumstances.

In relation to my concern, Rigpa Australia may determine to follow an informal process, or to follow a formal process.

## Choice of process

I understand that a Grievance Panel member (in conjunction with a Board or National Executive member) will initially investigate my concern and determine whether a formal investigation is required, or whether an informal process is suitable to resolve the concern.

If a Board or National Executive member is the subject of my concern, or cannot be objective in an investigation, the choice of process will be determined by the Grievance Panel. The individual who is the subject of your concern will not be a party to the choice of process.

Key principles of each process are set out in the following sections.

### Informal process:

I understand that in the case of an informal process:

- The objective of the investigation is to resolve the concern in a manner which is in accordance with the Shared Values and Code of Conduct and is fair and timely, and consistent with the principles of natural justice and Rigpa Australia standards and policies.
- This may result in reporting the concern to a Board member or an external advisor, independent of Rigpa.
- It may also include speaking to other volunteers, members, staff, course participants or visitors who may be able to assist in resolving the concern.
- If the concern relates to the conduct of another person, that person will be provided with details of the substance of the concern and be given an opportunity to respond.
- Rigpa Australia will determine any action which may be appropriate to resolve the concern.

### Formal process:

I understand that in the case of a formal process:

- An independent investigation will be undertaken. The objective of the investigation is to resolve the concern in a manner which is in accordance with Rigpa's Shared Values and Code of Conduct and is fair and timely, and consistent with the principles of natural justice and Rigpa Australia standards and policies.
- The Grievance Panel will conduct the investigation or arrange for another Rigpa Australia member(s) to conduct it, or where appropriate as determined by Rigpa Australia, an external investigator(s) may be appointed.
- The investigation will be conducted through a confidential process of:
  - ascertaining from me the substance of the concern, so as to determine what issues in relation to the concern are of sufficient substance to require investigation;
  - obtaining relevant information, from any relevant source, which can be considered by the investigator;
  - taking any other necessary steps to obtain relevant facts;
  - seeking a response to the substance of the concern, from the person whose alleged conduct is of concern;
  - making determinations of facts for provision of a report to Rigpa Australia.

Details of the appropriate process will be determined by Rigpa Australia in each case.

### **Support person**

If I raise a concern, I may have a support person of my choice present during any interview.

Similarly, I understand that the person about whose behaviour I have raised a concern may have a support person of their choice present during any interview.

### **RESOLUTION IN THE FORMAL PROCESS - Determination by Rigpa Australia**

In the formal process, after the investigation is complete and findings have been made (where required), a resolution of the matter will be determined by Rigpa Australia.

I understand that details of the resolution will be recorded in writing and a copy provided both to me and to the other person (usually, the person about whose behaviour a concern has been raised).

Options which may be considered for resolution of my concern, include one or more of the following:

- ongoing monitoring by a Board or National Executive member
- counselling or training/education, which may be provided by a nominated Rigpa Australia person with appropriate skills, other suitably skilled independent resource or organisation
- a formal apology
- mediation between me and the other person, facilitated by an independent person, where both parties agree to participate in the mediation process
- formal disciplinary action as determined by the Rigpa Australia Board

### **Escalating my concern**

#### ***I am not satisfied with the resolution – what may I do?***

If I am not satisfied with the resolution of my concern, I may refer my concern to the Chair of the Board or National Director. Under this internal Rigpa Australia process, the decision made by the Board Chair or National Director is final and binding.

#### ***My concern relates to the behaviour of a member of the Board or National Executive – what may I do?***

If my concern relates to a member of the Board or the National Executive, I may raise the concern with the International Grievance Council. The decision made by the International Grievance Council is final and binding.

#### ***My concern relates to the behaviour of the National Director – what may I do?***

If my concern relates to the National Director, I may raise the concern in writing with the Chair of the Rigpa Australia Board by providing it in a sealed envelope. The Chair will determine an objective process to resolve the grievance in accordance with this procedure. The decision made by the Chair is final and binding.

## **CONFIDENTIALITY**

If I am the person raising the concern, or the person against whom a concern is raised, a witness, a support person or any other interviewee, I must keep all aspects of the participation in the investigation confidential.

## **RAISING MATTERS IN GOOD FAITH - No victimisation or detrimental action**

If I am a person raising a concern, a witness, an individual providing information, or a support person, I will not be victimised or disadvantaged in my role with Rigpa Australia, if I raise a concern in good faith or am involved in an investigation and act in good faith.

Victimisation or detrimental action may be regarded as serious misconduct and will be treated as such within this Grievance Process.

### **Concerns raised vexatiously**

Rigpa Australia will not tolerate concerns raised vexatiously.

I understand that if I raise a concern other than in good faith (for example, if I initiate a concern without reasonable grounds to do so), disciplinary action may be treated as such within this Grievance Process.

## **WHAT SHOULD I DO IF I AM APPROACHED BY A PERSON, WHO SAYS I AM NOT BEHAVING APPROPRIATELY?**

As a volunteer, staff, member, course participant or visitor, another person may have a concern or grievance about my behaviour, which they consider may not be in accordance with Rigpa's Shared Values and Code of Conduct.

### **Dealing with a concern directly**

If I am approached by another person concerned about my words, actions and/or behaviour, and I am comfortable to do so, I will address their concern in good faith directly with that person.

I will seek to resolve the concern with the other person in a respectful, constructive and reasonable way that reflects my commitment to Rigpa's Shared Values and Code of Conduct.

If the other person and I agree on a reasonable way of resolving their concern, which I am satisfied with, that will be the end of the matter.

### **Support in raising a concern**

- I may speak to a member of the Rigpa Board, a member of the National Executive team or my local centre grievance advocate on a confidential basis if I would like to discuss how to deal with the person's concern directly.

- If the other person's concern relates to harassment, bullying or discriminatory behaviour, I may have a confidential discussion with the local centre grievance advocate on how to deal with this perceived behaviour and how to directly deal with the other person.

### **Referring the concern to a member of the Board, National Executive or local centre grievance advocate.**

As a member, staff, volunteer, course participant or visitor, I have the option to refer my concern and the other person's perspective to a member of the Board, National Executive Team or local centre grievance advocate if I:

- do not feel comfortable discussing the concern with the other person directly;
- have discussed the concern in good faith with the other person but I am not satisfied with the outcome.

I can expect the person I approach to listen objectively, with an open heart and with the intention to create a safe and non-judgemental space for me to share my perspective of the concern raised by the other person.

I may be asked by the individual I contact to provide further information or a written outline of my perspective of the concern raised by the other person.

If I have already raised my perspective with a Board member, National Executive team member or my local centre grievance advocate but the concern raised by the other person remains unresolved, I may refer my perspective directly to the Grievance Panel {insert names} through using the email address here {insert email address}.

Again, I can expect the person(s) I approach to listen objectively, with an open heart and with the intention to create a safe and non-judgemental space for me to share my perspective of the other person's concern.

I may be asked by a Grievance Panel member to provide further information or a written outline of my perspective.

### **HOW WILL RIGPA AUSTRALIA DEAL WITH MY PERSPECTIVE AND THE CONCERN RAISED BY THE OTHER PERSON?**

I understand that a concern raised by another person and not resolved to either of our satisfactions will be dealt with and resolved by Rigpa Australia under the Procedure identified for investigation and formal or informal approaches. It will be resolved in a manner which is in accordance with Rigpa's Shared Values and Code of Conduct and is timely and fair, and consistent with the principles of natural justice, and Rigpa Australia standards and policies.



## **HOW IS A COMPLAINT BY A MEMBER OF THE PUBLIC RELATING TO A RIGPA AUSTRALIA PERSON TO BE HANDLED?**

This procedure applies to a member of the public raising a complaint, only if the complaint relates to the behaviour of a Rigpa Australia person.

## **FURTHER INFORMATION REGARDING INDUSTRIAL INSTRUMENTS**

With some exceptions, members of staff of Rigpa Australia are generally covered by a modern award or enterprise agreement, in operation under the **Fair Work Act**. An applicable award or enterprise agreement may include further information regarding entitlements and processes.

Where a concern is in relation to a matter under the award or the enterprise agreement, any relevant dispute resolution process in the award or agreement is to be followed.

## **RAISING CONCERNS WITH EXTERNAL AGENCIES**

This procedure is to assist in resolution, within Rigpa Australia, of concerns about words, actions and/or behaviour of staff, members, volunteers, course participants and visitors.

However, nothing in this procedure is intended to affect the right of a person to approach an external agency in relation to their concern.

**REFERENCE: Australian Rigpa Australia Whistleblower Policy**