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NSW Police Force

Workplace Grievance Procedures

People and Capability Command

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Summary

The Workplace Grievance Procedures provide guidance to NSWPF members relating to the management and resolution of conflict or disagreements about interpersonal, management or systems issues. By definition, these matters lie outside the formal complaint process for misconduct issues. These procedures also outline a series of principles upon which members can use to deal with such matters. Members are urged to deal with grievances early and at the lowest appropriate level. Resolving interpersonal conflict and similar issues in ways consistent with this document will contribute to maintaining safe and harmonious workplaces.

Document Control Sheet

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Modification History

Version #	Version creation date	Author / Position	Summary of changes
1	November 2015	Professional Standards Command	Amalgamation of the Internal Grievance Procedures v.2 and Dispute Handling Guidelines v.1. Renamed the Workplace Grievance and Conflict Resolution Guidelines.
2	April 2017	Professional Standards Command	Amendment of 15.9 Finalisation and Recording to incorporate electronic filing on RMS.
3	July 2017	Professional Standards Command	Changes made to reflect the implantation of the Law Enforcement Conduct Commission Act 2016
4	October 2017	Professional Standards Command	Review of document and incorporation of Conflict Coaching
5	November 2017	Professional Standards Command	Amendment to section 2 'Relevant Legislation and Policy' regarding s211F and the NSW Police Force Code of Conduct and Ethics
6	January 2018	Professional Standards Command	Update to document classification under GIPA Act 2009
7	January 2021	Professional Standards Command	Update security classification
8	November 2021	Human Resources Command	Document transferred to Human Resources Command Responsible Command changed to Human Resources Command Changes made to reflect the name change of the Workplace Relations and Equity Unit to the Respectful Workplaces Unit
9	2024	People and Capability Command	Complete re-write of procedures. Inclusion of principles for grievance resolution New P835 and P836 now able to be filled in electronically

Introduction

These Workplace Grievance Procedures relate to police and administrative officers (members) of the New South Wales Police Force (NSWPF) and are intended to provide guidance in resolving matters involving low level conflict within the organisation. These procedures do not relate to the public or organisations external to the NSWPF.

When using these procedures, members should feel empowered to manage the relationships they have with others in the workplace themselves. Supervisors and Managers should support their staff to address conflict at the lowest possible level which can prevent minor matters from escalating.

Whilst these procedures will provide some overarching guidance and direction, they are not intended to be overly prescriptive in how workplace conflict should be managed. Given the complexity of workplace conflict, these procedures additionally outline a series of principles upon which members at all levels can rely upon to identify and respond to the needs of those in conflict and the nature of the conflict itself.

Principles of confidentiality apply in the grievance process. The resolution to a grievance can be significantly compromised when others not involved in the process are privy to information or otherwise become unnecessarily involved. Discussions about the boundaries of confidentiality should be included in any attempts in resolving a grievance.

Any conflicts of interest between parties in a grievance must be declared and managed. These include conflicts that are actual, potential or perceived.

Scope

These procedures are not intended for use where there are:

- misconduct
- misconduct as defined within Part 5, section 69 of the *Government Sector Employment Act 2013*
- complaints as defined within Part 8A of the *Police Act 1990*
- alleged breaches of the Respectful Workplace Behaviour Guidelines
- performance issues
- industrial relations disputes as per those provided within mandatory Disputes / Grievance Settlement Procedures contained within industrial awards
- safety disputes as per the Work Health and Safety Act 2011

Roles & responsibilities

Commander PCC	<ul style="list-style-type: none">• Receive and assess P835 forms involving grievances with A/C, equivalent or above• Champion the NSWPF culture in line with these procedures
Respectful Workplaces and Safe Reporting Unit	<ul style="list-style-type: none">• Monitor and review these procedures• Receive requests for review of Formal Resolutions• Provide staff for the conducting of Facilitated Discussions
Commanders / Managers or Equivalent	<ul style="list-style-type: none">• Build a shared sense of direction and clarity regarding resolving grievances in the workplace• Receive, assess and action P835 forms• Ensure proper recording of matters
Inspector / Manager, Duty Officer or Equivalent	<ul style="list-style-type: none">• Support the Commanders direction in effectively addressing conflict and grievances in the workplace• Be appointed by the Commander to assist with Formal Resolutions• Region HRM to receive grievances about Superintendents
Sergeant or Equivalent	<ul style="list-style-type: none">• Support the Commanders direction in effectively addressing conflict and grievances in the workplace• Respond to grievances at the Assisted Resolution level• Provide support to staff to resolve their own grievances
All Staff	<ul style="list-style-type: none">• Raise and attempt to resolve grievances at the earliest opportunity• Contribute to a safe and harmonious workplace

Section 1 – Workplace Conflict

Conflict and related issues are a natural part of workplace interaction. Managed well, these situations can generate ideas, result in significant personal development and be the catalyst for organisational change. Managed ineffectively, conflict can negatively impact on morale and productivity. Members involved in grievances and managers facilitating their resolution are referred to the [NSWPF Command Wellbeing Manual](#) for support services.

1.1 Types of Grievances

These procedures can be of assistance when dealing with the following types of matters (this is not an exhaustive list). For example

Interpersonal conflict:

- personality or work-style clashes
- perceived lack of cooperation
- personal or professional relationship concerns
- personal hygiene concerns

Management:

- concerns about a manager's practices or style
- lack of, or poor consultation
- consistently poor decision making
- inappropriate communication
- the application of a policy or procedure

Systems:

- unfair or outmoded policy or procedures
- work arrangements
- resourcing and workplace concerns
- procedural fairness issues in the mobility program

1.2 Benefits of Resolving Grievances

In contrast to complaint management where the focus is on determining the validity of the complaint, conflict and grievance resolution focuses on:

- **Understanding** - Workplace conflict often stems from misunderstanding or miscommunication between parties. Understanding the other person's viewpoint or

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perspective through communication can be the first step in allowing parties to work together and move forward collaboratively.

- **Problem Solving** – Parties to a grievance should work together and problem solve the issues. Working together in this way allows the parties to find concrete ways to resolve matters. These may include changes to work styles or arrangements, more effective communication, or greater inclusion of team members in decision making.
- **The Future** – Parties sometimes overly focus on who is right or wrong. Conflict needs to be understood, acknowledged, and addressed, and once it is, parties can be focussed on how they might move forward. This is largely a pragmatic process and focusses on behaviours that each party will engage in to allow for a more harmonious work environment.

1.3 Conflict Resolution Principles

Whether you are dealing with conflict yourself or assisting in the resolution of conflict as a supervisor or manager, the following principles may be of assistance as you make decisions around how to engage and resolve specific situations.

Cooperation

- Convey to the other party that you want to work with them in coming to a fair resolution of the problem.
- Treat the other person respectfully, just as you would want to be treated.
- Be authentic and communicate naturally.
- Manage the expression of your emotions.

Empathy

- Empathy means not only accurately understanding another person's point of view, but also having the ability to communicate this to the other person.
- The best way to be empathetic is by listening first. Let the other person have their say and then paraphrase what you heard for them.
- Make sure that the other person understands your point of view, as well.
- While you may disagree with the other person's position, having empathy may allow you to understand why a person acted in the way they did.

Honesty

- Honesty is openly admitting a problem exists, committing to dealing with the matter, and acting to resolve the issue.
- Agree to meet at a mutually beneficial time and when both parties are ready to engage.
- Be sensitive to communication skills: use "I" statements whenever possible and try to not engage with anger or defensiveness.

Reasonableness

- Consider how you may have contributed to the problem. By accepting ownership of your actions, you are seeing a more complete picture of the problem, which can lead to a better resolution.
- Remember that we all make mistakes. Own them, learn from them, and move forward.

Body Language

- Pay attention to your emotional responses and non-verbal behaviour: sighing, rolled eyes, furled brow, turning away, avoiding or heavy eye contact and folded arms.
- Try to use engaging body language, such as nodding, smiling, and leaning in to better engage with the other party.

Trust

- The main purpose of building trust is so both parties know there will be integrity in the resolution of the conflict. Most people do not believe they always have to get their way if they trust that there was honesty and integrity in the discussions and resulting decisions.
- Be transparent. Be self-reflective and open about yourself and the other party may be more likely to be open about themselves.
- Be aware of the power of your reputation. Make every effort to build and maintain a reputation as one who can be trusted in situations of collaboration as well as conflict.

Section 2 – Managing Grievances

It is vitally important that grievances are identified, and attempts are made to resolve them as quickly as possible. There are several methods for resolving conflict and depending on the circumstances, some methods could be more appropriate than others. Grievances can be addressed through the following four ways:

1. Self Resolution
2. Assisted Resolution
3. Formal Resolution
4. Facilitated Discussion

It is important to note however, that conflict resolution is not a rigid process. Each individual matter should be considered on its own merits as to the suitability and application of each of the proceeding four options. The NSWPF expects that conflict will be addressed at the lowest possible appropriate level. Whilst members cannot be directed to participate in any of these processes, they, along with the NSWPF, are obliged to contribute to a harmonious and safe workplace. A summary of the options available can be found at Appendix 2.

It is expected that members will only submit Grievance Form where:

- personal attempts to resolve their concerns are unsuccessful (or it was not appropriate to do so)

- attempts to resolve their concerns with the assistance of their supervisor are unsuccessful (or it was not appropriate to do so)
- they don't feel able to seek advice or support from their supervisor (their supervisor may be the subject of their concerns)
- there are complex or ongoing concerns that may require a more formal process to reach resolution

2.1 Self Resolution

Self resolution involves the member taking their own action to address the conflict as it arises. The member manages the matter by approaching the other involved party and discussing their issues of concern with them. Each party should engage with the other in a way respectfully consistent with the conflict resolution principles outlined above.

If you are approached by someone who wishes to resolve conflict with you, listen and try to understand them. Clarify and restate their concerns. Be approachable and professional throughout this process and work together to address the issues.

Self resolution is recommended as the first stage in addressing conflict. Many minor workplace issues benefit from resolving matters in this way. All members have a responsibility to contribute to a harmonious workplace, and it should not always be necessary to use a formal grievance process to resolve minor matters.

The matter is resolved if both parties agree on the outcome. The members should continue to monitor the situation and if necessary, engage the other party again should any future concerns arise.

In cases where the member does not feel they are able to approach the other party to discuss the matter, they may seek the assistance of a supervisor or team leader through Assisted Resolution.

2.2 Assisted Resolution

Assisted Resolution involves the supervisor, who assists the members to resolve the conflict. The supervisor may become involved at the request of an involved party after their unsuccessful attempts to resolve the matter, or the supervisor may identify the conflict themselves.

At the lowest level of involvement, the supervisor may speak with one or both parties and offer some guidance or suggestions. This may be sufficient to facilitate the parties coming together and resolving the matter themselves. If this is not appropriate or does not resolve the matter, the supervisor may act to facilitate a discussion between the parties in a meeting with all present.

Effective communication and negotiation skills from all parties are vital when seeking to resolve conflict during Assisted Resolution. For reference, supervisors and other staff are directed to the booklet "[Respectful Workplaces – Supervisor Guide](#)" for additional information on how to engage in these interactions effectively.

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The supervisor should continue to monitor the situation regularly and make a record (notebook, duty book, staff chronology or the sending of emails to involved parties) of their involvement and the action taken to resolve the matter. Should any future concerns arise, the supervisor should first allow the involved parties to attempt Self Resolution, if appropriate prior to becoming involved.

If Assisted Resolution is unsuccessful, the supervisor may recommend the member submit a Grievance Form (P835). The supervisor cannot direct a member to complete the form, nor can they submit the form on the member's behalf. If the member declines to submit a Grievance Form, then the supervisor must continue to monitor and manage the conflict providing support to the involved parties.

If the conflict is ongoing and adversely affecting the workplace, the supervisor should advise their Commander / Manager who can provide support to the supervisor in dealing with the matter. If the member submits a Grievance Form, then the matter must be dealt with by the Commander / Manager.

2.3 Formal Resolution

Formal Resolution can be implemented at any time but is commonly used after Self and Assisted Resolution are unresolved. During Formal Resolution, the Commander / Manager determines what treatment or resolution options will be implemented to manage the conflict.

Where a member completes a Grievance Form, that form should be lodged with a person senior to that member. If the grievance is about the members Commander or equivalent, the grievance form should be submitted to their Region Human Resource Manager (HRM) who will consult with the Region Commander regarding its resolution. If the grievance is with someone at the rank of Assistant Commissioner or above (or equivalent), it should be lodged with the Commander, People and Capability Command (PCC).

At the Command Level, all Grievance Forms must be assessed by the Commander / Manager as:

- they are ultimately responsible for the management of their members and the workplace
- consideration needs to be given to whether or not Part 8A of the *Police Act 1990* or Part 5 of the *Government Sector Employment Act 2013* or other legislative issues apply to the concerns raised, and
- this process supports the assessment, recording and management of member concerns

Upon receipt of a Grievance Form and where appropriate, the Commander should seek advice from their Senior Leadership Team. Commanders should aim to resolve grievances within 14 days from the date they were received. Timely action can make the resolution process easier for everyone involved. The aggrieved member must be willing to participate in the process and provide all necessary information.

The Commander / Manager will appoint either themselves or a nominated officer from the Command to seek to bring the matter to resolution. They should inform the parties of the organisational

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expectations of acceptable behaviour and professionalism in the workplace. In circumstances deemed appropriate by the Commander / Manager, an officer from a nearby Command may be used for this purpose. This would generally be in matters where impartiality and conflicts of interest are unable to be managed from within the Command.

During the initial stages of the matter, the Commander or nominated officer should bear in mind the nature of the conflict, the individuals involved and the actual or potential impact on the Command. The provision of the [NSWPF Welfare services](#) to involved parties should be done as a matter of course.

During the resolution of a grievance, and if ongoing conflict is adversely affecting the workplace, the Commander / Manager may consider strategies including movement of parties to different teams, units, or locations (as long as this movement does not constitute reviewable action under section 173 of the *Police Act 1990*). Such strategies must be aimed at directly mitigating the risk. It is vital that when deciding how to address the grievance, that the Commander or other officer considers the safety of the involved parties, as well as the wider Command or Unit. Commanders are referred to the [NSWPF Interim Risk Management Guidelines for Police](#) in making such decisions (this document relates only to police officers).

The Commander or other officer attempts to resolve the grievance by speaking with the involved parties. The Commander should identify which is the most appropriate treatment option (Self Resolution, Assisted Resolution, or Facilitated Discussion) to address the involved parties concerns and assisting them to achieve a mutually agreeable outcome.

It is important to note, however, that if a Facilitated Discussion is selected as the most appropriate method to resolve the matter, that both parties are voluntary participants and parties cannot be directed to take part. If either party does not wish to participate, other options to resolve the issue must be explored.

Regardless of whether the matter is resolved or not resolved, the Commander or other officer will complete the Grievance Outcome Notice (P836). The form should also be signed by the involved parties.

The ideal outcome is that workplace concerns are resolved to the satisfaction of the involved parties. This may not always be possible and sometimes concerns arising from a grievance may go unresolved. Parties may not be satisfied with all aspects of the outcome, but the Commander / Manager must be satisfied that members are able to work effectively without being hindered by ongoing workplace concerns. For further advice regarding managing workplace grievances and conflict resolution contact People and Capability Command, Respectful Workplace and Safe Reporting Unit.

At the conclusion of the process, the Commander or other officer meets with the involved members individually to ensure:

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- they have a shared understanding of the outcome
- everyone has been advised of available welfare support
- relevant action has been taken to improve workplace practices
- no one has experienced any victimisation or other negative consequences during the process
- a review date is set to ensure that the concerns remain resolved

Although some involved members may not be satisfied with all outcomes, they should be satisfied with the resolution process. Any dissatisfaction should be discussed with the member during follow-up and addressed if possible.

If the Commander or other officer is unable to resolve dissatisfaction during the follow-up, they are to advise the member that they can report their concerns in writing to the Respectful Workplaces and Safe Reporting Unit and request a review (#PCC-RESPECT). In consultation with the Director, Workforce Engagement and Culture (WEC), the RW&SRU will assess the review and communicate the outcome to the member and the Commander. Additionally, the Commander may seek advice and guidance from the RW&SRU should they require.

In order to finalise the matter, the Commander / Manager must ensure:

- all appropriate action has been taken to resolve the concerns, regardless of whether any involved party remains dissatisfied with the outcome
- any requested review has been completed
- all recording requirements have been completed

Upon conclusion of the matter, the P835 and P836 forms must be placed on the appropriate officers eP-file within the Records Management System (RMS) - not IAPro. Keeping this documentation is important to ensure accountability and transparency.

2.4 Facilitated Discussion

A Facilitated Discussion (FD) is a process where members voluntarily meet face to face and discuss their concerns in the presence of an independent party. The NSWPF supplies trained staff from the People and Capability Command (PCC) for the purpose of conducting these sessions. On occasion, an external mediator or other person may be utilised. Commanders should liaise with the RW&SRU to assist if this is required. A Commander / Manager may request PCC's involvement in an FD by submitting a [Request for Assistance Form](#).

The purpose of an FD is for the involved parties to identify and discuss the conflict with the view to resolving the matter through agreement. The independent facilitator does not provide judgement or advice to the involved parties but facilitates the conversation to assist them in their attempts to resolve the conflict.

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An FD is a voluntary and confidential process, where parties cannot be directed or forced to participate. If they do participate, the participants are informed that their Commander will be notified by report of the nature of the discussions and any resulting agreement or undertakings achieved through the FD.

Conclusion

These procedures are intended to assist members to identify, address and manage conflict and similar issues within the workplace. Preference should be given to resolving conflict at the lowest level and as early as possible. When left unaddressed, conflict rarely goes away and often becomes worse. Commanders and Managers should foster a culture that supports staff in these endeavours.

For further advice regarding managing workplace grievances and conflict resolution contact People and Capability Command, Respectful Workplace and Safe Reporting Unit on EN 28555 / EN 26399 or #PCC-RESPECT or #SAFEREPORTING.

Appendix 1 - Relevant Legislation and Policy

See the following links for relevant legislation, policies and resources relating to grievances.

[Police Act 1990 Section 211D](#)

[Police Act 1900 Section 211F](#)

[Work Health and Safety Act 2011 Section 81](#)

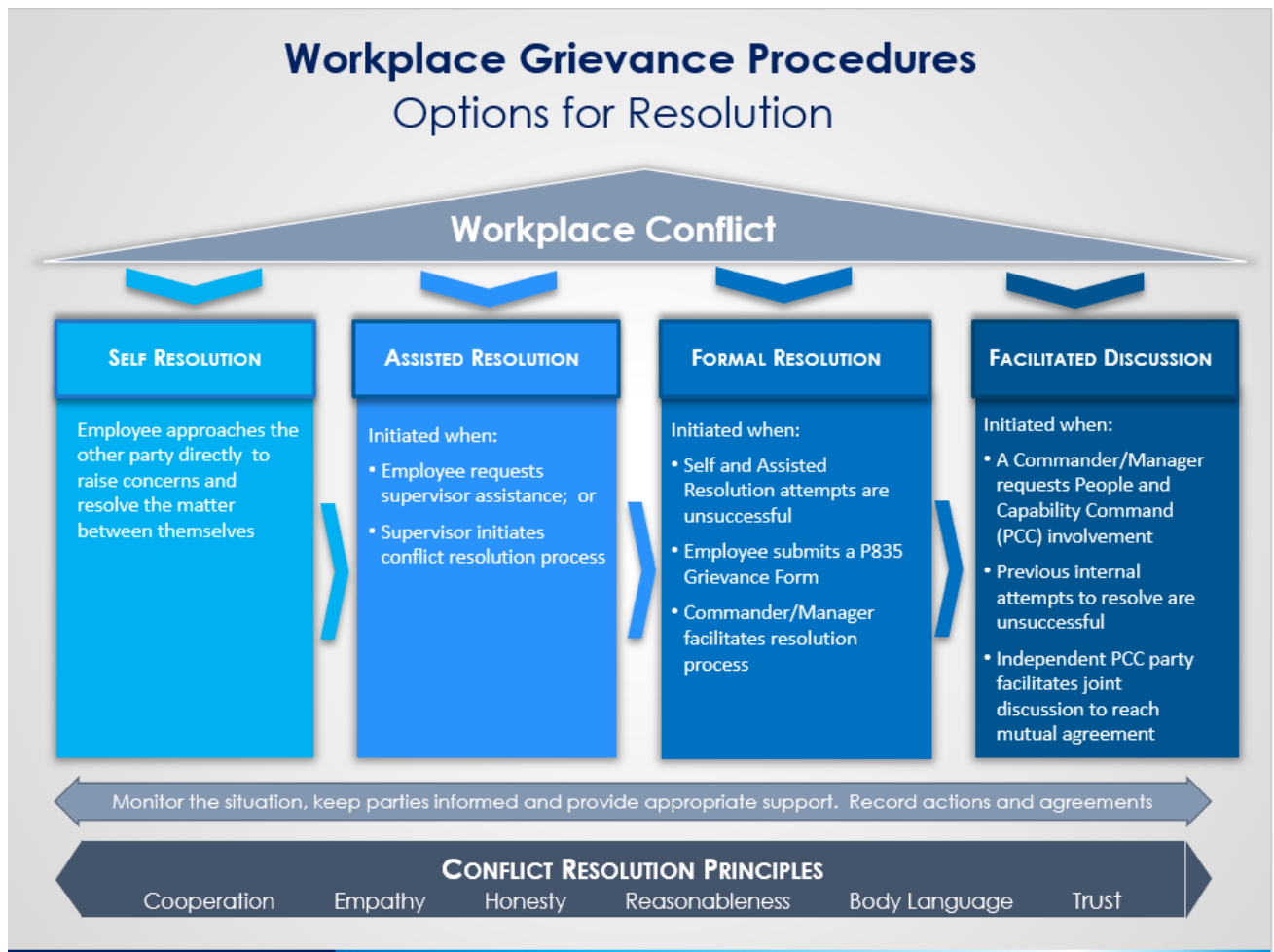
[Government Sector Employment Act 2013](#)

[NSWPF Command Wellbeing Manual](#)

[Respectful Workplaces – Supervisor Guide](#)

[NSWPF Interim Risk Management Guidelines](#)

Appendix 2 – Summary of Grievance Resolution Options





Grievance Notice

Details of affected employee

Name:

Registered / Serial Number:

Name:

Registered / Serial Number:

Details of Grievance:

- Attach additional supporting documents if appropriate

Details of actions taken to resolve grievance:

What outcomes would you like to see as a result of this grievance?

Signature:

Date:



Grievance Notice

Additional Notes:

A large, empty rectangular box intended for additional notes or comments.

All forms to be placed on the appropriate members eP-file



Grievance Outcomes

Commander or Delegate to complete page

Name: Registered / Serial Number:

Details of affected employees

Name: Registered / Serial Number:

Name: Registered / Serial Number:

Specific grievance issues

Issue	Resolved	Not Resolved
Issue 1 <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issue 2 <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issue 3 <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

Details of agreed outcomes

Outcome 1

Outcome 2

Was the grievance resolved?

YES NO

If no, outline next Steps

Signature:

Date:



Grievance Outcomes

Commander or Delegate to complete page

Details of agreed outcomes

Outcome 3

Outcome 4

Outcome 5

Outcome 6



Grievance Outcomes

Affected employee (1) to complete page

Name:

Registered / Serial Number:

Are you satisfied with the outcome/s of this grievance process?

YES

NO

Are you satisfied with the management of this matter?

YES

NO

If you answered no to either, please provide details

Signature:

Date:



Grievance Outcomes

Affected employee (2) to complete page

Name:

Registered / Serial Number:

Are you satisfied with the outcome/s of this grievance process?

YES

NO

Are you satisfied with the management of this matter?

YES

NO

If you answered no to either, please provide details

Signature:

Date:

- Each affected employee to be provided a copy of this form
- Copies of signed forms to be retained by the Command

All forms to be placed on the appropriate members eP-file