

Grievance and Complaint Management Policy

Policy Development and Management

Document Title:	Grievance and Complaint Management Policy
Policy No:	14
Date of First Issue:	March 2016
Last Review Date:	November 2017
Document Author:	Deputy Principal
Authorised By:	Principal
Next Review Date:	September 2018

Rationale

Northside Christian College operates according to Christian values and principles for behaviour that recognises the rights and responsibilities of each member of the College community. These values and principles include:

- a. The intrinsic value and worth of each person regardless of ethnicity, age, gender or ability.
- b. The responsibility of each person to seek to live in peace and harmony with others, in accordance with the code of conduct and rules that define the College community's expectations.
- c. The right of each person to procedural fairness where offense, harassment or any other kind of dispute causes conflict between two persons. Procedural fairness includes the right to a fair hearing, opportunity to express the effect of the offense upon them, an opportunity to respond to allegations, the right to a just and appropriate judgement, and the right of appeal where justice is deemed not to have been served, according to the person's perception.
- d. The responsibility of each person to accept the verdict or decision of the person in authority where the above principles have been observed and to seek ongoing restoration of relationship/s.

Aims

The College highly values positive, peaceful relationships between all its members and visitors. Staff seek to act according to policies and procedures designed to promote positive relationships and full and clear communication. We recognise that from time to time conflict or discord arises between people. This Policy seeks to provide a way for an aggrieved person to lodge a complaint and for such a complaint to be resolved in a timely, respectful way, so that good relationships can be restored and enhanced.

Policy

Northside Christian College places a high value on sustaining relationships within the community that are characterised by justice, respect compassion, honesty, trust, humility, integrity and grace. When a parent has a grievance or concern in respect of operational matters (the day-to-day operations and management of the College), the College has a clear procedure whereby such issues should be raised and addressed.

Do your best to preserve the unity which the Spirit gives by means of the peace that binds you together. (Ephesians 4:3)

If a fellow believer hurts you, go and tell him – work it out between the two of you. If he listens, you've made a friend. If he won't listen, take one or two others along ... and try again. (Matthew 18:15-16)

Implementation

- Our College prides itself on clear, consultative and open communication.
- While we accept our responsibility to consult, and to communicate both clearly and effectively with the community, community members also have an obligation to read notices and newsletters, to attend briefings, and to seek clarification when required.

- There may, however, still be times when members of the community disagree or are confused about the things that we are doing.
- It is essential that the established process as outlined below is followed to resolve grievances.

Principles in dealing with conflict in the school community

Grievances must always be dealt with under the principles of Procedural Fairness, which means that the complainant has the right to be heard and the right to receive an impartial decision.

The following principles will be employed when dealing with more serious conflict:

1. Presumption of innocence until proven guilty.
2. Confidentiality
3. Allegations stated clearly in writing.
4. Affected parties made aware of allegations.
5. President of the Committee of Management made aware of formal grievance matters. Other agencies e.g. CSA, ISV, VIT, VCAA, Police, Ombudsman, Workcover, may be informed if appropriate. The College administration will cooperate fully with Government departments and other agencies in the resolution of grievances.
6. Opportunity for response by the affected parties.
7. Evidence collected impartially.
8. Processes will take into consideration College policies and appropriate Government legislation.
9. Witnesses present at formal meetings.
10. Minutes kept of all formal meetings.
11. Conclusions made as quickly as possible after weighing up evidence.
12. Affected parties will be made aware of the result of the investigation as soon as possible.

Students with a Disability

Students with disabilities have rights under the Disability Discrimination Act 1992 (Commonwealth), the Disability Standards for Education 2005 (Commonwealth) and the Equal Opportunity Act 2010 (Victoria) to access their education on the same basis as their peers, including the right to reasonable adjustments.

As with all complaints to which this policy applies, parents and guardians should raise any concerns or complaints regarding the treatment of a student with a disability with the appropriate teacher at the College in the first instance. The Principal or Deputy Principal can also provide advice to parents when they are seeking to raise a concern or make a complaint to the College.

The College also recognises that parents of students with a disability can raise complaints or concerns regarding a student with a disability in a number of forums, including:

- the Australian Human Rights Commission - in relation to complaints regarding compliance with the Disability Discrimination Act or the Disability Standards for Education
- the Victorian Equal Opportunity and Human Rights Commission - in relation to complaints regarding compliance with the Equal Opportunity Act

Consideration for persons of Aboriginal Background, Culturally, Family Diverse or Linguistically Diverse Background, or with a Disability

The College respects the diversity of the school and wider community and understands that a range of issues may affect a complainant which means the College needs to make allowances for or provide assistance with the process as set out in this policy. For example, an interpreter may be required to ensure that facts are accurate and the exchange of information is fairly represented. The College will endeavour to honour due diligence in this area and make every effort to accommodate diverse needs to ensure equality of process.

Records

Where the matter becomes a formal complaint, it is expected that all parties, including the College, shall maintain documentary records of meetings, correspondence, steps taken to resolve a matter etc. dealt with under these guidelines. At this time, parties involved should be asked for background information, and notes will be taken of the information furnished. Furthermore, any records, once the formal complaint is resolved, will be kept securely and confidentially in a file established for the purpose by the Principal, but not in the staff member's personal file.

Confidentiality

The person handling the grievance has a responsibility for ensuring all parties involved in the grievance process understand the importance of confidentiality under the Privacy Act and that information is not divulged to third parties who are not directly involved in the meeting / grievance. Information on relevant files may be subject to applications for disclosure under the Freedom of Information Act 1982.

Timeframe

The timeframe for the investigation should be determined once the scope has been defined, and should be carried out as swiftly as possible without constraining its' thoroughness. This should normally be within three weeks.

Forms

Forms for making a complaint and noting a grievance can be accessed from either the Receptionist or from the College website.

Appeals Process

If a student or parent / guardian is dissatisfied with the resolution of a complaint, they are able to make an appeal to the Principal in writing. Appeals will be acknowledged within 24 hours and a meeting time will be set to discuss the matter further.

The Principal will take no more than three working days to investigate and reach a resolution to an appeal. When a decision is made, a meeting will be held to communicate that decision to the complainant.

If the complaint is against the Principal, the appeal should be made to the President of the Committee of Management in writing.

Northside Christian College is committed to resolving issues and takes appeals seriously. The College is committed to ensuring that an appeal is dealt with in a clear, prompt, confidential and fair manner.

Grievance / Complaint Resolved

A complaint is considered to be resolved when the complainant and the College agree on an appropriate response or remedy. Possible responses and remedies could include:

- an explanation
- an acknowledgement of each other's perspective and agreement on ways to manage differences
- an apology or expression of regret
- an admission of fault
- a change of decision
- a change of policy, procedure or practice
- agreement on what constitutes acceptable behavior
- an undertaking that unacceptable behavior will change
- the provision of counselling or other support.

Remedies should be implemented as soon as possible.

Complaint Dismissed

A complaint can only be dismissed:

- after it has been investigated
- if an investigation has determined that the complaint cannot be substantiated.

Grievance Procedures for Student Matters

Stage 1

If the matter involves your child or an issue of everyday class operation, make an appointment to see their classroom teacher, detailing the reasons for the appointment. In most instances, a parent should raise the issue with the teacher or teachers directly concerned. *(An email may be appropriate; if not, an appointment should be made.)*

Grievances brought by a student against another student will be dealt with in accordance with the College's Behaviour Management Policy.

An appointment should be made with the Principal or Deputy Principal to discuss issues involving College policy, operations beyond your student's classroom, concerns about staff, or grievances that are probably not easily resolved.

Stage 2

Where Stage One is not appropriate or a parent is not satisfied with the response at Stage One, the parent should take the matter to:

- The Director of Learning
- Deputy Principal or
- The Principal

Stage 3

If a parent is not satisfied with the determination of the Principal, the matter may be referred in writing to the Secretary of the Committee of Management.

The role of the Committee of Management in the day-to-day operational matters is to ensure that concerns or issues have been handled in accordance with policy and procedure.

All grievances are to be kept confidential.

All formal discussions and processes involving grievances will be documented.

The Principal and Committee of Management President will exercise his/her judgement as to whether or not they will act upon anonymous complaints.

Grievance Against the Principal

Contact between the Principal and the Complainant would not occur (except in an exceptional circumstance) and the Deputy Principal / Head of Secondary School would assume responsibility for College communication with the complainant.

The Principal will inform the President of the Committee of Management of the complaint.

The role of the President of the Committee of Management is to:

- (a) Ensure the Committee of Management is properly briefed and the individual members of the Committee adhere to the mutually agreed guidelines.
- (b) Ensure the Principal is afforded natural justice and the guidelines for the role of the Committee are adhered to.
- (c) Be responsible for controlling the publicity and communication to the College community when the complaint is filed and concluded.

The role of the Committee of Management is to ensure correct processes are observed along mutually agreed guidelines.

Informal Process for a Grievance Against the Principal

Steps involved in an informal procedure

- The person making the complaint approaches the Deputy Principal / Head of Secondary School to deal with grievances to discuss the matter. If there is a conflict of interest, the Director of Primary School may oversee the grievance.
- The Deputy Principal needs to obtain as much information as possible, evaluate the grievance / complaint and explore options for resolution.
- The person making the complaint should be advised of his or her right to submit a formal grievance if he or she is not satisfied with the decision and outcome of the informal process.

Formal Process for a Grievance Against the Principal

If the informal process, as documented, fails, then the Principal will inform the President of the Committee of Management and a mutually agreeable independent investigator will be appointed. The investigation will include interviews with the complainant and the respondent, and if necessary with witnesses called by either party.

For the purposes of this policy, the independent investigator's decision will be final. Either party always has the right to pursue other avenues.

Following the Independent Investigator's Report, the Committee of Management will determine the consequences for the Principal. This may range from 'no case to answer' to dismissal. The Committee of Management should notify the Principal. This correspondence will include the follow-up process to be undertaken, if any.

Steps involved in a formal procedure

- If informal discussions fail to resolve a grievance / dispute, a **formal complaint** is made in writing to the independent investigator designated to deal with formal grievances.

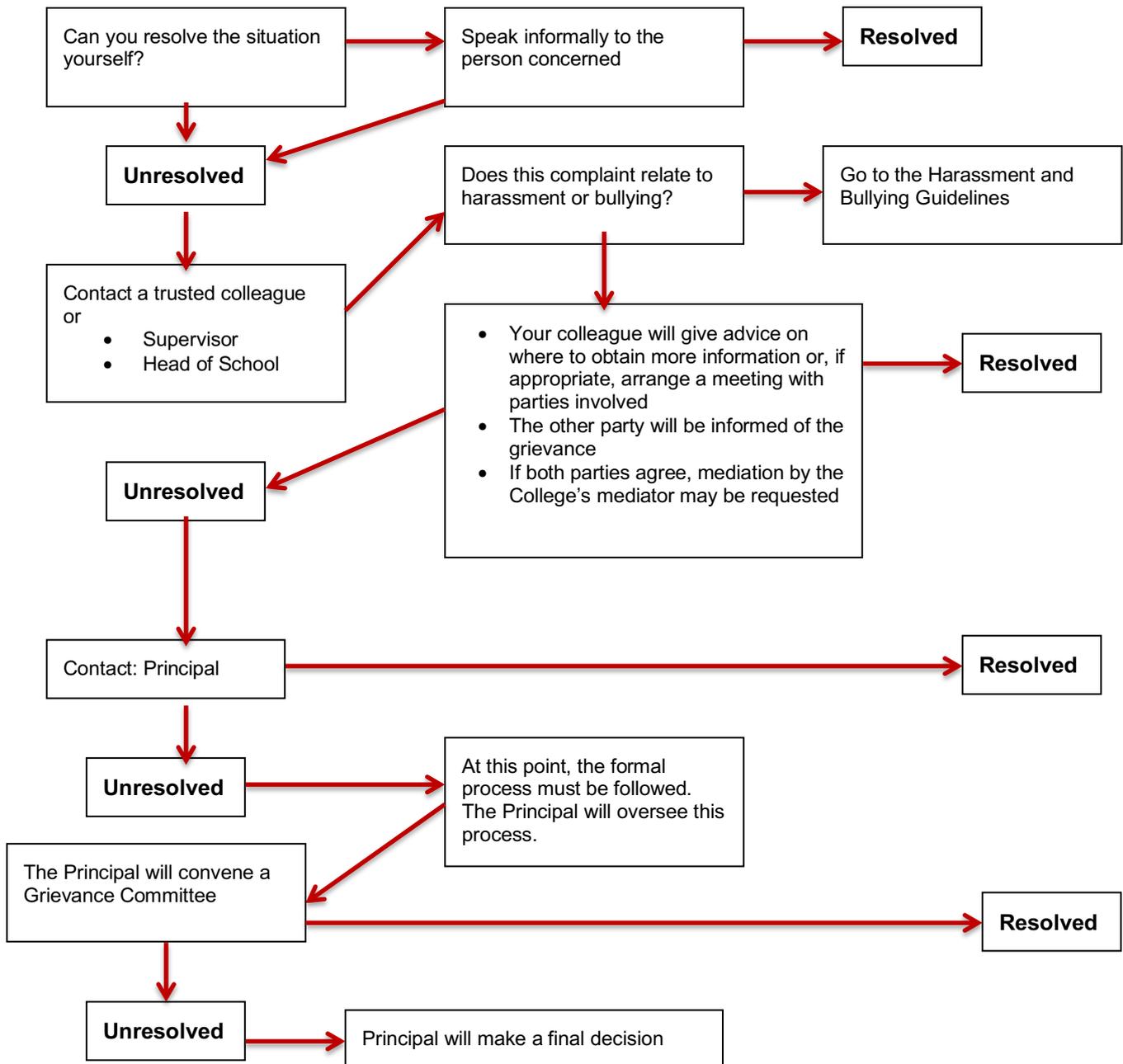
- The complainant must set out all the details of the grievance or dispute. The grievant will **state** the exact nature of the grievance, against whom it is filed, and the remedy sought.
- The person designated to deal with the complaint, **attempts to resolve** the matter with the complainant.
- **Inform** the Principal in writing, explaining the reason for the grievance and provide the Principal with an opportunity to prepare a response.
- The independent investigator will gather the **facts** - the allegation and evidence.
- The independent investigator will summarise the discussion and **adjourn** to make any further investigations necessary to reach a decision.
- Encourage suggestions to help **overcome the problem**. The independent investigator shall arrange for one or more meetings with the relevant parties in an effort to resolve the grievance.
- Summarise the discussion and **adjourn** to make any further investigations necessary to reach a decision.
- Inform the Principal and the Committee of Management President of the **outcome** as soon as possible in writing.
- The Committee of Management will consider how serious the offence is, what **action** it merits and any steps which could be taken to improve the situation.

Recommended Process for Resolving Grievances – Staff

Northside Christian College is committed to providing effective mechanisms for dispute resolution for its employees, students, parents of the College, members of the community and other bodies associated with the College and its functions.

Advice on how to proceed can be obtained from the Principal. A complainant may proceed straight to a formal complaint at any stage if the issue is sufficiently serious or is not resolved to the satisfaction of the aggrieved person.

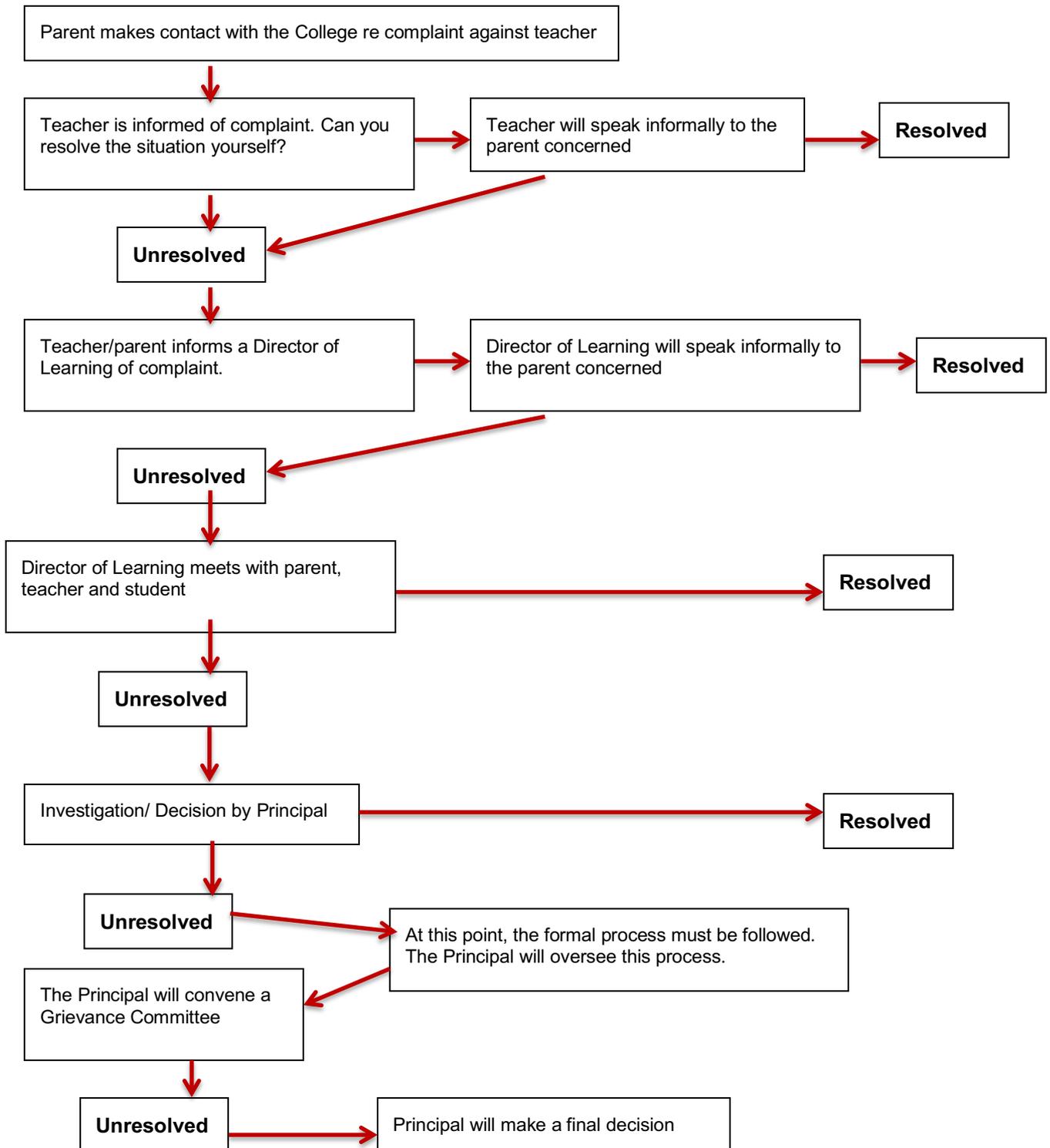
A Formal Grievance must be given in writing to the Principal.



Recommended Process for Resolving Grievances – Parents

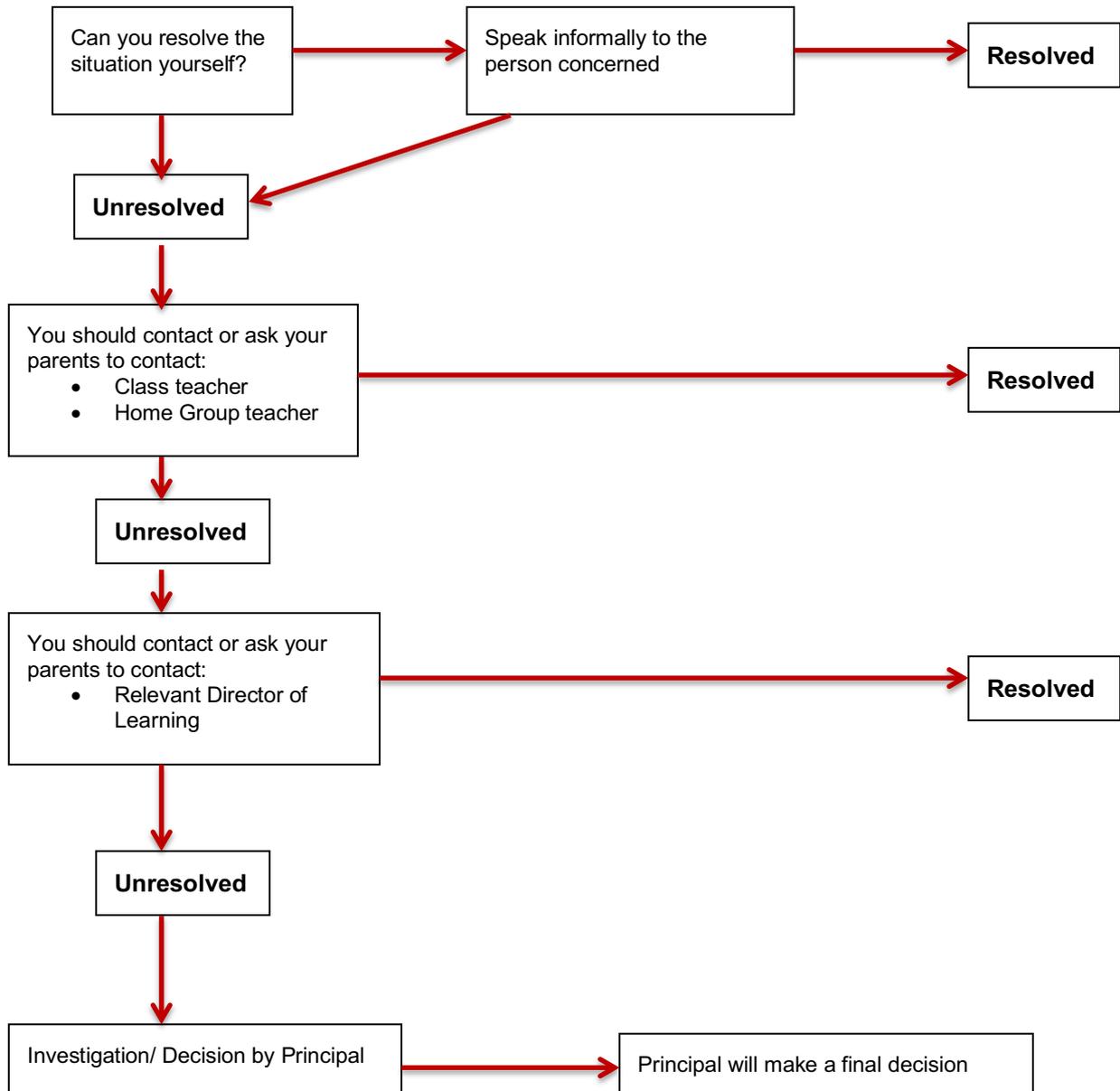
Northside Christian College is committed to providing effective mechanisms for dispute resolution for its employees, students, parents of the College, members of the community and other bodies associated with the College and its functions.

It is recommended that in the first instance parents make contact with the teacher concerned. At all stages the teacher will be kept informed.



Recommended Process for Resolving Grievances – Students

Northside Christian College is committed to providing effective mechanisms for dispute resolution for its employees, students, parents of the College, members of the community and other bodies associated with the College and its functions.



Responsibilities

Principal The Principal will ensure the policy is in place and will participate as necessary in investigations or reporting.

Teachers / Staff Staff at the College will respond to complaints and / or report as required

Parents Parents and carers will lodge concerns or complaints as stated in the policy.

Students Students will lodge concerns or complains as stated in the policy.

Committee of Management President

The role of the President of the Committee of Management is to:

- (a) Ensure the Committee Management is properly briefed and the individual members of the Committee adhere to the mutually agreed guidelines.
- (b) Ensure the Principal is afforded natural justice and the guidelines for the role of the Committee of Management are adhered to.
- (c) Be responsible for controlling the publicity and communication to the whole school body when the complaint is filed and concluded.

Committee of Management

The role of the Committee of Management is to ensure correct processes are observed along mutually agreed guidelines.

Evaluation

This policy will be reviewed as part of the school's three-year review cycle.

Related Policies

Behaviour Management Policy
Child Safety Policy
Pastoral Care Policy
Student Anti-Harassment and Bullying Policy
Sexual Harassment Policy
Workplace Bullying Policy

Related Legislation

Education and Training Reform Act 2006
Education and Training Reform Regulations 2007
Charter of Human Rights and Responsibilities Act 2006
Protected Disclosure Act 2012
Privacy and Data Protection Act 2014
Equal Opportunity Act 2010
Wrongs Act 1958

Related Code of Conducts

Northside Christian College Child Safety Code of Conduct (January 2017)

The Victorian Teaching Profession Code of Conduct (June 2008)

National School Chaplaincy & Student Welfare Program Code of Conduct for School Chaplains / Student Welfare Workers (February 2012)

Document History

- Policy reviewed and approved by the Committee of Management in March 2016.
- Document updated by Deputy Principal in February 2017.

References

Department of Education and Training. (2009, April). *Addressing parents' concerns and complaints effectively: policy and guides*. Retrieved from <http://www.education.vic.gov.au/Documents/school/principals/community/addressparentsconcern.pdf>.

Department of Education and Training. (2016, September). *Parent complaints policy (interim): Resolving parent issues and concerns*. Retrieved from <http://www.education.vic.gov.au/Documents/school/principals/spag/community/policyparentsconcerns.pdf>.