



# Complaints and Grievances Policy

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## VISION

The College's vision is that we might be a Christian community which seeks to nurture and train young people to grow up into Christ.

## INTRODUCTION AND PURPOSE

These Policies related to a safe and supportive environment are intended to:

- a) Meet the legislative obligations in relation to a safe and supportive environment, including maintaining a Child-focused approach (see particularly helpful guidelines in Child Safe Standards Standard 6)
- b) Guide staff, volunteers and students on how to behave with students in the College
- c) Clarify the parameters of appropriate and inappropriate conduct for staff and volunteers of the College in order to create a safe and supportive environment for students in accordance with the College's mission and values and the Christian commitment BCC embraces
- d) Model a contemporary workplace at the College that is faith-filled, collaborative, consultative and lawfully compliant in relation to contemporary practice
- e) Outline procedures for training staff to fulfil their responsibilities

## SCOPE

The Policies apply to all persons engaged to work in, or to provide services to, the College and to all students of the College.

## RELATED CODES & POLICIES

The policies and codes which are to be read in conjunction with these policies are:

- a) Child Protection Code of Conduct
- b) BCC Codes of Conduct Policy
- c) Guidelines for Protecting Children and Young People
- d) Guide to Child Safe Standards (OCG NSW)
- e) Procedural Fairness in School Disciplinary Procedures (AIS NSW)
- f) Casual / Alternative Staff Policies
- g) The Monitoring and Assessment of Premises, Buildings and Facilities- College WH&S and security

## MISSION AND VALUES

The College seeks to create a caring environment where Christian values inspire and affirm the highest standards of ethical conduct in relation to the care, support, and welfare of the students entrusted to it.

## DUTY OF CARE

All College community members have a duty to take reasonable care for the safety and welfare of students in their care. That duty is to consider and take all reasonable action to protect students from known hazards or risk of harm that can be reasonably predicted. The standard of care that is required of a College community member must take into consideration various factors, such as a student's maturity and ability.

This duty of care owed to students by all College community members applies during all activities and functions conducted or arranged by the College where a student is in the care of a College community member.

The risk associated with any activity needs to be assessed and managed by College community members before the activity is undertaken. A single serious failure to exercise appropriate duty of care, or persistent repeated failures, may constitute neglect or negligence according to the law if actual harm is caused, or if there is the potential to cause significant harm to a student.

## PROFESSIONAL RELATIONS WITH STUDENTS

The College expects all of its community members to be caring, compassionate adults who take an interest in the well-being of Students, and who set appropriate boundaries for worker-student relations.

College community members must be aware that their interactions with students are based on a trusting relationship arising from the nature of their role in the College, and that those relationships are open to scrutiny.

At all times the College community members must treat students with respect and behave in ways that promote their safety, welfare and well-being.

College community members should act professionally at all times. BCC "Guidelines for Teaching and Protecting Children and Young People" (refer to Child Protection Policy) outlines ways to assist teachers in maintaining correct professional relationships and boundaries with children.

## CHILD-FOCUSED MANAGEMENT

An effective complaint handling system will enable complaints/grievances to be resolved in a timely manner and identify opportunities for any systemic improvements.

All College community members will ensure that they use child-focused risk management practices in all their activities in accordance with the College's policies and procedures. In this regard all College community members should have access to said policies. While the College must ensure that it complies with all legislative and policy obligations, its policies and procedures should be able to be understood by its community and be publically available.

## STAFF OBLIGATIONS TO REPORT

The College requires staff to report any concern they may have about the safety, welfare or wellbeing of a child or young person to the appropriate person and in accord with the procedures whether it be a welfare issue or a safety issue related to the physical environment

## IMPLEMENTATION OF POLICIES

The responsibility for the implementation of all Wellbeing, Welfare and Safety Policies lies with the Principal.

### a) Accessibility

A PDF of these policies will be kept on the College Shared Drives accessible by all staff.

### b) Communication and Training

The Principal is responsible to oversee the communication of these policies as they relate to staff, students and parents/carers.

- **To Staff** - The Principal and/or delegate (Assistant Principal and/or the Head of Wellbeing) will communicate Safe & Supportive Environment, Child Protection (including the Child Safe Standards), Wellbeing, Welfare and Safety Policies in Professional Learning sessions to teachers and in staff meetings. In relation to safety (WHS, First Aid and Risk Assessment and Management) all staff members will attend training sessions at the commencement of Term One.
- **To Parents/Carers** - The Principal will communicate the College expectations for students and parents/carers at the Enrolment interview. At enrolment, parents/carers are required to make a commitment to comply with all relevant policies and procedures of the College. All relevant processes relating to parents/carers and students in these policies will be communicated through the Parent Information (online) A-Z Guide, Skoolbag (for BCC Parents), Student Diaries, the College Newsletter, assemblies and, as specified by NESA Registration and Accreditation Manual, in the Annual Report which can be accessed on the College website. <http://bcc.nsw.edu.au/>

- **To Students** - The Head of Wellbeing, Assistant Principal, KLA Coordinators and teachers will communicate the relevant Codes of Conduct information to students through every part of daily College life. These include but are not limited to, staff modeling Christ-like behaviour, curriculum instruction, other Christian distinctive programs, assemblies and co-curricular activities. General student responsibilities and codes of behaviour are published in the Student Diaries and displayed in classrooms for ready, regular reference.

### **c) Compliance**

The Principal is responsible for the formation of a BCC culture that is a safe and supportive environment that reflects and upholds Christian beliefs, values and practices, and that enables the delivery of a quality education. The Business Manager, who oversees property management, is responsible for the maintenance and repair schedule associated with WHS and risk management.

## **CONTEXT**

The College seeks to promote a safe, positive and supportive environment leading to relationships that reflect Christian belief, values and practice. Effective communication within the community is an important element of the College's culture and is the key to the prevention of grievances and the resolution of grievances that do occur. The College encourages students, parents/carers, staff and members of the wider College community to express any grievances they may have in accordance with this policy.

## **PURPOSE**

The College encourages students, parents/carers, employees and members of the wider College community to express any grievances they may have to an appropriate member of staff with courtesy and respect. When this occurs the grievance should be considered a complaint, whether identified as such by the complainant or not.

The purpose of this policy is to outline the means by which complaints should be resolved, and relationships maintained and restored, including the relationship between the complainant and the College. Positive social and learning environments of College students, and working conditions of staff are a priority.

## **POLICY STATEMENT**

The College will promptly investigate complaints, seeking to manage them effectively to expedite their satisfactory resolution in accordance with the principles of procedural fairness, incorporating the right to be treated without bias, the right to be informed of allegations being made against you, the right to respond to an allegation and the right to information regarding the status of the complaint.

## **DEFINITIONS**

Complaint:	a formal accusation or an expression of dissatisfaction, blame or pain;
Grievance:	anger or annoyance caused by the occurrence of something perceived to be unfair;
Procedural Fairness:	the minimum standard of fairness to be applied when resolving a dispute

## **PROCEDURES**

In light of Biblical guidance, any grievance or dispute should be approached in such a way as to preserve unity and strive for peace. Christians are to be reconciled to one another when disputes arise, and issues ought to be dealt as soon as is possible with the person(s) involved. Sharing grievances with others who are not directly involved is gossip and is not honouring to God or others. Matthew 5 and Matthew 18:15-22 give very specific details about how disputes ought to be settled and a Christ-like resolution achieved. The overarching principle that must be considered at all times is Christ's command to love God first and our neighbour as ourselves. In other words, any action must be taken out of love, seeking the good of the other person and the College community as a whole.

Any member of the College community who has a grievance should seek an immediate interpersonal resolution with the person concerned in the first instance (exceptions could be situations like a child protection concern or a bullying event). (See Appendix 1)

- Students should direct complaints in the first instance to the class teacher. If their complaint or grievance is with the class teacher, then students must be supported in their access to complaints/grievances processes and should know who to tell if they want to make a complaint, particularly one that may involve child abuse. As a child safe organisation, the College will respond by immediately protecting children at risk. Complaints will be addressed promptly, thoroughly and fairly, and all staff and College volunteers understand their reporting obligations, including to external authorities. If there is not an interpersonal resolution or the complainant is not satisfied with the outcome, the complaint is referred firstly to the relevant Coordinator and then, if necessary to the Head of School.
- Parents/Carers are to express complaints in the first instance by contacting the College Office by phone or email, to request a time to speak with the teacher/staff member. Or contact may be made by providing a written letter outlining the grievance/complaint addressed to the staff member.
- Where the complaint about a teacher is unresolved with the teacher and or the teacher's immediate Coordinator, the parents/carers should direct their complaints to the Head of School.
- If a staff member has a grievance or complaint with another staff member, they should seek an interpersonal resolution according to Jesus' teaching in Matthew Chapters 5 and 18 (also see <https://peacewise.org.au/wp-content/uploads/The-hope-of-biblical-peacemaking-The-Briefing-November-2010.pdf> and Appendix 1)
  - For teaching staff members, where the complaint is unresolved, they can direct the complaint to the Head of School
  - For non-teaching staff members, where the complaint is unresolved, they can direct the complaint to their supervisor
  - If the complaint is with a supervisor and is unresolved, then staff members should direct the complaint to the Principal
- Where a parent/carer or staff member has a grievance or complaint with the Principal then they should first seek an interpersonal resolution with the Principal. If unresolved, then the parent/carer or staff member should direct the complaint in writing to the chair of the College's Board of Directors at the College's email address, [college@bcc.nsw.edu.au](mailto:college@bcc.nsw.edu.au) .

## **'HEARING' GRIEVANCES/COMPLAINTS**

The College acknowledges handling a difficult complaint effectively requires patience and skill to avoid an initial negative situation becoming more negative and degenerating into a dispute. It is important to obtain facts quickly and report to external agencies (if required) immediately. The initial response is crucial:

- Be open to assess the situation and complaint or grievance
- Receive the information – verbal or in writing
- Seek early advice
- Classify the information
- Crisis management if necessary
- Manage risk to stakeholders if necessary
- Notify relevant parties

There are several elements in a complaint/grievance situation that need to be well managed to minimize the likelihood of a dispute. These are:

### **1. Dealing with the Complainant's feelings**

- Listen – this is the first step in reducing the possible tension

- Acknowledge the Complainant's issues
- Empathise – this relieves tension and so opens channels of communication
- Do not offer excuses, or argue with the Complainant
- Commit to a time when contact with them will be made with a proposed resolution or a likely time for a resolution
- Always contact the Complainant at the time(s) arranged even if it is just to assure them of the ongoing investigation
- Commit to new time(s) of contact

## **2. Dealing with the specifics of the Complaint**

- Ask the necessary questions politely, to obtain a detailed response
- Restate the main issues and seek the Complainant's agreement that an accurate understanding has been gained
- Agree on a solution (or plan of action) without appearing to dictate terms in order to avoid the likelihood of re-raising tension
- Set a timetable and ensure the Complainant is happy with the proposed timing
- Take action on an agreed solution and ensure that the solution is presented to the Complainant within the timeframe agreed

## **DETERMINING A MANAGEMENT STRATEGY**

The person investigating must, in consultation with the Principal, determine whether the complaint can be managed solely by the College or requires the assistance of an external agency. Some will require negotiation in order to arrive at a satisfactory resolution. Others may involve conflict or interpersonal issues that require mediation in order to resolve the matter and restore healthy relationships. When negotiation and/or mediation are unsuccessful then an external arbiter may be appointed.

### **1. Assessing a Complaint/Grievance**

Some steps to consider in assessing a complaint/grievance are:

- Determine the complainant's concerns, this may involve the College needing to conduct further enquiries
- Determine what has been communicated with the complainant by other members of the College community.
- Understand what a successful outcome will look like to the complainant, and what they are hoping from the College to enable expectations to be managed transparently

### **2. Classifying the Complaint**

It is important to understand the complaint and classify the complaint early in the process. As more information is received the classification may change. Classification of the complaint will better enable identification of the stakeholders and any reporting to external agencies that may be required. Then policy, processes or frameworks should guide the handling of the complaint.

## **INVESTIGATING COMPLAINTS**

The person investigating the complaint should:

- Maintain an appropriate level of confidentiality when managing grievances and complaints;
- Establish the basis of the complaint;
- Ascertain the complainant's requirements to resolve the situation;
- Permit any person/s subject of complaint to respond to the complaint;
- Beware of hearsay, gossip and second-hand information

## KEEPING RECORDS

Good record keeping assists with compliance, accountability to internal and external stakeholders, promoting transparent decision making and adding integrity to the process. The process from the initial receipt of the complaint to the conclusion should be well documented.

The staff member in receipt of a complaint should make a diary note of the conversation, and should keep email records. Any scheduled meeting notes are to be taken for all formal interviews. Generally, the most senior staff person in the interview is responsible for the meeting notes. As records of the complaint process may be required in a litigation, staff must be careful to record only opinions based on facts and avoid judgmental comments. Steps in record keeping:

- Maintain a record of the initial assessment of the complaint
- Develop a plan of the process
- Develop an event line or chronology of events
- Document all discussions and place on file (including emails sent and received)
- Ensure all documents are dated (including the year) and signed by the author
- Document any reports to statutory bodies
- Record or file note of all interviews
- Document all decisions and rationale for those decisions
- Keep the information together in one file with relevant documentation to be stored on the College Shared Drive Complaints & Grievances

## FORMAL RESPONSE TO THE COMPLAINANT

Serious complaints require a written response related to the resolution of the complaint or an explanation as to why this is not possible. The response should explicitly address how the resolution meets the concerns of the complainant.

## APPENDIX 1 - RESPONDING TO CONFLICT AND CONFLICT RESOLUTION

At BCC, we desire to actively promote mutual respect, harmony and Christian unity. As a community of Christians we seek to consider every aspect of our relationships in the light of the Word of God. Our school community is a body, made up of many parts, as illustrated in 1 Corinthians 12. The Bible does not ignore the fact that there will be divisions, disagreements and disputes, instead, it "...teaches that we should see conflict neither as an inconvenience nor as an occasion for selfish gain, but rather as an opportunity to demonstrate the presence and power of God." (Sande Peacemaker pg 25)

### A Biblical Model for Responding to Conflict

The Bible records Jesus's teaching how to resolve conflict, particularly between believers in Matthew 5: 23-25 and Matthew 18:15-17. In these passages there are four simple principles that are instructive for the resolution of any conflict to speak first to the other person with whom there is disagreement, then if necessary, take the matter to an appropriate member of the College community who may be able to assist in resolving the concern. The procedure is helpful in dealing with such matters, remembering that the principles of Christian grace and forbearance should apply at all times.

1. **Do it quickly** (Matt 5:23-25): Conflict should be addressed without hesitation, and these verses imply that settling conflict is even more important than worship. So, if there is an issue with another believer that needs resolving, it's best to deal with it quickly.
2. **Face to face** (Matt 18:15): There is value in face to face communication carried out in a Christ-like manner.
3. **One on one** (Matt 18:15b): "*just between the two of you.*" Of course you should first humbly pray about the conflict before you address it with the other person. Ask for wisdom to help identify the parts of the conflict that you own, and work on those things before you talk to the person. Please note: it should be our practice to talk to the other person before we talk to others about the other person.
4. **Get help** (Matt 18:16-17): When you and the other person with whom there is conflict can't resolve things, take it to one or two trusted colleagues who can impartially help mediate. If there is still no resolution, then there is opportunity to have it mediated through the Head of School or other Executive team member(s).

As a Christian community, staff at BCC are called upon to resolve disagreements amongst themselves, and to strive to "...live in harmony with each other, making every effort to live in peace with all" (Romans 12:18, Hebrews 12:14). We are to approach others with a spirit of gentleness, remembering that quarrelling only causes disunity.

### Positive Behaviours & Key Values

In order to continue to develop and sustain a positive environment at the College, key values of Respect, Honesty and Service underpin and shape our approach to respectful, God-honouring relationships:

#### 1. Respect

- Valuing and respecting diversity and difference
- Listening and respecting others' views
- Being aware of the impact of people's personal lives on their work/study
- Disagreeing constructively
- Respecting others' time, resources and families
- Respecting confidentiality
- Speaking respectfully to and about other members of the school community
- Respecting College policy and procedures

#### 2. Honesty

- Giving constructive and accurate feedback
- Being professional in record keeping and legal obligations
- Listening honestly and openly
- Being accountable to one another as professionals, parents and students
- Being prepared to admit mistakes, and forgive others' mistakes
- Speaking openly with colleagues, parents/carers and students



### 3. Service

- Desiring to serve God and therefore others in all actions
- Being supportive of the Vision and Mission of BCC through action and service
- Striving to be a servant to BCC staff, students and their families
- Providing support for others in other schools and the wider community
- Growing our relationship with God, developing and using skills, knowledge and gifts in service to God and His body

**Principles of Positive Resolution** - The following principles should shape our response to conflict:

- Strive to be peacemakers – seek a positive resolution
- Keep the matter confidential – as appropriate, talk to those concerned
- Keep the circle small – discourage gossip and involving others unnecessarily
- Be straightforward – be honest about the situation
- Be self-evaluating – always ask where have I been at fault?
- Be forgiving – seek restoration and move forward

PeaceMaker Ministries (2004) resources provide clear guidelines that are beneficial for the College community when responding to conflict biblically.

**1. Personal Peacemaking** There are three Biblical ways to resolve conflicts personally and privately, just between you and the other party:

- I. Overlook an offence** - Many disputes are so insignificant that they should be resolved by quietly overlooking an offence (Prov 19:11). Overlooking an offence is a form of forgiveness, and involves a deliberate decision not to talk about it, dwell on it, or let it grow into bitterness or anger.
- II. Reconciliation** - If an offence is too serious to overlook or has damaged a relationship, there is a need to resolve personal or relational issues through confession, loving correction, and forgiveness. (Matt 5:23-24, Gal 6:1 and Col 3:13)
- III. Negotiation** - Even if relational issues are successfully resolved, there may still be a need to work through material or physical issues related to money, property, or other rights. This is best done through a cooperative bargaining process in which the two parties seek to reach a settlement that satisfies the legitimate needs of each (Phil 2:4)

**2. Assisted Peacemaking** When a dispute cannot be resolved personally, we are called to seek assistance from other believers.

- I. Mediation** - If two people cannot reach an agreement in private, they should ask one or more objective, impartial colleagues to meet with them to help them communicate more effectively and explore possible solutions (Matt 18:16). The mediators may ask questions and give advice, but they have no authority to force acceptance of a particular situation.
- II. Arbitration** - When you and the other party cannot come to a voluntary agreement on a material issue, you may seek to appoint one or more arbitrators to listen to your arguments and provide a binding decision to settle the issue (1 Cor 6:4)
- III. Accountability** - If a person who professes to be a Christian refuses to be reconciled and do what is right, Jesus commands his or her church leaders to formally intervene to hold him or her accountable to Scripture and to promote repentance, justice, and forgiveness (Matt 18:17)

#### Resources:

1. <https://www.peacemakerministries.org/navigating-conflict-together> Accessed 31 March 2022
2. SANDE, K. (2004) *The Peacemaker: A Biblical Guide to Resolving Personal Conflict*. (3<sup>rd</sup> Ed) Grand Rapids, Mich, Baker Book House