

GRIEVANCE POLICY

Our Core Values

The Scotch College Grievance Policy is consistent with our Core Value of One School, which enshrines an ethic of care for each member of our community.

Statement of Purpose and Commitment

It is recognised that, from time to time, grievances may arise within the College community. This policy sets out processes by which matters of concern can be addressed expeditiously, confidentially and with sensitivity to all concerned.

Definition: A complaint or grievance is an expression of dissatisfaction with a real or perceived situation or outcome. The dissatisfaction may be based on a perception that a student, parent or staff member has:

- done something wrong, or
- failed to do something he/she should have, or
- acted unfairly or inappropriately.

Scotch College is committed to:

- ensuring that the College is a safe, fair and just environment,
- actively promoting the development of positive personal relationships, where persons respect one another,
- being proactive in seeking to minimise the incidence of conflict,
- supporting the right of every member of the College community to have his/her/grievances listened to, addressed fairly and dealt with expeditiously,
- attempting to resolve disputes and grievances in a non-threatening, respectful manner and in a supportive environment.

This policy refers to student and parent grievances. For staff grievances, please see the relevant section under Human Resources on Office 365, Sites, Staff Information.

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GUIDING PRINCIPLES

- Complainants are encouraged to firstly and, where practicable, seek to resolve a complaint **informally**. Formal procedures for the resolution of grievances will normally only be invoked when a matter cannot be resolved by informal means.
- The College supports, where possible, an informal, amicable and equitable resolution of grievances through **discussions, mediation and/or conciliation** to achieve an agreed outcome aimed at enabling all parties to continue in the College community free from harassment or retribution.
- All resolution policies and processes acknowledge and value different perspectives and operate under the principles of: impartiality, promptness and protection from victimisation.
- Communication and resolution processes should always be based on the parties acting in good faith, exercising good judgement, being honest and open, **focusing on the issue** and not the person.
- In dealing with a complaint, informally or formally, every reasonable effort shall be made to ensure that **natural justice** is afforded to all parties. This means, in practical terms:
 - Subject to duty of care or other legal obligations, respondents should normally be **informed** of all allegations, and the basis for and the specific circumstances which give rise to the grievance.
 - The right of all parties **to be heard** and to put their case.
 - Investigations into the grievance must be undertaken **expeditiously and thoroughly**.
 - Only matters that are **relevant** to the grievance under consideration should be taken into account.
- It is recognised that the application of the principles of procedural fairness **can vary**, depending upon the context and nature of the grievance and the nature of the response proposed or sought.
- As far as possible and appropriate, **confidentiality** will be respected and maintained by all parties throughout the resolution process, save where persons are required to be informed on a 'need to know' basis or where statutory or other legal requirements demand that matters be reported.
- Whilst complaints from an **anonymous source** will be taken seriously and investigated as far as practically possible, it is very difficult to proceed or undertake a thorough and extensive investigation if the Complainant cannot be identified and hence cannot provide further and better particulars or information to assist with that investigation. Complainants are therefore encouraged to identify themselves.
- Where complaints or grievances are made in circumstances where an **crime** may have been allegedly committed, the Police or similar outside agencies will normally be contacted and formally advised of the complaint or grievance. In some cases, (e.g. Mandatory Reporting), there is no discretion and the matter must be reported to the relevant authorities.

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Options for the resolution of grievances

A person may elect, according to the nature and seriousness of his/her grievance, to deal with that grievance in one of more of the following ways:

Personal resolution – this might involve:

- discussing and resolving the matter directly with the person responsible for the behaviour, to see if a misunderstanding has occurred, and can be resolved,
- seeking confidential advice in relation to strategies to deal personally with the grievance,
- seeking advice in relation to different options,
- seeking the support of another person to assist in informally resolving the grievance.

Reporting a grievance

- Select the appropriate person to report the grievance to.
- When making a report explain the nature of the complaint, including the specific details, and the extent of dissatisfaction
- The person receiving the complaint will gather information relating to the allegations and may convene meetings of the parties to discuss the complaint with the person(s) accused, to hear all relevant evidence and submissions. A determination will then be made, on the basis of a thorough investigation, whether or not to uphold the grievance.
- If the complaint is substantiated, the evidence is inconclusive or if the complaint is found to not be substantiated, both the complainant and the accused will be advised accordingly, with such follow-up counselling or other actions as deemed appropriate.
- The Complainant and Respondent will, in all instances, be informed of the outcome and action taken.
- When a grievance is not or cannot be resolved within the College, the parties may contact the Chair of Council.
- If the grievance has still not been resolved the complainant may seek the assistance of outside professional agencies or other relevant judicial or quasi-judicial bodies in order that a further attempt can be made to resolve the matter.



Referral of a grievance to College Council

As a general rule, the Chair of Council and members of the College Council are not directly involved in the first instance with the receipt, investigation or resolution of grievances other than grievances arising with the College Council itself.

In instances where a grievance is with the Principal, a person may, if he/she feels the matter cannot otherwise be resolved or feels it is appropriate to do so, lodge a formal complaint with the Chair of Council. In turn, and in consultation with the complainant, the Chair of Council will expeditiously implement all reasonable steps to have the complaint fully investigated and to facilitate a resolution.

In other exceptional and special circumstances, a member of the College community may make a direct approach to the Chair of Council to bring his/her attention to a matter of concern, to formally lodge a grievance or refer a grievance where the resolution processes within the College have failed or are otherwise inappropriate. In such instances, the Chair of Council will take advice from appropriate persons and make a determination as to how the grievance should be dealt with.

Withdrawal of a grievance

A person may withdraw a grievance at any stage of the resolution process. If a grievance is withdrawn, the matter will be deemed to be closed.

Beyond the College

Please note that neither the Minister for Education and Child Development nor the Department for Education and Child Development has any power to intervene directly in complaints relating to the operations of a non-government school.

Record Keeping

Accurate and appropriate records will be kept securely, by the person(s) responsible for overseeing or managing the resolution process for a particular grievance. A record of the complaint should include the following detail.

- Date when issue was first raised

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- Name of complainant
- Detailed statement of concern/complaint including:
 - Nature of complaint
 - Identity of person(s) involved
 - Time of allegation
- Description of the procedures applied and the time frame for reporting on the outcomes of any investigation
- Statement of outcomes
- Staff member(s) handling complaint
- Location of files established as part of office records management

The records management system must protect the privacy of the individual(s) concerned.

Outcomes

A matter is dealt with successfully if all parties find the outcome(s) acceptable. Should any party not be satisfied with the result, he/she can choose to pursue the matter further.

Each complaint or grievance is to be dealt with in good conscience and with equity, and on its particular circumstances and merits. Any settlements reached through the grievance process will not constitute any binding precedent for future cases.

Appropriate Confidentiality

The College recognises that accusations can potentially be defamatory and can involve risks to those concerned, especially if such accusations are without foundation and reputations are damaged without just cause. All persons dealing with grievances or complaints should maintain confidentiality unless otherwise required by appropriate circumstances, policy or law, so as to minimise disruption in the College and the risk of a civil suit for defamation.



STUDENT GRIEVANCES

Do you have any concerns, complaints or suggestions?

If so, the College would like to hear.

How do I raise a concern?

- By talking about it – or by writing it down if you find it easier.
- You can prepare it by yourself, or as part of a group, or through your parents.

With Whom do I lodge my concern?

- To your parents.
- To your Head of House or Homegroup teacher.
- To the staff member most directly concerned.
- To anyone on staff or you may wish to begin with a staff member with whom you relate well. The College Counsellor may also be able to assist you.
- You may wish to see your Head of School, or the Principal.

Does it matter what the issue is?

No, it can be a big problem or a small one. By discussing it, you may come up with some positive ideas.

What will happen next?

If possible, the staff member will deal with it in person. If the staff member is not able to deal with them, he or she will refer the matter to another senior member of Staff, who is more able to respond to the matter you raise.

Do others have to know?

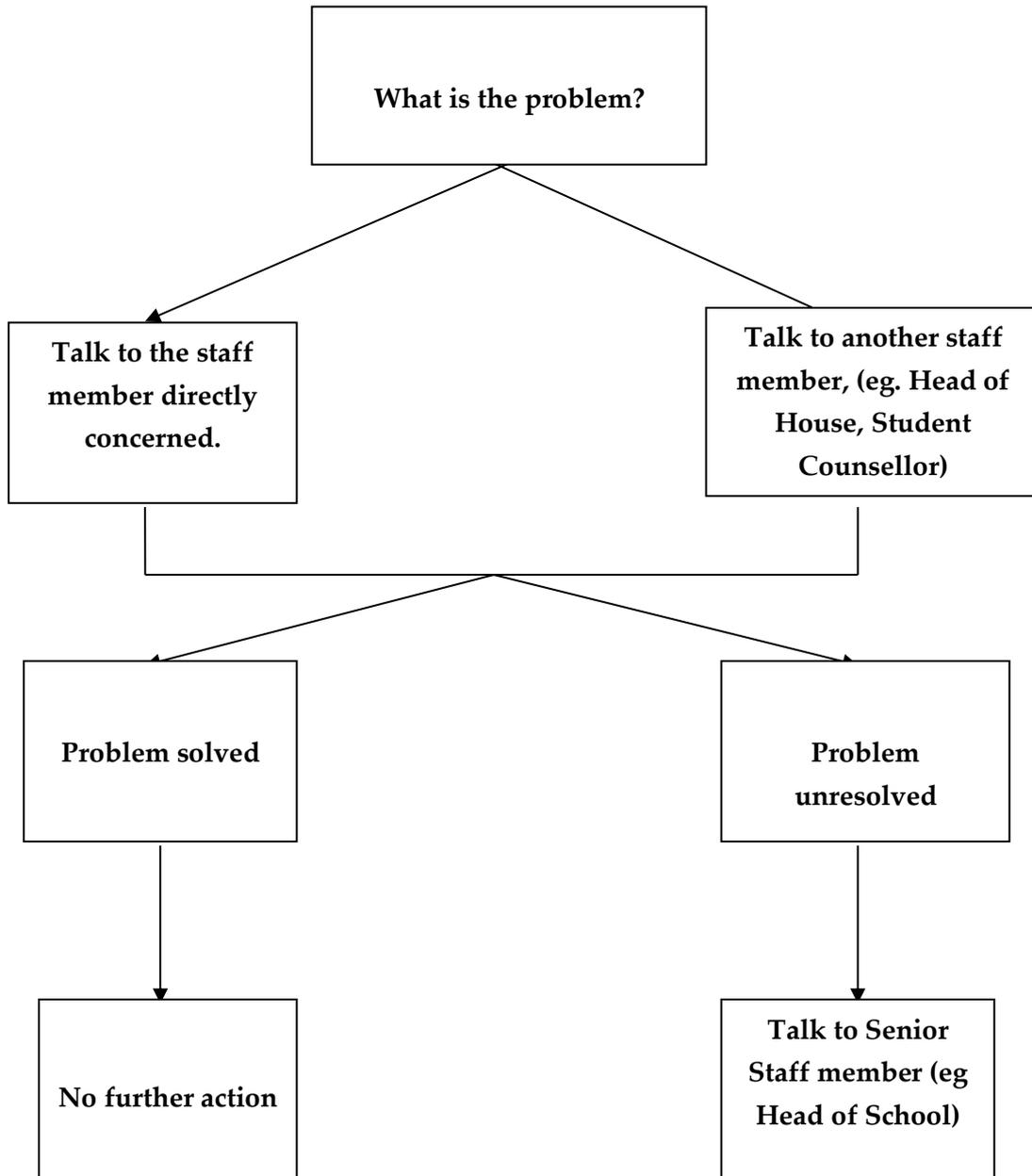
If you are worried about confidentiality, tell the staff member – he/she will understand and discuss this with you.

Will I cause trouble by asking questions or making a complaint?

You have a right to raise issues of concern to you. Think through your role in the problem (if any); seek out a trusted staff member for advice on particular issues.

Even if you find the issue painful, difficult or embarrassing, don't worry – it will only be discussed by staff that can help you. Do not feel afraid to discuss any concern – it may help others.

Fig 1. Pathway for Complaints from Students.





PARENT GRIEVANCES

A quick response to issues is an important part of our service to our clients. As part of this process, the College aims to provide a response to telephone enquiries within 24 hours and to written enquiries within a working week. Resolution of some issues may take longer but the initial response, where possible, should be speedy.

Monitoring of complaints is also important in identifying particular trends within the College. Staff receiving complaints will record them formally and, if of sufficient significance, these will be collated by the Principal on a term by term basis.

It is important for parents to know that unresolved issues can proceed to a more senior member of staff. It is also important that parents realise that for complete resolution of complaints it is necessary to investigate and evaluate fully all evidence in relation to a particular complaint. Parents also have the right to raise the issue with a more senior member of staff if they feel it has not, or will not, be dealt with expeditiously by the staff member.

If parents are uncertain about the name of the person to whom a query or complaint is being directed, our receptionist will be able to help.

Issues directed to the **Heads of House/Homegroup Teacher**

- All student-related issues of a day-to-day nature.
- In the first instance, issues that relate to the wellbeing of a student.
- Issues that relate to the relationship between a student and teacher.

Issues directed to the **Head of Faculty/JS Curriculum Coordinator**

- Concerns about a particular subject or the way that it is delivered

Issues directed to the **Director of Teaching and Learning/JS Deputy Principal**

- General information about the curricular offering at the College
- A student's academic program
- The set placement for a student
- Individual program (IP) student issues
- Issues associated with the assessment of student work

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Issues directed to the **Heads of Sport**

- General information about the College's sporting program
- A student's placement in a team and selection
- Concerning team fixtures

Issues directed to the **International Student Coordinator**

- Advice/difficulties concerning overseas students

Issues directed to the **Heads of Boarding**

- Concerns about relationships in the boarding house
- Concerns about the services provided in the boarding house
- Concerns about boarding house facilities

Issues directed to the **Heads of School**

- Problems associated with student-to-student interaction and harassment
- Problems associated with student behaviour inside and outside the school
- Issues associated with reporting
- Issues associated with the participation of a student in school activities
- Issues associated with student safety
- Issues regarding communication

Issues directed to the **Head of Enrolments**

- Concerns about the enrolment process
- Concerns about information provided by the College
- Concerns about enrolment of boarding and international students

Issues directed to the **Head of Community and Marketing**

- Concerns about fundraising or friend-raising activities
- Concerns about Old Collegians



Issues directed to the **COO**

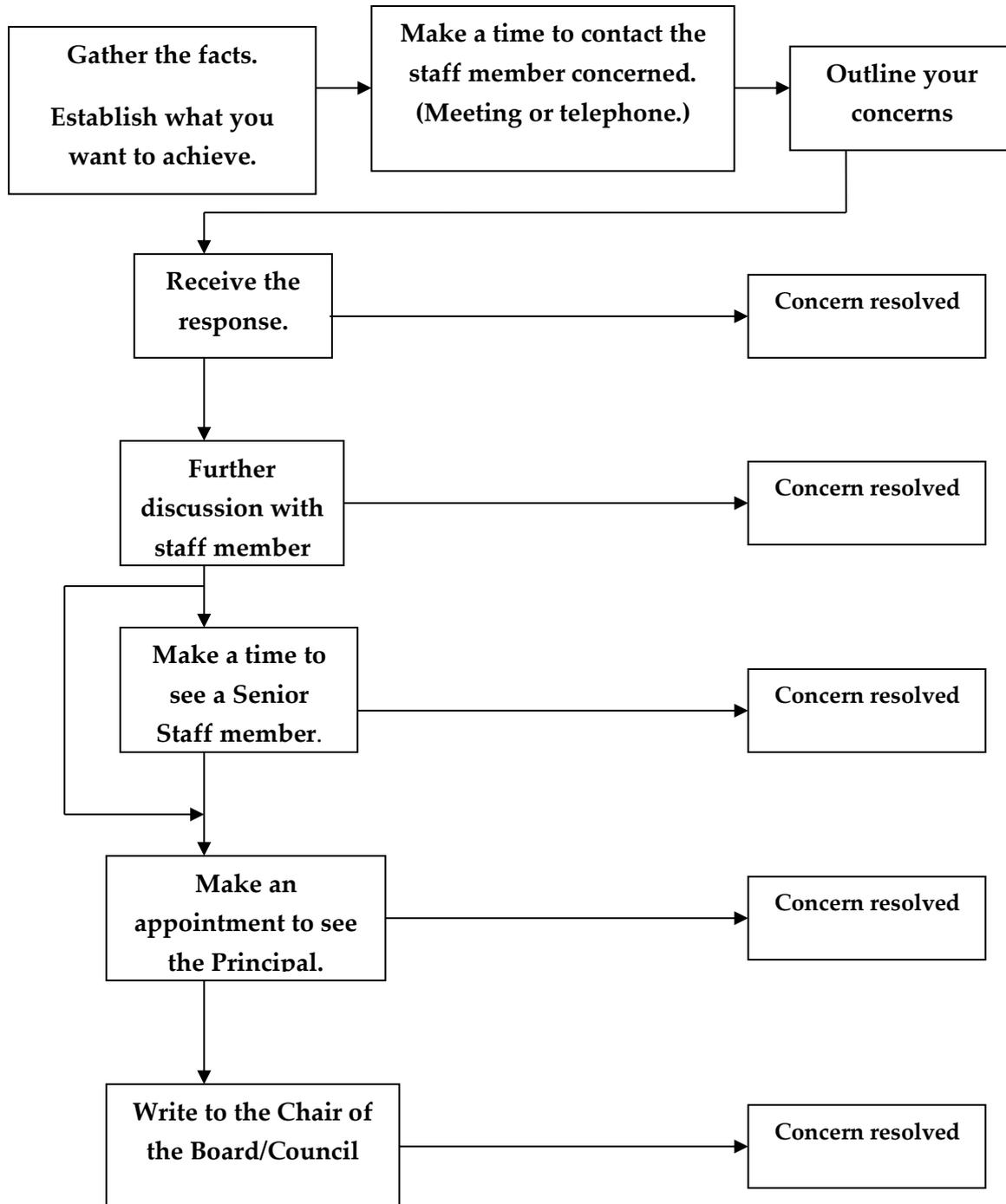
- Concerns about fees and accounts
- Concerns about non-teaching staff
- Concerns about change of address and other records

Issues directed to the **Principal**

- Dissatisfaction about the way in which a staff member has handled a particular issue.
- Concerns about the policies of the College
- Concerns about the direction of the College



Fig 2. Resolving Complaints from Parents





Policy linkages

This policy does not exist in isolation. Other school policies, for example, concerning desired behaviours, school discipline and investigation procedures may be referred to in the resolution of a grievance raised by a student or a parent.