

Objective:

CODA Inc. will treat all employees with respect, recognise their skills and provide employment opportunities based on merit and in the spirit of human rights and equal opportunity.

Scope:

All CODA Inc. staff and volunteers

Responsibilities:

Every employee has a responsibility to treat all other employees with fairness, equity and respect to ensure that our work environment is free from discriminatory activities and practices. All employees are legally responsible for their own behaviour.

Process Steps:

1 Education

CODA Inc. will ensure all staff are familiar with the Equal Employment Opportunity policy and procedure and provide refresher training on updates to the Human Rights and Equal Opportunity Act.

Line managers will model appropriate behaviours and encourage staff to integrate the principles of Equal Employment Opportunity and freedom from harassment and discrimination into their everyday practice.

CODA Inc. will incorporate anti-discriminatory language in all policies, procedures and protocols. Any new staff commencing at CODA Inc. will be provided with specific education relating to anti-discrimination practices as part of their induction and orientation program.

Specific training will be provided to line managers with a responsibility to investigate and manage complaints.

Responsibilities	Links
(CO) CEO (CO) Human Resources	
(CO) House Supervisor Cass House (CO) Human Resources	
(CO) House Supervisor Jalmah (CO) Human Resources	
(CO) Outreach Coordinator	
(CO) Quality Manager - (CO) Human Resources(In Draft)	
(CO) Quality Manager (CO) Human Resources	

2 Lodging a complaint

Any staff member has the right to make a complaint if they feel they have been discriminated against or harassed by another individual. Any employee with concerns about equal opportunity should in the first instance refer the matter to their immediate supervisor or they may choose to discuss their concerns with either the Quality Manager or Chief Executive Officer, or, only if the matter concerns the Chief Executive Officer, the Chair of CODA Inc. Board. They should do so in the knowledge that their initial discussion will be handled sensitively and, to the extent possible, confidentially.

This procedure encourages the settlement of complaints internally however, staff may seek independent external advice through the Office of the Equal Opportunity Commissioner, their union representative or another advocate of their choice.

Complaints must be made as soon as possible but not later than twelve months after the alleged discrimination occurred. The matter will be investigated and advice provided to staff on how to ensure discrimination ceases.

It is advisable that the complainant make notes about their complaint prior to attending an initial meeting. These notes should include as much detail as possible, such as what occurred, date & time, what was said and how this made them feel. The complainant should also provide details of any attempts they may have made to resolve the issue, prior to attending an initial meeting.

Any Equal Employment Opportunity complaint from a person external to the agency regarding their failure to be appointed to a position due to discrimination must be directed to the Chief Executive Officer, who will respond within seven days.

3 Receiving a complaint

Having been advised of a concern CODA Inc. managers will ensure that any complaint will be dealt with quickly to achieve early resolution.

Responsibility of the line manager conducting an initial interview

The line manager will invite the complainant to attend a meeting to discuss the matter fully. This initial meeting should be conducted in an area that is confidential where a staff member can talk freely without interruption or concern of their privacy being breached. During the course of this meeting options will be provided to the complainant about the method and procedure of complaint investigation and resolution. According to the nature of each individual complaint the most suitable process will be implemented. These processes may include:

- Complainant raising the matter with the individual concerned
- Mediation
- Line Manager intervention
- Disciplinary Procedure

The line manager will advise their preferred course of action and must explain to the complainant that it will be necessary to investigate all details of their allegation. This may involve third party witnesses, however every effort will be made to treat the matter sensitively and maintain confidentiality of all concerned parties.

It is the line manager's responsibility to retain detailed notes of any conversations held in the course of any investigation.

4 Investigating a complaint and subsequent actions

Following initial discussions, a course of action will be determined. This may include, but is not limited to, one of the following:-

1. Complainant raising the matter with the individual concerned

Having received advice on how to resolve a complaint and the possible methods, the complainant may choose to raise the matter personally with the individual/s concerned. This should only occur when the complainant is confident of their capacity to undertake this in a safe, non-threatening environment and where no prior attempt has been made to address the matter with the individual/s concerned.

2. Mediation

As part of the process of resolving a complaint, managers may offer mediation between the parties concerned. This will only occur with the express permission of the complainant and is only to be used when it is considered safe to do so. This action acknowledges that in some instances an employee may not be aware that they are offending their colleague/s and where it would be a reasonable expectation that once this is explained, behaviours will be immediately corrected.

Mediation for this purpose is defined as the meeting of the parties involved, facilitated by a member of the management team. Facilitation may also be undertaken by an independent, suitably qualified and experienced facilitator at the request of either party, or the CEO.

3. Line Manager Intervention

The complainant may choose to have a line manager intervene to resolve their concern. If this is the course of action to be followed the manager will request a meeting with the alleged perpetrator and explain the purpose of their meeting in broad terms.

At the commencement of this meeting the line manager will detail the complaint and provide opportunity for a response to this, before consideration is given to resolving the issue.

4. Disciplinary Procedure

In some circumstances, where the allegation involves wilful misconduct, serious harassment or severe breaches of the organisation's code of conduct the immediate course of action may take place in the context of a disciplinary procedure. This will be determined by discussion with the Chief Executive Officer. This course of action still permits the alleged perpetrator to respond to any allegations made.

Notes of Meetings Held

It is vital that a written record is made by the line manager during the course of any investigation and resolution meetings. These notes, together with any records made by the complainant form part of the investigation and, once resolved, will be held by the Office of the Chief Executive Officer.

Following investigation of a formal complaint, if there is evidence of discrimination or harassment, actions to be taken will be discussed with the

Chief Executive Officer and implemented according to their direction.

5 Breach of Equal Employment Opportunity Policy

The perpetrator

If it is determined that a breach of policy has occurred the perpetrator will be advised of the course of action he/she must undertake to ensure discrimination or harassment ceases. Depending on the severity of the matter raised, this may take place in the context of disciplinary procedure.

The line manager must tell the perpetrator that there is to be no retribution or retribution against the complainant as a result of them having raised a concern.

The complainant

A date will be set for the line manager and complainant to meet and discuss the outcome from their initial complaint and to establish a timeframe for a subsequent meeting to review actions undertaken and monitor their effectiveness.

Review

It is important to follow up with the complainant, no later than two weeks after actions have been implemented, to check progress. Further meetings may be scheduled at the parties discretion.

If at any time any party is not satisfied with the outcome of the actions taken they have the right to discuss their concern with the Chief Executive Officer.

6 Support for staff

Where a staff member is traumatised or severely affected by discrimination or harassment that has occurred during the course of their employment with CODA Inc. the organisation will provide access to appropriate counselling services.

Internal Files/Links:

Charter of Human Rights Act 2006

CO-Information

Quality Document References:

Bullying: Policy -(CO) Human Resources

Code of Conduct - Staff: Policy -(CO) Human Resources

Cultural Diversity: Policy -(CO) Governance

Sexual Harassment Prevention: Policy -(CO) Human Resources

References to Standards and Legislation:

Equal Opp Act 2010: Equal Opportunity Act 2010

0: Equal Opportunity Act 2010

VDS Standard 7: Complaints and Disputes

7.4: Records of complaints

VDS Standard 8: Service Management

8.10.2: Orientation, induction & development

VDS Standard 8: Service Management

8.12: Incorporate policy into practice

Other Information:

This procedure should be read in conjunction with any other related documents, including the Equal Employment Opportunity Policy.

eKey

eKey

eKey

Uncontrolled Uncontrolled Uncontrolled Uncontrolled