



# **Complaints and Grievances (Conflict Resolution) Policy**

## Policy Document Information

<b>Policy Name:</b>	Complaints and Grievances (Conflict Resolution) Policy
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<b>Compliance</b>	
Board of Studies	Registered and Accredited Individual Non-government Schools (NSW) Manual May 2012 (incorporating changes from 2004 to 2012)
Department of Education, Employment and Workplace Relations	Commonwealth Schools Assistance Act 2008
Legislative requirements	NSW Education Act 1990
<b>Other Policy Relationships</b>	Code of Conduct Pastoral Care Policy Prevention of Discrimination Policy
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## 1 Introduction

Student **Welfare** refers to the mental, physical, emotional and spiritual well-being of the student. Accordingly, the provision of student welfare policies and programs is essential in developing a sense of self-worth and fostering personal development. Because of the comprehensive nature of the school curriculum, student welfare will be affected by a range of matters.

It is noted that some school-based activities will be subject to a variety of 'policy areas'. It is also noted that each policy is not mutually exclusive, that is, there are implicit and explicit interrelationships between many policies.

## 2 Safe and Supportive Environment

All staff members must ensure students have a safe and supportive environment. A safe environment for students is one where the risk of harm is minimised and students feel secure. Harm relates not only to dangers in the built environment, involving such matters as architecture and construction, lighting, space, facilities and safety plans, but also refers to violence, physical threats, verbal abuse, threatening gestures, sexual harassment and racial vilification. A supportive environment facilitates and enhances the social, academic, physical and emotional development of students. (*Registered and Accredited Individual Non-government Schools (NSW) Manual Section 3.6.2*)

## 3 Complaints and Grievances (Conflict Resolution) Policy

Any discussion in relation to relationships must be based upon the standards made clear in scripture. In this context, this policy should be read in conjunction with the following Biblical references.

*Be completely humble and gentle; be patient, bearing with one another in love. Make every effort to keep the unity of the spirit through the bond of peace. **Ephesians 4:2-3***

*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 just 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 take it to the church, and if he refuses to listen even to the church, treat him as you would a pagan. **Matthew 18:15-17***

*If any of you has a dispute with another, dare he take it before the ungodly for judgement instead of before the saints. Do you not know that the saints will judge the world? And if you are to judge the world, are you not competent to judge the trivial cases? Do you not know that we will judge the angels? How much more the things of this life! Therefore if you have disputes about such matters, appoint as judges even men of little account in the church! Is it possible that there is nobody among you wise enough to judge a dispute between believers? But instead one brother goes to the law against another – and this in front of unbelievers! The very fact that you have lawsuits among you means you have been completely defeated already. Why not rather be wronged! Why not rather be cheated? **1 Corinthians 6:1-7***

*Live in harmony with one another. **Romans 12:14***

Christians are called upon to resolve disagreements amongst themselves. If we have a concern about, or complaint against another believer, the first step is to take it to the person directly and deal with it in a Christ-like manner. If the matter is still not resolved other believers are to be called upon to assist in finding a resolution to the issue.

People must act respectfully to others, discreetly, maintaining confidentiality in all circumstances.

Our school community comprises students, parents and staff. Any organisation has a network of interrelationships: the school community is no exception. For the purpose of clarity, these interrelationships in the school are between:

- students & students;
- students & parent(s);
- student & staff;
- parent & parent;
- parent & staff; and
- staff & staff.

There is room in the school community for differences: we do not all see things in exactly the same ways (Rom. 14:1 - 15:6). While differences may cause tensions, they need not be threatening, and are often God's way of enriching the school.

All members of the school community are subject to sin (1 John 2:1, Rom 3:23). There may be times, therefore, when there is disharmony.

Nevertheless our mutual bond in Christ should ensure that we retain a commitment to each other, especially in times of failure and disharmony (1 Cor. 6:1-7, Phil. 4:2-3). We recognise, not only that staff, parents and students have shortcomings, but also that sin requires repentance and correction (1 John 1:9).

In accordance with Matthew 18:15 and Luke 17:3b-4, if a disagreement arises between a member of staff and either a parent or another member of staff, the parties involved must first meet together in a spirit of submission to the Lord in an attempt to resolve the matter.

Because it is inevitable that disagreements will arise from time to time the following procedure, to be followed in the event of a complaint or grievance. Generally, most issues can be resolved amicably by following these principles.

Step one: Talk to the other person.

Step two: Take someone else with you.

Step three: Take it to the designated authority. (Depending upon circumstances, this may be a home room teacher, a staff supervisor, the Principal or the Board.)

However, it is inevitable that at times, the school may need to institute more formal procedures to resolve a conflict.

## 4 Complaints, Disagreements or Grievances

The manner in which complaints, disagreements or grievances are handled can mean the difference between harmony and tension in a community.

All steps must be taken in a true spirit of reconciliation. If a teacher has a complaint about a parent, the same steps may be followed. Complaints should be dealt with promptly and not be allowed to fester.

*A Board member must never be the channel for particular complaints.*

If Board Members are approached by parents with a complaint, they must always insist that the parent speak with the staff member concerned, and if still not satisfied, then the matter must be taken up with the appropriate senior staff.

Grievance resolution is an integral part of teachers', supervisors' and managers' duties which also include responsibility for identifying, preventing, responding to and readdressing problems in the classroom or workplace in the following manner.

Grievances should be treated seriously, expeditiously and sensitively, having due regard to procedural fairness, confidentiality and the potential for victimisation.

Grievances should be handled quickly and as close as possible to their source. This may be influenced by the nature of the complaint and the complainant's wishes.

Grievances should be raised by staff, students or parents as early as possible after the incident relating to the complaint has occurred.

Grievances should be resolved by a process of discussion, cooperation and conciliation wherever possible. The aim is to reach an acceptable outcome that minimises any potential detriment to ongoing work or study relationships.

Staff, students or parents should not instigate grievances that are frivolous or malicious. Staff, students and parents are expected to participate in the grievance resolution process in good faith.

Both the complainant and the respondent will receive appropriate information, support and assistance in resolving the grievance.

Requirements relating to confidentiality and privacy extend to the use and storage of any information and records related to a grievance.

## **5 Steps to Resolution**

### **5.1 Conflict Resolution**

Where a question, grievance, complaint, claim or dispute which relates to the association's employees arises the following procedure will apply:

The person with a question, grievance, complain, claim or dispute discusses the matter directly with the person concerned with a view to reaching agreement regarding the matter.

If agreement is not able to be reached, the matter should be referred to the immediate supervisor for resolution through discussion with the party/parties concerned.

If agreement is still not able to be reached following this step, the matter should be referred to the Principal for resolution through discussion with the party/parties concerned.

If the matter is then not resolved within ten (10) days or the aggrieved person feels the matter is inappropriate to be discussed with the immediate supervisor, the employee may refer the matter, with full details, to the Principal.

The Principal will endeavour to resolve the dispute to the satisfaction of all parties. The Principal must give the complainant a response within seven (7) days of it being referred or notify the complainant that the Principal is referring the matter to a dispute resolution mediator.

### **5.2 Conflict Resolution – Mediation**

The dispute resolution mediator will be a person nominated by the Board or the Principal and agreed by the aggrieved party(ies).

A matter may be referred, in writing with full details, to the mediator by:

the complainant: if the complainant is not satisfied with the Principal's response referred to in point above:

the complainant: if the matter relates to a direct supervisor(s); or

the Principal: if the Principal determines to refer the matter.

The mediator shall, in determining a dispute:

give both parties an opportunity to be heard;

not be bound by the rules of evidence but may inform himself or herself on any matter in any way that is just;

will make a decision on the matter within fourteen (14) days of the matter being referred.