
BACKGROUND AND GUIDING PRINCIPLES

Mission and Core Values

The St John's Grammar Grievance Policy is consistent with our Mission Statement of 'Learning to Soar' and our core values of community, resilience and responsibility.

Statement of Purpose and Commitment

It is recognised that, from time to time, grievances may arise within the school community. This policy sets out processes by which matters of concern can be addressed expeditiously, with due discretion 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 it should have, or
- acted unfairly or inappropriately.

St John's Grammar is committed to:

- ensuring that the school is a safe, fair and just place,
- 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 school 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.

All sections of our community, students, staff and parents are addressed by this policy and are organised in separate sections for ease of use.

Guiding Principles

1. 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.
2. The school 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 school community free from harassment or retribution.

3. All resolution policies and processes acknowledge and value different perspectives and operate under the principles of: **impartiality, promptness and protection from victimisation**.
4. 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.
5. 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:
 - a. 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.
 - b. The right of all parties **to be heard** and to put their case.
 - c. Investigations into the grievance must be undertaken **expeditiously and thoroughly**.
 - d. Only matters that are **relevant** to the grievance under consideration should be taken into account.
6. 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.
7. All complaints will be treated with **respect and sensitivity**. It is important to note that communications and documents given to the school will not always be kept confidential. Although we endeavour to deal with complaints with appropriate discretion, we reserve the right to disclose details of the matter to other persons who in our opinion need to know them, in order to facilitate the resolution of the complaint.
8. 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.
9. Where complaints or grievances are made in circumstances where an **alleged crime** may have been committed, the Police or similar outside agencies will normally be contacted and formally advised of the complaint or grievance. In some cases (eg Mandatory Reporting), there is no discretion and the matter must be reported to the relevant authorities.

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.
- 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.

It is important to note that; Neither the Minister for Education and Child Development nor the Department for Education and Child Development has any power to directly intervene in any complaints relating to the operations of a non-government school. The Independent Schools Association of South Australian also does not have any power to intervene.

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.
- 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 and necessary.
- The complainant and respondent will, in all instances, be informed of the outcome and action taken.
- If a grievance is not dealt with satisfactorily, the complainant should then refer the matter to the Head of School or Principal.
- When a grievance is not or cannot be resolved within the School, the parties may contact the Chair of the School Board.
- 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 School Board

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

In instances where a grievance is with the Principal, a person may, if s/he feels the matter cannot otherwise be resolved or feels it is appropriate to do so, lodge a formal complaint with the Chair of the Board. In turn, and in consultation with the Complainant, the Chair 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 school community may make a direct approach to the Chair of the Board 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 School have failed or are otherwise inappropriate. In such instances, the Chair of the Board 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.

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
- 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, s/he can choose to pursue the matter further.

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

Appropriate Confidentiality

The School 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 involved in grievances or complaints should maintain discretion, only sharing information necessary to resolve the conflict, unless otherwise required by appropriate circumstances or law, so as to minimise disruption in the School and the risk of a civil suit for defamation.

STUDENT GRIEVANCES

Do you have any concerns, complaints or suggestions?

If so, the school would like to hear them.

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.

To whom do I lodge my concern?

- To your parents.
- To your Head of House or Home Group 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 School Counsellor may also be able to assist you.
- You may wish to contact the 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 and solutions.

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 it him/herself, 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.

PARENT GRIEVANCES

A quick response to issues is an important part of our service to our community. As part of this process, the School 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 School. Staff receiving complaints will record them formally.

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 open up 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/Home Group Teacher

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

Process: The Head of House/ Home Group teacher will pass the issue on to the teacher as quickly as possible so that a response can be relayed to the parent. Where a more complex problem exists, a meeting between the teacher and student, possibly attended by the Head of House and/or the parents, will be arranged.

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 **Head of Curriculum/ JS Deputy Principal**

- General information about the curricular offering at the School
- A student's academic program
- The class placement of a student
- Individual program student issues.

Issues directed to the **Heads of Sport**

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

Issues directed to the **International Student Coordinator**

- Advice/difficulties concerning international students

Issues directed to the **Registrar**

- Concerns about the enrolment process
- Concerns about publications produced by the School

Issues directed to the **Business Director: Finance and Administration**

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

Issues directed to the **Principal**

- Dissatisfaction in the way in which a staff member may have handled a particular issue.
- Concerns about the policies of the School
- Concerns about the direction of the School

STAFF GRIEVANCES

This policy complements and is to be read and applied in conjunction with the Dispute Resolution Procedure set out in Clause 13 of the St John's Grammar School Enterprise Agreement 2015. This process is to be used for any industrial matter.

As with all other grievances, individuals are encouraged to resolve the grievance informally with the person(s) involved as soon as possible. If this is unsuccessful the grievance can be reported to the Principal or the Business Director.

Policy updated: March 2016.