

# GRIEVANCE POLICY

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## Aim

*"The aim of a grievance procedure is to produce a solution which is acceptable to the individuals or parties involved. However, not all problems will be capable of a resolution which satisfies those concerned, but the grievance procedure will ensure that the problem is addressed and that a clear response is provided at each stage of the process. The procedure involves both informal and formal components."* Source: University of Edinburgh Staff Administration Manual

## Rationale

Lutheran schools are practicing Christian communities where conflicts are dealt with in a spirit of loving servant-hood. These conflicts are to be dealt with in relation to the principles of a functioning Christian community. (See Matt 18, 1 Cor 12, Eph 4, Rom 12). *Restorative Practices* is the framework and process through which grievances are dealt. It is a framework that seeks to repair any harm done, and repair or restore damaged relationships. For a Christian community to function well, all members must actively work together for the common good. The functions and gifts of each member will vary but the desire to work for the good of the community is the same. The respect and status of an individual is not determined by their particular gifts, or by their position in the school. Responsibilities are to be carried out in love and forgiveness so that the community is built up. No-one is exempt.

The Christian atmosphere of a school community should be such that all feel safe to express their point of view openly and honestly, and in a spirit of love. Potential conflict should be dealt with and discussed as early as possible. The focus needs to be on the issues, rather than the personalities of those concerned.

However, the Lutheran Church of Australia Safe Place Policy outlines the Church's policy toward sexual abuse and harassment. In matters of this nature, council members, staff, parents and students are obliged to follow the procedures and guidelines of this policy.

## Definition

*"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

## Implementation

Navigator College is a Christ-centered community 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.

From time to time concerns regarding educational, behavioural or school environment issues may arise. For this reason, Navigator College has developed a set of procedures to work through unresolved situations, or where an action or decision is considered 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)

As a practicing Christian community, Navigator College enlists the Holy Spirit's guidance through each step. Council members, staff, parents or guardians, students and other members of the community are encouraged to follow the procedure outlined below.

## Grievance Policy Procedures

### General Statements

- 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.
- A restorative approach, utilising the Restorative Practices framework, will be followed whenever a grievance is submitted.

The grievance procedure may not result in a change to, or reversal of, a decision or action. 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.

### General Guidelines

- *Restorative Practices* suggest that the best people to settle an issue are the people directly involved.
- 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; 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.

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.

### **Confidentiality**

- Grievances should be kept as confidential as possible.
- Support in principle may be sought from the Chairperson of the School Council on the basis of the consultative role that this can play.
- However, it should be recognized that the involvement of such bodies or of others such as the Schools Director, Lutheran Education South Australia, Northern Territory and Western Australia (LESNW) as mediators, can compromise confidentiality.

### **Documentation**

- Before disputes are referred to the Schools Director, Lutheran Education South Australia, Northern Territory and Western Australia (LESNW) or persons outside the school, the concerns should be documented and covered by a letter which confirms that each of the steps outlined in this set of procedures has been followed.
- Any party to a dispute has the right to be accompanied by another person, in a support role, at any meetings convened to discuss resolution of that dispute.
- Accurate records of all disputes and proceedings should be maintained and current copies held by all parties involved (Appendix C).
- It is extremely difficult for the LESNW Director, the Principal or the School Council Chairperson to act on anonymous complaints, although they may be obliged to listen to the complaint as indicative of an issue requiring attention.

### **Time Frame**

It is the obligation of all parties to deal with a concern as promptly and amicably as possible. In most cases, a reasonable time for resolution might be one month. In some cases where external personnel or factors are involved, resolution might take longer.

### **Use of external authorities**

Complaints against Navigator College may be raised with the Director of LESNW. Normally, the Director will not accept a complaint until school grievance procedures have been completed. If a complainant is dissatisfied with the outcome of the grievance procedures, the Executive Director, Lutheran Education Australia may be asked to review school and LESNW process. Neither the Minister for Education nor the Department for Education has any power to directly intervene in any complaints relating to the operations of a non-government school.

## **1. GRIEVANCE PROCEDURE – PARENTS OR GUARDIANS**

Positive relationships within school communities give children greater opportunities to succeed.

It is natural that parents or community members at one time or another may have concerns about what happens at school. To maintain positive relationships, grievances or conflicts should be resolved so that all parties achieve satisfactory results.

The welfare of children in the school is paramount. Open criticism of any parties in a dispute does not support children's education. To this end fair and open communication conducted within the procedures framework outlined here, ensures that the rights and responsibilities of all parties are respected and consensus achieved.

All personal matters, such as concerns regarding student, parent or staff relationships should be raised directly with the school through the class teacher or Principal in a confidential manner.

## **1.1 Guidelines for parents.**

### **1.1.1 Parents make an appointment to talk to the relevant teacher.**

This may be the Class teacher (JS), Home Group or Subject Teacher (MS/SS).

Let the teacher know what subject they wish to discuss since this will facilitate the process. (This makes the most productive use of the time available - when the teacher is free to give parents their full attention). If parents consider that the issue which they have raised is still unresolved, it is important that they state this to the teacher at the conclusion of the meeting.

If the issue is unable to be resolved, then a Year Level/Cluster Coordinator may help facilitate a restorative conversation with the parties involved.

If the issues remain unresolved, parents should make an appointment with the relevant Head of School and let him / her know what subject they wish to discuss as this will facilitate the process.

### **1.1.2 Parent meeting with the Principal**

Results of this meeting may include the following:

- The situation is monitored;
- further discussions with the people involved (e.g. Principal and teacher);
- outside support for the child or family may be sought;
- if parents are still dissatisfied with the outcome of the meeting, they should telephone or write to the Principal again to air their concerns. If the school does not receive further information it is reasonable for the issue to be considered resolved.

### **1.1.3 Ongoing dissatisfaction**

If after the steps outlined in 1.1.1. and 1.1.2. have taken place, and parents are still dissatisfied they should approach the Director of LESNW who will try to resolve the situation further. The expectation of the Director of LESNW will be that the above steps have been followed.

### **1.1.4 General principles**

It is important that all grievances are kept confidential, and although at times parents may wish to seek support from friends or an advocate, it is very important to do this wisely. When the matter is discussed in the student's hearing,

it is important that the student understands that parents have confidence that the issue will be resolved confidentially at the school level. Criticism of the school or teacher does not support the child's education as it undermines trust and confidence. The school can only deal with issues that are raised in the ways outlined above. If staff do not receive information then they assume that all is well.

## 2. GRIEVANCE PROCEDURE - STUDENTS

Please see the Appendices following this policy for resources that may assist with successful resolution of a grievance.

### 2.1 Guidelines for Students

#### 2.1.1 Talk with the person concerned (Student or teacher). You may need a '3<sup>rd</sup> Party' (e.g. a teacher) to facilitate this discussion.

***Restorative Practices:***

What happened?

What were you thinking/feeling?

What have you thought since?

Who has been affected by what happened?

What needs to happen to make things right?

What will happen if this happens again?

#### 2.1.2 Listen

Students should listen to the other's side of the story.

#### 2.1.3 Reflection

Students should think seriously about whether there is any wrong on their side.

#### 2.1.4 Agreement

Students should try to reach an agreement with the other person where they both feel OK about the outcome. This may be written down and/or noted on SEQTA.

### 2.2 Further Concerns

If the issue is not resolved, students should seek the assistance of a Year Level/Cluster Coordinator for further Restorative conversations.

### 2.3 Some Helpful Hints for Students

- Don't talk about the person to others – talk directly to the person.
- It is better not to talk while you are angry or in public.
- Praying for the right words to say, for understanding and for the issue to be resolved can be helpful.
- All students have the right to question the assessment that the teacher has made of their work in assignments and tests. If they are not satisfied that the assessment was correct and accurate, they should:
  - approach the teacher and ask for clarification
  - ask for a reassessment of the work by the teacher

- ask the teacher to have the teacher in charge of that Learning Area Leader (LAL) or another teacher -reassess the work
- accept the decision

### 3. GRIEVANCE PROCEDURE – STAFF

In any organisation, conflict of a personal or professional nature may arise. Procedures to resolve conflict should reflect the Christian ethos of the school and be based on the principles in Matthew 18:15. Staff need at all times to seek to resolve conflict and not contribute to it by gossip. The following guidelines will assist those who have a grievance.

#### 3.1 Guidelines for Staff

##### 3.1.1 Personal Conflict – Procedure

Staff should utilise the *Restorative Practices* procedure as outlined above in 2.2.1.

- Seek God’s guidance through prayer.
- Identify and clarify the issue, possibly discuss with another person.
- Discuss the issue with the person involved, stating the problem and seek a resolution through offering or asking for forgiveness.
- If the problem is not resolved involve a third impartial person, acceptable to both parties.
- If the conflict is unresolved discuss the issue with the Principal to establish a professional working relationship.

##### 3.1.2 Professional Conflict - Procedure

- Identify and clarify the area of concern.
- Discuss the issue with the Principal / Head of School.
- Place the matter on the agenda of the staff meeting.
- Be prepared to state the area of concern and offer possible solutions.
- If the conflict is not resolved discuss the matter with the Principal.
- Finally, the matter can be referred to the Director of LESNW who will determine further action.

#### 3.2 Special Notes

- **The Role of the School Pastor**

Direct involvement of the School Pastor in the grievance process runs the possible risk of compromise of their pastoral work, i.e. as spiritual adviser/counsellor to all parties. Every effort must be made not to put in jeopardy this unique relationship.

- **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 individuals with a grievance they should refer them to the principal or speak to the Council Chairperson.

The Council may also consider matters associated with long range planning where a

person considers the Principal has not followed the Grievance Procedure in accordance with the school's principles.

- **Resource People**

Where a 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 or the Director, Lutheran Schools Association (LESNW) and personnel of the Lutheran Schools Association.

#### 4. GRIEVANCE PROCEDURE – SCHOOL COUNCIL MEMBERS

In principle, any conflict is capable of resolution if the parties involved work through the issues in a rational, logical, and prayerful manner.

Sadly, many conflicts are far from rational and an outside mediator may need to be involved. This raises the question of the Schools Director's (LESNW) involvement. While it is appropriate that the Director be aware of the conflict, it is not always appropriate that the Director act as mediator, since to do so may place the Director in a "no win" situation, and jeopardise his/her neutrality. However, the Schools Director should be kept informed of all situations involving conflict where intervention may become necessary. The following guidelines should be followed to restore harmony between Council members and the Principal.

##### 4.1 Guidelines for Council Members

Council Members should utilise the *Restorative Practices* procedure as outlined above in 2.2.1.

###### 4.1.1 Prayer

Those involved in a conflict come together as God's people in prayer. Prayer, repentance and forgiveness set a basis for further discussion.

###### 4.1.2 Representation

Ensure that the conflict is represented by the appropriate person. It is the responsibility of Christian community leaders to contain issues to the appropriate people, and to see that others understand this.

###### 4.1.3 Role clarity

Clarity as to the precise roles and responsibilities of the people involved must be established.

###### 4.1.4 Mediation

If the conflict remains unresolved, a neutral mediator shall be involved. The mediator, agreeable to all, shall be appointed in consultation with the Director of LESNW.

Appendix A

The Restorative Circle



Appendix B  
MAPPING THE CONFLICT



MY DEFINITION OF THE PROBLEM:	THEIR DEFINITION OF THE PROBLEM:
What needs of mine are involved?	What needs of theirs 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 major values do you feel are involved here (e.g. strongly held beliefs that they are prepared to act on: co-operation, human rights, ideological or cultural beliefs)?
What are my objectives and priorities?	What are their objectives and priorities?
What fears of mine need to be overcome?	What fears of theirs need to be overcome?
What life situation limits, or personal limitations, are relevant.?	What life situation limits, or personal limitations, are relevant.?

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**Date:**

**Persons Attending:**

**Grievance Issue Details:**

**Agreed Outcomes**

**Timeframe**

<b>Prepared by:</b>	

Source: Brisbane Montessori School

# STEPS TO CONFLICT RESOLUTION...

Can you cope with this yourself?

If yes – Well done!

If no – see below...



Discuss your complaint with the person involved.

Action worked – Well done!

Action did not work – see below...



Talk it over with a parent, teacher or a responsible person you trust and ask for help.

Action worked – Well done!

Action did not work – see below...



Make an appointment to see the College Principal.

Action worked – Well done!

Action did not work...

The College Principal will now deal with it.

# If someone is bothering you...



3. Ask a friend for help

4. Ask a teacher, or another adult for help

5. Ask the Principal to help you

2. Tell them to stop.

1. Ignore the inappropriate behaviour