Definitions

**Grievance**: an unresolved problem where an action or decision is considered to be unfair or inappropriate, there is a right to raise a complaint and have it considered seriously - such a complaint is known as a grievance. (Brisbane Montessori School)

A grievance arises from any decision, act or omission by any person or persons within the School which is considered by the complainant to be wrong, mistaken, unjust, inequitable or discriminatory and is causing concern or distress (PLC Grievance Policy – WA).

**Natural Justice**: For the purpose of this policy, the requirements include the opportunity to be heard, absence of bias and expeditious handling of complaints.

**Complainant**: For the purpose of this policy, the staff member, student or parent who has the grievance.

**Rationale**
In any organisation conflict of a personal or professional nature may arise. From time to time concerns arise regarding teachers and school administrators. Complaints arise regarding such things as:

- Teaching methods or standards
- Personality conflicts
- Discipline Issues
- Accidents involving students.

Procedures to resolve conflict should reflect the Christian ethos of the School and be based on the principles of Matthew 18:15. At all times staff need to seek to resolve conflict, either between themselves or between staff and parents and to work at living together in peace.

Significant changes over recent decades in society’s attitude to resolving issues have led to a need for documented conflict resolution between schools and parents of students. Most of these situations will be resolved through informal discussion between the person with the complaint and the relevant teacher or administrator. Some complaints, however, will ultimately be determined by litigation. To deal with these issues, Oxford Falls Grammar School has developed guidelines for dealing with complaints properly and effectively.

**Aim**
The aim of the grievance procedure is to produce a solution which is acceptable to the individuals or parties involved. While not all problems will be capable of a resolution which satisfies those concerned, the grievance procedure will ensure that the problem is addressed and that a clear response is provided at each stage of the process. The procedure involves both formal and informal components. (University of Edinburgh Staff Administration Manual)

**Purpose**
The purpose of these guidelines is to establish mechanisms to facilitate resolution of conflicts and grievances that arise for staff in relation to their employment at Oxford Falls Grammar School, students and parents.
Open communication will support both parties. In the first instance, affected parties are encouraged to take responsibility for making their concerns known and expected to make reasonable attempts to address grievances informally at departmental level. The formal grievance process only occurs when it is unlikely that the parties involved will reach conciliation via the informal process.

Oxford Falls Grammar School is committed to the resolution of grievances involving unfair and inequitable treatment in the workplace, in a fair, equitable and prompt manner. A grievance resolution procedure has been established for this purpose.

**Objectives of the Grievance Resolution Procedures**

**Primary Objective:** To create and protect a healthy and safe working environment free from unnecessary dispute, discrimination or harassment.

The objectives of this grievance resolution procedure are to ensure that:

- Employees, students and parents have access to a procedure to resolve grievances in a fair, equitable and prompt manner
- Staff takes responsibility for initial, informal attempts to resolve grievances and is knowledgeable and skilled to do so. The Grievance Resolution Procedure requires staff to use professional judgement and a balanced consideration of the rights and needs of the parties. It encourages systems improvement to prevent recurrence of problems.
- All staff know how to access and utilise the grievance procedure
- Employees are provided with alternatives if the internal grievance procedure fails to resolve a grievance.

These procedures emphasise the necessity of dealing with complaints in terms of the potential seriousness of the complaint rather than on the basis of the category of person who made the complaint. This means that aggrieved staff, students or community members will be treated on equal terms. (NSW Dept. of Education)

**Need for a Grievance Resolution Procedure**

Grievance procedures, both formal and informal, facilitate the investigation of employment-related problems and endeavour to assist in their acceptable resolution. Staff should not have unrealistic expectations that the grievance procedure by itself will resolve all grievances. Throughout the grievance resolution process, the basic principle is to keep open all channels of communication.

A professional response to suggestions, complaints and allegations promotes fairness, leads to improvements and creates confidence in the outcome. Complaints, as well as compliments and other constructive feedback, create opportunities for an organisation to improve its services and prevent future problems (NSW Dept. of Education).

All Staff need to be familiar with the following procedures so they are applied consistently.

**Matters Exempt from the Grievance Resolution Procedure**

There are a number of matters which are exempt from the Grievance Resolution Procedure.

- In particular, matters covered by specific Acts and regulations, such as the Child Protection Act, and the Occupational Health & Safety Act are exempt
- Issues which arise through staff disagreements and/or interpersonal conflict which do not have relevance and/or impact on a workplace decision or process have no place utilising the Grievance Resolution Procedure.
- Employment conditions dealt with through Industrial Awards and Workplace Agreements.

**Principles**

- Grievances arising within the School shall be dealt with efficiently, confidentially and in a manner which affords natural justice to all parties.
• It is recognised that the Executive and the Headmaster are expected to be fair and affirming managers. Executive staff takes responsibility for initial informal attempts to resolve grievances and need to be knowledgeable and equipped to do so.

• All staff must be made aware of the Grievance Resolution Procedure and know how to access and utilise the Grievance Resolution Procedure should they need to do so. The Executive will be aware of procedures and be able to guide a complainant through the process and give common sense advice about options to resolve the matter. The role of the Executive is essentially one of providing informed advice rather than being a complainant’s advocate in a formal way.

• In the first instance employees are expected to make reasonable attempts to address grievances informally at departmental level.

• A complainant shall not be disadvantaged for having lodged a complaint.

• At any stage any party shall have the right to choose representatives to support them throughout the process.

• All parties to a grievance will have a chance to put their case and be heard. Relevant information will be collected and considered in the resolution of the grievance. Parties investigating or bringing about the resolution will be impartial to the subject of the grievance.

• Only the people directly involved in making or investigating a complaint will have access to information about the complaint.

• It is the obligation of all parties to deal with a concern as promptly and amicably as possible within 10 working days. In some cases where external personnel or factors are involved, resolution might take longer.

• No report on any staff member involved in a grievance shall be placed on any official school file until the parties involved have been provided with a copy and be given an opportunity to answer such a report in writing. Any such answers will be files with the report.

Managing Complaints
Avoiding Complaints
Open communication within the school and between the school and parents helps eliminate many complaints. The following practical measures should be taken to avoid complaints:

• Policies relating to curriculum and discipline issues should be made available to staff and parents.

• There is a policy of regularly communicating academic, curriculum and management issues through the School Newsletter.

Complaints Procedure
As complaints may result in disciplinary or other serious consequences, it is important that a school has a system for documenting complaints and a process for dealing with them. Parents are increasingly asserting their rights to be entitled to documents relating to themselves or their children. When preparing documents, the Headmaster and teachers should be aware that these documents may ultimately come into the possession of others, for example, through the discovery process in litigation or through a freedom of information application. Emotional or judgemental comments may have undesirable consequences for the school, including defamation proceedings. However, if the Headmaster and teachers are careful to record facts, and opinions based on facts, then there will generally be no legal problem.

Grievance Procedure –Parents
Rationale
All personal matters such as concerns regarding student, parent or staff relationships should be raised directly with the school through the class teacher/year advisor, in a confidential manner.

It is important that these grievances are kept confidential, and although at times you may wish to seek
support from friends or an advocate, it is very important to do this wisely. When the matter is discussed in the student's hearing, it is important that the student understands that you have confidence that the issue will be resolved confidentially at the school level. Criticism of the school or teacher does not support the child's education as it undermines trust and confidence. The school can only deal with issues that are raised in the ways outlined below. If the School does not receive information then we assume that all is well.

In raising a grievance, it is important to describe what has happened, from your perspective, and to specify what makes it unacceptable to you and the School. It is important to identify your preferred situation, and to come to a joint resolution as to process for remediation of this grievance.

Issues or concerns that parents may have regarding their child's education are most effectively dealt with if they are raised in the following ways.

Procedure

The following guidelines are for parents with a particular concern:

- Make an appointment to talk to the classroom teacher/year advisor. Let him/her know what subject you wish to discuss as this will facilitate the process. This makes the most productive use of the time available when the teacher is free to give you his/her full attention. If you consider that the issue you have raised is still unresolved, it is important that you state this to the teacher at the conclusion of the meeting.

- If the issues are not resolved, make an appointment with the Head of Junior School, Head of Senior School or Head of Operations. Let him/her know what subject you wish to discuss, as this will facilitate the process. Resolution taken may include a series of actions that should be documented and an approximate time schedule estimated. If, after this time frame, you should consider that the issue you have raised is still unresolved, it is important that you state this to the Executive either at the conclusion of the original meeting (for immediate action) or in the follow up meeting (for longer term action).

- If the issues are not resolved, make an appointment to meet with the Headmaster. Results of this meeting may include the following:
  - The situation is monitored;
  - Further discussions with the people involved (e.g. Headmaster and teacher);
  - Outside support for the child or family may be sought.

- If you are still dissatisfied with the outcome of the meeting, phone or write to the Headmaster again to air your concerns. If the school does not receive further information, it is reasonable for the issue to be considered resolved.

- If after steps (a) – (d) you are still dissatisfied approach the Chairperson of School Board who will try to resolve the situation further. The expectation of the Chairperson of the School Board will be that the above steps have been followed.

Grievance Procedure –Staff

The purpose of these guidelines is to establish the means to facilitate resolution of conflicts and grievances that arise for staff in relation to their employment at Oxford Falls Grammar School. Open communication is a priority and will aid and support both parties. In the first instance, employees are encouraged to take responsibility for making their concerns known and are expected to make reasonable attempts to address grievances informally at micro-level. The formal grievance process only occurs when it is unlikely that the parties involved will reach conciliation via the informal process. Oxford Falls Grammar School is committed to the resolution of grievances involving unfair and inequitable treatment in the workplace, in a fair, equitable and prompt manner. A grievance resolution procedure has been established for that procedure.

Procedure for staff

- Before initiating the grievance procedures, complainants are encouraged to try to resolve any
grievance directly with the person/s concerned. If this is not possible or appropriate, the complainant should proceed to Step 1 of the grievance procedures.

- A staff member should raise their grievance with the person/s concerned as early as possible.

**Personal Conflict**

- Seek God’s guidance through prayer.
- Identify and clarify the issue, possibly discuss with another person.
- Discuss the issue with the person involved, stating the problem and seek a resolution through offering or asking for forgiveness.
- If the problem is not resolved involving a third impartial person, acceptable to both parties.
- If the conflict is unresolved discuss with the Head of Junior School; Head of Senior School or Head of Operations or your Pastor to establish a professional working relationship.

**Professional Conflict**

Talk to immediate supervisor

- Where the complainant has been unable to resolve the grievance by themselves, they should take the matter up with their immediate Executive member. Where the grievance involves the Executive member, the staff member should refer the matter to the Head of Junior School, Head of Senior School or Head of Operations.
- The Executive Member should address the grievance with a view to resolving it expeditiously, within 10 working days of receiving the complaint.
- Following resolution of the grievance, the Executive Member should monitor the situation for a period of time.
- In any action taken, the Executive Member should ensure procedural fairness for all parties involved, including informing the respondent of the allegations made against them and providing them with an opportunity to respond.

**Referral to Senior Management**

- If the complainant believes the grievance has not been resolved to their satisfaction during Step 1, they can refer the matter to the Head of Junior School, Head of Senior School or Head of Operations. The Head of Junior School, Head of Senior School or Head of Operations may require the complainant to put the grievance in writing. The Heads of Junior School, Head of Senior School or Head of Operations should attempt to resolve the matter within three weeks of receiving the grievance and should follow similar procedures outlined in Step 1.

**Referral to Headmaster**

- If the grievance remains unresolved, it may be referred in writing to the Headmaster by the complainant, the Executive Member or the Head of Junior School, Head of Senior School or Head of Operations.
- After giving due consideration to the grievance the Headmaster may do one or more of the following:
  - If the complaint is not within the scope of the Oxford Falls Grammar School’s provisions for misconduct/serious misconduct or unsatisfactory performance the Headmaster may:
    - Refer the complainant back to the Executive with advice for resolution
    - Initiate an investigation into the matter
    - Seek to resolve the matter directly
  - If the complaint is within the scope of Oxford Falls Grammar School’s provisions for staff misconduct/serious misconduct or unsatisfactory performance, follow the appropriate disciplinary procedures. (Corrective Counselling Policy)
- The complainant should be given the opportunity to include an advocate or union representative.
- Any determination made by the Headmaster with regard to the grievance will be final.
Outcomes
Outcomes could include:

- The complainant gaining a better understanding of the situation and no longer being aggrieved;
- The complainant receiving a verbal or written apology;
- The respondent receiving a verbal or written reprimand;
- One or both parties agreeing to participate in some form of counselling;
- Disciplinary action where Oxford Falls Grammar School's policies on behaviour were found to have been breached and/or where misconduct/serious misconduct or unsatisfactory performance has occurred.