



Tiwi Islands Regional Council

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Background

Tiwi Islands Regional Council (TIRC) is committed to maintaining a safe and healthy workplace. From time to time internal conflicts or complaints may be raised by staff. This policy will formalise the process to make a formal complaint and how it should be resolved by council staff.

Policy Statement

Best practice dispute resolution attempts to resolve disputes quickly, fairly, sensitively, confidentially and transparently. When implemented well the dispute should not interfere with the continued operation of the business of the TIRC.

Wherever possible, TIRC seeks to resolve disputes at the workplace in a negotiated outcome. Dispute resolution processes are actioned quickly, and all relevant parties are consulted. Consultations are confidential, while clear communication and accurate documentation ensures that the process is transparent.

During the formal dispute resolution processes and outcomes are documented and filed on the staff members' personnel files.

It is critical that all staff are aware of this process and know how to raise an internal complaint or dispute.

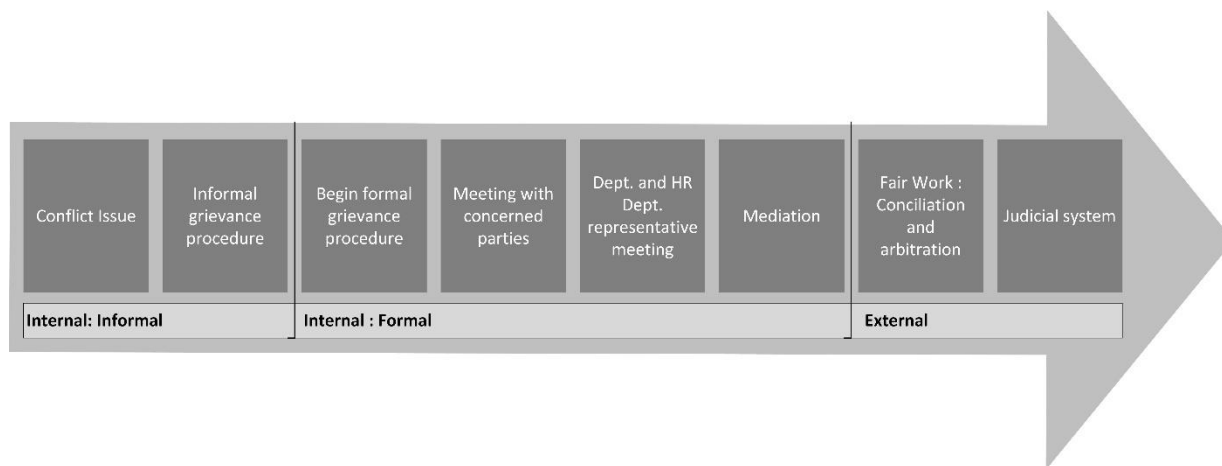
TIRC approach to managing internal complaints and disputes

TIRC follows the dispute resolution requirements as outlined by the Fair Work Act 2010 (Commonwealth). The following procedure is based on the Fair Work Ombudsman's Best



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Practice Guide to Effective Dispute Resolution. It should be used to resolve internal disputes and complaints at TIRC.



Internal: Informal

1. In the first instance an employee should talk about the complaint with their immediate manager or supervisor.
2. If a staff member does not feel comfortable talking with their manager, they can talk to their manager's supervisor informally.
3. If the matter is not resolved it should then be formally referred to Human Resources.

Internal: Formal

4. When an employee discusses a complaint or dispute with Human Resources it is considered a formal complaint.
5. Staff can make an appointment to talk to the Manager Organisational Development and Change or visit the Human Resources team.
6. Human Resources will listen to the staff member, discuss their concerns and take minutes of the meeting. The staff member can invite a support person or representative to be part of the conversation. Human Resources can invite the appropriate supervisor to also be a part of this meeting.
7. Human Resources will follow up the matter internally, discussing the matter with the relevant parties and attempt to resolve the dispute.
8. Human Resources to inform all parties of outcome and determine if the matter is resolved.
9. If the matter is resolved – Human resources to update complaint register and save documents in relevant personnel files.
10. If the matter is not resolved - Human Resources to escalate the matter to the CEO for further direction. The CEO can make a further decision or appoint an external investigator or mediator.



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External

If a resolution is still not reached, the matter may be referred to external authorities. This may include external mediators, the Fair Work Commission, Safe Work NT, Australian Public Service Commission, Australian Federal Police and Federal Courts in order to resolve the dispute. Another method to resolve the matter could be through formal arbitration or adjudication.

TIRC will liaise in good faith with external partners to attempt to best resolve any complaints or disputes. When the matter is resolved and finalised Human resources will update the complaint register and save documents in relevant personnel files.

Additional Information

How are written complaints made?

Employees can talk to their supervisor or manager of their supervisor. To make a formal complaint staff can talk to the Manager Organisational Development and Change. When making a formal complaint you must complete the details listed on the Making a Formal Complaint Form. Your manager or Human Resources staff can help you to complete the form.

How are verbal complaints made?

TIRC prefers complaints to be in a written form. However, a complainant who is unable to submit a written complaint may make a verbal complaint to the CEO or Manager of Organisation Development, who will transcribe the complaint into writing.

How will a complaint be recorded?

The complaint will be registered and allocated a case number. A record of complaints will be maintained, for a period of at least 2 years.

How quickly will the client be told that their complaint or appeal has been received?

TIRC seeks to resolve internal disputes and complaints within 21 calendar days from initial receipt depending on the information required and availability.

For more information regarding the Fair Work Ombudsman's Best Practice Guide to Effective Dispute Resolution visit:

<http://www.fairwork.gov.au/ArticleDocuments/2213/10-Effective-dispute-resolution.pdf.aspx?Embed=Y>.