



# Burdekin

Christian College

## COMPLAINTS, GRIEVANCES and CONCERNS POLICY

The Burdekin Christian College (BCC) seeks to be a vibrant learning community under the Lordship of Jesus Christ, where all stake-holders (i.e. parents, students, staff and interested members of the wider local community):

- are valued as Christ's image bearers,
  - willingly accept their individual and collective roles and responsibilities within the college environment and,
  - actively pursue positive Godly relationships with all other members of the College community,
- in order that all have the opportunity to serve, lead, teach, learn and achieve to their full potential.

In a school community, conflict is an inevitable part of relationships, differences of ethos, opinion, practice and growth. Most conflict is minor and easily managed. Most conflict involves misunderstanding on the part of one or both parties involved.

For a dynamic community to operate effectively it requires transparency, trust, respect, dignity, understanding and communication. Power and control need to be avoided and replaced with respect for authority, justice and servant leadership. The most serious damage to a community is where there is a breakdown in effective communication. Often things that are not said cause long-term, festering problems. Equally, comments made in the heat of the moment can leave unresolved frustration and bitterness.

The resolution of all complaints, grievances and concerns needs to start from a perspective that is honouring to God. Not only what is done but also how it is done is vital. Damaging or destroying people because of motives such as revenge, bitterness, frustration and resentment does nothing to honour God or to love your neighbour. We need to speak the truth in love.

### PURPOSE

The purpose of this Complaints, Grievances and Concerns Policy (Grievance Policy) is:

1. To establish procedures for staff to report complaints, grievances, concerns or disputes in the workforce which they are unable to settle without assistance.
2. Ensure that student, parent and employee complaints and disputes are dealt with in a responsive, efficient, effective and fair way.

### SCOPE

This policy applies to students, parents, employees (including full-time, part-time, permanent fixed-term and casual employees) as well as contractors, volunteers, people undertaking work experience or vocational placements and covers all forms of grievance, including workplace bullying and harassment.

### RESPONSIBILITY

Principal.

## POINT OF CONTACT

Principal.

## LEGISLATION

- Education (Accreditation of Non-State Schools) Regulations 2017.
- Australian Education Regulations 2013.
- Fair Work Act 2009.
- Work Health and Safety Act 2011 (Qld).
- Privacy Act 1988 (Cth).
- Anti-Discrimination Act 1991 (Qld).
- Australian Human Rights Commission Act 1986 (Cth).
- Sex Discrimination Act 1984 (Cth).
- Age Discrimination Act 2004 (Cth).
- Disability Discrimination Act 1992 (Cth).
- Racial Discrimination Act 1975 (Cth).

## Biblical Principles underpinning Grievance Resolution at BCC

- **Ephesians Chapter 4 Verses 2 – 3.**  
*Be completely humble and gentle, be patient, bearing with one another in love. Make every effort to keep the unity of the Spirit through the bond of peace.*
- **Matthew Chapter 18 Verses 15 – 17.**  
*Jesus said: 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. If he refuses to listen to them take it to the church, and if he refuses to listen even to the church, treat him as you would a pagan.*
- **Romans Chapter 12 Verse 16.**  
*Live in harmony with one another.*

## COMPLAINTS THAT MAY BE RESOLVED UNDER THIS POLICY

The Burdekin Christian College encourages students, parents and employees to lodge promptly any concerns regarding sexual harassment, child protection, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- the College, its employees or students having done something wrong.
- the College, its employees or students having failed to do something they should have done.
- the College, its employees or students having acted unfairly or impolitely.
- issues of student or employee behaviour that are contrary to their relevant code of conduct.
- issues related to learning programs, assessment and reporting of student learning.
- issues related to communication with students or parents or between employees.
- issues related to school fees and payments.
- general administrative issues.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

## ISSUES OUTSIDE THIS POLICY

The following matters are outside the scope of this policy and should be managed as follows:

- Child protection concerns or risks of harm to children should be dealt with in accordance with the law and the College's Child Protection Policy.
- Student bullying complaints should be dealt with under the Behaviour Management Policy and Student Code of Conduct.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Behaviour Management Policy and the Student Code of Conduct.
- Employee complaints related to their employment should be directed to their supervisor.
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate.
- Formal legal proceedings.

## RESPONSIBILITIES

### The Role of the Principal

The Principal has the delegated responsibility to ensure policies and direction of the College Board of Directors are effectively enacted. The Principal is expected to fairly represent all the interests of the College community. The Principal is available to take representation from any stakeholder within the community or agencies and groups in the wider community. The Principal is not solely an advocate for any particular group or stakeholder. In the case of a grievance, the role of the Principal is to seek information (this includes being part of investigations), attempt to instigate productive dialogue and to rule on the matter. Hence, the need to seek the truth respectfully, act justly and respond with wisdom in an environment of appropriate transparency. This must always happen within the relevant industrial and legislative requirements.

In a school community, mistakes will happen as they do everywhere and it is imperative that people are free to acknowledge their mistakes and to grow from them. In this, we recognise that there are legislative requirements that do not allow for some matters to be resolved merely by consultation and seeking forgiveness.

In most events, the final decision rests with the Principal.

**Note:** The '*Complaints Handling Form*' when completed should be handed into the BCC administration office in an envelope marked ... Attention: Principal. The form can also be posted to 2-12 Melbourne Street, Ayr Qld 4807.

### The Role of the College Board

Because the Board has delegated the responsibility of running the College to the Principal, members only rarely become involved in grievance matters requiring their direct intervention. Where a parent member of the community feels that a grievance issue has been handled poorly, they may write to the Board through the Board Chairman, outlining in detail their concerns. The Board Chairman must then decide whether the matter needs to be investigated by the Board. This will normally be done after consultation with the Principal. If the complaint is a serious matter, especially made against the Principal, the Board Chairman would be required to raise the matter at the next appropriate Board meeting. If the issue involves matters covered by legislation or involves matters of the College vision and ethos, then the Board Chairman should seek legal or industrial advice before raising it at the meeting.

**Note:** The '*Complaints Handling Form*' when completed should be posted in an envelope marked ... Attention: The Chairperson, Board of Directors, Burdekin Christian College, 2-12 Melbourne Street, Ayr Qld 4807.

## GENERAL PROCEDURE

1. Before initiating the grievance procedures, complainants are encouraged to try to resolve any grievance directly with the person/s concerned. If this is not possible or appropriate, the complainant should proceed to Step 2 of the grievance procedure.
2. Where the complainant has been unable to resolve the grievance him/herself, the complainant should take the matter up with an immediate Supervisor. Where the grievance involves the Supervisor, the staff member should refer the matter to the Principal.

## GENERAL PROCEDURE *cont.*

3. The Supervisor will address the grievance with a view to resolving it expeditiously, normally within two weeks of receiving the complaint.
4. Following resolution of the grievance, the Supervisor will monitor the situation for a period of time.
5. In any action taken, the Supervisor will ensure procedural fairness for all parties involved, including informing any respondents of the allegations made against them and providing them with an opportunity to respond.
6. If the complainant believes the grievance has not been resolved to their satisfaction by reference to a Supervisor, they can refer the matter to the Principal. The Principal may require the complainant to put the grievance in writing. The Principal will attempt to resolve the matter within two weeks of receiving the grievance and will follow similar procedures outlined above for action by the supervisor.
7. If the grievance remains unresolved, it may be referred in writing to an independent person by the complainant or the Principal.
8. After giving due consideration to the grievance the independent person may do one or more of the following:
  - Refer the complaint back to the Principal or to a nominee, with advice for resolution; *or*
  - Initiate an investigation into the matter; *or*
  - Seek to resolve the matter directly.

Any determination made by the independent person in accordance with Step 3 of these procedures with regard to the grievance will be final.

### **(i) Grievance between Students**

Students are encouraged to select a time and place when both parties feel calm and secure. Taking turns, each party will explain respectfully what they understand and how they feel about the situation. Students are expected to avoid openly discussing the problem with their peers or other students face-to-face or via electronic media because the aim must always be reconciliation rather than exacerbating or inflaming the conflict. 'Taking sides' and 'flow-on' conflicts must be avoided and, where it is apparent, the College will implement appropriate consequences.

In any circumstance where students are unable to resolve the grievance between/amongst them, the following staff members are available to assist a student or a group of students:

- Class or subject teacher;
- Care teacher;
- Learning Support teacher;
- College Chaplain .

Where matters are not readily resolved with the help of these staff members, the matter should be documented and discussed with the Principal.

Where the matter is ongoing or serious, parents will be informed and involved in the process, and the matter brought to the attention of the Principal. Parents are welcome to be present at any interview with their child. They are not to be present when other students are being interviewed in matters of grievances. Parents must not make contact with other students, whether in the College or out of the College, without the permission of the Principal. The College will not release details to another family without the agreement of the other party.

In cases where the matter is serious, ongoing or complex, the issue and meetings are to be fully documented and kept on file. The final decision rests with the Principal.

### **(ii) Grievance between Student and Staff Member**

If the issue is minor i.e. normal day-to-day differences of opinion, then the student should speak privately to the staff member and, taking turns, each party will explain respectfully what they understand and how they feel about the situation. In most cases, a resolution will be reached and the relationship between student and staff member restored. If the matter remains unresolved, the student may discuss the matter with another staff member from the list outlined above.

## **(ii) Grievance between Student and Staff Member *cont.***

Where a student feels that their grievance is serious, they should normally discuss the matter with their parents/s. The matter may then be raised with the relevant staff member or a person in authority, either by the student or by the parent. The level of severity or previous discussions will normally determine to whom they should address their grievance.

Through any grievance procedure involving a student and a teacher, the student cannot refuse to attend classes taken by that teacher or refuse to cooperate with the relevant teacher. The student must obey all reasonable instructions. Where a student fails to respect the authority of the College or the individual teacher, they will be withdrawn from either the respective class or all lessons until the matter is resolved. This also applies to situations where a student refuses to comply with normal operational procedures, including issues of uniform and attendance.

In a grievance situation between student and staff member, it is not uncommon for the staff member to also feel that they have been grieved. This makes the issue of claim and counter claim complex. Where a student (or their parent representative) wishes to proceed with a complaint, they should raise it with the Principal. In this case the complaint must be in writing or minutes of the meeting be taken. This would allow the details to be discussed with the member of staff.

The expectation is that the student/parent will keep the matter confidential from other parents and students to ensure that the integrity of the staff member is respected and the authority of the College is maintained. Often a discussion with other members of a community is merely gossip and intended to harm a particular staff member.

In the case where the parent or student has a moral, ethical or religious objection to material studied at the College or activities conducted, then the matter should be raised with the Principal. Assuming that the issue does not contravene the College's Statement of Beliefs or enrolment contract, all attempts will be made to resolve the matter through discussion. When a parent cannot accept the College's final ruling, they have the right to permanently withdraw the student from the College.

## **(iii) Grievance between Parent and Staff Member**

In most cases, the parent should make a mutually convenient appointment time with the staff member where issues may be addressed openly and honestly. It is important that the parent address the issue rather than attacking the staff member. If the parent feels intimidated or that they are likely to respond inappropriately, the parent can then raise the matter with the Principal.

Matters raised directly with the Principal must be in writing and may be referred to the relevant member of staff or the Principal may deal directly with the matter themselves. The decision will be based on issues such as the experience of the staff member, evidence of other matters, the seriousness of the matter and how the parent is effectively able to respond to the matter.

Where a parent feels that the Principal has not dealt with the matter appropriately they can contact the BCC Board Chairman. The Board Chairman may decide to bring the matter to the College Board for discussion or engage in dialogue with the aggrieved parent.

## **(iv) Grievance between Two Families**

Where there is a conflict between two or more families, the Principal is the final point of complaint. Normally the Principal will only intervene where the issue directly involves College hours or events (non-school related) that impact directly on the College. We would prefer to see parents resolve their normal differences as they would in any community situation.

## **(v) Grievance between Two Staff Members**

Two staff members should seek to resolve a difference by talking privately and informally about their concerns. If the matter is serious it may involve speaking directly to the Principal. The Principal may refer the staff member back to the other or intervene by discussing the matter directly with the other member of staff.

At all times the aim should be to resolve the matter while treating each other with dignity and respect. Issues should be kept confidential and should never be discussed in a general area.

## **(v) Grievance between Two Staff Members** *cont.*

Where there is a perceived serious policy breach or legal or moral issues involved, the staff member should first raise the matter with the Principal.

If a staff member has a concern regarding their supervisor, they should normally discuss the matter directly with them. If the staff member is concerned about the difficulties involved in raising such concerns they should speak to the Principal.

Normally the final decision rests with the Principal. If the issue involves the Principal, the staff member may approach the BCC Board Chairman directly. A staff member may approach the BCC Board Chairman directly where there is concern that there is a serious breach of College policy or legal, moral or industrial issues are involved.

The Board Chairman will decide how to deal with the matter. This would normally involve referring the matter to the College Board, contacting the relevant agency (e.g. police) or referring the matter directly back to the Principal. If the matter is deemed vexatious or hostile towards the Principal, a staff member may be disciplined.

## **(vi) Grievance between the Principal and a Staff Member**

All members of staff have a right to due process under law and a right to be treated fairly, respectfully and equitably.

If the Principal wishes to discuss a serious matter, the staff member is to be informed that they have the right to an observer. The observer is there to provide support and clarification for the staff member. They are not there to act as an advocate. The observer should also be acceptable to the Principal. The observer would not participate in the interview. The observer may be a union representative.

In most cases, the purpose of the interview is to assist the staff member to understand the issues involved and seek to gain input from the staff member as to their perspective. If appropriate, the Principal may choose to bring relevant parties together.

## **(vii) Grievance between the College Board and the College**

Individual BCC Board Directors cannot raise with the Board or the Principal matters relating to personal issues, family issues or where there is a real conflict or perceived conflict of interest.

The role of the Board is to act independently with grace and wisdom. They are not to represent any self interest groups commercially or personally.

## **IMPLEMENTATION**

The Burdekin Christian College is committed to raising awareness of the process for resolving complaints at the college, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures. It is also committed to appropriately training relevant employees (especially senior staff) on how to resolve complaints in line with this policy and the related procedures.

The Burdekin Christian College will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the BCC Board on complaint handling at the College. The College will act to encourage students, parents and employees to contribute to a healthy school culture where complaints are resolved with as little formality and disruption as possible.

## **OUTCOMES**

Outcomes could include:

- The complainant gaining a better understanding of the situation and no longer being aggrieved.
- The complainant receiving a verbal or written apology.
- The respondent receiving a verbal or written reprimand.
- One or both parties agreeing to participate in some form of counselling.
- Disciplinary action where the BCC Code of Conduct has been found to have been breached, and/or where misconduct /serious misconduct or unsatisfactory performance has occurred.

## COMPLAINTS HANDLING FORM

## Complaints Handling Form



This form will help you to provide the College with information about your issue.

### Your details:

<b>Christian Name:</b>	<b>Surname:</b>
Relationship with the Burdekin Christian College (e.g. parent, staff, student, neighbour etc.):	
<b>Your address:</b>	
<b>Contact details:</b>	
Phone (home):	
Phone (work):	
Mobile:	
Email:	

**Details of the Concern, Grievance or Complaint:**

(Please include all information you can e.g. dates, events, witnesses. If you need to, you can attach extra pages or documentation you believe relevant.)

**Have you taken any action to resolve the issue yourself?**

Yes

No

If yes, please include details below (e.g. who have you spoken to, what you said and, what was done etc.)

**What action do you believe is needed now to resolve the problem?**

Your signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Note:** (i) The '*Complaints Handling Form*' when completed should be handed into the BCC administration office in an envelope marked ... Attention: Principal. The form can also be posted to 2-12 Melbourne Street, Ayr Qld 4807.

or

(ii) The '*Complaints Handling Form*' when completed should be posted in an envelope marked ... Attention: The Chairperson, Board of Directors, Burdekin Christian College, 2-12 Melbourne Street, Ayr Qld 4807.

**Office Use Only:**

Date form received: \_\_\_\_\_ Received by: \_\_\_\_\_

Date acknowledged sent: \_\_\_\_\_

Acknowledgement sent by: \_\_\_\_\_



**History:**

This policy was in place in 2018.

**Related Policy and Procedure:**

- Anti-Discrimination Policy.
- Bullying Policy.
- Care and Conduct Policy
- Disability and Inclusion Policy
- Harassment Policy
- Privacy Policy.
- Statement of Beliefs Policy.
- Work Health and Safety Policy

**BCC Board Approval Date:**

- 2018.