



<b>Policy Title</b>	Grievance / Complaint Resolution Policy
<b>Date Policy Approved</b>	July 2015 (Reviewed 2018)
<b>Policy Owner &amp; Position</b>	Principals (Ulverstone and Burnie)
<b>Team Responsible for Policy</b>	Principals
<b>Authorised by</b>	Board
<b>Who is the Policy for?</b>	Staff, students, parents <sup>1</sup> and community
<b>Version Control</b>	Version 3
<b>Statutory/Legislative Requirement</b>	<ul style="list-style-type: none"> <li>• Privacy Act</li> <li>• Discrimination Act</li> </ul>
<b>Relevant cross references</b>	<ul style="list-style-type: none"> <li>• Anti-discrimination, Anti-harassment &amp; Workplace Bullying Policy</li> <li>• Student Bullying Prevention Policy (Anti Bullying)</li> <li>• Code of Conduct - Staff and Students</li> <li>• Statement of Faith</li> <li>• Duty of Care</li> <li>• Student Welfare and Pastoral Care Policy</li> <li>• Agreeing and Disagreeing in Love</li> </ul>
<b>Include during Induction</b>	Yes
<b>Review Date</b>	2019

<b>Purpose of the Policy</b>	<p>1.1 Prescribe fair and consistent procedures to resolve grievances in the School Community.</p> <p>1.2 Ensure that grievances and disputes are resolved in a timely manner and, where possible, between the persons concerned.</p> <p>1.3 Ensure that the Principal is alerted to any grievance discussions that might affect the safety and care of students or may potentially have legal or moral implications.</p> <p>1.4 Ensure all members of the School Community are aware of Association policies for responding to conflict.</p> <p>1.5 Ensure that our processes comply with the relevant sections of Awards and the Privacy Act.</p> <p>1.6 Ensure that our response to grievances within the School Community is consistent with our Christian approach.</p>
<b>Biblical Basis</b>	<p>Leighland Christian School is committed to building a strong Christian focused community, ensuring a harmonious, fair, just, working and learning environment. We acknowledge the wisdom of Scripture as advanced by the following references taken from</p>

	<p>the New International Version of the Holy Bible.</p> <p>Matthew 5:23-44 Therefore, if you are offering your gift at the altar and there remember that your brother has something against you, leave your gift there in front of the altar. First go and be reconciled to your brother; then come and offer your gift.</p> <p>Colossians 3:23-24 Whatever you do, work at it with all your heart, as working for the Lord, not for men, since you know that you will receive an inheritance from the Lord as a reward. It is the Lord Jesus Christ you are serving.</p> <p>Ephesians 5:21 Submit to one another out of reverence for Christ.</p> <p>Matthew 18:15-17 If, your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that every matter may be established by the testimony of two or three witnesses. If he refuses to listen to them, tell it to the church and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector.</p> <p>Matthew 18:21-22 Then Peter came to Jesus and asked, “Lord, how many times shall I forgive my brother when he sins against me? Up to seven times?” Jesus answered, “I tell you, not seven times, but seventy-seven times.”</p> <p>Matthew 6:14-15 For if you forgive men when they sin against you, your heavenly Father will also forgive you. But if you do not forgive men their sins, your Father will not forgive your sins.</p> <p>Staff, students, parents<sup>1</sup> and community will have access to processes that allow for grievances to be resolved.</p> <p>All grievances will be dealt with in a supportive environment without victimisation or intimidation of anyone connected with the grievance either during or subsequent to a grievance resolution procedure.</p>
<p>Recommended process for resolving grievances</p>	<p>This document outlines steps to be taken by:</p> <ul style="list-style-type: none"> <li>- Staff</li> <li>- Parents<sup>1</sup></li> <li>- Students</li> <li>- Members of the Community</li> </ul> <p>A copy of the Grievance / Complaint Resolution Policy will be given to the complainants as soon as a grievance is reported to the School.</p> <p><b>1. Step 1 Informal Process</b></p> <p>As a first step, informal and private attempts at resolution or reconciliation should be undertaken between the parties concerned in accordance with Matthew 5:24, “... <i>first go and be</i></p>

*reconciled to your brother; then come and offer your gift.”*

- 1.1 When differences first become evident, reconciliation is sought through **private and informal steps** involving the parties concerned. No official record is kept of these discussions but both parties are urged to keep diary notes of the event with a précis of the matters discussed and any agreements reached.
- 1.2 This step may be repeated any number of times until it becomes clear that resolution will not be reached.
- 1.3 Depending on the parties involved, the next senior person in the chain of command is to be advised if it is clear that a resolution cannot be reached.

## **2. Step 2 Formal Process**

- 2.1 Either party to the grievance may initiate **formal discussions and/or counselling** if not satisfied with the outcomes of the informal discussions.
- 2.2 Records are kept of these discussions, including any commitments or undertakings given. Both parties are encouraged to sign and keep a common record of discussions. The pro-forma at attachment B may be used.
- 2.3 The Board Executive must be notified by each party that a formal discussion phase is about to be initiated before formal discussions are entered into, thereby providing the opportunity for early intervention of the issue.
- 2.4 Following this stage, the person with the grievance or the person the grievance is against may involve a third person for support. Apart from this person, the discussion remains confidential between the parties involved.
- 2.5 Where a mediator is involved, that person will be independent and acceptable to both parties.
- 2.6 As a matter of courtesy, depending on the parties involved, the next senior person in the chain of command is to be informed of progress toward resolution, although not necessarily the details of the discussions.
- 2.7 This step may be repeated if it appears reconciliation or resolution may be reached.
- 2.8 Following this stage, the person with the grievance or the person the grievance is against may involve a third person for support. Apart from this person, the discussion remains confidential between the parties involved.
- 2.9 Where a mediator is involved, that person will be

independent and acceptable to both parties.

2.10 As a matter of courtesy, depending on the parties involved, the next senior person in the chain of command is to be informed of progress toward resolution, although not necessarily the details of the discussions.

2.11 This step may be repeated if it appears reconciliation or resolution may be reached.

### **3. Step 3 Formal Mediation**

3.1 Where a dispute cannot be resolved as above, formal mediation is used in an attempt to resolve the matter.

3.2 Any party to the dispute may initiate step three, particularly if it becomes clear that a resolution cannot be reached by other means.

3.3 An independent person, trusted and accepted by both parties, is asked to mediate in the dispute and document points of agreement and disagreement.

3.4 Where relevant, ie the grievance is with a Board member or an employee of the Association, the mediator will also report to the Board.

3.5 It is expected that both parties at this stage are committed to reaching a resolution and would therefore, generally comply with any reasonable recommendations of the mediator.

3.6 Records are kept of these discussions, including any commitments or undertakings given. Both parties are encouraged to sign and keep a common record of discussions. The pro-forma at attachment B may be used.

3.7 As a matter of courtesy, depending on the parties involved, the next senior person in the chain of command is to be informed of progress toward resolution, although not necessarily the details of the discussions.

3.8 This step may be repeated if it appears reconciliation or resolution may be reached.

### **Step 4 External Arbitration**

Where mediation has not succeeded, or in cases where matters relating to Employment conditions are concerned, the final recourse is to external Arbitration. At any stage the complainant can seek recourse to appropriate legal means at their own expense. The solution is then no longer in the hands of the complainants or the School.

#### **a) *for student grievances***

Complainants may refer grievances to a teacher in the first instance. If the complainant prefers, their grievance may be submitted in writing to the teacher. Upon receipt of the grievance, the teacher will assess the situation and organise to

meet with the complainant and/or other parties involved, to resolve the situation as quickly as possible in an informal manner. The complainant may request that a support person of their choosing accompanies them to any meeting regarding their grievance.

The teacher may determine if other members of the School community need to be consulted, such as parents<sup>1</sup>, chaplain, counsellor or other independent experts. Mediation may need to be facilitated in some cases as a result of this consultation.

At the conclusion of the grievance resolution process, both parties in the dispute will be asked if the matter has been satisfactorily resolved. If not, the complainant may refer the matter to Senior Staff and/or the Principal for further discussion/resolution.

**b) *for grievances of staff, parents<sup>1</sup> and members of the community.***

The complainant must refer the grievance to the Principal in writing.

Upon receipt of the grievance, the Principal will:

- ensure that the person against whom the complaint is made is informed and given reasonable time to respond.
- organise to meet with the complainant and/or other parties involved to resolve the situation as quickly as possible.

Both parties may request that a support person of their choosing accompanies them to any meeting regarding their grievance.

If the complainant is not satisfied with the result or handling of their grievance by Leighland staff, the complainant may submit a formal complaint to the President of the Leighland Board.

All meetings, discussions and outcomes will be documented and given a copy given to the complainant in writing. In the case of a student complainant, a copy will also be placed on the student's file.

**c) *for grievances against the Principal***

The complainant may refer the grievance to the President of the Board in writing.

Contact between the Principal and the Complainant would not occur (except in an exceptional circumstance) and the Board President would assume responsibility for school communication with the complainant.

The role of the President of the School Board is to:

- ensure the School Board is properly briefed and the individual members of the Board adhere to the mutually agreed guidelines.
- ensure the Principal is accorded natural justice and the guidelines for the role of the Board are adhered to.
- be responsible for controlling the publicity and

communication to the whole school body, if required, when the complaint is filed and concluded.

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

Upon receipt of the grievance, the President of the Board will:

- ensure that the Principal is informed and given reasonable time to respond.
- organise to meet with the complainant and/or other parties involved to resolve the situation as quickly as possible.

Both parties may request that a support person of their choosing accompanies them to any meeting regarding their grievance.

**d) *Records***

Where the matter enters a formal process, it is expected that all parties, including the School, shall maintain documentary records of meetings, correspondence and steps taken to resolve the matter under these guidelines. Furthermore, any records, once the formal complaint is resolved, will be kept securely and confidentially in the Complaints Register.

- i. Full reports will be completed for all but Step One of the Grievance Response Process - the pro-forma at attachment B may be used.
- ii. Where a grievance involves a staff member or a volunteer, a full record will be kept of the steps taken. The Board will be kept informed of the progress made toward resolution although not necessarily the details of the discussions.
- iii. Each person involved should keep their own informal records during Step One of the process. The use of diary notes is recommended. Parties may keep more complete records of these discussions for their own use.

**e) *Natural Justice***

Both individuals who are the subject of a complaint and individuals making complaints have the right to be afforded natural justice.

A person who is the subject of a complaint has the right to:

- be informed of the nature of the allegations in the first instance
- respond to the allegations
- an impartial hearing, and fair and equitable treatment
- an understanding that all reasonable care will be taken to ensure the matter is handled confidentially
- engage the person or organisation of their choice to provide assistance and support throughout the course of the matter (eg assisting with the preparation of responses, representation, accompanying to meetings, etc) at their own

	<p>cost.</p> <ul style="list-style-type: none"> <li>• access to any documentation to be relied on by any person in the hearing relating to the complaint (including the person hearing the complaint)</li> </ul> <p>A person making a complaint has the right to:</p> <ul style="list-style-type: none"> <li>• an understanding that all reasonable care will be taken to ensure the matter is handled confidentially</li> <li>• an impartial hearing, respect, and fair and equitable treatment</li> <li>• engage the person or organisation of their choice to provide assistance and support throughout the course of the matter at their own cost, access to any documentation to be relied on by any person in the hearing relating to the complaint (including the person hearing the complaint).</li> </ul>
<p>Roles &amp; Responsibilities</p>	<p>All persons, including students, parents &amp; volunteers are responsible for:</p> <ol style="list-style-type: none"> <li>i. Applying Biblical principles in their dealings with each other and those in authority over them.</li> <li>ii. Alerting the Principal if the grievance discussion they have had with any person responsible for the care of children concerns actions that might have a negative impact on the safety and wellbeing of children.</li> </ol> <p>Staff Members are responsible for:</p> <ol style="list-style-type: none"> <li>iii. Taking steps to resolve disagreements or disputes as quickly as possible by initiating discussions in the Grievance Response process.</li> <li>iv. Following the steps outlined in this policy, and/or allowing them to be followed.</li> <li>v. Alerting the Principal if the grievance discussion they have had with a colleague concerns actions that might have a negative impact on the safety and wellbeing of students and/or if it reflects on the fitness of that person to be a teacher.</li> </ol>
<p>Publication and Accessibility to Policy</p>	<ul style="list-style-type: none"> <li>✓ Provided to any complainant as soon as possible</li> <li>✓ Included in Induction Course</li> <li>✓ Available on School Website</li> <li>✓ Copies provided to preferred suppliers</li> <li>✓ Annually reviewed with all staff</li> <li>✓ Shared with students (K-12) on their level of understanding</li> </ul>

# 1 Parents, Carers or Guardians

## Attachment A

### Grievance Response Process Summary

#### Step 1 Informal Discussions

Informal and private attempts at resolution or reconciliation between the parties concerned. If the matter is resolved, no further action is needed.

#### Step 2 Formal Discussion

Board executive must be notified. Formal discussions held and a record kept. Others may be involved for support or as informal mediators. If resolved, no further action.

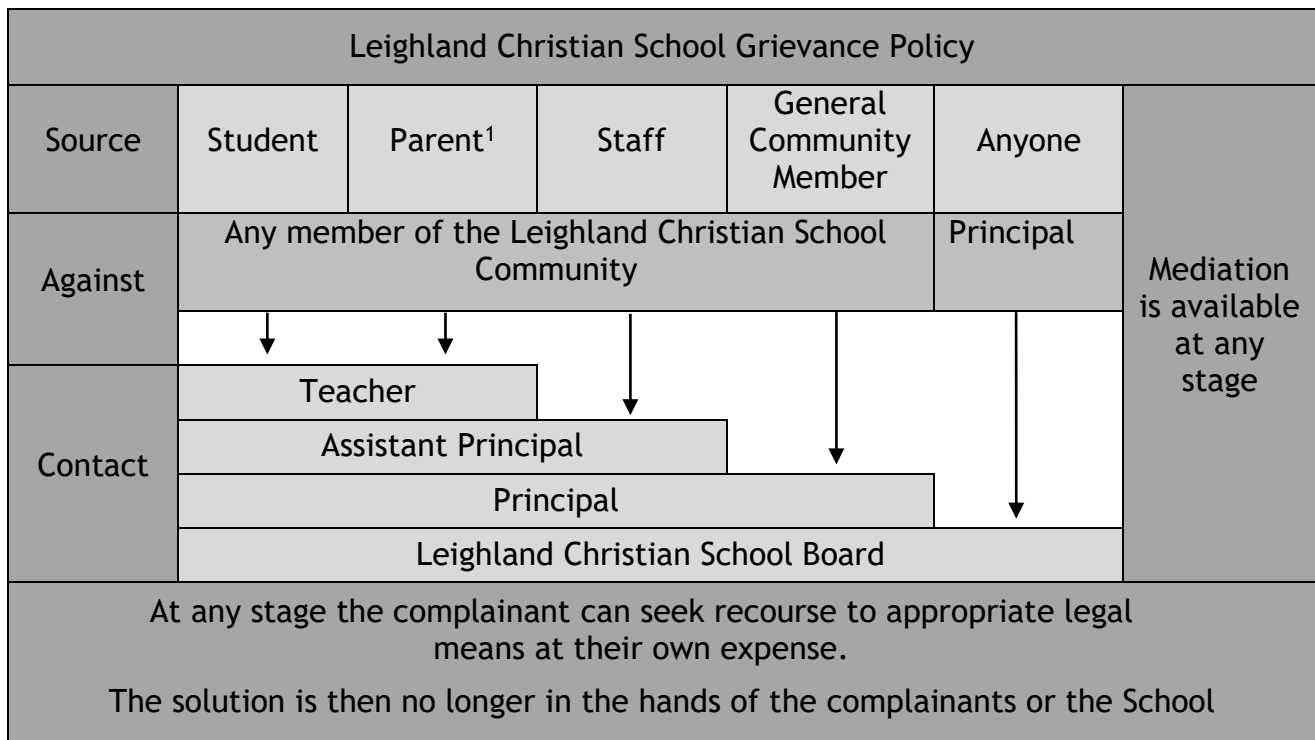
#### Step 3 Formal Mediation

Agreed mediator listens to both sides and documents points of agreement and disagreement. Seeks reconciliation or a solution acceptable to both. If agreement reached, no further action.

The Board is kept informed of progress.

#### Step 4 External Arbitration

Through the courts in civil matters, or the Fair Work Commission in the staffing matters. The solution is no longer in the hands of the disputants.





## Attachment B Grievance / Complaint Form - Confidential

### Attachment B - Record of Grievance

- This form may be used to record discussions held in connection with the Association's Grievance Response Policy. A summary of these processes is included on the back page of this form. Please refer to the full policy document for further detail or to be able to appreciate the "spirit" of the policy.
- Where a record is being kept of the grievance resolution process, the report should be completed jointly and signed by all parties.
- The contents of this Record of Grievance are confidential

#### Details

Time: \_\_\_\_\_

Date: \_\_\_\_\_

Place: \_\_\_\_\_

Present: (name & position): \_\_\_\_\_

Present: (name & position): \_\_\_\_\_

Present: (name & position): \_\_\_\_\_

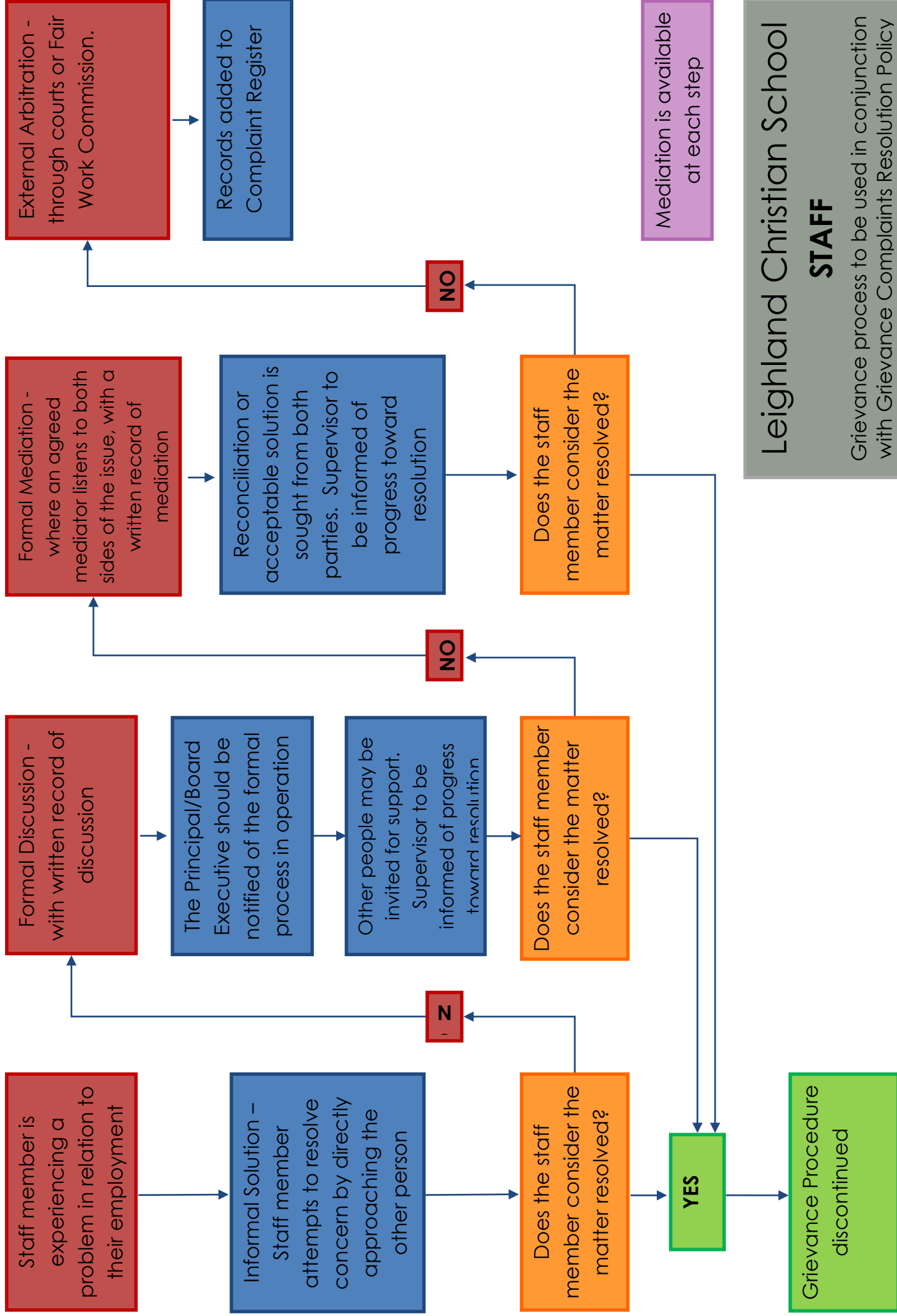
#### Nature of Disagreement

Can you agree on the nature of the disagreement and probable causes and list them here?

## School Use Complaint Log

Logged: Entry date _____	Acknowledgement sent: _____
Number: _____	Referred for further action: _____
	Filed: _____

1 Parents, Carers or Guardians



External Arbitration - through courts or Fair Work Commission.

Records added to Complaint Register

Mediation is available at each step

**Leighland Christian School**  
**STAFF**  
 Grievance process to be used in conjunction with Grievance Complaints Resolution Policy

Formal Mediation - where an agreed mediator listens to both sides of the issue, with a written record of mediation

Reconciliation or acceptable solution is sought from both parties. Supervisor to be informed of progress toward resolution

Does the staff member consider the matter resolved?

NO

Formal Discussion - with written record of discussion

The Principal/Board Executive should be notified of the formal process in operation

Other people may be invited for support. Supervisor to be informed of progress toward resolution

Does the staff member consider the matter resolved?

NO

Staff member is experiencing a problem in relation to their employment

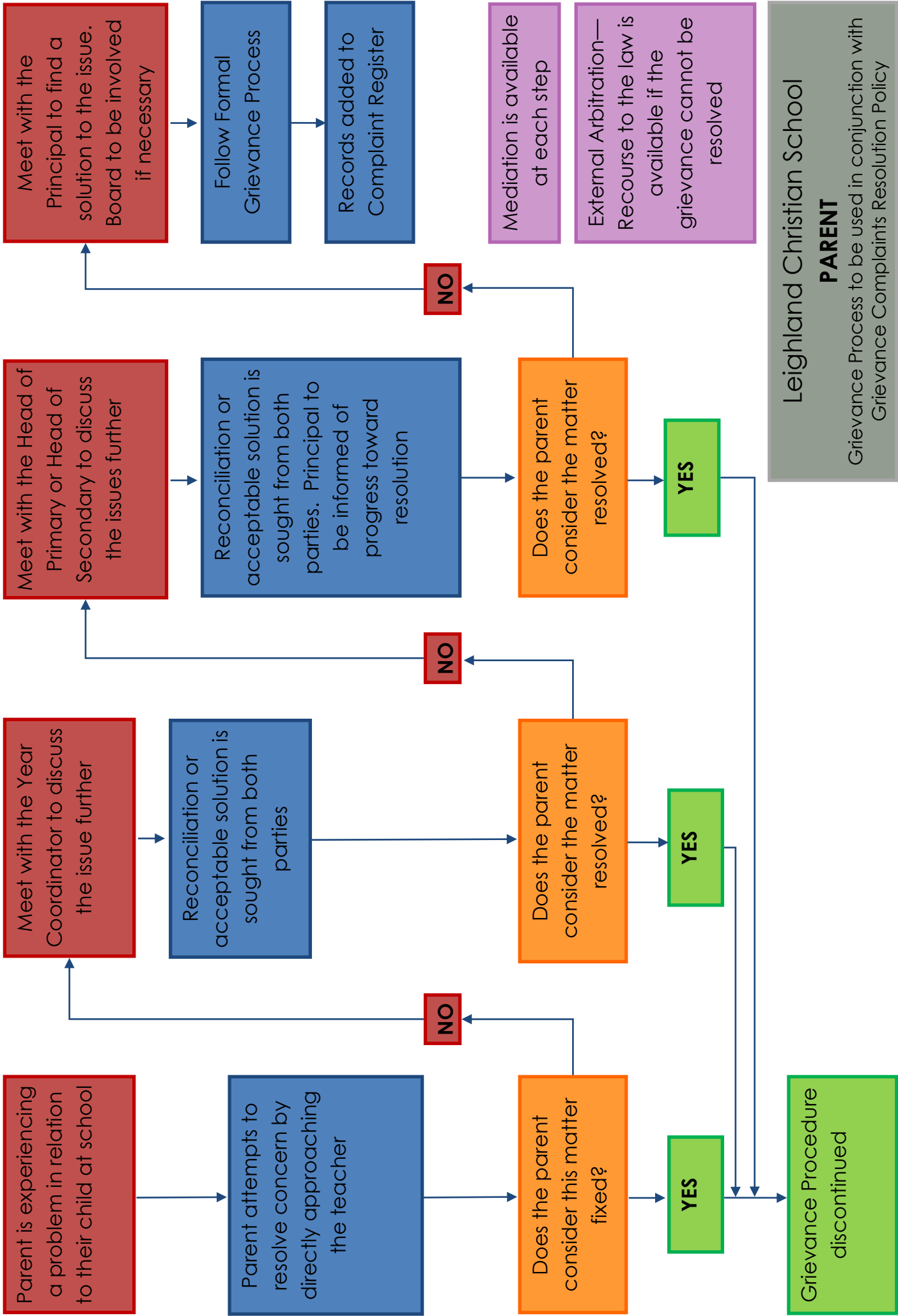
Informal Solution - Staff member attempts to resolve concern by directly approaching the other person

Does the staff member consider the matter resolved?

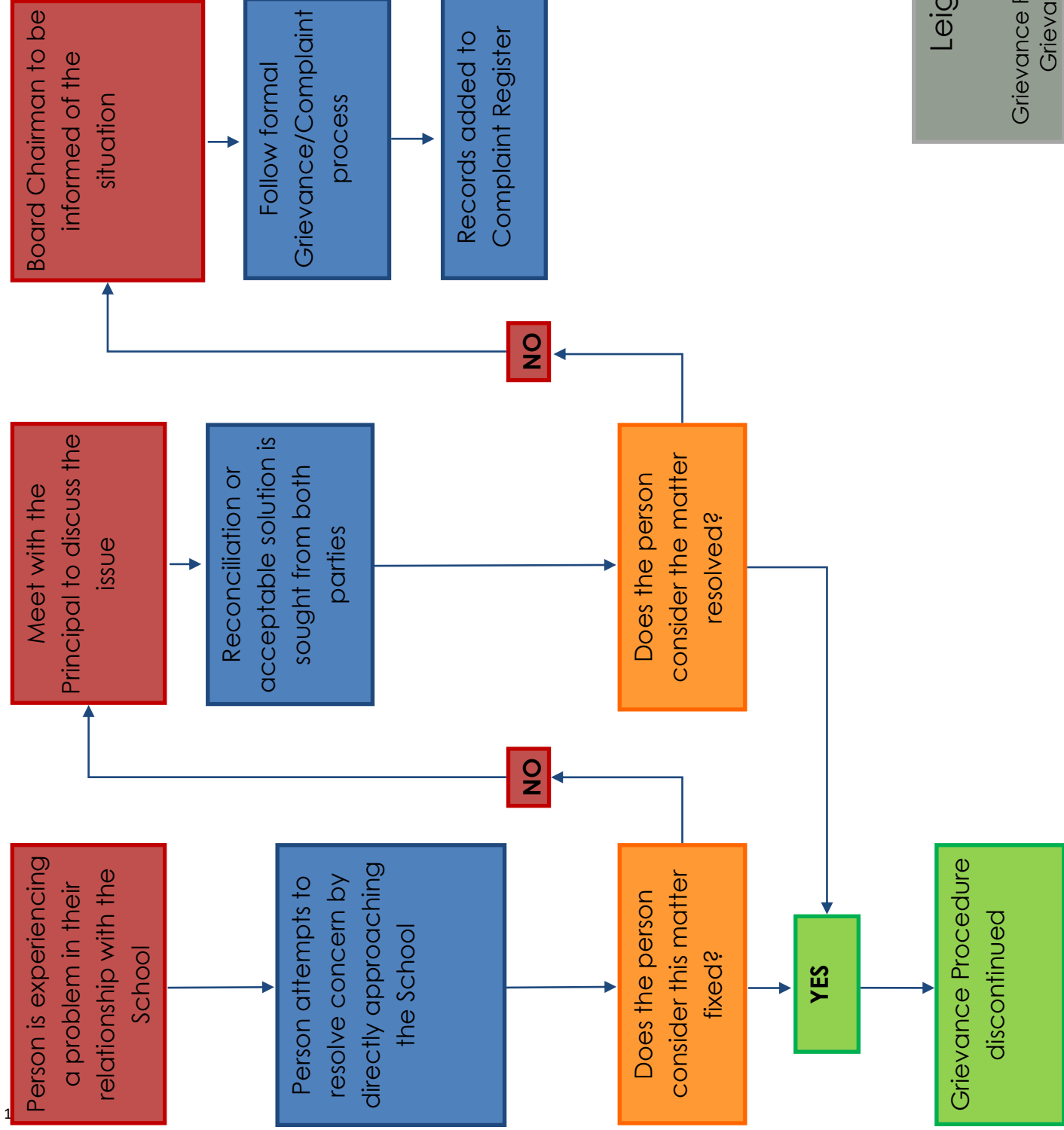
NO

YES

Grievance Procedure discontinued



Leighland Christian School  
**PARENT**  
 Grievance Process to be used in conjunction with  
 Grievance Complaints Resolution Policy



Mediation is available at each step

External Arbitration—  
 Recourse to the law is available if the grievance cannot be resolved

Leighland Christian School  
**OTHER COMMUNITY**  
 Grievance Process to be used in conjunction with  
 Grievance Complaints Resolution Policy

