



Heritage  
Christian  
School

# Grievance Policy

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## Version History

Version	Date	Notes
1.0	Oct 2013	Prepared from Grievance Policy & Procedures 2012 revision
1.1	May 2015	Amended: Legislation; Table of Responsibilities; 5(c) Investigation; (g)-(l) Confidentiality & records; Addition of: 6 Levels of Complaints; 6.1 (i)-(l) Records; Reference- Complaints Handling Procedures.

# **Hastings Association of Christian Education (HACE) Ltd**

## **Mission Statement**

*Heritage Christian school – a vibrant, engaged community: educating – nurturing – empowering*

### **THE STRATEGIC PILLARS:**

- *To develop students as Christians who are prepared for life; motivated to make difference.*
  - *To provide high quality teaching and learning programs.*
    - *To provide a safe learning environment.*
- *To increase resources to support staffing and have a strong physical, financial infrastructure.*
  - *To be the Christian school of choice in the district.*

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### Important related documents:

Employment Policy  
Child Protection Policy  
Enrolment Policy  
Discipline Policy  
Teaching & Learning Policy suite  
Privacy Policy

WHS Policy suite  
Staff Code of Conduct  
Student Code of Conduct  
School Rules  
Code of Conduct for Parents and Visitors  
Complaints Handling Procedure

### Legislation:

Education Act 1990  
Age Discrimination Act (Cth)2004  
Disability Discrimination Act (Cth)1992  
Disability Discrimination and other Human Rights  
Legislation Amendment Act (Cth) 2009  
Racial Discrimination Act (Cth)1975  
Sex Discrimination Act (Cth)1984  
NSW Anti-Discrimination Act (1975)  
NSW Anti-Discrimination Amendment  
(Miscellaneous Provisions) Act (2004)  
NSW Fair Work Act (2009)  
Australian Human Rights Commission Act (1986)  
Work Health and Safety Act 2011 (NSW)  
Work Health and Safety Regulation 2011 (NSW)

Fair Work Act 2009  
NSW Ombudsman Act 1974  
Ombudsman Amendment (Child Protection and  
Community Services) Act 1998  
Child Protection (Working With Children) Act 2012  
Child Protection (Working With Children)  
Amendment 2013  
Children and Young Persons (Care and Protection)  
Act 1998  
The Privacy Act 1988  
Privacy Amendment (Enhancing Privacy  
Protection) Act 2012  
Health Records and Information Privacy Act 2002  
(NSW)

### Reference:

Disability Standards for Education 2005  
AS/NZS 10002:2014 Quality Management - Customer Satisfaction: Guidelines for Complaints  
Handling

## 1 INTRODUCTION

Heritage Christian School is committed to a process of continuous improvement. Grievances and complaints form part of the feedback which the school welcomes as important to its performance review. The school seeks to develop processes which are transparent, accountable and effective for building strong relationships with its stakeholders, and which support continued growth and development.

The school aims to provide all members of the school community with a fair process of review in the event of a grievance. This opportunity is available to all staff, parents and students.

The grievance resolution must also comply with relevant industrial agreements and instruments, and shall encompass procedural fairness, privacy and a right of reply.

## 2 CHRISTIAN RATIONALE

The School affirms the dignity and value of all people as made in the image of God; and seeks to conduct all matters in a way that honours God and cares for people. The core business of the School is conducted through relationships, so a high value is placed on maintaining and protecting relationships within the School community.

In the event of a dispute or conflict within the School, the process shall follow the principles found in Matthew 18. It should start with discussion between the parties; be based upon a desire for resolution and reconciliation (as opposed to a desire for retribution); consider factual evidence rather than impressions or rumour; provide fair opportunity for review of all decisions; and be carried out in a manner that enables all parties to retain their dignity regardless of the outcome.

Conflict and misunderstanding is to be regarded as a natural occurrence when people work together. It has the potential to promote new ideas, strengthen personal relationships, stimulate individual growth and facilitate more effective solutions to problems. The guiding principle is: *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.* (Eph 4:2-3)

## 3 PURPOSE OF THIS DOCUMENT

This document sets out the policy and processes of Heritage Christian School in examining and addressing the grievances of staff, parents or students occurring as a result of actions taken or decisions made within the business of the School.

## 4 WHO MUST COMPLY

<i>Responsibilities</i>	<i>Evidence of Compliance</i>
<b>Principal</b>	
Maintain good procedures for handling grievances	This doc; Complaints Handling Procedure
Promote a school culture of continuous improvement	Policies; Strategic Plan;
Consultation, investigation, mediation, review	Complaint file; Complaint Log/ Complaint Register
Report on complaints & grievances to the school Board	Board reports
<b>School Board</b>	
Receive complaints about the Principal (Board Chair)	Confidential files; Complaint Register
Review complaints/ grievances and trends	Board reports & minutes
<b>Business Manager</b>	
Financial & business complaints	Account file; Complaint Log/ Complaint Register
Maintain Complaints Register	Filed in Chubb
<b>Coordinators/ Deputy Principal</b>	
Consultation, mediation, investigation, action as required	Personal records; student issues noted in SchoolPro; Complaint Log/ Complaint Register
Maintain Complaints Log	Filed in Coordinators drive
<b>Teachers</b>	
Grievance handling, action as required	Personal records; student issues noted in SchoolPro
Report grievances to Coordinators	Personal records; student issues noted in SchoolPro; Complaint Log/ Complaint Register
<b>Front staff</b>	
Reception & appropriate direction of complaints	Complaints Form
<b>Students/ Parents</b>	
Raise issues of concern with appropriate teacher/ staff member	SchoolPro files; Complaint file
Participate in resolution process	Complaint Log/ Complaint Register
<b>School community</b>	
Raise issues of concern with appropriate teacher/ staff member	Complaint file; Complaint Log/ Complaint Register

**5 POLICY**

The School will maintain its policies and procedures with respect for personal dignity of all people; and with regard for the requirements of relevant state and federal legislation.

- (a) The School is committed to grievance-prevention-based strategies, which aim to develop an environment and culture that thrives on diversity; promotes compassion and understanding; and reinforces the practice of respectful behaviour towards all people.
- (b) Procedures will be maintained for the fair and equitable review of grievances.
- (c) Any investigations will be carried out with regards for the principles of procedural fairness.
- (d) The process of review is available for all members of staff, parents and students.
- (e) The grievance review process will be carried out to ensure, as far as possible, a speedy and effective resolution.
- (f) A person who presents a grievance will not be penalised or victimised in any way for doing so.
- (g) Confidentiality shall be maintained by those handling grievances and complaints.
- (h) Records will be maintained of matters which require investigation or greater consultation, or which are deemed as requiring action by the school. (Complaints Handling Procedure)
- (i) Significant complaints shall be recorded in a register.
- (j) The Principal shall report significant complaints, and trends to the Board.

## 6 PROCEDURES

See also: Complaint Handling Procedure

Categories of Complaints/ Grievances:

Level 1 – simple; resolved at first point of contact

Level 2 – more complex; requires consultation/ further inquiry

Level 3 – serious matters; significant or legal implications

### 6.1 General

The initial procedure for all people concerned that a decision or situation might be unfair, or that it might have been made without full consideration of the facts, is as follows:

- (a) Speak with, or communicate in writing with, the person responsible for the decision, outlining your concern, and requesting a review.
- (b) At any interview which takes place, the complainant may be accompanied by a support person.
- (c) Speak and act respectfully towards each other.
- (d) The facts of the matter should be reviewed, and actions or decisions explained.
- (e) In resolving the matter, the original decision may be confirmed, or a new decision made.
- (f) Confidentiality will be maintained, as far as possible.
- (g) Should the complainant be unwilling or unable to speak with the person responsible for the original decision, they may choose to have the matter directed to the school executive.
- (h) Should the matter of concern relate to child protection, the procedure will be followed as set out in the Child Protection Policy.
- (i) Records shall be maintained of the complaint, including any investigation, decision, and review.
- (j) Staff may choose to report a Level 1 complaint to their Coordinator at their discretion; matters having greater consequences or which have been occurring over a longer time period should be reported. (See Complaints Handling Procedure)
- (k) Level 2 grievance matters are recorded by Coordinators in the Complaints Log.
- (l) The Business Manager records Level 3 complaints in the Complaints Register.

### 6.2 Staff Grievance

In the first place, staff members should speak with the person directly responsible for the decision or action concerning them. In the event that a satisfactory agreement cannot be reached:

- (a) The matter should be referred to the Principal, who may hear the complaint, or decide to form a committee consisting of staff members not previously associated with the matter in hand.
- (b) The decision of the Principal, or the review committee, is normally final.
- (c) The person making the complaint may appeal the decision to the Board in writing if still not satisfied.
- (d) All decisions will be made with reference to any relevant awards and with a desire to achieve a fair and equitable outcome for all.

### **6.3 Staff Grievance Against Parents/ Visitors to the School**

If a parent causes concern for a staff member through threatening, abusive, offensive or inappropriate language or behaviour:

- (a) The staff member should terminate the conversation.
- (b) The incident must be reported to the Principal.
- (c) At the Principal's discretion, a phone call or letter will address the incident of concern, reminding them of the Code of Conduct expected from parents and visitors to the School, and the School's commitment to maintaining a safe work place for all employees.
- (d) A mediated interview with the Deputy Principal or Principal will attempt to arbitrate reconciliation.
- (e) In the event of a resolution being impossible, the offending parent or visitor will be asked to discuss their possible future relationship with the School.

### **6.4 Grievance by, or about, the Principal**

- (a) If a staff complaint concerns a decision of the Principal, and a satisfactory agreement cannot be reached, it should be referred in writing to the Board.
- (b) A grievance about the Principal is to be made directly to the Board Chairman, who will form a committee of Board Members and other relevant persons to seek a resolution.
- (c) A grievance of the Principal, which cannot be satisfactorily resolved, is to be made directly to the Board Chairman, who will form a committee of Board Members and other relevant persons to seek a resolution.
- (d) At this time, implementation of the Grievance clause in the Principal's letter of appointment shall be considered.

### 6.5 Parental Grievance

Parents concerned that a decision by any member of the school staff is inappropriate, unfair or ill-advised, should first contact the teacher, or staff member concerned, to discuss the matter.

- (a) In the event that a resolution is not achieved, parents may pursue the matter by contacting and meeting with: Section Coordinators; Deputy Principal; and Principal – in that order.
- (b) The Principal may choose to become involved at any point in the process and form a committee to hear the grievance.
- (c) Those who hear the matter shall do so openly, keeping records of conversations.
- (d) If the parent(s) wish to have a friend or pastor accompany them whilst they express their concern they are free to, so long as that person does not become an advocate, injecting personal opinions into the discussion.
- (e) If a satisfactory agreement cannot be reached with the Principal, the matter should be referred in writing to the Board for review.

### 6.6 Student Grievance

In the event that a student feels that an action by a teacher is inappropriate, ill-informed or unfair, that student may state their grievance to the teacher or another appropriate person, maintaining a respectful attitude at all times.

- (a) Should the student feel that the matter is unresolved, it may then be taken to the relevant Section Coordinator, who may refer it to the Deputy Principal.
- (b) Should the matter remain unresolved, it will be referred to the Principal, who might choose to form a committee to investigate the matter.
- (c) The decision of the Principal shall normally be final. Parents/ guardians only may appeal to the School Board on behalf of their child.
- (d) In the event that a grievance is a matter of child protection, the Principal (Head of Agency) shall immediately be informed and the Child Protection Policy enacted.

### 6.7 Review of Decisions by the Board

- (a) The Board will select a committee to review the complaint, decisions and all known facts, and may co-opt members of staff to assist. The decision of the Board is final for HACE Ltd.
- (b) The School Board is a point of appeal for parents and guardians of students, not for students directly. Parents may write to the school Board requesting further investigation if their child's matter remains unresolved.

## **6.8 The Review Process**

To ensure a fair process of review:

- (a) The person facilitating the process cannot have a personal agenda in relation to the parties or the subject matter of the dispute and must be perceived as 'fair' by the parties.
- (b) The parties are individually consulted about their needs and concerns regarding the process.
- (c) Consideration is given to possible unfairness that may arise from differences between the parties in terms of gender, race, disability, workplace hierarchy or positional authority.

## **6.9 When a Complaint is Upheld**

- (a) In the event of a complaint being justified, a new decision will be made to reflect the outcome of the review.
- (b) If a person has been disadvantaged by the initial decision, suitable redress may be considered.
- (c) Where the person about whom the complaint is made is found to be personally biased or prejudiced, some form of appropriate intervention e.g. counselling, or disciplinary action, may be made.

## **6.10 Grievance Prevention**

- (a) Matters brought forward as a grievance will be reviewed to ensure any necessary changes in policy or procedures of the School.
- (b) Mediation or reconciliation between parties involved in a grievance may be pursued, in the case of an ongoing work relationship.
- (c) Responsible behaviour, personal interaction and conflict management is discussed, as appropriate, in information given to new staff, and to parents and students upon enrolment.
- (d) Training in personal interactions, interview protocol and conflict resolution is managed informally during staff meetings and PD week.
- (e) Familiarity with significant related policies and procedures, and changes to relevant legislation, is maintained through new staff induction, PD week, staff meetings and preparation for inter-related events e.g. parent/ teacher interviews.