



GRIEVANCES & COMPLAINTS

1. RATIONALE:

This policy outlines the School's intentions and procedures with regard to the reception to, investigation of and production of a transparent, equitable, legal and confidential resolution of any grievance lodged against the School and its officers.

One of the most significant problems with the handling of grievances is the very real concern for the complainant of what such action may have on their relationships within the school community.

Grievances and complaints are addressed in terms of staff, children and parents.

2. POLICY:

2.1 The school will at all times deal with grievances from any member of the school community or outside bodies in accordance with the regulations and guidelines laid down within the policy document. These regulations and guidelines, which will be freely available to all members of the school community, will be in accordance with government legislation and regulations and any industrial agreements. The current legislation covering the areas is:

- The Workplace Relations Act 1996(Cwth)
- The Sex Discrimination Act 1986 (Cwth)
- Racial Discrimination ACT 1986 (Cwth)
- The Disability Discrimination Act 1986(Cwth)
- Anti-Discrimination Act 1977

2.2 All grievances will be addressed in a transparent and equitable manner in line with the tradition of the School and in conjunction with the school's policies and procedures in related areas.

3. STAFF:

3.1 INTRODUCTION

JVS recognises that staff members may have grievances about matters at work, including about:

- work relationships; and
- decisions made by other staff members which impact on their work.

At all levels of relationships within the school, including that of the Principal and school Board of Directors, the staff member who makes a complaint is discouraged from considering that the disclosure may have a negative influence or impact on their performance or work conditions.

For this reason, it is important for the Principal (or delegated authority) to be active in promoting the Joseph Varga School's Ethos of mutual respect, positive relationships and open communication, thus alleviating any potential anxiety in this area.

3.2 WHO DOES THIS GRIEVANCE PROCEDURE APPLY TO?

This grievance procedure applies to all employees and contractors across the School and applies to general grievances.

If you have a grievance about unlawful discrimination, harassment or bullying please see the *Discrimination, Harassment and Bullying Policy* (3.12.6).

3.3 HOW SHOULD A GRIEVANCE BE RAISED?

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.

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

- a) In the first instance, raise your grievance with the **Principal**.
- b) If you have any queries about using this grievance process, you should contact the Principal for advice.
- c) If a grievance involves the Principal, the grievance should be raised with the Principal first and may involve an advocate to support him/her with the grievance. If the grievance is unable to be resolved, then the grievance should be raised with the **Chairman of the Board of Directors (see 3.7)**.

3.4 WHAT WILL THE SCHOOL DO IF A GRIEVANCE IS RAISED?

The School 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 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; or

- e) facilitating a meeting between you and the person(s) that the grievance is about.

On receipt of a grievance the School will generally take the following steps:

- a) determine the best method of handling the grievance;
- b) advise you of the likely steps that will be undertaken by the School in relation to the grievance;
- c) advise the person(s) that the grievance is about, of the nature of the grievance, and seek their response;
- d) collect any additional information the School considers necessary to properly review the grievance; and
- e) advise both you and the person(s) that the grievance is about, of the School's response to the grievance and if appropriate, any proposed action to be taken.

3.5 However, there may be circumstances in which some of the steps outlined above are not appropriate and the School will determine, in its absolute discretion, on a case by case basis the most appropriate method of handling the grievance.

3.6 A staff member who raises a grievance and the person(s) that the grievance is about may elect to have an appropriate support person present at any meeting with representatives of the School about the grievance. However, depending on the nature of the grievance it may not be appropriate for the support person to be a work colleague.

3.7 Complaints by a staff member about the conduct of a colleague or senior staff member should be made in writing and given to the Principal. Alternatively if the complaint is about the Principal, this should be directed in writing to the Chairman of the Board of Directors.

3.8 Complaints that involve possible legal action should be forwarded to the Principal.

NB: In handling complaints of a serious nature, extreme care needs to be taken to ensure that natural justice is afforded to anyone accused of misconduct, while at the same time ensuring that any complainant is shielded from possible retribution.

4. STUDENTS

4.1 General complaints from students (outside of the specific areas of grievances as nominated above) must be handled according to the following process.

- Students may refer their concerns to any staff member, who in turn reports the concerns to the Principal

- If the complaint is deemed as significant, the student will be requested to put the complaint in writing.
- The complaint will then be investigated by the Principal and the outcome recorded in writing.
- If the complainant is not satisfied with the outcome the matter will again be referred to the Principal and the staff member involved will be given the opportunity to personally present his/her case before making a decision on the complaint (see **3.6.23 POLICY: Procedural Fairness**).
- If a complaint is raised against the Principal and repeated dialogue with the Principal has not resulted in a desirable outcome for the complainant, the complaint should be made in writing to the Chairman of the Board of Directors.

5. PARENTS

5.1 In general, all complaints from parents, in the first instance, should be directed to and dealt with by the classroom teacher if a classroom related complaint. If the outcome is unsatisfactory then the complaint is handled by the Principal.

5.2 If the complaint is not a classroom related matter, then the complaint is handled by the Principal, in which case the procedures outlined in 3.1 – 3.8 apply, though the complainant is of course in this case, a parent.

5.3 Issues may be brought to the attention of the Chairman of the Board of Directors by a parent but for whom the complaint must demonstrate that school policies and processes have not been adhered to before considered a complaint of significance.

5.4 Serious complaints by Parents about a staff member must be referred to the Principal in the first instance. Parent complaints should usually be made in writing if they are of a serious nature.

5.5 All serious complaints by parents are strictly **confidential** and should be addressed appropriately in writing through the Principal or the Chairman.

*NB: This document should be read in conjunction with policy and procedures relating to **Procedural Fairness**, outlining the appeals process of a decision regarding a grievance, complaint or a matter of concern.*

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