

Purpose

The purpose of this policy is to ensure the following:

- a) Guidelines exist for handling complaints
- b) Define a clear course of action available to relevant parties to pursue an issue of grievance or dispute within Bayside Christian College (College).
- c) Establish guidelines governing appropriate courses of action available to College staff to assist resolution of grievance issues.
- d) Define the rights and responsibilities of all parties within the grievance resolution process.

Application

This policy applies to staff, volunteers, students and parents/carers of the College and applicants to the College.

Policy Statement

The College understands that all persons have a right to make a complaint. The College also understands that people are to be treated with respect, impartiality, and to be supported. The College upholds the right for all parties to have a grievance process, and to procedural fairness, with emphasis towards:

- a) The equal treatment of all parties to a dispute.
- b) Clear and adequate notice to be provided to parties subject to the grievance resolution process.
- c) Ensuring the details of a grievance issue are provided to the respondent.
- d) Actions taken with due diligence to substantiate the facts of any grievance matter.
- e) The right of all parties to be adequately heard with equal and fair treatment.
- f) Ensuring the confidentiality and privacy of participants to the grievance process.
- g) Neither party to be subject to any form of discrimination or victimisation as a result of the grievance process.
- h) The involvement of an unbiased and impartial decision maker, where required, to resolve a grievance issue.

Definitions

Complaint	For the purpose of this policy, a complaint is defined as an issue of a minor nature such as an expression of dissatisfaction related to service, communication, or property. Examples of complaints include a community member being dissatisfied with a teaching practice or a discipline consequence.
Grievance	For the purpose of this policy, a grievance is related to an issue that may be an unresolved complaint, or an issue of a more serious nature such as a suggestion that the College has breached its own policies.
Facilitated Discussion/s and Formal Meetings	For the purposes of this policy, it is general practice for a facilitated discussion, and/or formal meeting to be the overseen by a more senior College staff member. For example, in complaints involving a teacher or educational support worker, this would generally mean a Learning Team Coordinator and/or a Head of School; for complaints involving a Learning Team Coordinator, the facilitated discussion will be overseen by a Head of School or Deputy Principal.

Procedural Steps

Receiving and addressing complaints

The College recognises that people may have complaints. When receiving a complaint, it is the expectation of the College that staff will look to resolve any issue in a timely manner, usually within a week of schooldays.

Initiation of Grievance Resolution

To ensure transparency and fairness is promoted throughout the grievance resolution process; it is important that any party wishing to commence grievance resolution discussions do so directing any initial communications to the most appropriate person. Parties to a dispute are therefore encouraged to meet before engaging in communication with uninvolved persons (as stipulated by Stage 1 – Informal Discussion) to resolve issues prior to conducting facilitated discussion with a mutually agreed third party.

Where a dispute arises, parties are guided by the following standards for fair and transparent communication:

- a) The full details of the grievance are made known to the other party in a timely manner.
- b) Details of the issue are not conveyed to uninvolved persons without the acceptance and understanding of both parties to the dispute.
- c) Adequate time is given from notification of a dispute issue to when resolution meetings are planned to occur.
- d) Both parties give fair and reasonable consideration to the issues raised by either party to the dispute.

- e) Communications conveying the nature of a grievance are made without elements of intimidation, threat or slander; and are focused on detailing actual events leading to the grievance.

Timeliness

The College will seek to resolve issues utilising the following process as quickly as is practicable. The College will endeavour to resolve complaints related to the day-to-day running of the College, and directed to College personnel, within a week of school days. Should matters be unresolved and the grievance process initiated, College staff are expected to respond at the earliest opportunity. Should matters involve a Board member and/or be taken to the College Board, the College Board will address matters at their earliest opportunity, which is understood as the next scheduled Board Meeting.

Stages of Grievance Resolution

The grievance resolution process comprises of five stages; representing an increasing level of formality.

Stage 1: Informal Discussion:

Where disputes first arise, concerned parties are encouraged to meet and discuss the issues at hand through private discussion at their own arrangement without the involvement of a mediator. While no official record is required to be kept at these discussions, both parties are encouraged to keep diary notes of the matters with specific detail to any agreements reached upon.

This step may be repeated several times until it becomes clear that a resolution cannot be reached via informal discussion. It is the expectation of the College that the Informal Discussion period is, generally, no longer than two school weeks.

If the matter is not resolved, the grievance should be taken to the next appropriate level of authority.

Stage 2: Facilitated Discussion:

Where resolution cannot be reached between concerned parties by means of their own direct informal discussion/s, a facilitator may be sought to assist in bringing about a resolution.

As per Stage 1, no formal records are kept of discussions. The facilitator will act to encourage both parties to reach an agreement through promotion of constructive discussion, focused on reaching a resolution. It is advisable that informal records are kept of matters discussed and any agreements reached.

Stage 3: Formal Discussion:

Where an agreement cannot be reached through previous resolution stages; formal discussion and counselling will take place. The Principal (or Board Chairperson in the case of a dispute with the Principal) is to be informed of the disagreement.

Detailed notes of these formal discussions are required; including any commitments or undertakings given by either party to the dispute. At the conclusion of formal discussions, both parties are encouraged to sign and retain a common record of discussions. The College will retain a secure copy of records on the College's system as per the College's Records Management Policy.

Mediators for formal discussions are to be selected with the mutual acceptance of both parties to the dispute and while promoting a resolution; remain impartial throughout any formal meetings and discussions.

Stage 4: Formal Mediation:

Where a dispute cannot be resolved through previous stages; formal mediation is used in an attempt to reach a compromise outcome. Formal mediation can be invoked upon a grievance issued by the Principal, Board or any party to the dispute.

An independent person, as agreed upon by both parties and the College Principal, is asked to formally mediate in the dispute. The mediator will ensure full documentation of details pertaining to the dispute for report to the Board. It is expected that both parties at this stage are committed to reaching a satisfactory compromise solution and would therefore provide their compliance to any reasonable recommendations provided by the mediator as resolution to the dispute.

Stage 5: External Arbitration:

Where no agreement can be reached via any stage of the grievance resolution process; the matter can be directed to formal avenues of lawful arbitration. Each party is responsible for costs incurred.

Related Policies

Complaints and Grievance – Staff

Complaints Handling Reference Guide

Complaints Handling – Staff

Privacy Policy

Record Management Policy

Data Breach Policy

Privacy and Data Breach Reference Guide

Child Safety and Wellbeing Policy (associated policies and procedures)

Anti-Bullying, Violence & Harassment Policy

Related Legislation

Education and Training Reform Act 2006 (Vic)

Education and Training Reform Regulations (2017)

Victorian Registration and Qualifications Authority (VRQA) Minimum Standards

Child Safe Standards Ministerial Order 870

AS/NZS 1002:2014 Guidelines for complaint management in organizations

Privacy Act 1988

Protected Disclosure Act 2012

AS/NZS 1002:2014 Guidelines for complaint management in organizations

Approved College Board

Authorised College Board