



NHILL LUTHERAN SCHOOL

ABN 12 126 972 331
2 Mackay Street, Nhill 3418

Phone: (03) 5391 2144
Fax: (03) 5391 1220
email: admin@nhills.vic.edu.au
www.nhills.vic.edu.au

Policy Document

GRIEVANCE – PARENTS, STUDENTS AND GENERAL PUBLIC

Rationale

Lutheran Schools are Christ-centred where individuals should feel safe to express their points of view openly, honestly, constructively and in a spirit of love. St Paul's analogy of the Church as a human body (1 Cor 12:12-27) serves well as a picture of all members actively working together for the common good with Christ as the head of the body.

From time to time, concerns regarding educational, behavioural or school environment issues may arise. For this reason, Nhill Lutheran School has developed a set of procedures to work through unresolved situations, or where an action or decision is considered to be unfair or inappropriate. This is the reality of sin and our inability to live in perfect harmony with one another. However, through God's grace and forgiveness, and by the guidance of the Holy Spirit, we strive to reconcile differences and resolve all conflict amicably.

To this end we are guided by the Scriptures:

- *"If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that every matter may be established by the testimony of two or three witnesses." (Matt 18:15,16)*
- *"Do not let any unwholesome talk come out of your mouths, but only what is helpful for building others up according to their needs, that it may benefit those who listen." (Eph 4:29)*
- *"Be kind and compassionate to one another, forgiving each other, just as in Christ, God forgave you." (Eph 4:32)*

Within the grievance process the power of prayer should never be underestimated. As a practicing Christian community, Nhill Lutheran School seeks the Holy Spirit's guidance and wisdom through each step.

Defining Grievance

A general definition may simply be that a grievance is an unresolved problem (*Source: University of Edinburgh Staff Administration Manual*).

Where an action or decision is considered to be unfair or inappropriate, there is the right to raise a complaint and have it considered seriously – such a complaint is known as a grievance (*Source: Brisbane Montessori School*).

Aims:

- The grievance procedure provides guidelines for raising an unresolved issue or complaint and having it considered seriously. It is essential, therefore, that before the process begins, all parties participating are familiar with the process and with the Christian principles underpinning it.
- It is recognized that individuals in the School community are at different stages in their faith journeys and that this could affect their readiness and/or willingness to engage in prayer throughout the procedural steps.
- Informal resolution of a grievance is encouraged and is always the preferred option. This is reached when the outcome is satisfactory to all. The formal process is set in motion where the informal process reaches an unsatisfactory outcome.
- The grievance procedure may result in the decision or action not changing or being reversed. Sometimes the only achievable outcome may be the enactment of forgiveness. Sometimes it may be an understanding to follow or improve guidelines or procedures in the future.
- The School Council will support and encourage conflict resolution training for the Principal and Staff to assist the grievance process.

Key Elements of our Grievance Policy

Impartiality and Procedural Fairness

If you raise a grievance, it will be investigated in a fair and impartial manner. No judgements or assumptions will be made, and no action will be taken until the investigation is complete. If a grievance is raised against you, your rights will be protected and you will be given an opportunity to tell your side of the story. All persons involved will be kept fully informed of the details as appropriate.

Confidentiality

Where possible, a grievance raised under this procedure will remain confidential and the privacy of individuals involved will be protected. The only people who will have access to information about the grievance will be those directly involved in lodging and investigating the grievance, the Principal and any third party who, in our opinion, need to know, to facilitate the resolution of the grievance. The person about whom the grievance is raised also has a right to be informed of the situation*.

Where a complainant asks to remain anonymous, the investigating officer will decide whether that request can be conceded to and whether it is practical to do so.

If the school obtains legal advice about a grievance the advice is privileged.

*If the grievance is related to illegal activity or child abuse there are specific protocols regarding managing a report – these will not be managed under this policy or through this process.

No victimisation

You can also rest assured that if you raise a grievance you will not suffer in any way as a consequence. The school will make every effort to see that a person who raises a grievance is not victimised in any way.

Vexatious or malicious grievances

There is an underlying assumption that grievances are raised in good faith (and with good will) and with an intention for resolution as opposed to retribution.

Where the investigating officer believes the grievance is malicious, vexatious, frivolous or lacks substance, he or she may deem not to investigate or proceed but will document the grievance and inform the complainant.

Timeliness

Each grievance will be finalised within as short a period of time as possible. Complainants will be advised if the matter cannot be finalised within one month.

Subpoenas, Court Orders

The school must comply with the law and respond to any subpoenas issued.

The school must be informed of any court orders pertaining to a child and undertakes to do its best to support those court orders. However, the school is not obliged to enforce court orders to the detriment of the safety of staff and other students.

Access and Transparency

All students, parents/carers, people connected to the school and members of the general public are entitled to lodge a grievance. The school will ensure this policy is accessible to the public and that the policy is enforced in a clear and consistent manner.

Accountability

The school acknowledges the need to ensure that the grievance procedures are open to review and scrutiny by all stakeholders.

Documentation

When managing grievance issues, all communication is extremely sensitive and may be required for future review or in extreme cases, legal proceedings. Confidential records are maintained by the Principal for all grievances, and staff are encouraged to document details of any discussion related to a grievance in a way that is confidential and accessible for future reference.

All correspondence should be quite formal in nature. Formal letters and emails should be the mode of correspondence utilized and copies of all documentation should be confidentially filed.

PROCEDURE

Implementation

General Guidelines

- Raising the issue directly and as soon as possible, with the person concerned, is encouraged.
- Communication should be open and honest, focusing on the issue and not the person. This includes listening carefully and respectfully while the other person is talking, and exercising responsibility and mutual respect; respect by staff for parents' special relationships with their children and respect by parents for staff as professionals.
- When an issue is discussed in the student's hearing, it is important that the student understands that you have confidence that the issue will be resolved confidentially at the school level. Criticism of the School or teachers does not support the child's education as it undermines trust and confidence.
- Confidentiality must be maintained through all stages of the process.
- The welfare of the child must be the highest priority to all parties throughout the process.
- Constructive conflict helps everyone learn, grow and change for the better. Where both parties agree to seek a positive resolution, positive outcomes are likely to result.

Notes

The Role of Staff

Teaching staff will be the first point of contact for low level classroom based grievances. In these situations, meetings should be arranged with notice and staff members should be well prepared. In some situations, where the staff member is concerned about the parent/s' reaction, it is advisable that the Principal also attends the meeting. All grievances, no matter how minor, should be communicated to the Principal so they are aware of the issues involved.

The Role of the Principal

Once it is established that the grievance cannot be resolved by a staff member, the Principal should closely manage the grievance process. This will involve ensuring all parent meetings are carefully organized and documented.

If it becomes evident the Principal cannot resolve the grievance, the Council Chair should be advised and either Council or Regional office support be acquired.

When managing grievance issues, all communication is extremely sensitive and may be required for future legal proceedings, therefore, all correspondence with parents should be quite formal in nature. Formal letters and emails should be the mode of correspondence utilized and copies of all documentation should be confidentially filed. In grievance situations where legal action may be involved or parent exclusion is being considered, the School Council should be informed as this would be considered a high risk issue.

The Role of the Council Chair

As per the Grievance Procedure Flowchart, the Council Chair will only become actively involved in the procedure, once the Principal advises the Chair they have been unable to resolve the issue. Once the Council Chair is advised they should contact the LEVNT Executive Director to seek support in resolving the grievance. The first action in this process may involve a three-way meeting between the LEVNT Executive Director, Principal and Chair to work out an action plan, which may also involve external consultancy.

The Role of the School Pastor or Chaplain

Direct involvement of school pastors or chaplains in the grievance process runs the possible risk of compromise of their pastoral work, i.e. as spiritual adviser/counsellor to all parties. The role of the School Pastor should focus on providing pastoral care to all parties without prejudice.

The Role of School Council Members

As for the School Pastor, direct involvement of individual School Council members in the grievance process, runs the possible risk of compromise of their position. If School Council members are approached individually by parents with a grievance they should immediately refer them to the Principal.

Resource People

Where the School is seeking facilitators for involvement in the grievance process, it is recommended that they look to neighbouring principals, pastors and senior staff or to professional consultants, counsellors and District Office personnel.

Additional Resources

It is recommended that 'Mapping the Conflict' (Appendix 1) precede the following steps

Appendix 2 contains a suggested Meeting Notes Proforma.

1. Procedure for Parents

The following guidelines may assist you if you have a concern. For some issues it may be appropriate to discuss matters directly with the Principal, however for the majority of situations the following process will help to resolve issues and at the same time build strong relationships.

1. PRAY (Seek counsel from a colleague if needed)
2. Try to see the situation from the other person's point of view. How are you part of the issue for them? How are you contributing to the issue? Check you have all the facts.
3. Make an appointment to talk to the staff member to discuss the concern/issue/complaint. Let them know what subject you wish to discuss as this will facilitate the process prior to the interview. This makes the most productive use of the time available - when the staff member is free to give you their full attention. Aim for resolution. Document the issue.

Results of these discussions may include the following:

- a. the situation is resolved
- b. the situation is monitored
- c. further discussions with the people involved (e.g. Principal and teacher)
- d. outside support for the child or family may be sought

If you consider that the issue you have raised is unresolved, it is important that you state this to the staff member at the conclusion of the meeting.

Acknowledgement of the need for a meeting with the staff member would normally occur within three working days of the request for an appointment.

4. If you are dissatisfied with the outcome of the meeting or it is a more serious issue, make an appointment to speak with the Principal. The results of this meeting could involve any of the above outcomes. If you remain unsatisfied then speak with the Principal again perhaps putting your concerns in writing. If the school does not receive further information, it is reasonable for the issue to be considered resolved.

The Principal should make contact within 3 working days of a meeting request being made.

5. If after the above steps you are still dissatisfied, advise the Principal and write a report of the issue, detailing the what, when, how and who to the Chair of School Council and copy the Principal in this communication. At this stage the Council Chairperson will inform the LEVNT Executive Director of the situation. On the basis of the report the School Chair will try to resolve the situation further if the above processes have been followed, otherwise they may refer you back to the step in this process you have missed. The parties may meet/discuss with School Council Chair to formulate an Action Plan. This may include:
 - Contacting a Principal from another school
 - Contacting a Pastor from another parish
 - Contacting an external mediator
 - Obtaining legal advice, if necessary, according to the problem involved.

Council meeting cycles will mean that this may take 14 working days for acknowledgement to be made by the School Council Chair.

6. If after the School Council Chair has responded to the issue, the matter is still unresolved then the School Council and the Principal should be informed and a formal letter should be written to the Executive Director of Lutheran Education - Victoria, New South Wales and Tasmania District. The Executive Director or nominee will acknowledge receipt of the grievance within 10 working days of receipt.

Referrals

A complainant has the option to refer the grievance if they are not satisfied with the outcome reached by the School Council. Depending on the type of grievance the following referral avenues are available:

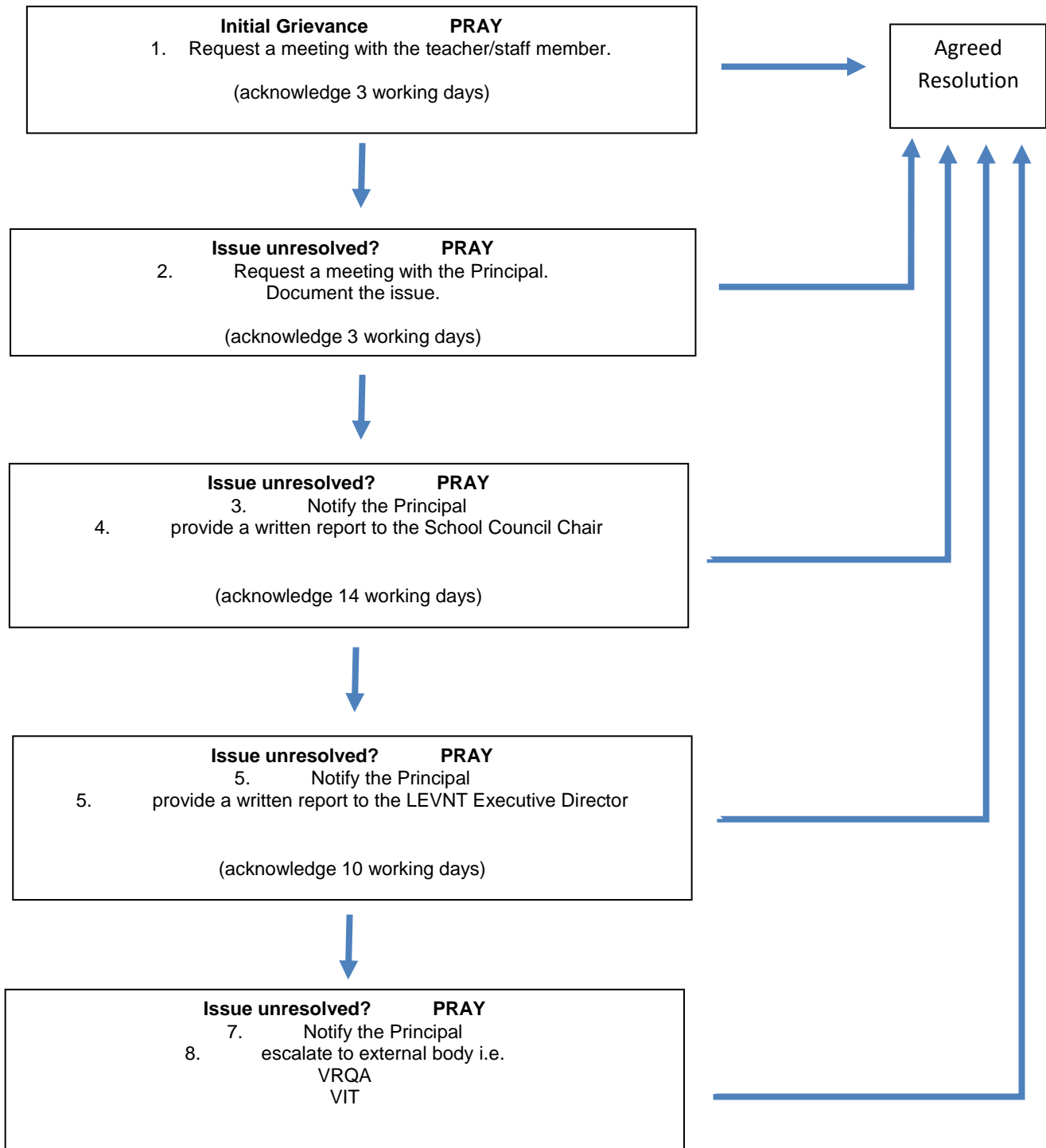
- The Executive Director of Lutheran Education Victoria, New South Wales and Tasmania (LEVNT) (03) 9236 1250 or director@levnt.edu.au
- The Victorian Registration and Qualifications Authority (VRQA)
Note the VRQA **does not investigate all complaints**, however can refer you on to the external agencies that do. For example, the VRQA cannot investigate refund disputes, however Consumer Affairs can. An online complaint form is available at <http://www.vrqa.vic.gov.au/StateRegister/Public.aspx/LodgeComplaint>
- The Victorian Institute of Teaching (VIT)
Note the VIT deal with complaints that relate to allegations of misconduct, serious misconduct, serious incompetence or a teacher's mental and physical ability to teach. The VIT encourages you to follow the school complaints handling policy and only refer the matter to the VIT if the complaint cannot be resolved in this forum.

Notes:

1. It is important that grievances are kept confidential, and although at times you may wish to seek support from friends or an advocate, it is very important to do this wisely. Ill-informed discussion can often cause unnecessary hurt and harm to staff, students and parents.
2. When the matter is discussed in the student's hearing, it is important the student understands you have confidence the issue will be resolved confidentially at the school level. Criticism of the school or staff member does not support the child's education as it undermines trust and confidence.
3. The school can only deal with issues that are raised through appropriate channels. If we do not receive information, then we assume that all is well.
4. Please remember:
 - a. the power of prayer should never be underestimated. We seek the Holy Spirit's guidance and wisdom through each step of the grievance management process.
 - b. everyone should feel they have the right to have a matter of concern raised with the appropriate people in the school.
 - c. we can't address problems we don't know about.
 - d. there are usually several aspects to any one incident and not all involved will understand all the aspects.
 - e. you are urged to contact the school directly with concerns when they happen.
 - f. the best person to contact initially is usually the person involved.
 - g. we may endeavour to resolve problems by seeking outside advice.
 - h. social media is not an approved method of raising concerns with the school and it is not acceptable that social media is used to air grievances.

Have a concern? Unresolved issue? Complaint?

PRAY



2. Procedures for Students

Students have the right and responsibility to raise issues with staff in an appropriate manner where they feel they have been treated in an unfair manner by a member of staff of the school. It is important that matters are discussed in private and in a way that reflects respect for each person involved in the discussion and using the principles listed above.

The following guidelines may assist you if you have a concern. For some issues, particularly where you believe that the teacher has behaved inappropriately or if you are scared to talk to the teacher, it may be better to discuss matters directly with the Principal.

WHAT TO DO	NOTES	WHY?	WHEN IS THIS USUALLY DONE?
1. Arrange a meeting to talk to the teacher you are having a problem with	You can ask another adult to be with you for support (teacher or parent/carer)	<ul style="list-style-type: none"> • So the teacher can focus on you • So you can talk about the problem in private 	Within 3 days
2. Have your meeting			
3. If the meeting did not fix your problems, arrange a meeting with the Principal	You can ask another adult to be with you for support	May lead to: <ul style="list-style-type: none"> ▪ the situation is monitored; ▪ further discussions with the people involved; ▪ outside support for the child or family 	Within 3 days
4. Have your 2 nd meeting			Within 3 days
5. If this meeting did not fix your problems, let your parents and the Principal know and they will help you report to the Chair of the School Council.			14 days because they don't work for the school
6. If Council did not fix your problems, let your parents and the Principal know and they will help you report further.	LEVNT VRQA		14 days because they don't work for the school

NOTES:

1. Each time you arrange a meeting please let the person know what you want to talk with them about.
2. You need to speak up. If you don't let the teacher or the school know that you are still unhappy after a meeting they will think everything is OK.
3. It is important that grievances are kept as confidential as possible. Sometimes times you might need to talk to a friend or another support person. You need to try not to talk to too many people and also try not to hurt others by sharing too much.

3. Procedures for General Public

Members of the general public have the right to raise issues with the school in an appropriate manner where they have a concern with the school. It is important that matters are discussed in private and in a way that reflects respect for each person involved in the discussion and using the principles listed above.

Please call the school office to report your concern giving as much detail as possible. These grievances will typically be investigated by the Principal.

Anonymous complaints are taken seriously, recorded and considered as far as practically possible as they can at times lead to a productive outcome. As there are limitations on investigation and resolution of anonymous complaints complainants, will be encouraged to identify themselves.

If you have a grievance with the Principal and do not feel that you are able to approach them directly please raise your concern with the School Council Chair.

DATE: February, 2017

FOR REVIEW: 2020

MAPPING THE CONFLICT

MY DEFINITION OF THE PROBLEM:

What needs of mine are involved?

What major values do you feel are involved here (e.g. strongly held beliefs I am prepared to act on: co-operation, human rights, ideological or cultural beliefs)?

What are my objectives and priorities?

What fears of mine need to be overcome?

THEIR DEFINITION OF THE PROBLEM:

What needs of theirs are involved?

What major values do they feel are involved here (e.g. strongly held beliefs they are prepared to act on: co-operation, human rights, ideological or cultural beliefs)?

What are their objectives and priorities?

What life situation limits, or personal limitations, are relevant (the boundaries my situation imposes on me)?

What fears of theirs need to be overcome?

What life situation limits, or personal limitations, are relevant (the boundaries their situation imposes on them)?

MEETING NOTES

Date:	
Persons Attending: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Grievance Issue Details:	
Action Plan: Agreed Outcomes	Timeframe
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Prepared by:	

Source: Brisbane Montessori School