

# Grievance Management Policy

## Rationale

Sacred Heart College Geelong is committed to building a school community that features positive and respectful relationships. Within our school, relationships are founded in the Mercy values of justice, compassion, and respect. Such relationships support the learning and development of students and value the innate dignity of each person. It is important that each member of the community, including workplace participants, families and students, are contributors to the building of the school community. A timely and professional response to grievances is an effective means of encouraging communication, building trust and resolving issues for the betterment of all concerned.

The College understands that from time to time grievances arise regarding aspects of our College's operation of programs and activities and that it is important that all members of the community have the opportunity to be heard. The College commits to ensuring procedural fairness is observed when dealing with grievances.

Positive, clear and effective procedures and processes for resolving grievances between the College and community members can assist in building strong relationships, dispelling anxiety and ultimately providing students with a settled and happy learning environment.

The College's Code of Conduct for families and students outline the expectations of behaviour for members of our community. The following procedures relate to any concerns that members of the community may have – whether these are serious grievance issues, or relatively minor concerns.

## Definitions

**Complaint:** Synonymous with Grievance. Both terms may be used interchangeably within this policy.

**Complainant:** The person raising the grievance.

**Grievance:** A complaint is an expression of dissatisfaction with an action taken, decision made, service provided or handling of an issue at the College. For the purpose of this policy, the College uses the term 'grievance' in place of complaint.

**Principal's delegate:** An authorised position at the College who may act on the Principal's behalf in responding to and dealing with grievances. These authorised positions are, in most circumstances, limited to members of the College Leadership Team.

**Subject of the complaint:** The individual/s or organisation against which a grievance is made.

**Workplace Participants:** All College employees, contractors, consultants, students on placement and volunteers (hereafter referred to as Workplace Participants), both inside and outside of the workplace.

## Policy Coverage

This policy is relevant to workplace participants, families and students.

This policy does not cover grievances that are of a child protection nature. These must be addressed in accordance with child protection laws and reporting obligations. Information on these laws and reporting obligations can be found in the Child Safety and Wellbeing Policy.

This Policy does not cover Whistleblower disclosures. These grievances or disclosures must be addressed in accordance with Whistleblower legislation. Information on Whistleblowing can be found in Mercy Education Limited's [Whistleblower Policy](#).

## **Policy statement**

The College acknowledges that there may at times be circumstances that lead to a lack of harmony, where some individuals or groups will consider that their rights or responsibilities have been eroded. The purpose of this policy is to outline the principles of grievance management at the College. The steps taken to resolve grievances will be undertaken in accordance with the College's Grievance Management Procedure.

## **Principles**

In receiving and responding to grievances, the following guiding principles will inform and direct the College's actions:

- Grievances will be responded to in a prompt, impartial and just manner.
- Confidentiality, protection of privacy, respect, access, dignity and impartiality will form the basis of the grievance resolution process.
- Grievance resolution processes will reflect the principles of participation, co-responsibility and subsidiarity. Parties are expected to work together with respect and openness to reach fair and reasonable outcomes.
- The grievance resolution process will seek to achieve the restoration of good and respectful relationships. A non-judgemental and non-adversarial, restorative approach will be taken.
- The best interests of the College community, together with the interests of the individual, will be taken into account.
- Complainants can expect their concern or grievance to be taken seriously and to be responded to in a respectful, thorough and timely manner.
- Grievances are received and managed in a way that is culturally safe and sensitive to the diverse circumstances of children and students, as well as providing support to vulnerable children and students.
- Grievances will be initially responded to at the lowest possible level, considering the seriousness of the grievance and escalated if a satisfactory resolution is not obtained.
- Both the person raising the grievance and the subject of the grievance will receive appropriate information, support and assistance in resolving the grievance.
- Employees and volunteers will be informed of formal grievances that are made about them.
- Complainants and the person/s against whom the grievance is made have the right to be heard and to expect that procedural fairness will be observed.
- Recordkeeping, reporting, privacy and employment law obligations will be complied with when receiving and handling complaints.

## **Expectations of and Information for Complainants**

In lodging a grievance, the College requests and expects that the complainant will:

- raise the concern or grievance as soon as possible after the issue has arisen
- communicate and respond in ways that are constructive, fair and respectful
- provide complete and factual information about the concern or grievance
- observe confidentiality and a respect for sensitive issues
- act in good faith to achieve an outcome acceptable to all parties
- have realistic and reasonable expectations about possible outcomes/remedies.

Members of the College community should not instigate grievances that are frivolous, vexatious or malicious. All individuals are expected to participate in the grievance resolution process in good faith.

If a satisfactory outcome cannot be achieved, the College will provide the complainant with options for having the decision reviewed or mediated by a third party or an external agency.

The College is mindful of the impact any grievance has upon the community in addition to its resolution and will take steps to address this.

Appropriate levels of confidentiality will be adhered to at all times, and any personal information disclosed will be treated as confidential as per the Mercy Education Privacy Policy available at [www.mercy.edu.au](http://www.mercy.edu.au). However, complainants should be advised that for legal reasons absolute confidentiality may not always be possible. These reasons include but are not limited to, duty of care, workplace health and safety, Mandatory Reporting and Reportable Conduct. Grievances in relation to child safety will be managed in accordance with the College Child Safety and Wellbeing Policy, related policies and related procedures.

A workplace participant may choose to seek guidance from Independent Education Union (IEU), or from the IEU School Representative, who may provide advice, support and direct representation.

### **Providing Feedback to Sacred Heart College Geelong**

The College has procedures and processes in place by which families and the broader school community can confidently raise concerns in the knowledge that they will be listened to and their concerns will be professionally managed in a timely, confidential and appropriate manner.

Relationships with the College community are important to us. We take grievances raised by families and the broader College community seriously. There are many avenues to provide feedback to the College. These include:

- annual surveys such as MACSSIS
- formally scheduled feedback forums
- meetings with the Principal or other staff members to express concerns

### **Who to Contact to Lodge a Grievance**

The nature of the grievance will determine who is the most appropriate person or body to manage the concerns raised. Please refer to the relevant Grievance Management Procedure for guidance on how and to lodge a grievance.

### **Grievances Regarding A Student**

If your concern/grievance relates to your treatment or your child's treatment by another student, students or family member while at school we expect that you will refer your complaint directly to the College, via your child's class teacher, deputy principal or principal. Under no circumstances should you approach another student in the care of the school to discuss the issue or chastise them. Direct contact with parents to resolve the matter is also discouraged if the complaint pertains to issues or incidents that have arisen at the school.

Families lodging grievances are to be respectful, confidential and courteous. Families who are unreasonable, threatening or discourteous can expect their discussions with the relevant staff member to be terminated until such time as an alternative discussion time is arranged by the College.

### **Grievances Regarding A Staff Member Or Other Workplace Participant**

Any grievances against staff that are unable to be handled informally and without third party intervention must be discussed with the Principal, a member of the College Leadership Team or People and Capability before any action is taken. This does not include consultations with third parties

for advice, such as talking with an IEU representative (available to workplace participants). College contact details can be found at the end of this policy.

### **Misconduct or serious misconduct**

All complaints of alleged misconduct or serious misconduct by College staff or other workplace participants should be reported to the College Principal or member of the People and Capability Team.

Complaints about teachers can also be reported to the Victorian Institute of Teaching (VIT) – the regulator in relation to the registration and investigation of serious misconduct (including conduct which is of a physical or emotional nature) of all teachers in the state of Victoria. If unsure whether the complaint constitutes serious misconduct by a teacher, contact the VIT on 1300 888 067 or [vit@vit.vic.edu.au](mailto:vit@vit.vic.edu.au).

In some cases, certain actions which involve physical or emotional misconduct, such as unlawful assault or threats to the person, may constitute a criminal offence. These types of offences should be reported to and investigated by the police. Initial consultation with the College Principal may help to determine the appropriate course of action in these circumstances.

### **Child abuse (including sexual offences)**

Child abuse includes any instances of physical or sexual abuse (including grooming), emotional or psychological harm, serious or significant neglect and family violence involving a child.

Complaints of alleged child abuse (including sexual offences) of children or school students should be reported to the College's Child Safety Officer, the Deputy Principal – Student Development.

There are legal obligations on all adults to report child abuse to police once a reasonable belief is formed that a sexual offence may have been committed against a child.

Failure to disclose a sexual offence against a child is a criminal offence under section 327 of the *Crimes Act 1958* (Vic.) (Crimes Act) and applies to all adults (18 years of age and over) in Victoria.

Communication with children under 16 years of age by teachers, staff or any other person to prepare or groom a child for future sexual activity is a criminal offence under section 49M(1) of the Crimes Act and must be reported to the police. The offence of grooming applies to any person aged 18 years or over and does not apply to communication between people who are both under 18 years of age.

### **Complaints relating to reportable conduct**

Legal obligations are imposed on the Principal to report to the Commission for Child and Young People (CCYP), and investigate allegations of reportable conduct, where those allegations are based on a person's reasonable belief that reportable conduct or misconduct involving reportable conduct has occurred. Reportable conduct includes the following:

- sexual offences against, with or in the presence of a child
- sexual misconduct against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- behaviour that causes significant psychological or emotional harm
- significant neglect.

Grievances relating to a reportable conduct allegation which meets the requisite threshold and which involves a College workplace participant must be reported.

Grievances of reportable conduct in relation to a workplace participant (not including the Principal) should be reported to the College's Principal. Grievances of reportable conduct involving the College's Principal should be reported to the Chief Executive of Mercy Education Limited. Contact details can be found at the end of this policy

Further information can be found in the College's Reportable Conduct Policy.

## **Grievances Regarding The Principal Of The College**

In the case of a grievance involving the Principal of the College, the Chief Executive of Mercy Education Limited is to be informed immediately. Contact details can be found at the end of this policy.

## **Anonymous Complaints**

The College endeavours to address and respond to all grievances. In some situations, we may not be able to fully address grievances that are made anonymously or without sufficient detail being provided to enable an inquiry or resolution of the matter. To ensure procedural fairness, respondents have a right to know the particulars of the allegations being made against them and be given an opportunity to respond to them. Where possible, complainants are encouraged to give their names and to be reassured that we will deal with complaints professionally and in accordance with procedural fairness and confidentiality. If the complainant wishes to remain anonymous, it is at the Principal's discretion what, if any, action will be taken. Anonymous grievances will be recorded in the same manner that all other grievances are recorded.

## **Grievances Regarding Information Sharing Schemes**

The College is a prescribed Information Sharing Entity (ISE) that may share information under the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS).

The College, as an ISE, may receive grievances from individuals in relation to its conduct as an ISE under the CISS or FVISS. It may also receive a grievance from another ISE.

The following information is recorded where a grievance is received under the CISS or FVISS:

- the date the grievance was made and received
- the nature of the grievance
- the action taken to resolve the grievance
- the action taken to lessen or prevent the issue from recurring
- the time taken to resolve the grievance
- further action taken if the grievance was not resolved.

## **Procedures For Complaints About Issues At The College**

The College has developed and maintains fair, effective and efficient grievance-handling procedures so that grievances about incidents, events or decisions at the College can be addressed. Please refer to the Grievance Management Procedure for further information.

## **Process for Dealing with Grievances**

The College will record the details of all grievances lodged including the name and contact details of the persons lodging the grievance. The College will then refer the grievance to the most appropriate person to undertake an inquiry. There will be many occasions that this will be someone other than the Principal. The staff member conducting the inquiry may conduct a preliminary inquiry or communicate with complainant to discuss the matter further.

If the scope of the inquiry is beyond the capacity or jurisdiction of the College, the matter will be referred to Mercy Education Limited and the complainant will be informed of the referral.

Complainants discussing the grievance with the staff member undertaking the inquiry may be accompanied by a support person. The support person can be a family member, a friend or a professional with knowledge of the student (where the matter relates to a student). Any person acting in a professional capacity on behalf of the complainant must provide their occupational details and full name prior to the meeting being held. It is at the Principal's discretion if an external professional is a participating member of any College meeting. The support person may encourage and facilitate sharing of knowledge, perception and issues, and they should support a positive working relationship between

all parties. The support person does not speak on behalf of the complainant when discussing complaints with the staff member undertaking the inquiry.

Any inquiry conducted by the College will be done so in a timely, efficient and confidential manner, ensuring the fair principles of natural justice are applied for all. The complainant will be provided with an anticipated timeframe for a resolution. The staff member conducting the inquiry will record the details of the inquiry.

Privacy laws may prohibit information being provided to the complainant of any specific action that has been taken in relation to individuals about whom the complaint has been raised.

The College will ensure that all records are maintained in accordance with its obligations under the [Public Record Office Victoria Recordkeeping Standards](#).

## **Outcomes of Grievances**

Outcomes of grievances can include the following:

- an apology – either verbal or written
- mediation – with an internal or external mediator
- an official warning
- disciplinary action
- a behavioural contract (in the case of a student)
- pastoral or spiritual care
- an understanding that the behaviour will not be repeated
- a change in policy or procedure.

## **Grievance Escalation**

If the matter cannot be resolved at school level, or if the grievance is about the College Principal, complainants may contact the Chief Executive of Mercy Education Limited.

If the grievance is unable to be resolved to the satisfaction of the complainant, but the matter is however finalised, the complainant has the right to seek alternative independent or other advice, or contact other entities such as the Victorian Equal Opportunity and Human Rights Commission, or the Victorian Civil and Administrative Tribunal. Grievances related to the minimum standards for school registration can be referred to the Victorian Registration and Qualifications Authority (VRQA).

## **Withdrawal of a grievance**

A grievance can be withdrawn at any stage during the grievance management procedures. A grievance should be retracted in writing by the complainant and addressed to the College Principal.

## **CONTACT DETAILS**

### **Sacred Heart College Geelong**

Member of the College Leadership Team	03 5221 4211
Member of the People and Capability Team	03 5221 4211
Principal's Office	03 5221 4211

### **Mercy Education Limited**

Chief Executive	03 9977 3870
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## RELATED POLICIES AND DOCUMENTS

### Sacred Heart College

- Respectful Workplace Policy
- Social Media Policy for Workplace Participants
- Workplace Aggression Policy
- Workplace Equal Opportunity Policy
- Child Safety and Wellbeing Policy
- Child Safety Code of Conduct

### Mercy Education Limited

- 1.06 Complaints Management Policy
- 1.06 Complaints Management Operational Instructions
- 1.06 Whistleblower Policy
- 1.07A Privacy Policy
- 1.10 Codes of Conduct Policy
  - MEL Code of Conduct
  - MEL Parent Code of Conduct

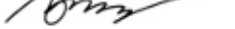
### Catholic Education Commission of Victoria

- Victorian Catholic Education Multi Enterprise Agreement 2018 (VCEMEA) or its successors

## DOCUMENT CONTROL

Date Approved: 22 June 2022

Name: Anna Negro, Principal

Signature: 

Sponsor: Principal and People and Capability Leader

Date presented at Advisory Council Meeting:

Reviewed by:

- School Committee: N/A
- Sub Committee of the College Council: N/A
- Student Leadership House Focus Team: N/A

Person responsible for implementation: Principal

Location checklist:  Staff Handbook  Student Space  Parent Portal  Website

### VERSION HISTORY

Version	Date approved	Next
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		<b>review</b>	
1.0	Dec 2014 (creation)	2016	
2.0	Feb 2016 (update)	2017	
3.0	Aug 2017 (update)	2020	
4.0	Aug 2020 (update)	2023	
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