

RIVER CITY CHRISTIAN COLLEGE

GRIEVANCE RESOLUTION POLICY

Approved by Board: August 2021

To be Reviewed: 2025



Rationale:

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 grievance in a person's life may affect their emotions and hinder his/her capacity to operate within the school community, particularly in relation to the person against whom the grievance is borne. We also recognise that the existence of a problem does not always mean that there is a grievance. In a healthy school community there will be many instances where people with differing opinions will still work productively together as they seek the best way forward.

Aim:

This policy and procedures are designed to ensure that:

- Grievances are properly dealt with so that people and the school are released from their negative effect.
- Grievances are dealt with according to the Christian perspective articulated by Jesus in His instructions on dealing with offences (Matthew 18). The essence of those instructions is a three-stage process:

Stage 1: The offended person should first go to the person against whom an offence is held, and seek to resolve the issue;

Stage 2: If that approach is unsuccessful, another person should assist with an approach and seek resolution;

Stage 3: Finally, if both approaches are unsuccessful, the matter should be brought before an authoritative body for a decision.

These policies and procedures are designed to direct the process of dealing with grievances between the following parties:

- Staff members and other staff members
- Staff members and the operational school leadership
- Students and students
- Students and staff
- Parents and staff
- Parents and the Principal
- Board and the Principal
- Others within the RCCC community

It is intended that school Staff, the Principal and the Board are bound by this Grievance Policy. The other parties referred to above are strongly encouraged to abide by this Policy.

Implementation:

It is acknowledged that Stage 1 should only be utilised where it is safe and reasonable in the circumstances. A student should only utilise Stage 1 in the presence of an appropriate adult, where the grievance relates to an adult. Remedy of grievances may be sought orally or in writing in accordance with the following procedure. This procedure will usually be adopted in the interests of fairness but is not contractually binding.

Stage 1 shall not be utilised for grievances that relate to sexual harassment, abuse, assault or any other abuse of power or potentially criminal conduct. Such grievances shall be handled in accordance with the Mandatory Reporting & Reportable Conduct Policy and reported directly to the Principal or, if they are unable to act, to their delegate or the RCCC Board Chair. If the grievance relates to any other matter needing to be handled within the broader legal system, this process must not jeopardise that proceeding effectively.

Stage 1

If a person becomes aware that they are feeling aggrieved by the actions of another person, they should first take the time to reflect on the matter to ensure that their spirit and emotions are under control and that the issues concerned are clearly understood enough 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.

Discussions in Stage 1 can be either informal or formal in nature.

Informal Discussions. These may be private attempts at resolution or reconciliation between the parties concerned in an informal manner. In the situation where a parent has a concern relating to the actions of a teacher, it is understood that the parent will raise their concerns, in the first instance, with the teacher involved. If the matter is resolved, no further action is needed.

Formal Discussions. These may be held when a record of discussions is kept. Others may be involved for support or as informal mediators. In the event that an issue between a parent and teacher is not resolved by 'Informal Discussion', it is understood that the matter will be referred to the Principal for Formal Discussion. If resolved, no further action.

The desirable outcome of this stage 1 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. Otherwise, the Board of the school is to be advised.

While no definite timing is specified for the grievance receipt, acknowledgement, assessment and outcome steps within this Stage, reasonable progress toward a resolution would be expected within days if practicable. However, if either party request that the steps and timeline be further defined at any point through Stage 1, that should be done within a day if practicable.

Stage 2

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 which will be based on a formal mediation process. Stage two will include the following steps:

1. The aggrieved person should now make a formal complaint to a person with greater responsibility within River City Christian College as per the following schedule:

- staff member and staff member – Principal
- staff/parent/student/other and the Principal – Chair of the School Board
- student and student – a relevant Teacher
- student and staff member – Principal
- staff member and parent – Principal
- a parent aggrieved by a teacher – Principal

The formal complaint should be documented in writing and also presented verbally at a meeting with the responsible person. The responsible person will read the report, ask questions to seek clarification of the particulars and dimensions of the grievance, and make appropriate notes. In the case of a student – student grievance, the relevant teacher 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. Within one week of receiving such a complaint, it will be acknowledged in.

2. The Principal or the responsible person will meet with the person against whom the complaint has been made, to explain the nature of the complaint and to present them 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 their 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. Other actions may be needed to more fully assess the complaint.

3. The Principal and or the responsible person will arrange a meeting of the two parties within a further week unless formally agreed otherwise. The responsible person or the Principal will lead the meeting with a view to:

- allowing 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 this policy.

The desired outcome of this meeting is that a resolution is achieved, both parties seeking 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 responsible person and attached to all related written complaints and meeting notes. Copies

of all documents will be given to both the aggrieved person and the person against whom the complaint was made within a further week unless formally agreed otherwise. The Principal will hold the only other copy in a file only available to the Principal and the parties.

4. If this meeting apparently achieves its goal, the Principal or responsible person will arrange a Review Meeting 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 responsible 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 responsible person will make notes of the reports and will attach them to the grievance file. Within the following week, 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. The Board of the school is to be kept informed of progress.

Stage Three

If the stage two meeting fails to produce a satisfactory resolution in the opinion of either party or the Principal/responsible person, either party or the Principal may take one or more of the following actions as expeditiously as possible, with an appropriate timeline being identified at the outset:

1. If the matter is an employment issue:
 - The Principal may carry out a further review of the situation. 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 proceedings.
 - The matter may be referred to the Fair Work Commission for resolution.
2. If the parties agree, the Principal may constitute a panel of peers (a Mediation Committee) from within RCCC and/or an outside mediator or neutral party. 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.

3. 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 not connected with any parties involved in the dispute; and
 - an eminent educator who is not connected with any party in the dispute; and
 - one or two people with mediation or legal skills outside the school; and
 - the Principal and or a Board member 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.

If an aggrieved party so requires or the Principal, after consultation with the School Board so determines, the matter may be pursued through the Australian legal system. However, this route should only be taken after all available action outlined above has been considered.

The Board of the school is to be kept informed of progress.

NOTES

1. 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 River City Christian College Inc.
2. Where a student is party to the grievance procedures, any procedures beyond Stage 1 will need to involve the parents/guardians of the student.
3. Privacy considerations – all parties to the grievance, all responsible people and grievance committee members involved with resolutions are bound to non-disclosure of information relating to the parties and procedures outside of the meetings.
4. All documents created and collected during these procedures will be kept in a file that is only available to the Principal and the parties.
5. The approved agreements, policy and procedure documents of RCCC will guide the actions and expectations for those involved with the College.