

# Complaints and Grievance Policy

(Version 1.2, Approved 05/2013, Reviewed 05/2018)

## Purpose

The purpose of this policy is to ensure the following:

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

## Scope

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

## Policy Statement

Bayside Christian College understands that all persons have a right to make a complaint to the College. This complaint may be to a teacher, a coordinator, manager or another member of the College. The College also understands that people are to be treated with respect, impartiality, and to be supported.

Bayside Christian 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.

## **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 school-days.

### **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 together 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 3rd 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; but are focused on detailing actual events leading to the grievance.

### **Timeliness**

Bayside Christian College will seek to resolve issues utilising the following process as quickly as is practicable. It is the expectation of the College that the majority of complaints related to the day-to-day running of the College, and directed to school personnel, are able to be resolved 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. It is understood that should matters involve a Board Committee and/or be taken to the College Board that the College Board 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 a number of times until it becomes clear that 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, a facilitator may be sought to assist 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 in the Principal's office as per the College's Records Management Policy.

Mediators to 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 issue 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.

## Communication of Policy

This policy will be communicated through:

- College Intranet
- Parent Handbook

## Implementation of Policy

This policy will be implemented through:

- the Enrolment process
- Parent Information Evenings
- Staff Induction

## 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 relates 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 Meeting	For the purposes of this policy is general practice for a facilitated discussion and/or formal meeting to be the overseen by 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.

## **Supporting Documents**

Educational Creed

## **Related Policies**

Staff Employment Policy

Enrolment Policy

Complaints - School Chaplaincy