

COMPLAINTS, GRIEVANCE AND DISPUTES POLICY AND PROCEDURE

Executive Management Committee

PURPOSE

The purpose of this policy is to ensure that student, parent and employee disputes are dealt with in a responsive, efficient, effective and fair way.

SCOPE

Students, parents and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.

RESPONSIBILITY

Executive Management Committee

POINT OF CONTACT

Principal

Supersedes:

Version 2015

Authorised by:

Executive Management Committee

Date of Authorisation:

2017

Review Date:

Annually

Next Review Date:

2018

Policy Owner:

Discovery Christian College Executive Management Committee

Policy Statement

Discovery Christian College is committed to ensuring that student, parent and employee disputes are dealt with in a responsive, efficient, and effective and fair way.

Discovery Christian College views complaints and disputes as part of an important feedback and accountability process. Discovery Christian College acknowledges the right of students, parents and employees to complain when dissatisfied with an action, inaction or decision of the College and the College encourages such feedback. Discovery Christian College recognises that time spent on handling disputes can be an investment in better service to students, parents and employees.

Types of Disputes that may be Resolved under this Policy

Discovery Christian College encourage students, parents and employees to promptly lodge concerns regarding sexual harassment, discrimination, workplace bullying, privacy breaches and non-compliance with child protection processes as well as more general complaints that include areas such as:

- the College, its employees or students have done something wrong
- the College, its employees or students have failed to do something that they should have done
- the College, its employees or students have acted unfairly or impolitely
- issues of student or employee behaviour that are contrary to their relevant code of conduct
- learning programs, assessment and reporting of student learning
- Communication with students or parents or between employees
- College fees and payments
- General administrative issues

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

Issues Outside of this Policy

The following matters are outside of the scope of this policy and should be managed as follows:

- Child protection concerns or risks of harm to children should be dealt with in accordance with the law and the Child Protection Policy.
- Student bullying complaints should be dealt with under the Student Bullying Policy and Student Discipline Policy.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Discipline Policy
- Employee complaints related to their employment should be directed to their Coordinator or Principal
- If the Principal is part of the complaint, they should report their concerns to the President of the Executive Management Committee
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate

Dispute Resolution Principles

Discovery Christian College is committed to managing disputes according to the following principles:

- Disputes will be resolved with as little formality and disruption as possible
- Disputes will be taken seriously
- Anonymous complaints will be treated on their merits like any other dispute when possible
- Disputes will be dealt with fairly and objectively and in a timely manner
- Mediation, negotiation and informal resolution are optional alternatives to investigation
- Procedural fairness will be ensured wherever practicable
- Natural justice principles will be observed wherever practicable
- Confidentiality and privacy will be maintained as much as possible
- All parties to the dispute will be appropriately supported
- All parties are entitled to reasonable progress updates
- Appropriate remedies will be offered and implemented
- A review mechanism will be offered
- Complainants, respondents and people associated with them will not be victimised as a result of lodging the dispute nor will they suffer any other reprisals
- The College will keep confidential records of disputes

Responsibilities

College

The College has the following role and responsibilities:

- Develop, implement, promote and act in accordance with the College's Complaints, Grievance and Dispute Resolution Policy and Procedures
- Appropriately communicate the College's Complaints, Grievance and Dispute Resolution Policy and Procedures to students, parents and employees
- Upon receipt of a dispute, manage the dispute in accordance with the Complaints, Grievance and Dispute Resolution model prescribed in the procedures
- Ensure that appropriate support is provided to all parties to a dispute
- Take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them
- Appropriately implement remedies
- Appropriately train relevant employees
- Keep appropriate records
- Monitor and report on disputes

All Parties to a Dispute

The complainant and respondent have the following role and responsibilities:

- Apply and comply with the College's Complaints, Grievance and Dispute Resolution Policy and Procedures
- Lodge disputes promptly as soon as possible after the issue occurs or as otherwise appropriate
- Expect that the dispute will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that natural justice principles will be observed wherever practicable; that confidentiality and privacy will be maintained as much as possible
- Provide complete and factual information in a timely manner
- Not provide deliberately false or misleading information
- Not make frivolous or vexatious complaints
- Act in good faith, and in a calm and courteous manner
- Show respect and understanding of each other's point of view and value difference, rather than judge and blame
- Act in a non-threatening manner
- To be appropriately supported
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties
- Recognise that all parties have rights and responsibilities which must be balanced
- Maintain and respect the privacy and confidentiality of all parties
- Not victimise or act in reprisal against any party to the dispute or any person associated with them

Employees Receiving Disputes

Employees receiving disputes have the following role and responsibilities:

- Act in accordance with the College's Complaints, Grievance and Dispute Resolution Policy and Procedures
- Inform the party lodging the dispute of how disputes can be lodged, when they should be lodged and what information is required
- Provide the complainant with information about any support or assistance available to assist them in lodging their complainant
- Provide the complainant with a copy of the College's Complaints, Grievance and Dispute Resolution Policy and Procedures
- Maintain confidentiality
- Keep appropriate records
- To forward complaints to more senior employees, including the Principal, as appropriate
- To be appropriately supported
- Not victimise or act in reprisal against the complainant, respondent or any person associated with them

Implementation

Discovery Christian College is committed to raising awareness of the process for resolving disputes at the College, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

Discovery Christian College is also committed to appropriately training relevant employees (especially senior staff) on how to resolve disputes in line with this policy and the related procedures.

Discovery Christian College will keep appropriate records of disputes, will monitor disputes and their resolution and will report on a high-level basis to the College Executive Management Committee on dispute resolution at the College.

At any stage, a complainant may have a person present in the meeting to provide support if necessary. Records of formal meetings must be kept. Notes will be taken for any informal meeting.

Discovery Christian College will act to encourage students, parents and employees to contribute to a healthy College culture where disputes are resolved with as little formality and disruption as possible.

The Complaints and Grievance Flow Chart will be made available to all staff and families. A simplified version will be made available to the students in the classrooms.

Dispute Procedure

1. The complainant is required to make the complaint in writing to the Principal.
 - A complaint form (see Appendix A) is available, but not obligatory.
 - In cases where the complaint is regarding the Principal, the relevant documentation is to be addressed to the Chairman of the Executive Management Committee, marked “Confidential – Formal Complaint”. All documentation is to be handed to College Administration, which will document the receipt of the complaint and forward it on.
2. The complaint and any other documentation are to be submitted to the Principal by the Complainant.
3. The Principal and another senior staff member (with, as necessary, external advice) will decide how best to manage the complaint. This may include:
 - handling the complaint under a specific College Policy – if applicable
 - mediation
 - internal investigation by appropriate senior staff
 - engaging an external person to investigate the complaint.
4. The Principal will meet the alleged Offender/Respondent to inform him/her of the complaint and all details and copies of documents.
 - The Principal will invite the Respondent to respond then and there, if he/she wishes or at a later time.
5. The Principal will inform both Complainant and Respondent of the Formal Complaint Management Plan decided upon, to address the complaint.
6. Both parties are invited to have support persons of their choice at all stages of the proceedings.
7. If mediation has been decided upon, an outside mediator or other mediator agreeable to both parties will be engaged.
 - The mediation will take place.
 - Both parties will be requested to support any outcome.
 - Both parties will be requested to sign on the outcome agreed upon.
 - The matter will be monitored at set intervals subsequently.

8. If the Principal decides the matter needs to be looked into internally, a senior staff member will be delegated as Complaint Case Manager for the complaint in question.
 - Relevant members of staff will be interviewed.
 - The Complaint Case Manager will meet with College senior staff to give a summary of the matter.
 - The Principal and College senior staff (at the discretion of the Principal) and external adviser will decide on the outcomes.
 - The Principal will put such outcomes in place.
9. If an investigation by an outside investigator is decided to be appropriate:
 - the outside investigator will be engaged as the Complaint Case Manager
 - the investigator will attend the College to interview both parties and relevant witnesses as nominated by complainant, respondent and investigator.
10. Where a formal complaint has been lodged, the following type of evidence may be relevant, or required.
 - Supporting evidence provided by a medical practitioner, counsellor, family member, friend or coworker.
 - Supervisor's report and personnel records (e.g. sudden increase in sick leave).
 - Complaints or information provided by other employees about the behaviour of the alleged person causing the concern.
 - Records kept by the person who has the concern.
 - Whether the parties presented the evidence in a credible and consistent manner.
 - The absence of evidence where it should logically exist.
11. The investigator will provide a report of the investigation including recommendations to the Principal.
 - The report is privileged to the Principal and Executive Management Committee.
12. The Principal will:
 - decide on the most appropriate outcomes in view of the report and recommendations
 - inform the Complainant and the Respondent of the outcomes
 - put in place any outcomes of the investigation. These may include disciplinary outcomes for staff and students.

Outcomes may include any combination of the following:

 - counselling
 - disciplinary action against the person complained about (e.g. demotion, suspension, probation or dismissal)
 - official warnings that are noted on the personnel file
 - disciplinary action against the person who complained if there is strong evidence that the complaint was vexatious or malicious
 - formal apologies
 - reimbursing any costs associated with the issue of concern.

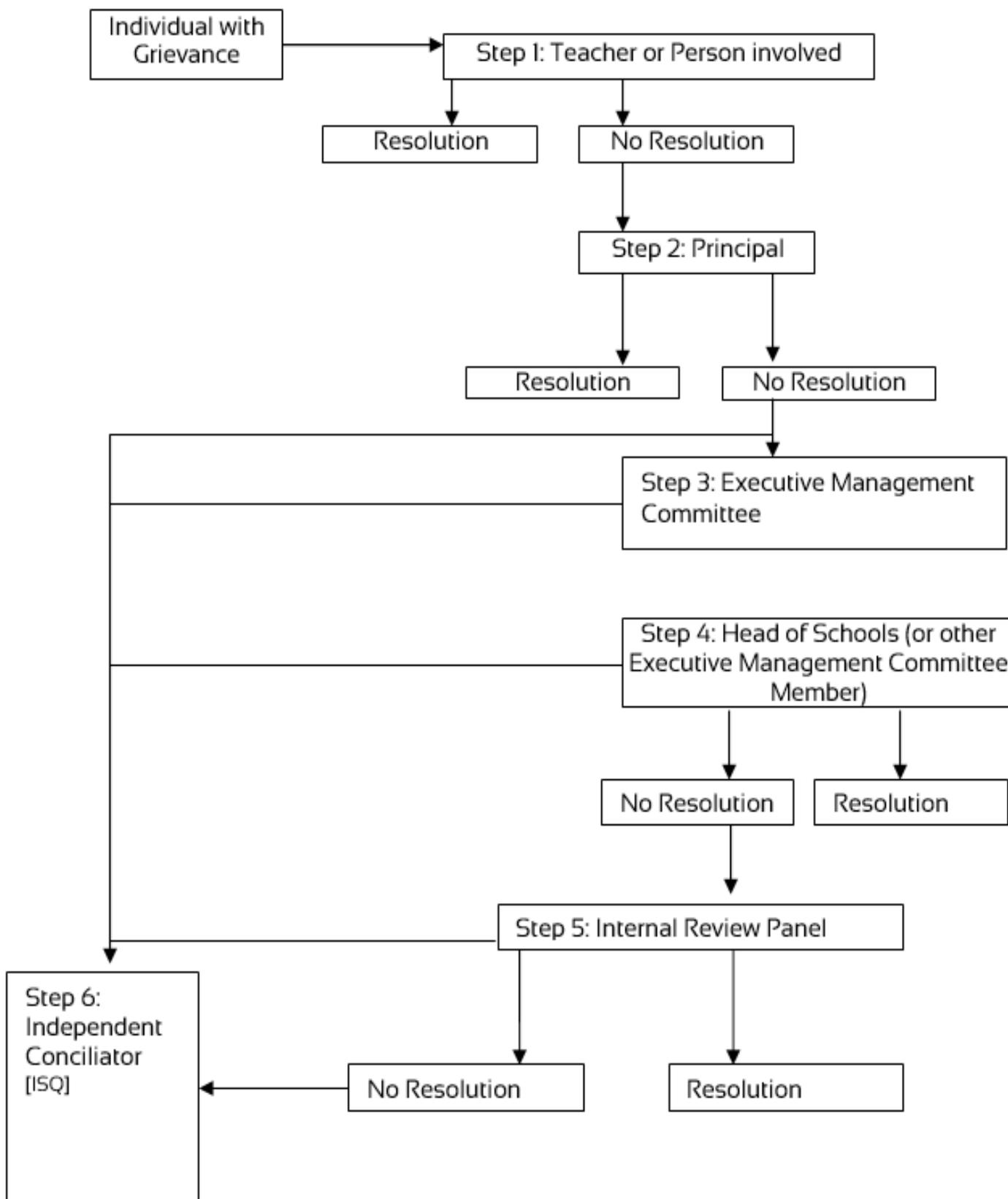
Outcomes decided upon will depend on factors such as:

 - the severity and frequency of the issue causing concern
 - the weight of the evidence
 - the wishes of the person who is making the complaint
 - whether the person causing the problem could have been expected to know that such behaviour was a breach of policy/unprofessional conduct
 - the level of contrition
 - whether there have been any prior incidents or warnings.

COMPLAINTS AND GRIEVANCE FLOWCHART 1

Members of the College community are encouraged to follow the steps below when faced with a complaint, grievance or dispute.

Note - this flow chart is suitable for Senior students, Staff, Parents and members of the College community.



COMPLAINTS AND GRIEVANCE FLOWCHART 2

Members of the College community are encouraged to follow the steps below when faced with a complaint, grievance or dispute.

Note - this flow chart is suitable for Junior Primary students.

If you have a problem and you need help....



You can speak to....

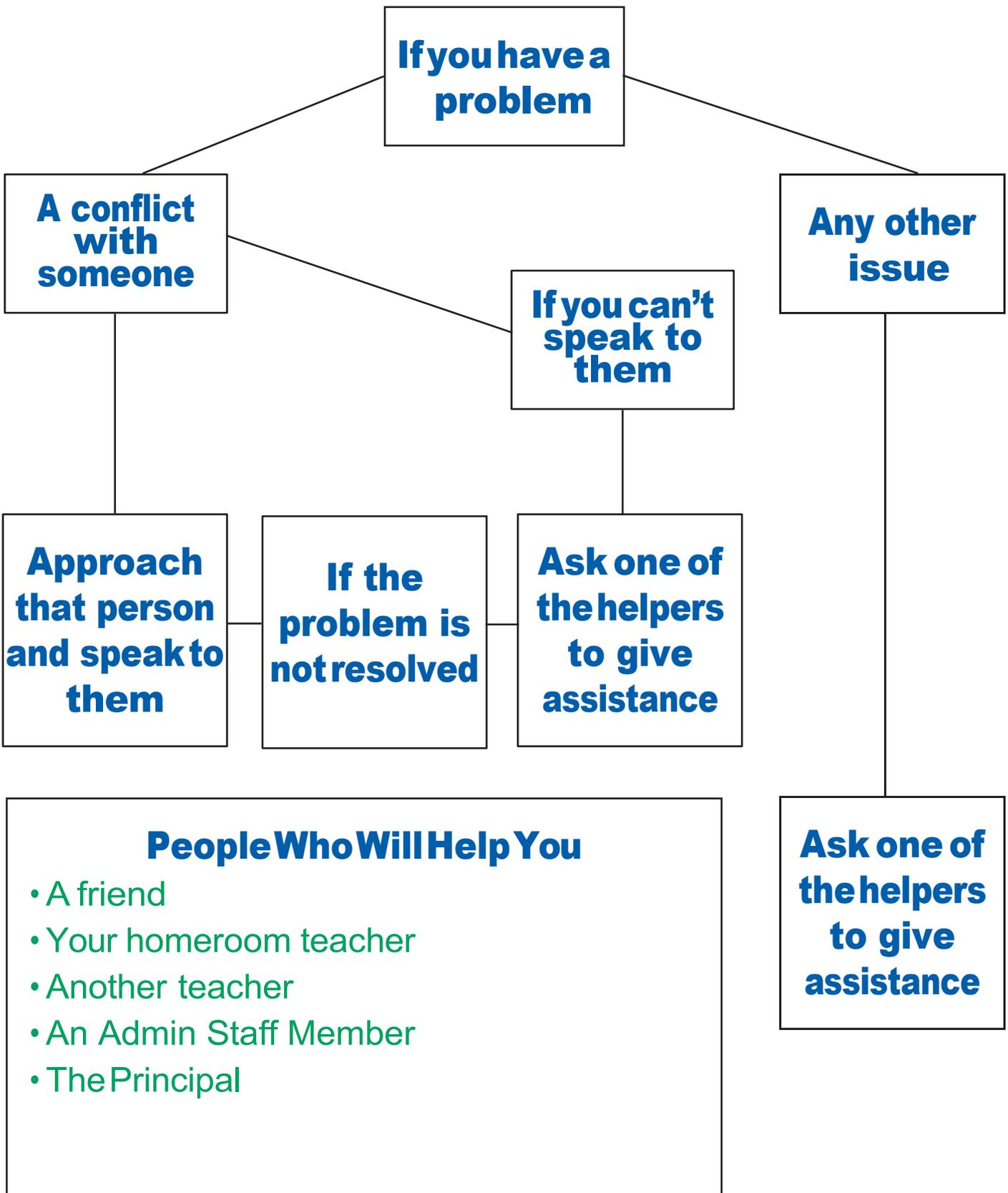
- Your Buddy
- Your Teacher
- A Teacher on Duty
- An Admin Staff member
- The Principal



COMPLAINTS AND GRIEVANCE FLOWCHART 3

Members of the College community are encouraged to follow the steps below when faced with a complaint, grievance or dispute.

Note - this flow chart is suitable for Primary students and Secondary students.



Appendix A - Formal Complaint Notification Form

TO BE COMPLETED BY PERSON LODGING FORMAL COMPLAINT

Full Name: _____

Daytime Phone: _____ After Hours/Mobile Phone: _____

Have you personally taken steps to try and resolve the issue before proceeding to lodgement of a Formal Complaint? (Circle Yes or No)

YES NO

If "YES": Please provide details and attach any supporting documentation:

Nature / description of Complaint:

Names of any witnesses or support person/s (if applicable):

I maintain that the above is true and accurate to the best of my knowledge.

Name _____

Signature _____ Date _____

OFFICE USE ONLY

DATE RECEIVED: _____