

POLICY

02:05:2002

**KENTISH COUNCIL POLICY:
PROCEDURAL FAIRNESS & NATURAL JUSTICE**

KENTISH COUNCIL

POLICY DETERMINED:

In all matters related to Human Resource policy, procedures, investigation and consultation, the organisation will seek to uphold principles of procedural fairness and natural justice. Section 170CG (3) of the Workplace Relations Act 1996 provides guidance in relation to procedural fairness when addressing matters related to employee conduct or performance.

The Act requires

- * that there be a valid reason for the matter being raised with the employee; and
- * that the employee is notified of that reason; and
- * that the employee is given an opportunity to respond to any reason related to the capacity or conduct of the employee; and
- * that the employee is advised of any matters or outcomes that may be considered by the organization in resolving the matter in question.

Natural justice principles shall be applied to all matters related to employee performance management and conduct. These principles aim to ensure that all parties have an opportunity to have a fair hearing and that each matter is resolved in light of a proper appreciation of the facts.

MOTION

That the policy be adopted.

**Minute Number:
8.a.3**

**Adopted by Council on:
November 26th 2002**