Grievance Policy
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PREAMBLE

All policy, protocols and procedures flow from the St Andrews Christian College Mission Statement:

“To educate our students so that they are well skilled, understand life on the basis of biblical truth, and are motivated to walk with God and serve Him in their lives, so that they will be a positive Christian influence in the world.”

POLICY DOCUMENT INFORMATION

TITLE: Grievance Policy

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ACKNOWLEDGEMENTS: To provide policy and direction for all the College Community.

PURPOSE: Anti-Bullying Policy

RELATED DOCUMENTS: Harassment Policy

Student Code of Practice

Student Code of Conduct

Student Wellbeing Policy

KEY DATES

ISSUE DATE: May 2016

REVIEW DATE: 2019
1. **RATIONALE**

St Andrews Christian College acknowledges that as we are all sinners. From time to time grievances may arise within the College community and that these need to be dealt with in a correct and Christ-like manner. The community also needs to be informed of the correct procedures to express a complaint. The manner in which these are dealt with can mean the difference between harmony and tension within a community.

2. **DEFINITION**

A grievance exists when a person feels a sense of wrong, hurt, or injustice because of the actions or words of another person. We recognise that the existence of a state of a grievance in a person’s life may affect a person’s emotions and hinder his / her capacity to work within the staff team, particularly in relation to the person against whom the grievance is borne.

3. **AIM**

This policy and its procedures are designed to ensure that:

- Grievances are properly dealt with so that people and the College are released from their effect.
- Grievances are dealt with according to the Christian perspective articulated by Jesus in His instructions on dealing with offence (Matthew 18). The essence of those instructions is a three stage process:
  - The offended person should first go to the person against whom an offence is held and seek to resolve the issue;
  - If that approach is unsuccessful, another person should assist with an approach and seek resolution;
  - Finally, if both approaches are unsuccessful, the matter should be brought before an authoritative body for a judgment.

In all circumstances that arise, people must act with respect, discretion and confidentiality. All College staff, the Principal and Board Members are bound by the procedures expressed in this policy. Parents and students are strongly encouraged to abide by the policy.

It is acknowledged that **Stage One** should only be utilized where it is safe and reasonable in the circumstances. A student should only utilize **Stage One** in the presence of an appropriate adult, where the grievance relates to an adult.

**Stage One** shall not be utilized for grievances that relate to sexual harassment, abuse, assault or any other abuse of power or potentially criminal conduct. These grievances shall be handled in accordance with the Harassment Policy and reported directly to the Principal (or other person nominated in that policy).

4. **IMPLEMENTATION — Procedures for Dealing with a Grievance**

4.1 **Stage One**

- If a person becomes aware that he or she is feeling aggrieved by the actions of another person he or she should first 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 enough understood to be articulated simply and graciously.
• The aggrieved person should make an opportunity to see the person against whom they have a grievance, privately, and 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. For example an appropriate way to express a grievance is to say, “I am offended by or I am aggrieved by …….. or I feel this is happening,” without any accusations that say “you said” or “you did” or “you intended”. The tone of the meeting should be that of expressing a sense of grievance, not making accusations.

The desirable outcome of this Stage One meeting 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.

4.2 Stage Two

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

Stage Two will include the following steps:

• The aggrieved person should now make a formal complaint to a person in a supervisory role within the College or a position of recognition in the community as per the following schedule:
  - Staff member aggrieved by another staff member – Supervisor, Section Head or Deputy Principal.
  - Staff member aggrieved by his / her Supervisor / Section Head – the Principal.
  - Student aggrieved by another student – the teacher or a Section Head.
  - Student aggrieved by a teacher – the Section Head.
  - Teacher aggrieved by a parent – Deputy Principal or the Principal.
  - Parent aggrieved by a teacher – Section Head, Deputy Principal or the Principal.
  - Parent, teacher, student or other staff member aggrieved by the Principal – the College Board Chairman.
  - Any person aggrieved by a College Board member – the Principal and the Board Chairman will approach a senior churchman or eminent Christian to assist with the grievance process.

The formal complaint should be documented in writing and also presented verbally at a meeting with the supervisory person. The supervising person will read the report, ask questions to seek clarification of the particulars and dimensions of the grievance, and make appropriate notes.

• The supervisor will inform the Principal of the grievance and receive instructions regarding further action that may need to be taken in addition to the instructions in this policy.

• The Principal or the supervising person 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 appropriate) to seek resolution of the grievance.

• The Principal or the supervising person will arrange a meeting of the two parties. The supervising person or the Principal will lead the meeting with a view:
  - To allow the grievance to be aired.
  - 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 the policy).
The desired outcome of this meeting is that both parties will seek individual or mutual forgiveness for grievances, and that an agreement will be made as to future conduct to avoid the grievance recurring.

A full report of the resolution of the grievance meeting will be made by the Principal or the supervising person. All other written complaints and meeting notes will be attached. Copies of all documents will be given to both the aggrieved person and the person against whom the complaint was made. The Principal will hold the other copy in a file only available to the Principal and the parties.

- If this meeting apparently achieves its goal, the Principal or supervising person will arrange a review meeting in not less than 3 weeks and not more than 5 weeks after the original meeting.

The review will be led by the Principal or the supervising person and will require the parties to each make a report on their progress in terms of the resolution of the issue. The Principal or supervising person will make notes of the reports and will attach them to the grievance file. Copies of the notes will also be given to both the aggrieved person and the person against whom the complaint has been made. If the review meeting has a satisfactory outcome, then by mutual agreement no further action will need to be taken.

4.3 Stage Three

If the Stage Two meeting fails to produce satisfactory resolution in the opinion of either party or the Principal / supervising person, the Principal may take or recommend one or more of the following actions:

- The Principal may regard the matter as an employment issue and carry out a further review of the situation in light of this. Ultimately, one or both parties involved in the grievance may be placed under disciplinary action, or on a performance review. These actions may eventuate in termination of a staff member’s employment.

- If the parties agree, the Principal may constitute a panel of peers (a mediation committee) from within the College and / or co-opted skilled people from outside the College. The purpose of the mediation committee would be to:
  - Provide another opportunity for the issue to be aired in a broader setting.
  - Provide opportunity for advice to be given regarding the resolution of the issue.

The mediation committee will not have power to arbitrate in the matter and will have an advisory capacity only. The matters raised will remain confidential to the parties, the mediation committee and the Principal.

- Either party in the dispute or the Principal may request an arbitration procedure by an impartial expert arbitration panel consisting of:
  - An eminent church leader who is unconnected with any parties involved in the dispute.
  - An eminent educator who is unconnected with any party in the dispute.
  - One or two people with mediation or legal skills.
  - The Principal as an observer.

If both parties agree they will be obliged to abide by the decisions and advice of the arbitration panel before the arbitration commences.

A party may refuse the use of an arbitration panel procedure where the grievance is substantially an employment issue.

The arbitration panel will operate in the following manner:
• Panel members will be given copies of all documents relating to the grievance at least one week prior to the arbitration meeting.

• A date will be set for the arbitration meeting that is no more than four weeks 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 decisions and advice.
  - Action as required by the panel’s decision.

Note:
A situation may arise in which the Principal and/or the parties involved are of the opinion that the arbitration panel procedure may take too long and therefore be inappropriate to deal with situations which require a quick resolution. By mutual agreement, an expedited procedure may be necessary, whereby the arbitration panel is constituted by one person only.

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

4.4 Stage Four
Failure to resolve the dispute at stage three may result in the dissatisfaction of one or both of the parties with the process of resolution. One or both parties may desire to take action beyond that planned through the College policy and procedures. This may result in a complaint to the Australian Industrial Relations Commission or the Civil Courts.

5. Notes
• If the Principal is the subject of the grievance by another person, all references in this document to the Principal will be replaced by the Chairman of the College Board.

• Where a student is party to the grievance procedures, any procedures beyond Stage One will need to involve the parents/guardians of the student.

• Privacy considerations – all parties to the grievance and all supervisory people and grievance committee members involved with resolution are bound to non-disclosure of information relating to the parties and procedures outside of the meetings.

• All documents created and collected during these procedures will be kept in a file that is only available to the Principal and the parties.