

ADELAIDE CHRISTIAN SCHOOLS
COMPLAINTS
AND DISPUTE RESOLUTION
POLICY AND PROCEDURES



SUNRISE
Christian School

Adelaide Christian Schools

ACS Complaints and Dispute Resolution Policy and Procedures

The terms College and School are used interchangeably

Level	Operational
Category	WHS
Purpose	
Number of pages	Four
Date authorised	
Authorised by	Board
Monitored by	Board
Review Date	By 2017
Reviewed by	Board
Status	
Version History	
1.	Initial document
2.	
3.	

ACS	
Chair of Authorising Body	<i>Signature</i> <i>Dated</i>
Head of Schools	<i>Signature</i> <i>Dated</i>

Policy Statement

Adelaide Christian Schools is committed to ensuring that student, parent and employee disputes are dealt with in a responsive, efficient, effective and fair way.

Adelaide Christian Schools views complaints and disputes as part of an important feedback and accountability process. Adelaide Christian Schools acknowledges the right of students, parents and employees to complain when dissatisfied with an action, inaction or decision of the School and the School encourages such feedback. Adelaide Christian Schools recognises that time spent on handling disputes can be an investment in better service to students, parents and employees.

No external body, including the Minister for Education and Child Development, the Department for Education and Child Development, or AISSA, has any power to directly intervene in any complaints relating to the operations of a non-government school.

Scriptural Base

If it is possible, as far as it depends on you, live at peace with everyone.

Romans 12:18

"If your brother sins against you go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that every matter may be established by the testimony of two or three witnesses.' If he refuses to listen to them, tell it to the church; and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector.

Matthew 18:15-17

Instead, speaking the truth in love, we will in all things grow up into him who is the Head, that is, Christ.

Ephesians 4:15

Therefore each of you must put off falsehood and speak truthfully to his neighbour, for we are all members of one body. "In your anger do not sin": Do not let the sun go down while you are still angry, and do not give the devil a foothold.

Ephesians 4:25-27

Types of Disputes that may be Resolved under this Policy

Adelaide Christian Schools encourage students, parents and employees to promptly address concerns regarding sexual harassment, discrimination, workplace bullying, privacy breaches and non-compliance with child protection processes as well as more general complaints that include areas such as:

- The School, its employees or students have done something wrong
- The School, its employees or students have failed to do something that they should have done
- The School, its employees or students have acted unfairly or impolitely
- Issues of student or employee behaviour that are contrary to their relevant code of conduct
- Learning programs, assessment and reporting of student learning
- Communication with students or parents or between employees
- School fees and payments
- General administrative issues

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

Issues Outside of this Policy

The following matters are outside of the scope of this policy and should be managed as follows:

- Child protection concerns or risks of harm to children should be dealt with in accordance with the law and the Child Protection Policy.
- Student bullying complaints should be dealt with under the Student Bullying Policy and Student Discipline Policy.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Discipline Policy
- Employee complaints related to their employment should be directed to their Campus Principal or Principal
- If the Principal is part of the complaint, they should report their concerns to the Head of Schools.
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate.

Dispute Resolution Principles

Adelaide Christian Schools is committed to managing disputes according to the following principles:

- Disputes will be resolved with as little formality and disruption as possible, at least initially
- Disputes will be taken seriously
- Anonymous complaints will be treated on their merits like any other dispute when possible
- Disputes will be dealt with fairly and objectively and in a timely manner
- Mediation, negotiation and informal resolution are optional alternatives to investigation
- Procedural fairness will be ensured wherever practicable
- Natural justice principles will be observed wherever practicable
- Confidentiality and privacy will be maintained as much as possible
- All parties to the dispute will be appropriately supported
- All parties are entitled to reasonable progress updates
- Appropriate remedies will be offered and implemented
- A review mechanism will be offered
- Complainants, respondents and people associated with them will not be victimised as a result of lodging the dispute nor will they suffer any other reprisals
- The School will keep confidential records of disputes

Responsibilities

SCHOOL RESPONSIBILITY

Adelaide Christian Schools has the following role and responsibilities:

- Develop, implement, promote and act in accordance with the School's Complaints and Dispute Resolution Policy and Procedures
- Appropriately communicate the School's Complaints and Dispute Resolution Policy and Procedures to students, parents and employees
- Upon receipt of a dispute, manage the dispute in accordance with the Complaints and Dispute Resolution model prescribed in the procedures
- Ensure that appropriate support is provided to all parties to a dispute
- Take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them
- Appropriately implement remedies
- Appropriately train relevant employees
- Keep appropriate records
- Monitor and report on disputes

ALL PARTIES TO A DISPUTE

The complainant and respondent have the following role and responsibilities:

- Apply and comply with the School's Complaints and Dispute Resolution Policy and Procedures
- Lodge disputes promptly as soon as possible after the issue occurs or as otherwise appropriate
- Expect that the dispute will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that natural justice principles will be observed wherever practicable; that confidentiality and privacy will be maintained as much as possible
- Provide complete and factual information in a timely manner
- Not provide deliberately false or misleading information
- Not make frivolous or vexatious complaints
- Act in good faith, and in a calm and courteous manner
- Show respect and understanding of each other's point of view and value difference, rather than judge and blame
- Act in a non-threatening manner
- To be appropriately supported
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties
- Recognise that all parties have rights and responsibilities which must be balanced
- Maintain and respect the privacy and confidentiality of all parties
- Not victimise or act in reprisal against any party to the dispute or any person associated with them

Employees Receiving Disputes

Employees receiving disputes have the following role and responsibilities:

- Act in accordance with the School's Complaints and Dispute Resolution Policy and Procedures
- Inform the party lodging the dispute of how disputes can be lodged, when they should be lodged and what information is required
- Provide the complainant with information about any support or assistance available to assist them in lodging their complaint
- Provide the complainant with a copy of the Complaints and Dispute Resolution Policy and Procedures
- Maintain confidentiality
- Keep appropriate records
- To forward complaints to more senior employees, including the Principal, as appropriate
- To be appropriately supported
- Not victimise or act in a reprisal against the complainant, respondent or any person associated with them

Implementation

Adelaide Christian Schools is committed to raising awareness of the process for resolving disputes at the School, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

Adelaide Christian Schools is also committed to appropriately training relevant employees (especially senior staff) on how to resolve disputes in line with this policy and the related procedures.

Adelaide Christian Schools will keep appropriate records of disputes, will monitor disputes and their resolution and will report on a high-level basis to the Adelaide Christian Schools Board on dispute resolution at the School.

At any stage, a complainant may have a person present in the meeting to provide support if necessary. Records of formal meetings must be kept. Notes will be taken for any informal meeting.

Adelaide Christian Schools will act to encourage students, parents and employees to contribute to a healthy School culture where disputes are resolved with as little formality and disruption as possible.

The Complaints and Dispute Resolution Flow Chart will be made available to all staff and families. A simplified version will be made available to the students in the classrooms.

Dispute Procedure

The outline of the Dispute Procedure is shown in the Complaints Flow Chart (Appendix 1-3). An example process of the flowchart is outlined below.

Step 1

Most disputes or issues will be managed outside of this policy under Step 1 of the Complaints Flow Chart. This process will follow the Grievance Procedures and Conflict Management Policy on more of an informal level. (Appendix 1-3)

However, if the issue is unable to be resolved, the following steps should be followed.

1. The complainant is required to make the complaint in writing to the Campus Principal or the Principal.
 - A complaint form (see Appendix 4-6) is required to be completed.
 - In cases where the complaint is regarding the Principal, the relevant documentation is to be addressed to the Head of Schools, marked 'Confidential – Formal Complaint'. All documentation is to be handed to Central Administration, which will document the receipt of the complaint and forward it on.
 - If the complaint is against the Head of schools, the relevant documentation is to be addressed to the Chair of the Board, marked 'Confidential – Formal Complaint'.
2. The complaint form and any other documentation are to be submitted to the Principal by the Complainant.
3. The Principal, or representative, and another senior staff member (with, as necessary, external advice) will decide how best to manage the complaint. This may include:
 - Handling the complaint under a specific Adelaide Christian Schools Policy – if applicable
 - Mediation
 - Internal investigation by appropriate senior staff
 - Engaging an external person or agency, such as AISSA, to investigate the complaint.
4. The Principal, or representative, will meet the alleged Offender/Respondent to inform them of the complaint and all details and copies of documents.
 - The Principal will invite the Respondent to respond then and there, if they wish or at a later time.
5. The Principal, or representative, will inform both Complainant and Respondent of the Formal Complaint Management Plan decided upon, to address the complaint.
6. Both parties are invited to have support persons of their choice at all stages of the proceedings.

7. If mediation has been decided upon, an outside mediator or other mediator agreeable to both parties will be engaged.
 - The mediation will take place.
 - Both parties will be requested to support any outcome.
 - Both parties will be requested to sign on the outcome agreed upon.
 - The matter will be monitored at set intervals subsequently.

8. If the Principal, or representative, decides the matter needs to be looked into internally, a senior staff member will be delegated as Complaint Case Manager for the complaint in question.
 - Relevant members of staff will be interviewed.
 - The Complaint Case Manager will meet with senior staff to give a summary of the matter.
 - The Principal, or representative, and senior staff (at the discretion of the Principal) and external adviser will decide on the outcomes.
 - The Principal will put such outcomes in place.

9. If an investigation by an outside investigator is decided to be appropriate:
 - The outside investigator will be engaged as the Complaint Case Manager
 - The investigator will attend the School to interview both parties and relevant witnesses as nominated by complainant, respondent and investigator.

10. Where a formal complaint has been lodged, the following type of evidence may be relevant, or required.
 - Supporting evidence provided by a medical practitioner, counsellor, family member, friend or co-worker.
 - Supervisor's report and personnel records (e.g. sudden increase in sick leave).
 - Complaints or information provided by other employees about the behaviour of the alleged person causing the concern.
 - Records kept by the person who has the concern.
 - Whether the parties presented the evidence in a credible and consistent manner.
 - The absence of evidence where it should logically exist.

11. The investigator will provide a report of the investigation including recommendations to the Principal.
 - The report is privileged to the Principal, the SLE and the Board.

12. The Principal will:
 - Decide on the most appropriate outcomes in view of the report and recommendations
 - Inform the complainant and the respondent of the outcomes
 - Put in place any outcomes of the investigation. These may include disciplinary outcomes for staff and students.

Outcomes may include any combination of the following:

- Counselling
- Disciplinary action against the person complained about (e.g. demotion, suspension, probation or dismissal)
- Official warnings that are noted on the personnel file
- Disciplinary action against the person who complained if there is strong evidence that the complaint was vexatious or malicious
- Formal apologies
- Reimbursing any costs associated with the issue of concern.

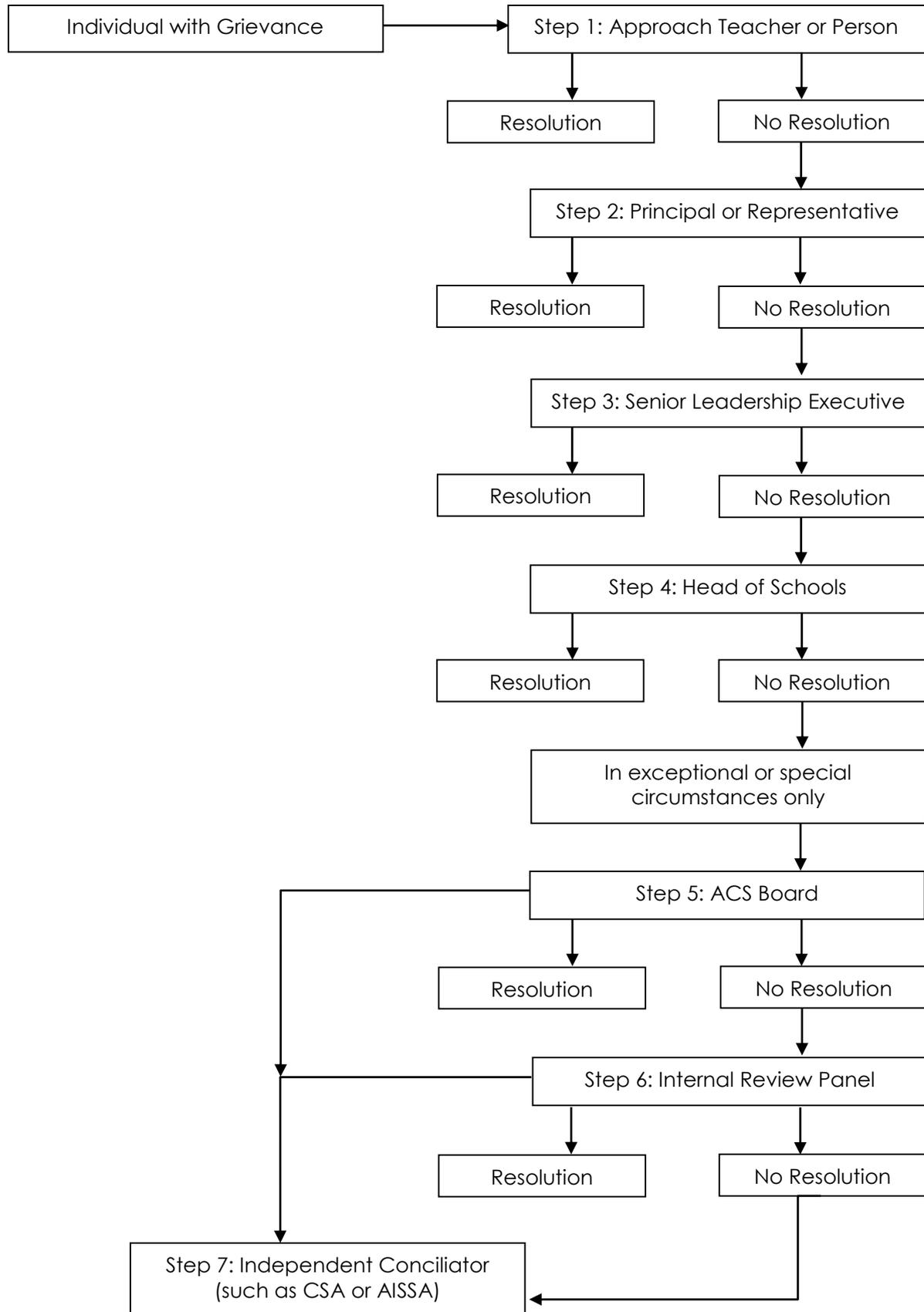
Outcomes decided upon will depend on factors such as:

- The severity and frequency of the issue causing concern
- The weight of the evidence
- The wishes of the person who is making the complaint
- Whether the person causing the problem could have been expected to know that such behaviour was a breach of policy/unprofessional conduct
- The level of contrition
- Whether there have been any prior incidents or warnings

Where a satisfactory outcome has not been achieved, subsequent Steps (3-7) in the Complaints and Grievance Flow Chart will be followed with a similar process as above to ensure a fair and reasonable outcome for all parties involved.

COMPLAINTS AND DISPUTE RESOLUTION FLOW CHART (Appendix 1)

Members of the Adelaide Christian Schools community are encouraged to follow the steps below when faced with a complaint, grievance or dispute.



If you have a problem and you need help ...

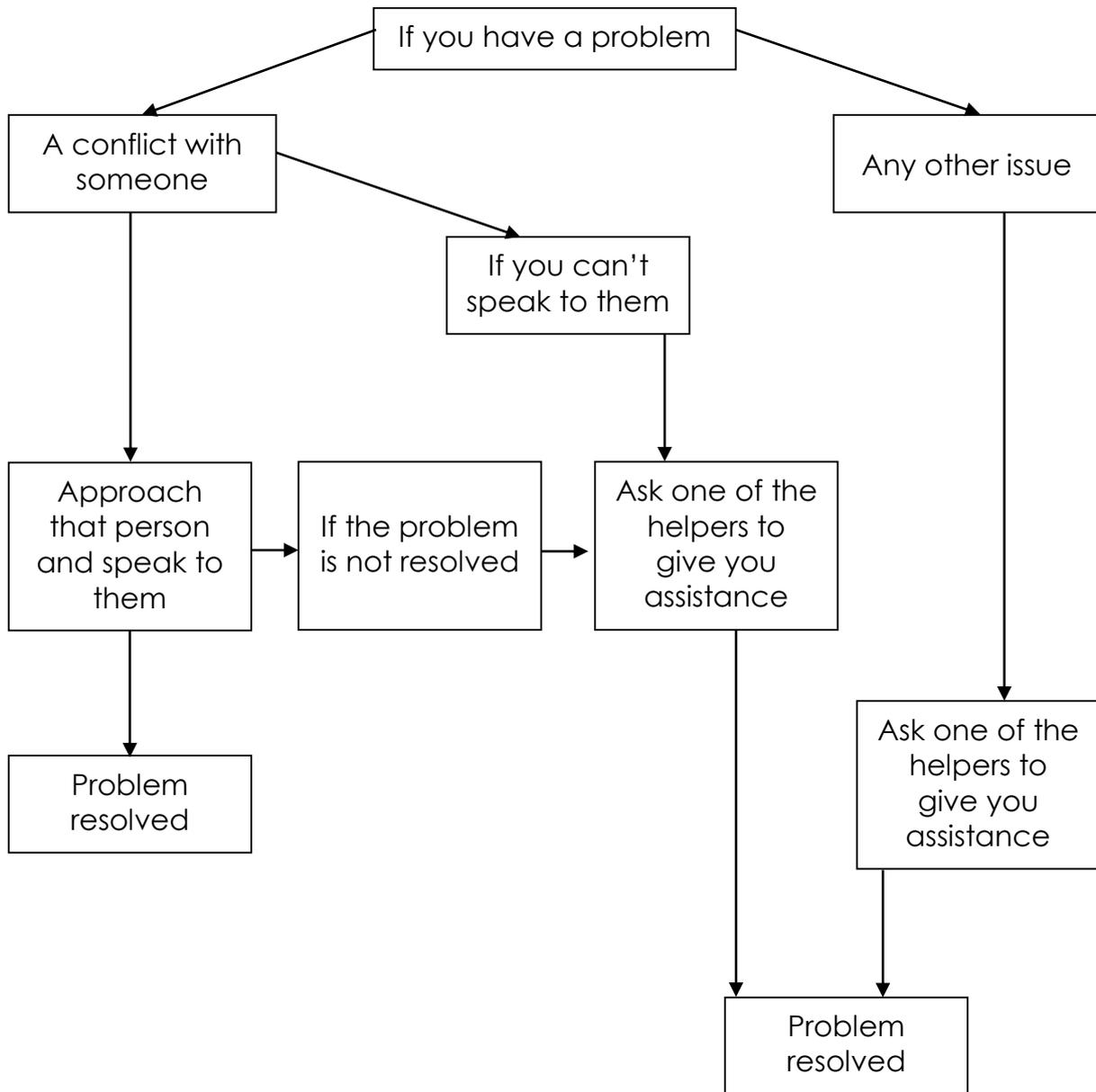


There are people you can speak to....

- Your Buddy
- Your Teacher
- A Teacher on Duty
- An Office Person
- The Chaplain
- The Principal



COMPLAINTS AND DISPUTE RESOLUTION FLOW CHART UP/SEC (Appendix 3)



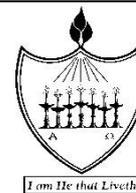
People Who Will Help You

- A friend
- Your class teacher
- Your homeroom teacher
- Another teacher
- The chaplain
- A Coordinator
- An Office Manager
- The Principal

Appendix 4 - Formal Complaint Notification Form

TO BE COMPLETED BY PERSON LODGING FORMAL COMPLAINT

TEMPLE CHRISTIAN COLLEGE



Full Name: _____

Daytime Phone: _____ After Hours / Mobile Phone: _____

Have you personally taken steps to try and resolve the issue before proceeding to lodgement of a Formal Complaint? (Circle Yes or No) YES NO

If "YES": Please provide details and attach any supporting documentation:

Nature / description of Complaint:

Names of any witnesses or support person/s (if applicable):

I maintain that the above is true and accurate to the best of my knowledge.

Name: _____

Signature: _____

Date: _____

OFFICE USE ONLY
DATE RECEIVED: _____ RECEIVED BY: _____

Appendix 5 - Formal Complaint Notification Form

TO BE COMPLETED BY PERSON LODGING FORMAL COMPLAINT

SUNRISE CHRISTIAN SCHOOL



Full Name: _____

Daytime Phone: _____ After Hours / Mobile Phone: _____

Have you personally taken steps to try and resolve the issue before proceeding to lodgement of a Formal Complaint? (Circle Yes or No) YES NO

If "YES": Please provide details and attach any supporting documentation:

Nature / description of Complaint:

Names of any witnesses or support person/s (if applicable):

I maintain that the above is true and accurate to the best of my knowledge.

Name: _____

Signature: _____

Date: _____

OFFICE USE ONLY

DATE RECEIVED: _____ RECEIVED BY: _____

Appendix 6 - Formal Complaint Notification Form

TO BE COMPLETED BY PERSON LODGING FORMAL COMPLAINT

SUNRISE CHRISTIAN SCHOOL, WHYALLA



Full Name: _____

Daytime Phone: _____ After Hours / Mobile Phone: _____

Have you personally taken steps to try and resolve the issue before proceeding to lodgement of a Formal Complaint? (Circle Yes or No) YES NO

If "YES": Please provide details and attach any supporting documentation:

Nature / description of Complaint:

Names of any witnesses or support person/s (if applicable):

I maintain that the above is true and accurate to the best of my knowledge.

Name: _____

Signature: _____

Date: _____

OFFICE USE ONLY
DATE RECEIVED: _____ RECEIVED BY: _____

TOGETHER WE SHINE.

Contact Information

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