



Individual employee grievances policy

Version: 2.0 | Version effective: 04/05/2021

Audience

Department-wide

Purpose

This policy outlines the key principles under which all individual employee grievances (grievances) will be managed and resolved by the Department of Education (the department).

This policy aligns with [Directive 11/20: Individual employee grievances](#) and is supported by the [Individual employee grievances procedure](#).

Policy statement

The department is committed to providing a positive workplace culture, where all employees have the right to lodge a grievance and have confidence that the department will address and appropriately manage and resolve all grievances thoroughly, impartially and in a timely manner.

Principles

Principle	What this means for the department
Employee Focus	<ul style="list-style-type: none"> • Every employee has a right to lodge a grievance, and not to be adversely affected by their grievance. • Every employee who lodges a grievance is treated with respect. • The department respects the confidentiality of personal information of employees who lodge a grievance. • The department manages workplace issues effectively by creating a safe environment to conduct courageous and supportive conversations.
Accessibility and Transparency	<ul style="list-style-type: none"> • The department's grievance process is free and accessible for all employees.

Principle	What this means for the department
	<ul style="list-style-type: none"> The department clearly displays information about how and where a grievance can be made on the department's website. The department provides all reasonable assistance and support to make it easy for all employees to lodge a grievance. Under the <i>Human Rights Act 2019</i> (Qld), decision makers have an obligation to act and make decisions in a way that is compatible with human rights, and when making a decision under this directive, to give proper consideration to human rights.
Responsiveness	<ul style="list-style-type: none"> Grievances are acknowledged and responded to fairly, reasonably and in a timely manner. Employees are kept informed about the progress of their grievance, and advised about the outcome reached, reasons for the department's decision, and any review options available. Grievances are recorded and tracked within the work unit responsible for managing local action, and timeframes for resolution are monitored.
Objectivity, fairness and equity	<ul style="list-style-type: none"> Grievances are managed objectively, without bias and in a way that is compatible with, and properly considers, human rights. Natural justice and procedural fairness are embedded in grievance management activities.
Accountability, continuous improvement and prevention	<ul style="list-style-type: none"> The department uses formal, documented processes to manage and resolve grievances. The department is required to proactively identify workplace issues in accordance with the principles set out in section 26(3) of the <i>Public Service Act 2008</i> (Qld). Departmental resources are regularly reviewed to ensure relevance, accuracy and effectiveness.
Staff training and support	<ul style="list-style-type: none"> Employees are supported to more effectively manage and resolve grievances received by the department. Employees are guided by Directive 11/20: Individual employee grievances and this policy.

Requirements

1. Individual employee grievance resolution system

Sections 218A(1)-(2) of the [Public Service Act 2008 \(Qld\)](#) and clause 7 of [Directive 11/20: Individual employee grievances](#) requires the department to establish and implement a system for dealing with grievances. The department's system must enable the department to:

- comply with the principles of individual employee grievance resolution as provided in clauses 4 and 8 of [Directive 11/20: Individual employee grievances](#); and
- be supported by written policies and procedures that are readily available to employees.

2. Matters that can be the subject of an individual employee grievance

This policy is specific to individual employee grievances submitted by a current public service employee who has an honest belief, based on reasonable grounds, that:

- an administrative decision, which they are aggrieved by, is unfair and unreasonable
- the conduct or behaviour of an employee, agent or contractor is unfair and unreasonable
- the conduct or behaviour of an employee, agent or contractor constitutes bullying in the workplace, sexual harassment, racial vilification, religious vilification or vilification on the grounds of gender identity or sexuality
- the conduct or behaviour of an employee is a breach of the Code of Conduct
- an act or decision is not compatible with human rights or a decision failed to give proper consideration to a relevant human right under the [Human Rights Act 2019 \(Qld\)](#).

This policy does not replace, modify or revoke any legislative requirements that apply to the management of particular types of complaints (e.g. corrupt conduct under the [Crime and Corruption Act 2001 \(Qld\)](#), public interest disclosures under the [Public Interest Disclosure Act 2010 \(Qld\)](#), or complaints under the [Human Rights Act 2019 \(Qld\)](#)).

In circumstances where a grievance constitutes a human rights complaint, the department is also required to comply with the [Human Rights Act 2019 \(Qld\)](#). The employee does not have to mention human rights in their grievance to trigger a requirement for the decision maker to consider human rights impacts. The decision maker in each step of the individual employee grievance resolution process should consider whether human rights are engaged by the grievance, whether human rights have been limited, and if so, whether the limit on human rights is reasonable and justifiable as set out in the [Human Rights Act 2019 \(Qld\)](#).

3. Matters that cannot be the subject of an individual employee grievance

The following matters are not able to be the subject of an individual employee grievance:

- a decision by an agency under Chapter 5, Part 7 of the [Public Service Act 2008 \(Qld\)](#) relating to mental and physical incapacity
- a decision made under Chapter 6, Part 2 of the [Public Service Act 2008 \(Qld\)](#) relating to discipline decisions
- a decision relating to the recruitment or selection of a public service employee

- a decision relating to a person's work performance, other than a decision about the person's work performance that is recorded in a formal way as part of a periodic performance review
- a decision relating to the resolution of a grievance under an industrial instrument, other than a decision about the outcome of a grievance
- a decision relating to the development or performance management of a chief executive or senior executive
- a work performance matter that is the subject of an existing review of a procedural matter under section 881A of the [Public Service Act 2008 \(Qld\)](#)
- an investigation, suspension or discipline process that is the subject of a current internal or external review under the [Public Service Act 2008 \(Qld\)](#) and relevant directive
- conduct or behaviour of an employee, agent or contractor, or a decision by an agency that is already the subject of an application, or which becomes the subject of an application, by the same employee to the Queensland Industrial Relations Commission (QIRC) in relation to an alleged contravention of a workplace right under Chapter 8, Part 1 (General Protections) of the [Industrial Relations Act 2016 \(Qld\)](#) (IR Act)
- conduct or behaviour of an employee, agent or contractor that is already the subject of a complaint, or which becomes the subject of a complaint, by the same employee to the QIRC in relation to alleged sexual harassment, racial vilification, religious vilification or vilification on the grounds of gender identity or sexuality under the [Anti-Discrimination Act 1991 \(Qld\)](#)
- a decision by an agency that is the subject of an existing complaint by the same employee to the Queensland Ombudsman under the [Ombudsman Act 2001 \(Qld\)](#) where the Ombudsman investigates the complaint.
- [customer complaints](#) managed in accordance with the department's [Customer Complaints Management Framework](#);
- complaints under [Education and Care Service Act 2013 \(Qld\)](#) and the Education and Care Services National Law managed in accordance with the [Early childhood education and care complaints management policy](#);
- student protection matters.

4. The department's grievance handling approach

The department must manage grievances in accordance with [Directive 11/20: Individual employee grievances](#), this policy and the [Individual employee grievance procedure](#). Under this approach, the department aims to resolve grievances promptly at the local level or the point where the grievance is received. If the aggrieved employee is dissatisfied with the outcome of their grievance and/or the way their grievance was handled, they may request an internal review. If an aggrieved employee remains dissatisfied after an internal review, they may seek an external review.

The department's approach ensures:

- grievances are managed consistently and responsively
- employees are empowered to resolve grievances promptly, effectively and efficiently.

5. Employee's rights and responsibilities

All employees:

- engage in a grievance management and resolution process in good faith, respecting the confidentiality of the process and its outcomes
- make a genuine and reasonable attempt to resolve grievances as promptly and informally as possible
- continue to undertake work as directed by a manager, principal or supervisor (except in the case of a genuine safety issue)
- have the right to be supported by a person of their choosing, and be represented by a union representative or member of a professional association
- be responsible for their workplace conduct
- must not unreasonably refuse to participate in the management of their grievance, or understand that their grievance may not proceed.

Additional responsibilities for managers, principals and supervisors:

- proactively identify and effectively manage workplace issues in accordance with the management principles set out in section 26(3) of [Public Service Act 2008 \(Qld\)](#) (PS Act)
- create a safe environment to conduct courageous and supportive conversations
- respond to, manage and resolve grievances in a manner that:
 - considers human rights and the principles of natural justice
 - protects the privacy of the employee (subject to any legal disclosure obligations, such as the requirement to provide natural justice to the subject of the grievance)
- ensure employees are aware of their entitlement to a support person, union representative or member of a professional association
- ensure employees are aware of the professional counselling services available to all employees
- deal simultaneously with multiple grievances about related matters wherever possible
- ensure all relevant records are maintained in relation to the grievance
- provide regular and timely information regarding any progress in the grievance matter to the relevant parties
- where a perceived or real conflict of interest is identified in the management of a grievance, the grievance must be referred to another appropriate officer.

6. Grievance process review

Internal Review

If the aggrieved employee is dissatisfied with the outcome of a grievance made to the department, they may request a review of the matter. The request should include the reason for the review and any new details to be considered in reviewing the matter. The request is required to be made within 14 days of the employee receiving a

copy of the decision made through local action, or a decision is taken to have been made (deemed decision) as no response has been received within 28 calendar days.

The department's [Individual employee grievances procedure](#) provides more information about the internal review process.

External Review

If the aggrieved employee remains dissatisfied with the outcome after internal review, they may wish to contact an external agency, such as the Queensland Industrial Relations Commission, Office of the Queensland Ombudsman, or Queensland Human Rights Commission to request an external review. Differing processes and timeframes apply to external review avenues.

The department's [Individual employee grievances procedure](#) provides more information about the external review process.

7. Monitoring and review of this policy

This policy will be reviewed every five years, or when relevant legislation changes occur. The review will consider feedback from employees, consultation with internal and external stakeholders (including unions), and incorporate changes in policy, legislation or organisational structure.

Definitions

Term	Definition
Administrative decision	A decision made by the department in relation to the administration of its affairs and includes the failure to make a decision within a specified timeframe where a department is required to do so.
Aggrieved employee	An employee who lodges an individual employee grievance.
Corrupt conduct	<p>Corrupt conduct has the same meaning as defined in section 15 of the Crime and Corruption Act 2001 (Qld).</p> <p>Corrupt conduct is conduct that:</p> <ul style="list-style-type: none"> • adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of a unit of administration or a person holding an appointment; and • is not honest or impartial; or involves a breach of trust (knowingly or recklessly); or involves a misuse of information; and • would, if proved, be: <ul style="list-style-type: none"> ○ a criminal offence; or ○ a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or was the holder of an appointment.

Term	Definition
Employee	Any current departmental employee whether permanent, temporary, full time, part-time or casual.
External review	A process conducted by an external review body (e.g. Queensland Industrial Relations Commission, Queensland Ombudsman or Queensland Human Rights Commission) to ensure departmental decision-making is fair, reasonable and proper.
Human rights complaint	<p>A complainant can make a human rights complaint if the department has:</p> <ul style="list-style-type: none"> • acted or made a decision in a way that is not compatible with human rights; or • failed to give proper consideration to a relevant human right when making a decision.
Individual employee grievance	<p>An individual employee grievance under the Individual employee grievances (Directive 11/20) (the directive) is a grievance made by a current public service employee who has an honest belief, based on reasonable grounds, that:</p> <ul style="list-style-type: none"> • an administrative decision, which they are aggrieved by, is unfair and unreasonable; or • the conduct or behaviour of an employee, agent or contractor is unfair and unreasonable; or • the conduct or behaviour of an employee, agent or contractor constitutes bullying in the workplace, sexual harassment, racial vilification, religious vilification or vilification on the grounds of gender identity or sexuality; • the conduct or behaviour of an employee is a breach of the Code of Conduct; or • an act or decision is not compatible with human rights or a decision failed to give proper consideration to a relevant human right under the <i>Human Rights Act 2019</i> (Qld).
Individual employee grievance resolution system	The policy, procedures, personnel and technology used by the department in receiving, recording, responding to and reporting on individual employee grievances, as defined in section 218A of the <i>Public Service Act 2008</i> (Qld).
Internal review	<p>A process conducted by appropriately trained departmental staff on request from the aggrieved employee which examines if the grievance management process for the original grievance was appropriate and/or if the outcome reached was reasonable. An internal review is not a re-investigation of the original grievance.</p> <p>The department's Individual employee grievances procedure provides more information about the internal review process.</p>

Term	Definition
Natural justice	Natural justice is a right recognised and defined by law that involves two key elements – the hearing rule (everyone is entitled to a decision by a disinterested and unbiased adjudicator), and the bias rule (the parties shall be given adequate notice of the case against them, and a right to respond)
Resolution	A grievance is resolved when the issue raised is dealt with in line with the department's individual employee grievance policy and procedure. The resolution may or may not be to the aggrieved employee's satisfaction.

Legislation

- [Public Service Act 2008 \(Qld\)](#) s218A, Chapter 5 (part 7), Chapter 6
- [Information Privacy Act 2009 \(Qld\)](#) s12
- [Industrial Relations Act 2016 \(Qld\)](#) Chapters 7 and 8
- [Public Interest Disclosure Act 2010 \(Qld\)](#)
- [Anti-Discrimination Act 1991 \(Qld\)](#)
- [Public Sector Ethics Act 1994 \(Qld\)](#)
- [Human Rights Act 2019 \(Qld\)](#)
- [Crime and Corruption Act 2001 \(Qld\)](#)
- [Age Discrimination Act 2004 \(Cwlth\)](#)
- [Disability Discrimination Act 1992 \(Cwlth\)](#)
- [Racial Discrimination Act 1975 \(Cwlth\)](#)
- [Sex Discrimination Act 1984 \(Cwlth\)](#)
- [Individual employee grievances \(Directive 11/20\)](#)

Delegations/Authorisations

- [HR Delegations Manual](#) (DoE employees only)

Policies and procedures in this group

- [Individual employee grievances procedure](#)

Supporting information for this policy

- Nil

Other resources

- [Grievance submission form](#)
- [Request for internal review form](#)
- [Code of Conduct for the Queensland Public Service](#)
- [Standard of Practice](#)
- [Preventing workplace bullying, sexual harassment and unlawful discrimination policy](#)
- [Early childhood education and care complaints management policy](#)
- [Customer complaints management policy](#)
- [Managing a public interest disclosure procedure](#)
- [Customer complaints management procedure](#)
- [Queensland Public Service Commission](#)
- [Human Rights - OnePortal](#) (DoE employees only)
- [Public Service Commission Role of Support Person Fact Sheet](#)

Contact

For further information, please contact your regional HR Business Partnering team:

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Where necessary, Regional HR should contact Employee Relations for further advice and assistance.

Employee Relations

Email: EmployeeRelations.HUMANRES@qed.qld.gov.au

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4/05/2026

Superseded versions

Previous seven years shown. Minor version updates not included.

1.0 Managing employee complaints

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