

# Complaints and Grievance Policy and Procedure



<b>Purpose:</b>	The purpose of this policy is to ensure that student, parent and employee complaints and disputes are dealt with in a responsive, efficient, effective and fair way at St John's Lutheran Primary School Bundaberg.		
<b>Scope:</b>	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.		
<b>Status:</b>	Approved	<b>Supersedes:</b>	Complaints and Grievance Policy and Procedure 2019
<b>Authorised by:</b>	School Council	<b>Date of Authorisation:</b>	13 February 2024
<b>References:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Education (Accreditation of Non-State Schools) Regulations 2017</a></li> <li>• <a href="#">Australian Education Regulations 2013</a></li> <li>• <a href="#">Fair Work Act 2009</a></li> <li>• <a href="#">Work Health and Safety Act 2011 (Qld)</a></li> <li>• <a href="#">Privacy Act 1988 (Cth)</a></li> <li>• <a href="#">Anti-Discrimination Act 1991 (Qld)</a></li> <li>• <a href="#">Australian Human Rights Commission Act 1986 (Cth)</a></li> <li>• <a href="#">Sex Discrimination Act 1984 (Cth)</a></li> <li>• <a href="#">Age Discrimination Act 2004 (Cth)</a></li> <li>• <a href="#">Disability Discrimination Act 1992 (Cth)</a></li> <li>• <a href="#">Racial Discrimination Act 1975 (Cth)</a></li> <li>• Queensland Lutheran Schools Single Enterprise Agreement 2020</li> <li>• St John's Lutheran Primary School Child Protection Policy</li> <li>• Building Positive Behaviours and Relational Management Procedure</li> <li>• St John's Lutheran Primary School Work Health and Safety Policy</li> <li>• St John's Lutheran Primary School Anti-Discrimination Policy</li> <li>• St John's Lutheran Primary School Sexual Harassment Policy</li> <li>• St John's Lutheran Primary School Disability Policy</li> <li>• St John's Lutheran Primary School Workplace Bullying Policy</li> <li>• St John's Lutheran Primary School Privacy Policy</li> </ul>		
<b>Review Date:</b>	Annually	<b>Next Review Date</b>	March 2025
<b>Policy Owner:</b>	School Council		

## Policy Statement

St John's Lutheran Primary School is committed to ensuring that student, parent and employee complaints are dealt with in a responsive, efficient, and effective and fair way.

St John's Lutheran Primary School views complaints as part of an important feedback and accountability process.

St John's Lutheran Primary School acknowledges the right of students, parents and employees to complain when dissatisfied with an action, inaction or decision of the school and the school encourages constructive criticism and complaints.

St John's Lutheran Primary School recognises that time spent on handling complaints can be an investment in better service to students, parents and employees.

### Complaints that may be Resolved under this Policy

St John's Lutheran Primary School encourage students, parents and employees to lodge promptly any concerns regarding sexual harassment, child protection, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- the school, its employees or students having done something wrong.
- the school, its employees or students having failed to do something they should have done.
- the school, its employees or students having acted unfairly or impolitely.
- issues of student or employee behaviour that are contrary to their relevant code of conduct.
- issues related to learning programs, assessment and reporting of student learning.
- issues related to communication with students or parents or between employees.
- issues related to school 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 this Policy

The following matters are outside 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 St John's Lutheran Primary School Child Protection Policy.
- Student bullying complaints should be dealt with under the Building Positive Behaviours and Relational Management Procedure.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Building Positive Behaviours and Relational Management Procedure.
- Employee complaints related to their employment should be directed to their supervisor.
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate.
- Formal legal proceedings.

### Complaints and Grievance Principles

St John's Lutheran Primary School is committed to managing complaints according to the following principles:

- complaints will be resolved with as little formality and disruption as possible.
- complaints will be taken seriously.
- anonymous complaints will be treated on their merits.
- complaints will be dealt with fairly and objectively and in a timely manner.

- St John's Lutheran Primary School will determine the appropriate person to deal with the complaint in the first instance. Complaints should be resolved with as little formality and disputation as possible.
- mediation, negotiation, and informal resolution are optional alternatives.
- procedural fairness will be ensured wherever practicable, including the right of interested parties to the complaint to be heard.
- confidentiality and privacy will be maintained as much as possible.
- all parties to the complaints will be appropriately supported.
- St John's Lutheran Primary School will give reasonable progress updates.
- appropriate remedies will be offered and implemented.
- provide a review pathway for parties to the complaint if warranted.
- complainants, respondents, and people associated with them will not be victimised as a result of lodging the complaints and they will not suffer any other reprisals.
- the school will keep records of complaints.
- the school's insurer will be informed if a complaint could be connected to an insured risk.

## **Responsibilities**

### **School**

The school has the following role and responsibilities:

- develop, implement, promote and act in accordance with the school's Complaints and Grievance Policy and procedures.
- appropriately communicate the school's Complaints and Grievance Policy and procedures to students, parents, and employees.
- ensure that the Complaints and Grievance procedures are readily accessible by staff, students, and parents.
- upon receipt of a complaint, manage the complaint in accordance with the Complaints and Grievance procedures.
- ensure that appropriate support is provided to all parties to a complaint.
- take appropriate action to prevent victimisation or action in reprisal against the complainant, respondent or any person associated with them.
- appropriately implement remedies.
- appropriately train relevant employees.
- keep records.
- conduct a review/audit of the Complaints Register from time to time.
- monitor and report to the governing body on complaints.
- report to the school's insurer when that is relevant.
- refer to the school's governing body immediately any claim for legal redress.

### **All Parties to a Dispute**

The complainant and respondent both have the following role and responsibilities:

- apply and comply with the school's Complaints and Grievance Policy and procedures.
- lodge the complaint as soon as possible after the issue arises.
- expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness 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.

- 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 Complaints**

Employees receiving complaints have the following role and responsibilities:

- act in accordance with the school's Complaints and Grievance Policy and procedures.
- inform the party lodging the complaint of how complaints 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 complaint.
- provide the complainant with a copy of the school's Complaints and Grievance Policy and procedures.
- maintain confidentiality.
- keep appropriate records.
- to forward complaints to more senior employees, including the Principal (or to Council Chair if complaint is about Principal), as appropriate.
- not victimise or act in reprisal against the complainant, respondent or any person associated with them.

### **Implementation**

St John's Lutheran Primary School is committed to raising awareness of the process for resolving complaints at the school, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

St John's Lutheran Primary School is also committed to appropriately training relevant employees (especially senior staff) on how to resolve complaints in line with this policy and the related procedures.

St John's Lutheran Primary School will keep appropriate records of complaints, will monitor complaints and their resolution, and will report on a high-level basis to the school Board on complaint handling at the school.

St John's Lutheran Primary School will act to encourage students, parents, and employees to contribute to a healthy school culture where complaints are resolved with as little formality and disruption as possible.

# Complaints and Grievance Procedure

## Key Principles

All issues or concerns of parents should be realised directly with the school through the appropriate staff member (e.g., class teacher, Director of Pastoral Care and Wellbeing, Director of Learning and Teaching, Principal) in a confidential manner.

The key principles for the handling of grievances are:

- The school takes seriously its desire to offer a quality service and is therefore open to hearing the concerns of parents;
- Concerns are to be received in a constructive manner;
- Grievances are to be addressed speedily;
- Clear confidential files and a log are kept;
- Confidentiality is respected and maintained so far as is possible;
- Resolution of the matter is the ultimate aim; and
- Strictly, students will under no circumstances receive adverse treatment because their parents have aired a grievance.

## Procedure

The first step in resolving conflict is to raise the issue directly, and as soon as possible, with the person concerned. The following procedure is in place to support all members of the school community in resolving conflict.

Step 1: Make an appointment to talk to the person with whom you have the concern. This may be the class teacher or other staff. The appointment should be at a mutually convenient time in order for the individual to give you his/her full attention. When making the appointment, let him/her know what subject you would like to discuss, as this will help to facilitate the process and makes the most productive use of time.

Step 2: Meet with the staff member and use appropriate problem-solving and/or conflict resolution strategies to formulate positive action for future. An appropriate strategy is as follows:

1. Identify the facts.
2. Explore why the facts present a problem.
3. Share and acknowledge feelings, including hurt.
4. Jointly commit to future action and goals within the guidelines of school policy, procedure and, importantly, by observing school values.
5. Arrange a follow-up meeting to evaluate and review progress.

Step 3: If the issues are not resolved, the complainant can refer their grievance, in writing, to the Principal (or Principal's delegate) for resolution. Grievances in writing may be handed into the School Office marked confidential or emailed to [principal@stjohnsbundaberg.qld.edu.au](mailto:principal@stjohnsbundaberg.qld.edu.au).

*Grievances involving the Principal, shall be referred to the Chair of School Council.*

*Grievances involving the Principal's spouse, shall be referred to the Director of Pastoral Care and Wellbeing.*

Step 4: Reference to the Principal (or Principal's delegate) should resolve most, if not all grievances. However, if the grievance is still not resolved at this level, then the complainant may properly refer a matter to the Chair of School Council. Grievances in writing may be handed into the School Office addressed to Chair of School Council and marked confidential or emailed to [councilchair@stjohnsbundaberg.qld.edu.au](mailto:councilchair@stjohnsbundaberg.qld.edu.au).

Steps 1 through 4 are considered appropriate towards the resolution of grievances. In the rare event that a person feels Steps 1 through 4 did not result in a satisfactory conclusion, the final point of call is to contact Lutheran Education Queensland in Milton.

At all stages of the procedure, those involved are encouraged to speak the truth in love. Resolution is the goal of the procedure, and this can come about through prayer and forgiveness.

If a case arises where the person bringing forth a grievance feels uncomfortable meeting with the appropriate staff member, then an agreed mediator should be sought. For example, another staff member, pastor, agreed professional. Informal Mediation Practices are outlined below in the Additional Information/Resources section.

## **General Guidelines**

The first step in resolving conflict is to raise the issue directly with the person concerned. If the individual airing a grievance is unsure to whom the concern should be directed towards, office staff are available to direct the individual as required.

It is crucial that conflicts and grievance procedures are kept respectfully confidential. At times the individual airing a grievance may like to seek support from a friend or advocate. There are times when this may be appropriate and should be done with sincere discretion.

Communication should be open and honest, focusing on the behaviours and issues, and not the person. This includes listening carefully and respectfully while the other person is talking and exercising responsibility and mutual respect.

It is not appropriate for students to be witness to a grievance between adults.

The Principal shares serious conflict and grievances with the Chair of the School Board.

Whilst constructive criticism, appropriately shared and in line with this policy is welcomed, denigration or defamation of the school or school staff does not support the child's education as it undermines trust and confidence. The school will only respond to issues that are raised in line with this policy.

Anonymous grievances or complaints are generally not addressed.

Constructive conflict helps everyone learn, grow and change for the better. It strengthens relationships. Where both parties agree to seek a positive resolution, positive outcomes are likely to result.

## **Deviation from Policy**

Due to the importance that St John's Lutheran Primary School places on the building and maintenance of positive community relationships, repeated deviation from policy may result in the termination of enrolment at the school.

## **Additional Information / Resources**

### **Conflict Resolution Practices**

The below information outlines recommended procedures for conducting a conflict resolution meeting to ensure the best possible outcomes for all parties involved.

#### **Concerned Party**

- Schedule an appointment promptly when a concern arises (early attention).
- Maintain respect in voice, tone, body language, and behaviour.
- Understand that disrespectful behaviour will not be tolerated.
- Clearly articulate the concern, reasons for concern, and the desired outcome.
- Provide all relevant information when expressing the concern.

#### **Party Directly Involved in the Concern**

- Actively listen.
- Receive information with an open mind and exhibit respectful conduct.

- Acknowledge the person's concerns and express gratitude for bringing the matter forward.
- Summarise understanding through questions.
- Agree to actions resulting from addressing the matter.
- Communicate the need for time to consider, consult, and address the concern within the school's reasonable timeframe.
- Seek feedback on the agreed-upon course of action and timeline.
- Implement the agreed-upon next steps.
- Provide feedback to the relevant party regarding the matter and its resolution.

#### **Party Involved Indirectly in the Concern**

- Actively listen.
- Acknowledge the person's concerns and express gratitude for reporting the matter early.
- Summarise understanding through questions.
- Offer options to support addressing the concern and agree on actions to be taken.
- Communicate the need for time to consider, consult, and address the concern within the school's reasonable timeframe.

#### **Informal Mediation Practices**

Mediation is the most common form of Dispute Resolution. It's a confidential, informal process in which all parties, seek the assistance of an independent mediator to:

- Facilitate open communication and ensure each party is heard.
- Identify the disputed issues.
- Develop options and consider alternatives.
- Aim to reach an agreement if deemed appropriate.

The guiding principles of the mediation process are embracing a sense of responsibility within the group and aligning actions with school values, as well as attending to others with respectful listening, accepting diverse opinions, and committing to group decisions.

The mediation process typically commences with the mediator individually listening to each person to assess the suitability of mediation. Throughout the mediation, the goal is for both sides to collaboratively work towards reaching an agreement. The mediator guides the process, with input from both parties regarding the topics to be discussed. The following is a brief summary of each step within the mediation process:

<u>Intake Session:</u>	The mediator listens to each party's viewpoint separately, without the presence of the other party.
<u>Introduction:</u>	The mediator welcomes participants, including support individuals, and outlines how the session will be conducted.
<u>Issues Set Out:</u>	The mediator collaborates with participants to summarise the disputed issues (defining the source of conflict).
<u>Discussion:</u>	Participants engage in a comprehensive discussion about the issues and their concerns, without comment, and responds to the viewpoint of the other respectfully, acknowledging diverse perspectives.
<u>Negotiation:</u>	Discussions focus on exploring options and potential resolutions, encouraging parties to look beyond the incident and propose solutions both can support.
<u>Agreement:</u>	If an agreement is reached, participants record it in writing. In cases where no agreement is reached, the mediation often clarifies the disputed issues, necessitating potential further mediation or alternative dispute resolution methods.