



Dispute and Grievance Resolution Policy and Procedure

Ratified By: Board	2018
Review Date:	2021

BACKGROUND

In Western Australia, the School Education Act 1999 (WA) section 159(1) (j) requires non-government schools to have policies and procedures in all areas as determined by the Minister through the Registration Standards, including a policy and procedures for managing complaints.

Golden Hill Steiner School seeks to be a caring school community, where people are in harmony with each other. We welcome suggestions and comments from parents and take seriously complaints and concerns that may be raised. Therefore, this policy is designed to assist staff, parents, guardians, and students in our school to resolve conflict in an appropriate, timely and satisfactory way.

POLICY STATEMENT

The following policy is intended to ensure that disputes and complaints are addressed fairly, objectively and in a timely manner. The policy should be read in conjunction with Clauses 19 – 23 of the GHSS Constitution.

Employees of Golden Hill Steiner School are responsible for managing the resolution of enquiries, concerns, complaints and disputes lodged by members of the Association inclusive of students, parents and staff. They will make every effort to promptly resolve enquiries, concerns and complaints, preferably at the local level where appropriate, in accordance with the principles of procedural fairness.

The Principal is responsible for establishing and maintaining processes for managing and reviewing enquiries, concerns and complaints that are appropriately managed at the local level.

The Board is responsible for resolving complaints that cannot be resolved at a local level.

PRINCIPLES

This policy is based on several fundamental principles.

1. Procedural fairness must be ensured in resolving any dispute or complaint. This requires that both parties receive a fair hearing and that the final decision is made without bias.
2. The resolution to a dispute or complaint must exhaust all reasonable attempts at conciliation prior to an imposed arbitrated decision.
3. Individual cases must be examined on their own merits.
4. Resolutions must appropriately balance the principles of justice and compassion.
5. Appropriate confidentiality must be respected by all parties for the investigation and after resolution.
6. The Principal of the school has the responsibility to attempt to resolve a dispute or complaint with the parties directly involved at the local level.
7. Parties may appeal the decision made by the Principal to the Chair of the School Board.

8. Parties may request for the Secretary of the School Board to arrange for the appointment of a mediator under the terms of Clauses 21 to 23 of the GHSS constitution.

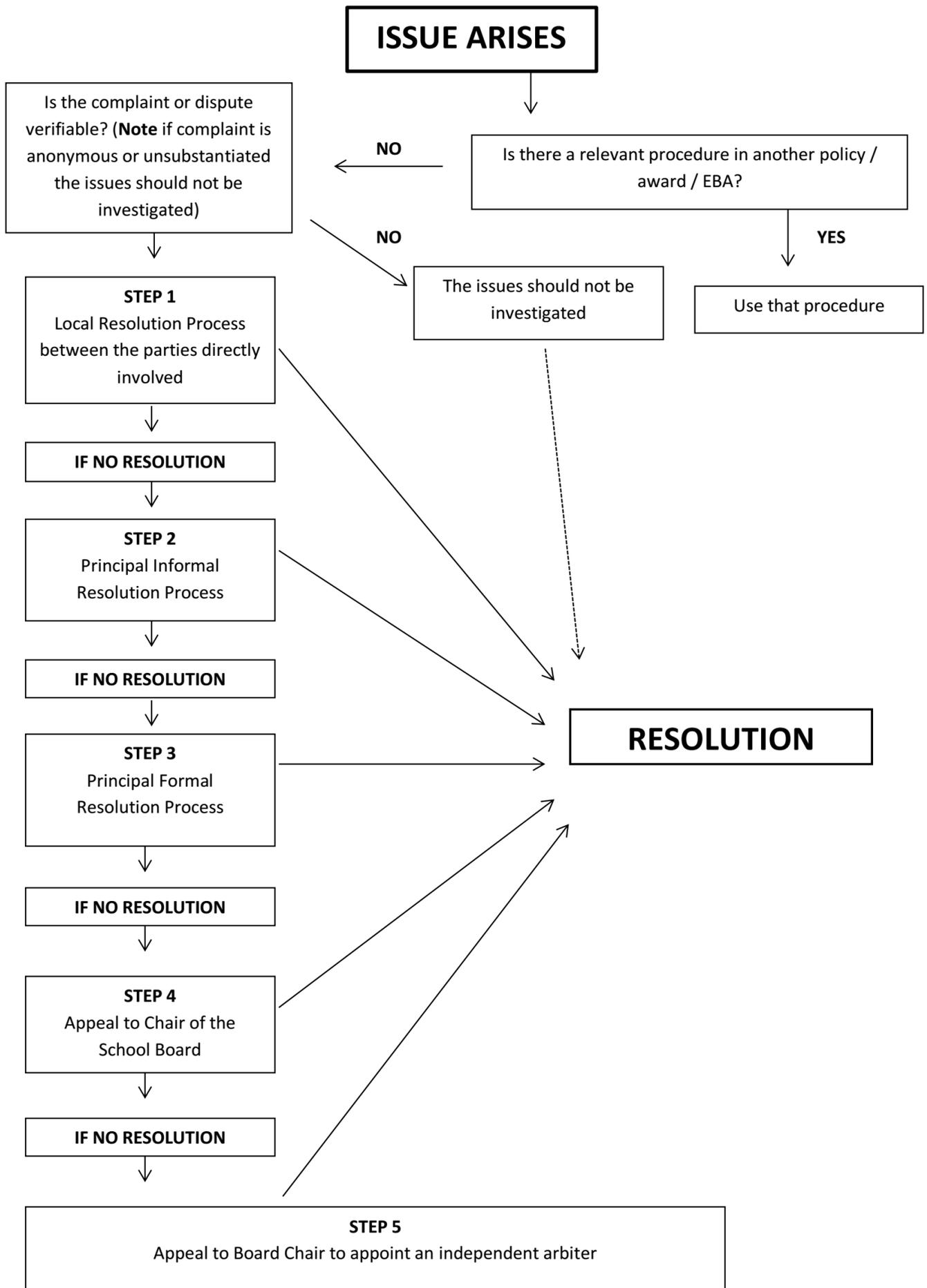
PROCEDURES

The following procedures will apply in relation to this policy:

1. The Principal shall advise parents, staff and students of this dispute and complaint resolution process.
2. The Principal needs to maintain an appropriate Complaints Register recording all formal complaints and how they have been resolved.
3. Policies and procedures of the GHSS School that address specific matters (e.g. Child Protection, Student Enrolment etc.) shall be followed.
4. If the dispute involves an employment issue, the prescribed process in the relevant Award or contract of employment shall be followed.
5. Each dispute or complaint resolution procedure followed by a school shall ensure that all relevant parties:
 - are informed in writing of the dispute or complaint
 - can place their version on record
 - can be represented if they so wish.
6. The resolution of a dispute or complaint, in the first instance, should be undertaken between the immediate parties involved.
7. Should the immediate parties involved fail to reach a resolution, then the Principal is responsible for undertaking a procedure to resolve any dispute or complaint within the school. This procedure will only be initiated following either a written complaint addressed to the Principal, or signing a written summary prepared by the Principal upon receiving a verbal complaint.
8. Where a dispute or complaint involves the Principal the matter shall be referred in writing directly to the Chair of School Board.
9. Anonymous and/or unsubstantiated complaints generally will not be investigated. Complainants should give their name. Matters will be handled with appropriate confidentiality. Depending on the nature of the complaint, anonymous complaints may be investigated, as appropriate.
10. The Principal shall maintain records of the procedure and resolution to any formal dispute or complaint. These will include any statements made by the parties involved.
11. Records of any dispute or complaint shall be maintained in accordance with a school's Privacy Policy.
12. It is the responsibility of the Principal to attempt to reach a resolution between the parties where possible.
13. Failing to reach a resolution by agreement, the Principal shall decide. When this occurs, the Principal shall inform each party of the decision.

14. The Principal may call on outside mediation, including from persons recommended by AISWA, to assist in the resolution of a dispute or complaint.
15. Any party may appeal the Principal's decision, in writing, to the Chair of the School Board.
16. Any party may appeal the School Board's decision by lodging a written request to the Board Secretary seeking the appointment of a mediator as provided for under Clause 21 of the GHSS Constitution.
17. The parties to the dispute or complaint shall be notified of the findings of the appeal.
18. At the end of any dispute or complaint procedure, actions taken shall be evaluated and procedures reviewed.

APPENDIX A: Dispute and Complaint Resolution Policy Process Flowchart



APPENDIX B

GUIDELINES FOR IMPLEMENTATION (for School Board Chair / Principal)

The following guidelines are a suggested approach to resolving a dispute or complaint.

STEP 1 : Local Resolution Process between the parties directly involved

When a dispute or complaint arises at school, the parties involved shall attempt to resolve the issue between themselves in the first instance. This will involve:

- all parties having the opportunity to state their position in the matter, allowing each party the opportunity to fully understand the other parties' position
- all parties being willing to compromise, to reach an agreed solution.

STEP 2 : Principal Informal Resolution Process

Note: Where the dispute/complaint is of a serious nature that in the opinion of the Principal requires a formal resolution, the Principal shall proceed directly to the Formal Resolution Process.

Where the parties directly involved cannot reach a resolution, the Principal should be approached to assist in the resolution of the matter.

The Principal (or nominee of the Principal) shall initially deal with the parties by:

- providing all parties with the opportunity to state their position in the matter to allow the Principal to gain a thorough understanding of each party's position,

and then deal with the specifics of the matter by:

- asking the necessary questions to obtain a detailed response
- asking what resolution would resolve the matter
- agreeing on a resolution between the parties where possible
- setting a timeline when actions to reach the resolution shall be taken
- reporting to the parties when the resolution actions have been taken.

There are no formal written records required for such a resolution. The Principal will make a file note of the meeting.

STEP 3 : Principal Formal Resolution Process

Note: The parties to the dispute/complaint shall be provided by the Principal with a copy of this document, at the commencement of this process.

When an informal resolution fails or when the Principal decides to move to the Formal Resolution Process immediately, the Principal shall:

- request in writing from the complainant information about the nature and details of the dispute/complaint.
- record the specifics of the dispute/complaint including:
 - (a) the nature of the dispute/complaint
 - (b) the parties involved

(c) the parties' views of the matter and their suggested resolution (d) any substantiation provided

(e) the provision to the parties of a proposed timeline for resolution.

- make a decision based on the merits of the case.
- discuss the decision with the parties and provide the decision in writing within the proposed timeline.

The Principal will maintain an appropriate Complaints Register recording all formal complaints and how they have been resolved.

Where a party to the dispute or complaint does not accept the Principal's decision, that party may appeal the decision to the Chair of the School Board. Where the dispute or complaint involves the Principal, the matter shall be referred in writing directly to the Chair of the School Board.

STEP 4 : Appeal Process to the Chair of the School Board

Where an appeal to the Chair of the School Board is lodged by a complainant against the decision of the Principal, or where the dispute or complaint involves the Principal, the following information must be provided in writing for purposes of that appeal:

- the notification of the appeal
- the nature and details of the dispute or complaint
- facts and/or documents that support or substantiate the dispute or complaint
- the decision made by the Principal (unless the complaint is against the Principal)
- the complainant's proposed resolution to the matter.

On receipt of the written information, the Chair of School Board will acknowledge the receipt of the appeal in writing and contact the Principal in writing outlining the dispute/complaint with the documentation provided by the complainant and discuss the most appropriate way to proceed.

The Chair of the School Board will advise the Principal and any other relevant parties involved as to the investigating procedure to be adopted regarding the appeal.

Once the Chair of the School Board is satisfied that the investigation has been completed, the Chair shall make a decision based on the information presented or undertake further conciliation in an attempt to resolve the matter by agreement between the parties.

The parties shall be notified of the outcome of the appeal. A copy of all documentation will be placed on file by the Chair of the School Board.

Where a party to the dispute or complaint does not accept the Chair of the School Board's decision, that party may appeal the decision by requesting the appointment of an independent arbiter in accordance with the provisions of Clause 21 of the GHSS Constitution.

STEP 5 : Request for Appeal of Board decision by an independent arbiter

Where an appeal to the Chair of the Board is lodged by a complainant against the decision of the Chair, the following information must be provided to the independent arbiter:

- the notification of the appeal
- the nature and details of the complaint or dispute
- the person/school against whom the complaint is made or with whom there is a dispute
- facts and/or documents that support or substantiate the dispute or complaint
- the decision made by the Chair of School Board
- the complainant's proposed resolution to the matter.

Once the arbiter has completed the investigation, the arbiter shall make a recommendation to the Chair of the Board based on the information presented or undertake further conciliation to resolve the matter by agreement between the parties.

Golden Hill Steiner School Complaints and Disputes Policy

Golden Hill Steiner School welcomes suggestions and comments from parents and takes seriously complaints and concerns that may be raised. This leaflet will show you how to use our complaints system.

A complaint will be treated as an expression of genuine dissatisfaction that needs a response.

We wish to ensure that:

- parents wishing to make a complaint know how to do so;
- we respond to complaints within a reasonable time and in a courteous and efficient way;
- parents realise that we listen and take complaints seriously; and
- we act where appropriate.

“How should I complain?”

When you contact the school, ask to speak directly to the most appropriate person with whom you have the complaint. Be as clear as possible about what is troubling you.

Members of staff will be happy to help. It may be best to start with the person most closely concerned with the issue – for example, the classroom teacher – as they may be able to sort things out quickly, with the minimum of fuss. However, you may prefer to take the matter to a more senior member of staff or the Principal.

“I don’t want to complain as such, but there is something bothering me”

The school is here for you and your child, and we want to hear your views and your ideas. Contact a member of staff, as described above.

“I am not sure whether to complain or not”

If as parents you have concerns, you are entitled to raise them. If in doubt, you should contact the school, as we are here to help.

“What will happen next?”

If you raise something face-to-face or by telephone, it may be possible to resolve the matter immediately and to your satisfaction.

If you have made a complaint or suggestion in writing, we will contact you within five (5) working days, to respond to your concerns and explain how we propose to proceed.

In many circumstances, the person you contact will need to discuss the matter with a colleague and consider it further before responding. You will be given a date by which time you will receive a response. If a detailed exploration of the issue is needed, a letter or report will be sent to you as quickly as possible. This will tell you of the outcome of your complaint. It will explain the conclusion, the reasons for it, and any action taken or proposed.

Parents need to be aware that in some cases the school will not be able to discuss the details of action taken as it would be inappropriate. For example if the action involved staff discipline.

“What happens about confidentiality?”

Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Principal and those directly involved. The Chair of the School Governing Body may also need to be informed. It is the school’s policy that complaints made by parents should not rebound adversely on their children. We ask that parents also respect the need for confidentiality.

We cannot entirely rule out the need to make third parties outside the school aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child’s safety was at risk or it became necessary to refer matters to the Police or other external authority. If information is passed to a third party, you will be informed, unless this is prevented by legal obligation.

While information relating to specific complaints will be kept confidentially on file, we would point out that anonymous complaints might not be pursued.

“What if I am not satisfied with the outcome?”

We hope that you will feel satisfied with the outcome, or at least that your concerns have been fully and fairly considered.

If you are not satisfied, the Principal will offer to refer the matter to the Chair of the Board. Alternatively, you may wish to write directly to the Chair. The Chair will call for a full report from the Principal and will examine matters thoroughly before responding to ensure that the complaint has been handled in accordance with the school’s policy and procedure as well as to give further consideration. When notified of the outcome of the Chair’s review and consideration, the opportunity of a meeting with the Chair will be offered if you remain concerned. You may wish to be supported by a friend, but legal representation would not be appropriate at this stage. You are, however, welcome to seek legal advice at any time throughout the complaints process.

If the meeting does not bring about a resolution, the matter, pending mutual agreement, would see an independent arbiter appointed. It is their task to look at the issues in an impartial and confidential manner. The Committee Convenor will invite you to a meeting. You will be asked if there are any papers you would like to have circulated beforehand. As with the Chair’s meeting, you will be invited to bring a friend with you.

The school recognises and acknowledges your entitlement to complain and we hope to work with you in the best interests of the children and young people in our care.