

PORT MACQUARIE STEINER SCHOOL

9.11 COMPLAINTS AND GRIEVANCES POLICY

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Associated policies:	9.9 Discrimination, Harassment and Bullying Statement 9.1 Communication Policy 9.5 Staff Code of Conduct 2.2 Student Code of Conduct 6.1 Parent, Guardian and School Community Code of Conduct 2.3 Student Wellbeing and Pastoral Care Policy	
Associated Laws:	<i>Education Act 1990</i> <i>Children and Young Persons (Care and Protection) Act 1998</i>	

INTENTION

To clearly outline the expectations of the School regarding complaints and grievances. This policy applies to all student, parent and staff grievances including discrimination and harassment.

INTRODUCTION

Communication is of great importance to the School and we value the input of our parents and guardians. We are committed to effective communication in all areas and particularly with parents and guardians. Teachers value parents as partners in the education of their children. An essential part of developing this open environment is ensuring that students and parents are encouraged to come forward with their matters of concern and grievances in the knowledge that the responsible staff will take prompt and effective action to address these concerns. Grievances that are not addressed have the potential to grow into major problems that can cause tension, low morale and reduced learning and academic achievement.

A grievance may involve unlawful discrimination if it contains allegations of unfair and inequitable treatment on the basis of a person's race, ethnic and ethno-religious origin or nationality, sex or sexual preference, age, disability, religious, or political affiliation. Unlawful harassment is unwelcome and offensive or intimidating behaviour, comments or images based on any of these grounds is unacceptable by the School. The grievance may be against another student/s or staff member/s of the School. In certain circumstances, this policy may be used to deal with a complaint against a person who is not an employee or student of the School but who is involved in a School related activity.

This policy is to be provided to the staff, parents and guardians of the School in order to offer a mechanism for resolving disputes and or grievances about matters relating to the School. It specifies a process to be applied to such grievances when raised with the School and also makes clear that the School will decide the most appropriate method of dealing with the matter on a case by case basis. It also covers the use of the School computing and telephone facilities (including voicemail, email and the Internet).

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POLICY

The School is committed to providing a learning and teaching environment that is safe, fair and free from discrimination for all members of the School community. The School has a responsibility under State and Federal legislation to ensure staff and students are not subjected to behaviour that may constitute discrimination, harassment, vilification or victimisation.

It is an expectation of the School that all grievances should be:

- Treated seriously and sensitively, having due regard to procedural fairness, confidentiality and privacy. Requirements relating to confidentiality and privacy extend to the use and storage of any information and records related to a grievance;
- Handled quickly and as close as possible to their source. This may be modified by the nature of the grievance and the complainant's wishes. Students and staff should raise concerns as early as possible after the incident/s occurred; and
- Wherever possible, resolved by a process of discussion, cooperation and conciliation. The aim is to reach an acceptable outcome that minimises any potential detriment to ongoing relationships.

Both the person raising the grievance (the complainant) and the person against whom the grievance is made (the respondent) will receive appropriate information, support and assistance in resolving the grievance.

No person should be victimised because they raise a complaint or are associated with a grievance.

Students or staff should not instigate grievances that are frivolous or malicious. All students and staff are expected to participate in the grievance resolution process in good faith.

All complaints and grievances will be handled with procedural fairness. Procedural fairness is the application of the 'hearing rule' and the 'right to an unbiased decision' where decisions are to be made which affect the rights of others.

PROCEDURE(S)

The School recognises that students, staff members or parents and guardians may have grievances about matters at school, including:

- work relationships;
- student and teacher relationships;
- parent or guardian and teacher relationships; and
- decisions made by other staff members which impact on student or other staff members' work.

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The following grievance procedure applies to all students, parents and guardians, staff, volunteers and contractors across the School.

If you have a grievance about unlawful discrimination, harassment or bullying please see the School's Discrimination, Harassment and Bullying Statement.

1. Raising a Grievance

If you have a grievance, you should, if it is appropriate, try in the first instance to address the grievance directly with the person involved:

- Students can raise a grievance directly with their Class Teacher;
- Parents and guardians can raise a grievance directly with their child's Class Teacher; and
- Staff can raise a grievance directly with the Teaching Principal.

If you have a grievance that cannot be resolved directly with the person involved you should:

- a) in the first instance, raise it with the Teaching Principal; or
- b) if it is not appropriate that it be raised with Teaching Principal, raise your grievance with the President of the School Board;
- c) if you have any queries about using this grievance process, you should contact the Teaching Principal or President of the School Board for advice.

Complaints and grievances that cannot be resolved directly with the person involved must be made in writing to the Teaching Principal or President of the School Board.

2. Response to a Grievance

The person receiving the complaint or grievance will determine the most appropriate method of dealing with the grievance. This could include (among other things):

- a) requesting further information from you;
- b) requesting information from other peers, parents and guardians, co-workers or third parties;
- c) meeting with you or others involved in the grievance;
- d) reviewing and responding to the grievance or arranging for an appropriate person to review and respond to the grievance;
- e) facilitating a meeting between you and the person/s that the grievance is about (respondent/s); or
- f) referring the complaint or grievance to the School Board.

3. Investigation of the Grievance

The person receiving the complaint or grievance will generally take the following steps:

- a) determine the best method of handling the grievance;

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- b) advise you of the likely steps that will be undertaken by the School in relation to the grievance;
- c) advise the respondent/s of the nature of the grievance and seek their response; and
- d) collect any additional information the School considers necessary to properly review the grievance.

4. Resolution

Advice will be given to both the complainant and the respondent/s of the School's response to the grievance and if appropriate, any proposed action to be taken.

5. Dispute Resolution

In the event that a resolution is not able to be reached, the School may seek the services of an independent mediator.

There may be circumstances in which some of the steps outlined above are not appropriate and the Teaching Principal or School Board will determine, in their absolute discretion, on a case-by-case basis the most appropriate method of handling the grievance.

This grievance procedure is not a term of any contract, including any contract of employment. This grievance procedure may be varied from time to time.

6. Record Keeping

All records relating to complaints and grievances are kept in the School's secure filing system. Depending on the nature of the complaint, these documents will be stored in the Complaints and Grievances file in the Teaching Principal's locked filing cabinet or the School Board's locked filing cabinet.

RESOURCES

There are no resources associated with this policy.

REVIEW

This policy will be reviewed annually.