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## GRIEVANCE AND RECONCILIATION POLICY

**Drafted & Implemented:** Jun 2010

**Authorised Update:** Jul 2020

**Date to be reviewed:** Jan 2021

### PURPOSE

Geneva Christian College has a responsibility to act wisely and justly in relation to issues of conflict that have the potential to cause a breakdown in the relationships between members of the school and its community. It must always be kept in mind, when handling complaints, that regardless of how important or unimportant the issue might appear on the surface; for the persons involved, it is a source of unhappiness. Anyone who makes a complaint therefore, must be treated with respect. The school's response will be perceived as a measure of how it lives up to the Biblical values that it espouses. The prompt, respectful and just way that complaints are handled has a twofold benefit for the school. It increases awareness of areas where improvement is needed and can help to build positive relationships with students, staff, parents and members of the wider school community.

In the first instance:

- there should be an attempt to informally resolve the issue. If this is unsatisfactory or does not result in a resolution of the matter, then the school's internal complaint flow charts (within this policy) will be followed.
- the process of this grievance procedure is confidential and any complaints are a matter between the parties concerned and those directly involved in the complaints handling process.
- Any party should seek to address and resolve relevant grievances, complaints and appeals by staff, students, parents and the wider community, in a gracious and timely manner.

### DEFINITIONS

**Grievances** exist when a person feels a sense of wrong, hurt, or injustice because of the actions or words of another person. We recognize that the existence of a state of grievance in a person's life may affect a person's emotions and hinder his/her capacity to function within the school community, particularly in relation to the person against whom the grievance is borne.

**Mediation** is conducted by an objective third party to bring the contending parties together to attempt resolution and settlement of the dispute or controversy.

## **IMPLEMENTATION**

This Grievance Policy is available on the school's website, on the Staff Shared Google Drive and also in the Policies, Procedures and Guidelines Folder in the Front Office. It is included in the annual staff online induction, and is referenced in the Employee Handbook. The applicable Australian Standard AS ISO 10002-2006 outlines a number of further principles for effective complaints handling (attached).

Grievances should be treated seriously and sensitively, having due regard to procedural fairness, confidentiality and privacy. They should be handled without delay and directly with the people involved. For these reasons, persons with concerns should raise them as early as possible. Wherever possible, grievances should be resolved by a process of discussion, co-operation and conciliation. The aim is to reach an acceptable outcome that restores and maintains good relationships and releases those involved from their effect. Support should be provided to the person bringing the grievance and the person against whom the grievance is made. No person should be victimized because they raise a complaint or are associated with a grievance. Frivolous or malicious grievances should not be instigated and all parties are expected to participate in the grievance procedure in good faith.

Where a complaint raises a matter that should be dealt with by another school policy or is subject to particular legislative requirements, the procedures of this policy are subject to modification as needed, to meet those other obligations. i.e. when the Child Protection Policy or the Employment Termination Guidelines should be invoked etc.

**DURING ANY STAGE OF THE PROCESS, MEDIATION IS AVAILABLE IF REQUIRED,  
LEGAL REPRESENTATION CAN BE SOUGHT BY EITHER OR BOTH PARTIES.**

### **STAGE 1: Informal and Private**

If a person becomes aware that he or she is feeling aggrieved by the actions of another person, he or she should have first, checked all the facts, then take the time to reflect on the matter to ensure that his or her spirit and emotions are under control and that the issues concerned are clearly understood enough to be articulated simply and graciously.

The aggrieved person should make an opportunity to see the person against whom they have a grievance, privately, with enough time to be able to properly express the grievance. At this meeting, the issues should be discussed factually and without any accusation. The aggrieved person should avoid making an interpretation of the motivation or attitude of the person against whom the grievance is held.

**Matthew 18:15** "Moreover if your brother sins against you, go and tell him his fault between you and him alone. If he hears you, you have gained your brother.

The desirable outcome, is that the two parties will resolve the issue and seek mutual forgiveness and reconciliation. If this meeting is successful, the issue should remain private.

**Matthew 18:16** But if he will not hear, take with you one or two more, that 'by the mouth of two or three witnesses every word may be established.'

If the grievance continues unresolved and the aggrieved person is not satisfied that the matter has been appropriately rectified, the grievance process will move to Stage 2.

**DURING ANY STAGE OF THE PROCESS, MEDIATION IS AVAILABLE IF REQUIRED,  
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**STAGE 2: Seek assistance and/or formalize complaint**

The aggrieved person should now seek assistance and make a formal complaint, according to the relevant flow chart within this policy. The formal complaint can be documented in writing and also presented verbally at a meeting with the appropriate person listed in the Flow Chart i.e. Class teacher, Chaplain, Principal, or, if the complaint is against the Principal, then to the Chair/Secretary of the Board, who will read the report, ask questions to seek clarification of the particulars of the grievance and make appropriate notes.

As appropriate, the Teacher, Chaplain, Principal or Chair/Secretary of the Board will meet with the person against whom the complaint has been made, to explain the nature of the complaint and to present him/her with a copy of the written complaint. At this meeting, the person against whom the complaint has been made will have the opportunity to discuss his/her responses to the formal complaint and to seek further clarification. The main purpose of this meeting will be to prepare the person against whom the complaint has been made, to meet with the aggrieved person (where applicable) to seek resolution of the grievance. At any stage of this process formal mediation using external resources may be utilized in an attempt to reconcile differences.

The Principal or Chair/Secretary of the Board will arrange a meeting of the two parties. He/she will then lead the meeting with a view to allowing the grievance to be aired, then for the person against whom the grievance has been aired, to respond. If a person has a "counter grievance", they should be encouraged to make their own formal complaint in accordance with this Policy. The desired outcome of this meeting is that both parties will seek mutual forgiveness and that an agreement will be made that future conduct will be such, to avoid the grievance recurring.

If this meeting apparently achieves its goal, the Principal or Chair/Secretary will arrange a review meeting if felt necessary, within an appropriate time frame after the initial meeting, to assess the progress of the resolution. Written results of this meeting will be kept in the Grievance File and copies will be available to both parties upon request. If the review meeting has a satisfactory outcome, then by mutual agreement no further action will need to be taken.

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LEGAL REPRESENTATION CAN BE SOUGHT BY EITHER OR BOTH PARTIES.**

**STAGE 3:**

If the Stage 2 meeting fails to produce a satisfactory resolution in the opinion of either party or the Principal or Chair/Secretary, either party may take or recommend one or more of the following:

- provide another opportunity for the issue to be aired in a broader setting and for advice to be given regarding the resolution
- provide opportunity for legal advice to be given regarding the resolution of the issue.

Should arbitration be required, this should be by an impartial expert arbitration panel consisting of any three of the following people who are unconnected with any party involved in the dispute:

- an educator (qualified teacher with experience & maturity)
- a church leader
- a person with mediation or legal skills outside the school
- another member of the Board

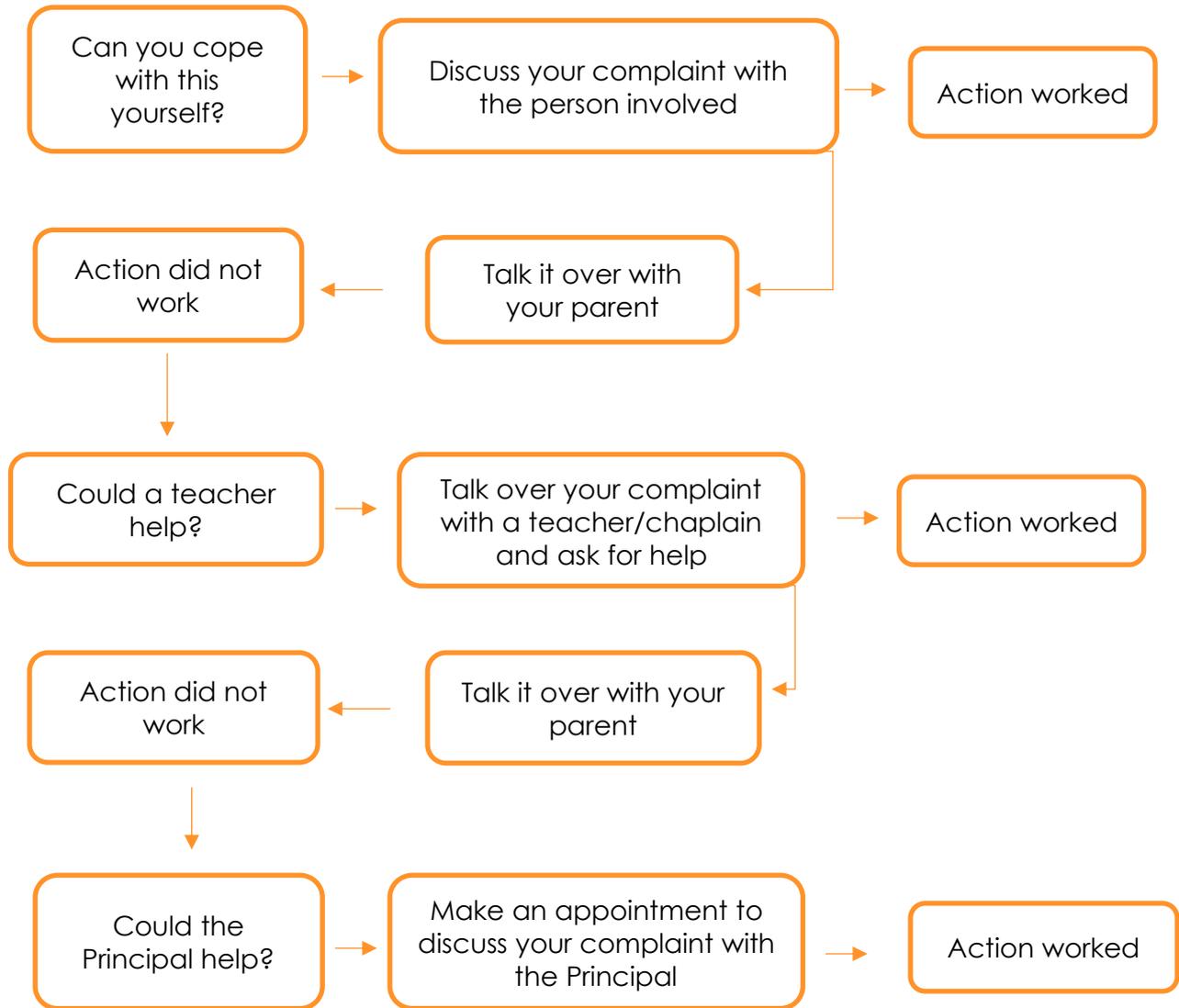
The arbitration panel will be given copies of all documents relating to the grievance at least 48 hours prior to the arbitration meeting and a date will be set for the arbitration meeting that is no more than one week from the request for arbitration.

The arbitration meeting will include:

- an individual interview of each of the two parties
- a discussion of the issues with both parties present
- a time of consultation among the panel without the parties present
- a presentation of the panel's outcomes and advice
- action as required by the panel's decision

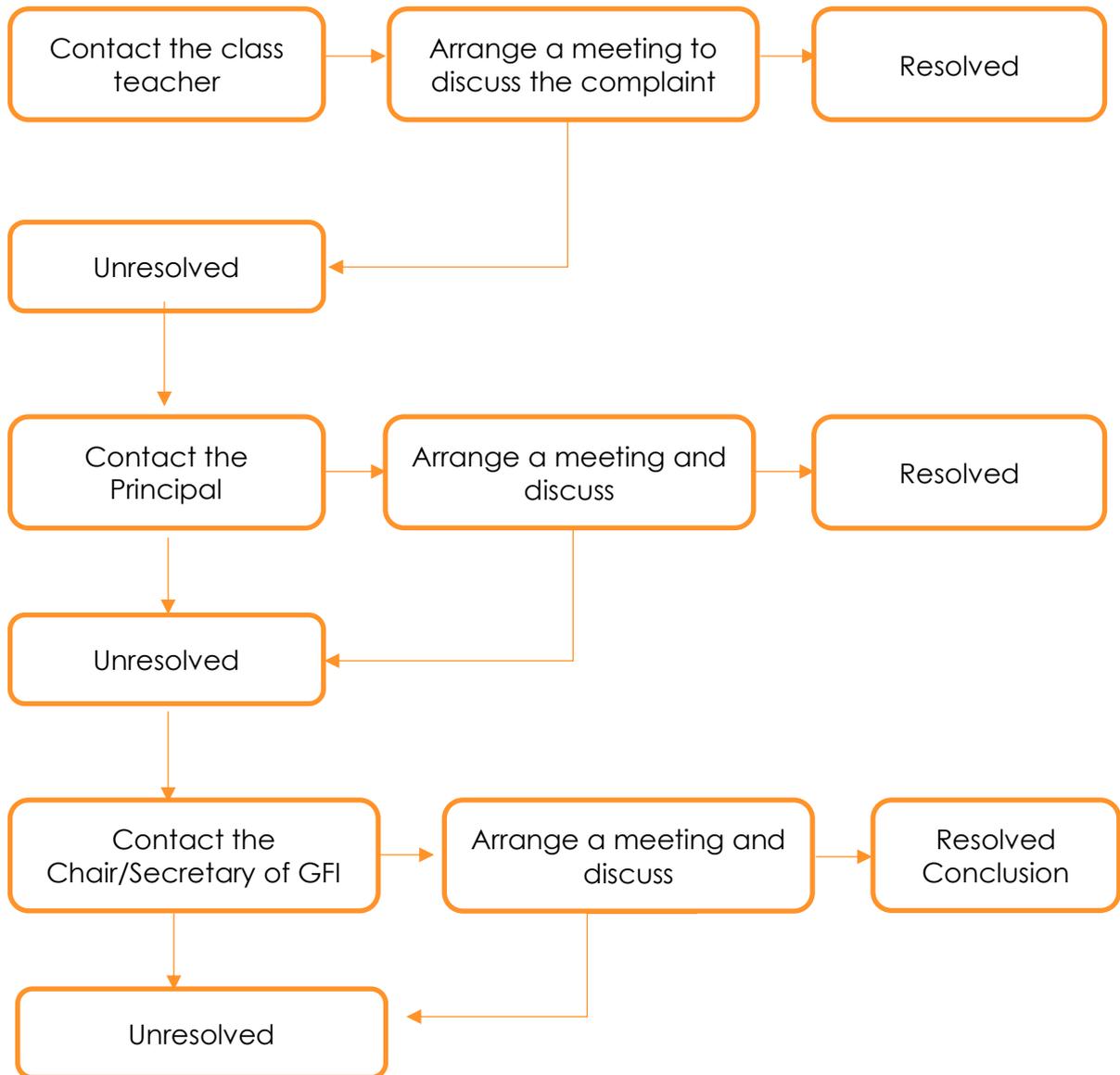
The desired outcome of an arbitration would be to have the disputing parties agree to abide by the outcomes of the arbitration panel.

## FLOW CHART FOR COMPLAINTS - STUDENTS



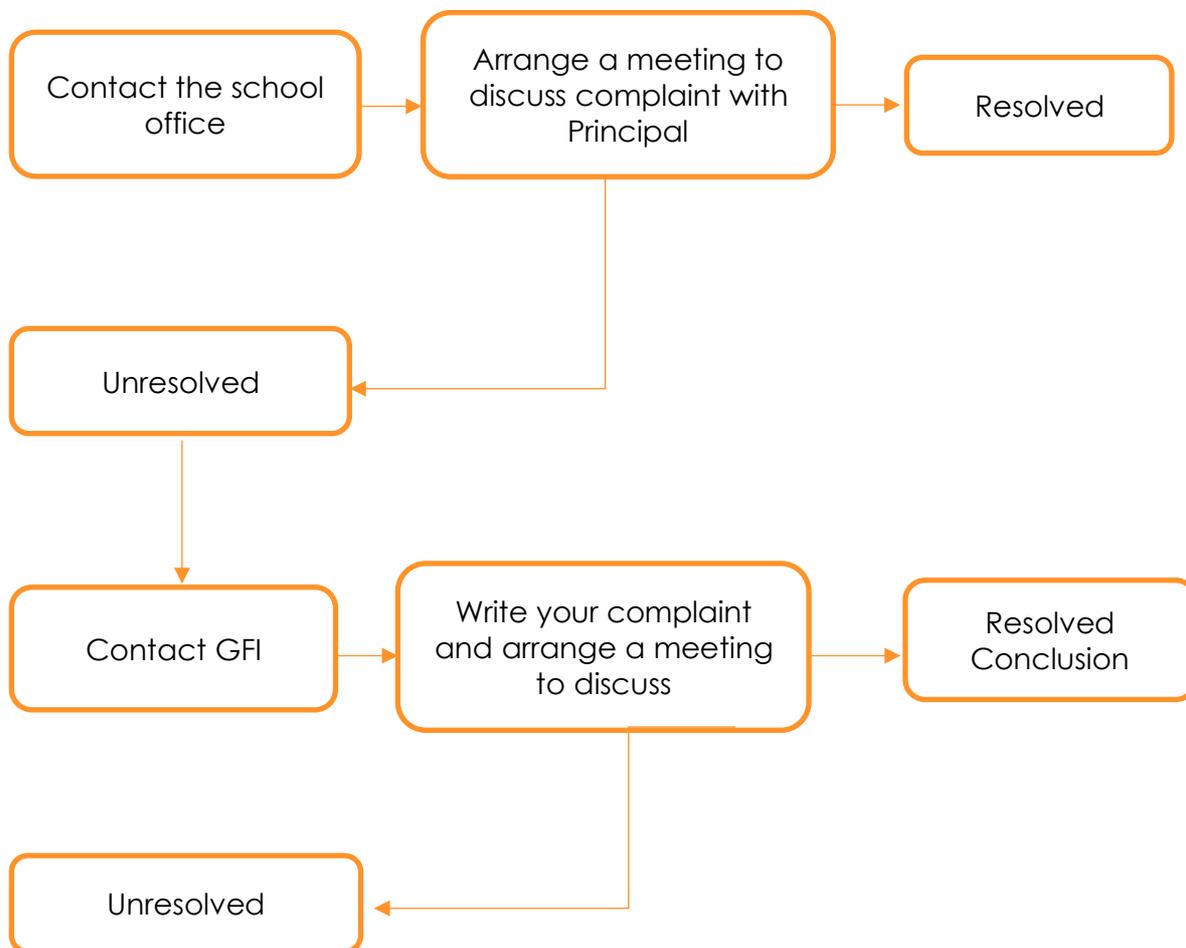
If matters remain unresolved, you have the right to seek arbitration through the courts, ombudsman, legal representation and other government commissions such as the Human Rights Commission etc. These may entail some financial cost. Mediation is an option at any stage if the complaint and the person to whom the complaint is directed, so agree.

## FLOW CHART FOR COMPLAINTS - PARENTS



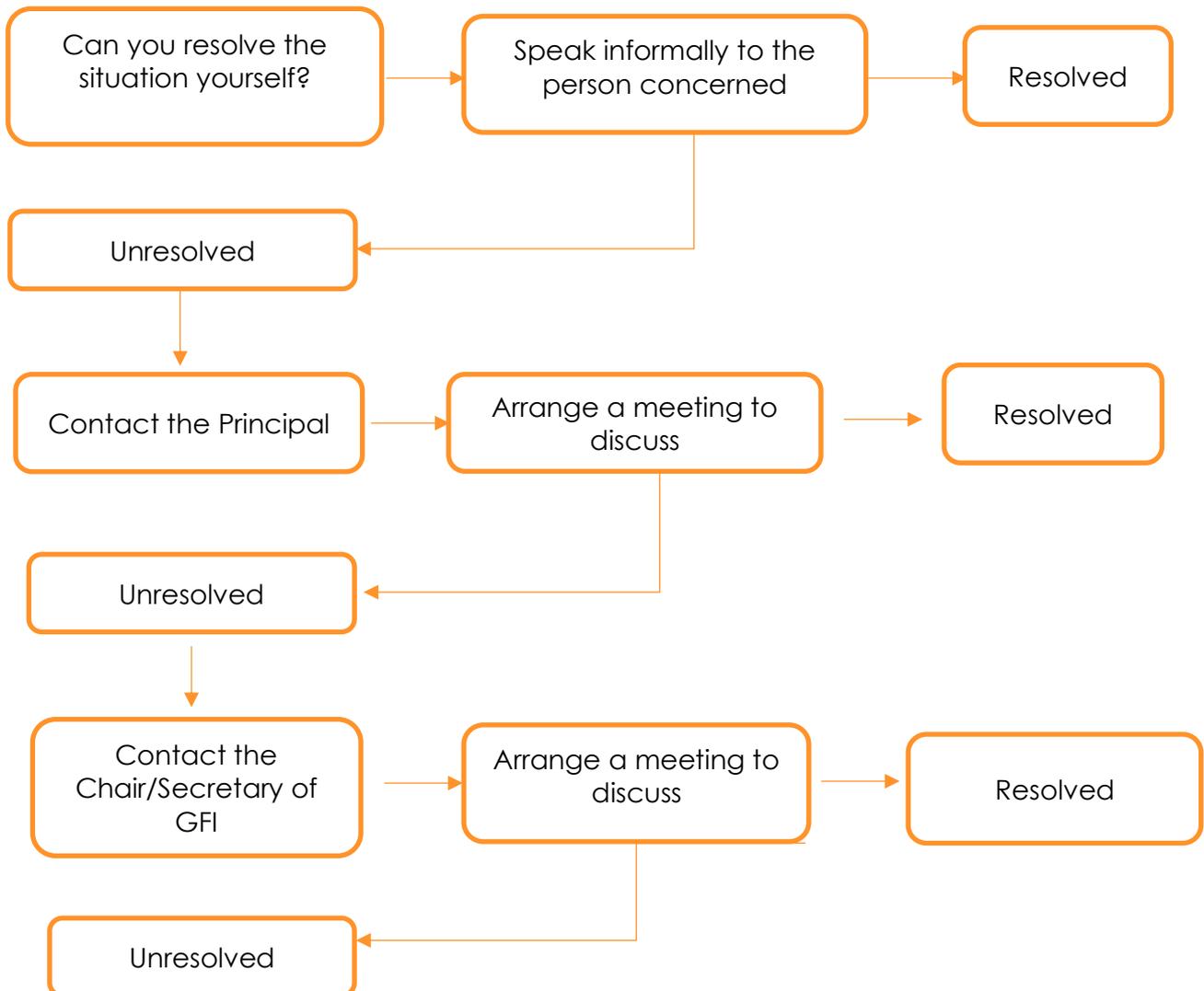
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## FLOW CHART FOR COMPLAINTS – WIDER COMMUNITY



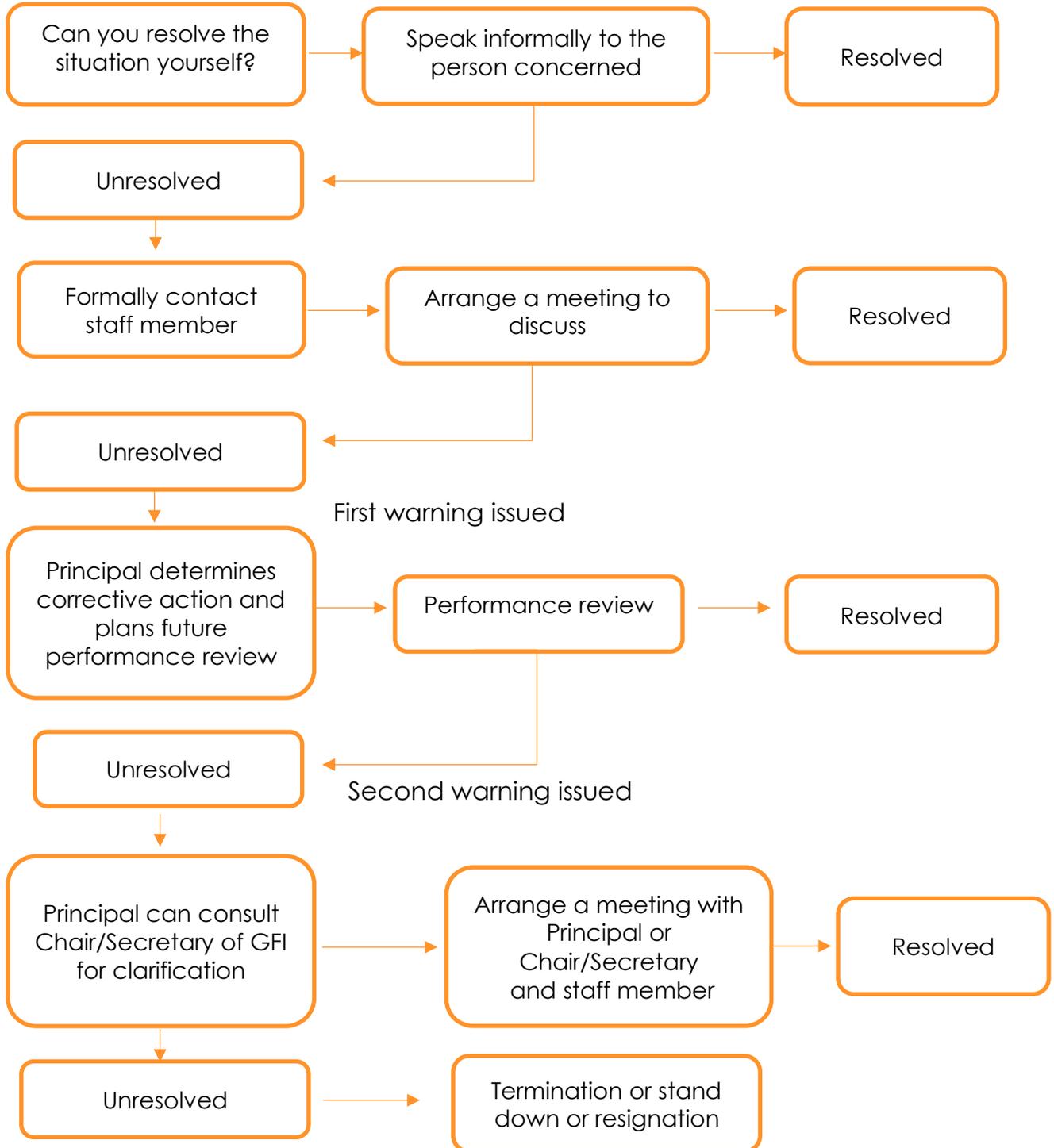
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## FLOW CHART FOR COMPLAINTS – STAFF



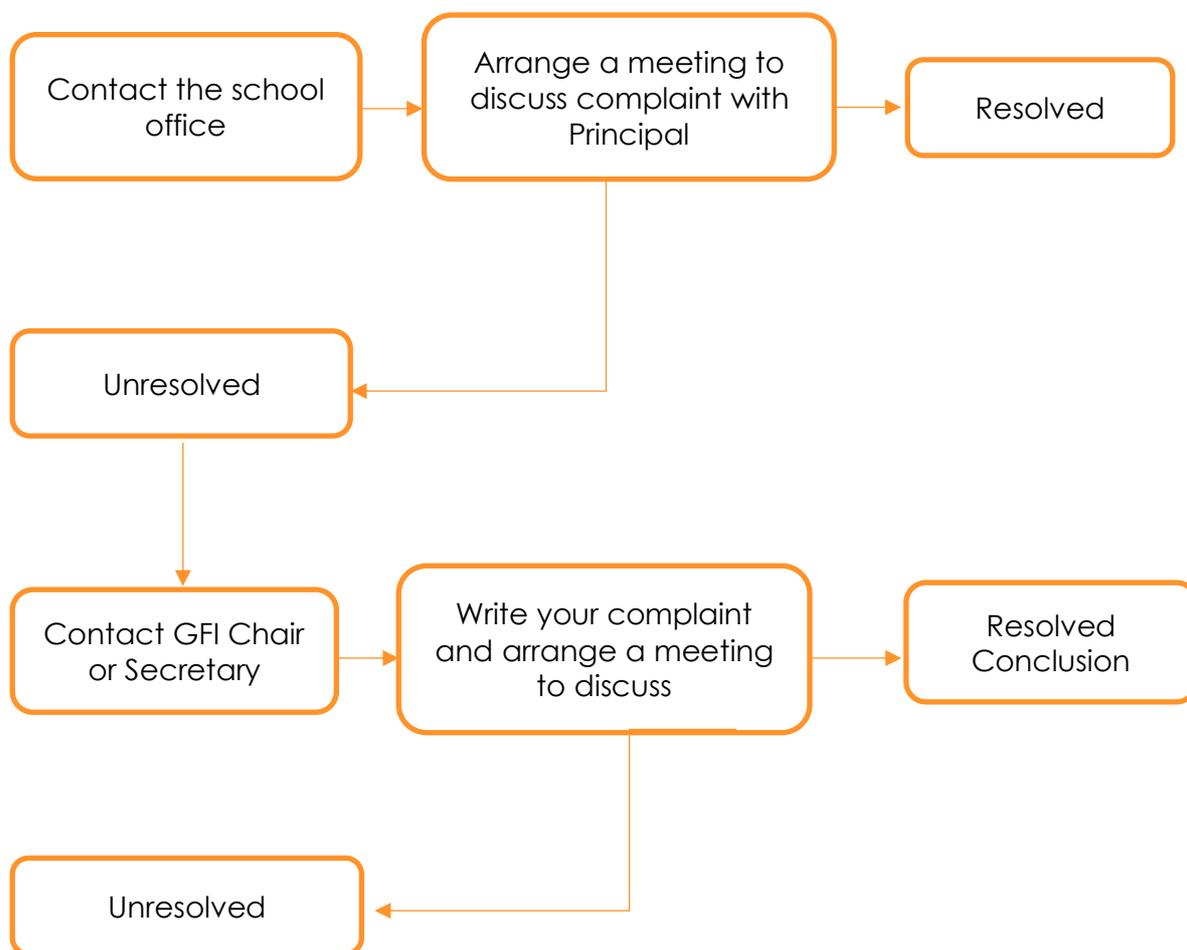
If matters remain unresolved, you have the right to seek arbitration through the courts, ombudsman, legal representation and other government commissions such as the Human Rights Commission etc. These may entail some financial cost. Mediation is an option at any stage if the complainant and the person to whom the complaint is directed, so agree.

# FLOW CHART FOR COMPLAINTS – SCHOOL TO STAFF



If matters remain unresolved, you have the right to seek arbitration through the courts, ombudsman, legal representation and other government commissions such as the Human Rights Commission etc. These may entail some financial cost. Mediation is an option at any stage if the complaint and the person to whom the complaint is directed, so agree.

## FLOW CHART FOR COMPLAINTS – PRINCIPAL



If matters remain unresolved, you have the right to seek arbitration through the courts, ombudsman, legal representation and other government commissions such as the Human Rights Commission etc. These may entail some financial cost. Mediation is an option at any stage if the complaint and the person to whom the complaint is directed, so agree.

## **COMPLAINTS HANDLING - GUIDING PRINCIPLES BASED ON AUSTRALIAN and INTERNATIONAL STANDARDS**

- 1. VISIBILITY** Information about how and where to complain should be well publicised to customers, personnel and other interested parties.
- 2. ACCESSIBILITY** The complaints handling process should be easily accessible to all complainants. This includes readily accessible information about the process, flexibility in the methods of making complaints and special arrangements and/or support for complainants with specific needs (including interpreters).
- 3. RESPONSIVENESS** Receipt of each complaint should be acknowledged to the complainant immediately. Complaints should be addressed promptly, complainants should be treated courteously and kept informed of the progress of their complaint through the complaints handling process.
- 4. OBJECTIVITY** Each complaint should be addressed in an equitable, objective and unbiased manner through the complaints handling process.
- 5. CHARGES** Access to the complaints handling process should be free of charge to the complainant.
- 6. CONFIDENTIALITY** Personally identifiable information concerning the complainant should be available where needed, but only for the purposes of addressing the complaint within the organisation and should be actively protected from disclosure, unless the customer or complainant expressly consents to its disclosure.
- 7. INVESTIGATION OF COMPLAINTS** Every reasonable effort should be made to investigate all the relevant circumstances and information surrounding a complaint.
- 8. CUSTOMER-FOCUSED APPROACH** The organisation should adopt a customer-focused approach, be open to feedback including complaints, and should show commitment to resolving complaints by its actions.
- 9. RESOLUTION OF COMPLAINT** Following an appropriate investigation, the organisation should offer a response, for example, correct the problem and prevent it happening in the future. The decision or action taken regarding the complaint should be communicated to the complainant as soon as the decision or action is taken.
- 10. ACCOUNTABILITY** The organisation should ensure that accountability for and reporting on the actions and decisions of the organisations with respect to complaints handling is clearly established.
- 11. CONTINUAL IMPROVEMENT** The continual improvement of the complaints handling process and the quality of services should be a permanent objective of the organisation.

*Paraphrased from the Australian Standard™  
Customer satisfaction – Guidelines for complaints handling in organizations  
(AS ISO 10002-2006).*