



Grievance Policy and Procedures

For Students, Parents
and Members of the Public

November 2006, Amended Version 2.1
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Policy No.

Policy Approved by the Board of Directors of EDUCANG Ltd/...../.....

Policy to be reviewed by/...../.....

Contents

	PAGE
1. POLICY	2
1.1 Scope	2
1.2 Principles	2
1.3 Relevant Legislation	2
1.4 Associated Policies	3
2. DEFINITIONS	3
3. ACCOUNTABILITIES	4
3.1 Board of EDUCANG Ltd	4
3.2 Chief Executive Officer	4
3.3 Heads of College or Equivalent	4
3.4 Teaching and Support Staff with Supervisory Responsibility	4
3.5 Teaching and Support Staff	4
4. GRIEVANCE PROCEDURES	5
4.1 Complaints by Students, Parents and Members of the Public	5
4.2 Special Cases	6
4.3 Addressing Anonymous Complaints	6
4.4 Recording Complaints	7
5. REVIEW OF POLICY	7

1. Policy

EDUCANG Ltd is committed to providing a fair, safe and productive environment at its Colleges, where grievances are dealt with in a transparent and equitable manner. An essential part of developing that environment is ensuring that members of the College communities (staff, students, parents, carers and the public) are encouraged to come forward with their grievances in the knowledge that the College will take appropriate action to resolve those grievances.

This policy outlines the intent and procedures to be followed by students, parents and other members of the community with regard to the reception, investigation and the achievement of a transparent, equitable and legal resolution of any grievance lodged against EDUCANG Ltd, its Colleges or its staff, and ensures compliance with requirements of Workplace Health and Safety Legislation, State and Industrial Awards and Registered Agreements.

This policy and procedures document will be disseminated once a year to members of the College community through appropriate communication channels.

1.1 Scope

This policy applies to the Board of EDUCANG Ltd, executive and senior managers and all staff of EDUCANG Ltd, its Colleges and other associated entities carried out under the auspices of EDUCANG Ltd.

1.2 Principles

Guiding the College in responding appropriately to grievances are the following principles:

- The College is open to the concerns of staff, parents, students and the public
- Grievances are received in a positive manner
- Complainants can expect to be taken seriously and can approach any member of staff about their concerns
- Information about how to lodge a grievance is clear and readily available
- Grievances are dealt with speedily and complaints are kept informed about progress
- It is not acceptable for students to receive adverse treatment because they or their parents have raised a complaint
- It is not acceptable for staff members to receive adverse treatment because they have raised a complaint
- A confidential log of grievances is kept
- Confidentiality is respected and maintained so far as this is possible
- Resolution of the matter is sought
- Staff training covers the handling of complaints.

1.3 Relevant legislation

This Grievance Policy and Procedures is to be used in accordance with the provisions of the following legislations:

- Workplace Health & Safety Act 1995
- Australia Standard/New Zealand Standard 4801 2001
- Queensland Workplace Health and Safety Advisory Standards 2002
- The EDUCANG Agreement 2006
- Prevention of Workplace Harassment Advisory Standard 2004
- The Child Protection Act 1999

- Disability Discrimination Act 1992
- Disability Discrimination Standard 2004

1.4 Associated Policies

- EDUCANG Workplace Health and Safety Policy
- EDUCANG Grievance Policy for Staff
- EDUCANG Workplace Harassment Prevention Policy
- EDUCANG Disability Discrimination Policy
- EDUCANG Child Protection Policy
- EDUCANG Student Behaviour Management Policy

2. DEFINITIONS

A grievance is understood as a formal objection or complaint made on the basis of something believed to be wrong, unfair, offensive, misleading, unlawful or of poor quality. A grievance may be about the conduct of a person enrolled at, or employed by, the College; about specific practices and policies of the College, or about the College generally. A member of staff, student, parent, carer or member of the public, may lodge a grievance.

The Board: Means the EDUCANG Board of Directors.

Chief Executive Officer (CEO): the person appointed as such, who reports to the EDUCANG Board of Directors, and who carries the responsibility of reporting to the various authorities and is the Executive Principal of the Colleges. Students or others may report harm or suspected sexual abuse to the CEO.

Complainant: Means the person making a formal objection or complaint to the College, which concerns the College. The complainant can be a member of the College community (staff, student, parent or carer), or a member of the wider community.

EDUCANG College: means a College which is owned and operated by EDUCANG Limited. Colleges include:

- Forest Lake College
- The Springfield College
- Forest Lake College International Centre
- Mary McConnel School
- The Lakes College

Grievance: Means a formal objection or complaint made on the basis of something believed to be wrong, unfair, offensive, misleading, illegal or of poor quality. A grievance may be about the conduct of a person enrolled at or employed by the College; about specific practices and policies of the College, or about the College generally.

Head of College: the most senior person responsible for the daily operation of an EDUCANG College. On some campuses, this role is called Campus Principal. The Head of College or Campus Principal, whichever is relevant, acts as a person to whom students may refer if they are not feeling safe; or to whom students or others can make complaints of harm, inappropriate behaviour or abuse.

Procedures: Steps taken by a complainant in lodging a formal complaint, and by a member of staff or manager in responding and seeking to resolve the complaint.

Safety Officer: a person appointed by the Head of College to whom complaints can be made about workplace safety issues.

Senior Manager: a member of the Senior Leadership Team at the College.

Student/s: Means persons enrolled at the College.

3. ACCOUNTABILITIES

3.1 Board of EDUCANG Ltd

The Board of EDUCANG Ltd is responsible for approving Company policy, including the Grievance Policy. It is responsible for the efficient and effective operation of the company, and appropriate legislative compliance.

3.2 Chief Executive Officer

Reporting to the Board of EDUCANG Ltd, the Chief Executive Officer is responsible for establishing the administrative structure and responsibilities that manage and mitigate the risks associated with the Grievance Policy.

The CEO is responsible for:

- reviewing the policy and procedures regularly or when necessary
- ensuring that staff and community members are made aware of the policy and procedures
- ensuring that appropriate training is provided to staff on how to manage complaints and act on the procedures
- acting as a referral in responding to serious and unresolved grievances
- reporting serious breaches of this policy to the Board and other relevant authorities.

3.3 Heads of College or Equivalent

Reporting to the Chief Executive Officer, the Heads of College or equivalent are responsible for ensuring that the activities within their areas of responsibility comply with the EDUCANG Grievance Policy. The Head of College, Campus Principal or equivalent is responsible for:

- identifying and seeking to prevent grievances arising in the workplace
- acting as a referral in responding to serious and unresolved grievances
- addressing those grievances in a timely and satisfactory way
- referring grievances with legal and/or grave implications directly to the CEO
- maintaining a log of grievances and reporting to the CEO on a regular basis.

3.4 Teaching and Support Staff with Supervisory Responsibilities

Reporting to the Campus Principal/Deputy Head of College Teachers and Support Staff to whom all staff report are responsible for:

- identifying and seeking to prevent grievances arising in the workplace
- acting as a referral in responding to grievances that remain unresolved
- addressing those grievances in a timely and satisfactory way
- referring grievances with legal and/or grave implications directly to the CEO via the senior manager.

3.5 Teaching and Support Staff

Reporting to their respective supervisor, members of teaching and support staff are responsible for:

- appropriate responding to grievances by students, parents or other staff members in a timely and satisfactory way
- if not appropriate or where a grievance remains unresolved, referring the grievance to their immediate supervisor.

4. GRIEVANCE PROCEDURE

4.1 Complaints by Students, Parents or Members of the Public about the College

The following procedure should be followed in cases of alleged workplace harassment, sexual harassment, discrimination, unlawful conduct, harm or suspected harm, abuse or suspected abuse, with the exception of 4.2 Special Cases:

- 4.1.1** Where students, parents, carers or members of the public feel aggrieved about something that has occurred at the College which they believe is wrong, unfair or misleading, they should make their complaint known to the College so that the problem can be properly resolved.
- 4.1.2** The complaint should be put in writing and sent to the senior manager at the relevant College/ campus (i.e., Head of College or Campus Principal).
- 4.1.3** The complainant is encouraged to identify himself or herself in the written complaint so that an appropriate response can be made. Responding to anonymous complaints will be at the discretion of the senior manager
- 4.1.4** If a complaint has been made to a member of staff and the staff member is unable to resolve the matter immediately and directly, the complaint will be referred to the senior manager of the College/ campus.
- 4.1.5** Receipt of a written complaint by referral, email, hand delivery or through the post will be acknowledged within five working days.
- 4.1.6** The senior manager will sign the written complaint to indicate that he or she has read the complaint.
- 4.1.7** Where the grievance may have legal consequences, the complaint will be referred directly to the CEO.
- 4.1.8** The grievance will be recorded in a log by the senior manager and an investigation will be undertaken with a view of achieving resolution within two weeks of receiving the complaint. If the investigation takes longer, reports on progress will be made regularly to the complainant until a resolution is achieved.
- 4.1.9** During the investigation the senior manager may seek interviews with the complainant and other relevant parties or witnesses, and a written record of meetings and telephone conversations may be produced and kept on file for future reference.
- 4.1.10** In taking any action, the senior manager will ensure procedural fairness for all involved. This may involve informing the respondent of the allegations made by the complainant and providing the person with an opportunity to respond.
- 4.1.11** Procedural fairness may also involve taking action to ensure that students are protected from adverse treatment resulting from complaints lodged by them or their parents.
- 4.1.12** If the person making the complaint believes that the grievance has not been properly resolved by reference to the senior manager, the matter can be referred to the CEO. The CEO will attempt to resolve the matter within two weeks of receiving the grievance and should follow similar procedures outlined for action by the senior manager. All documentation, including the written complaint and other file notes, will be handed to the CEO.
- 4.1.13** If the grievance remains unresolved following the CEO's investigation, it may be referred to an independent person by the complainant or by the CEO.

- 4.1.14** After giving due consideration to the grievance the independent person may do one or more of the following:
- a) refer the complaint back to the CEO with advice for resolution
 - b) initiate an investigation into the matter
 - c) seek to resolve the matter directly
- 4.1.15** If the grievance is, in the opinion of the independent person, unsubstantiated, the complainant will be given an explanation as to why that finding was made. Despite the grievance being unsubstantiated, the College may still take some action to address any issues that flow out of the complaint and investigation.
- 4.1.16** Addressing the grievance should produce the following outcomes:
- d) the complainant gains a better understanding of the situation and no longer maintains the grievance
 - e) the complainant receives a verbal or written apology
 - f) the respondent receives a verbal or written reprimand
 - g) one or both parties agree to participate in some form of counselling or mediation
 - h) disciplinary action takes place where misconduct or unsatisfactory performance has occurred.
- 4.1.17** Grievances sent directly to the Board will be directed to the CEO for advice and information, then tabled and discussed at a Board meeting.
- 4.1.18** Where the grievance involves the CEO, the matter is referred to the Chair of the Board.

4.2 Special Cases

Complaints made by students, parents and members of the public relating to the following specific cases should follow the procedures outlined below:

- (a) Where the grievance pertains to an allegation of harm or suspected harm committed against a student who is 18 years or younger, the matter must be referred to the senior manager or nominated Child Safety Officer at each campus. Steps for dealing with such reports are outlined in the EDUCANG Child Protection Policy 2006.
- (b) Where the grievance pertains to alleged unlawful conduct by a member of the College community (e.g., sexual harassment, discrimination, vilification, possession of illegal drugs) the matter should be referred to the senior manager who will report the allegation to the CEO. Such allegations are serious and will be followed up with the relevant authorities (refer to the Anti-Discrimination Act 1991). The CEO will deal personally with the allegation and report to the Board.
- (c) Allegations of workplace harassment should be reported to the nominated Workplace Safety Officer at each campus *in lieu* of the staff member's supervisor. Name and contact details of the Workplace Safety Officer are kept at the reception of each campus (refer to the Prevention of Workplace Harassment Policy). The Workplace Safety Officer will follow steps 3-10, as outlined in these procedures.

4.3 Addressing Anonymous Complaints

Staff, students, parents and members of the public lodging complaints should be encouraged to identify themselves, with the reassurance that their complaints will be handled confidentially, appropriately and without fear of retribution.

If a complainant wishes to remain anonymous, it is at the senior manager's discretion as to what action, if any, should be taken, depending on the nature of the complaint. Anonymous complaints should be recorded in the log.

4.4 Recording Complaints

The senior manager at each college campus is responsible for maintaining a log of grievances by staff, students, parents and members of the public.

The log should contain the following information:

- *date when the issue was raised*
- *name of complainant*
- *brief statement of issue*
- *location of detailed file*
- *member of staff handling the issue*
- *brief statement of outcome.*

All staff should take confidential file notes when encountering or responding to grievances. These may be cross-referenced with other files as necessary. The files should contain simple but clear notes of all conversations about any source of complaint or dissatisfaction. There should be a clear statement about the cause and nature of the grievance.

5. REVIEW OF POLICY

The Chief Executive Officer of EDUCANG Ltd will ensure that this policy is reviewed annually, unless required earlier because of changes to the risk profile of the workplace or relevant legislation. If necessary, further changes and actions may be introduced to ensure that workplace harassment is prevented and controlled.