



# Lake Joondalup Baptist College

## **Grievances Policy (Community)**

**Policy #: 77a**

**Policy reviewed date: October 2022**

**Next review date: October 2023**

# Grievances Policy (Community)

## Overview

Lake Joondalup Baptist College (the **College**) is committed to ensuring a safe and healthy environment characterised by tolerance and support; and which also respects differing learning styles and celebrates student achievements.

Part of this commitment involves ensuring the College community has access to processes that allow for grievances to be managed appropriately, promptly and fairly. The College is a working community and inevitably concerns, grievances, disputes or allegations of inappropriate or illegal behaviour arise.

This policy provides clear and transparent information about how a parent, student or other member of the College community (other than a staff member) can raise grievances about the College, staff conduct, a student's education and/or student wellbeing, and about how such grievances will be managed and resolved.

The College takes all complaints and concerns received from staff, parents, students and other complaints from outside of the College, seriously. Our aim is to ensure that grievances are handled objectively and with sensitivity. In doing so, we will seek to identify both the specific and (where applicable) systemic issues raised by a grievance (thereby enabling future improvements to be identified and implemented).

## Application

This policy applies to all College Board members, staff, contractors, volunteers, visitors, parents/legal guardians, students and other members of the College community.

This policy does not apply to:

- a. Staff grievances, which should be raised in accordance with the College's Staff Grievances Policy.
- b. Concerns about child abuse, reportable conduct and student safety, which will be addressed in accordance with 041 Child Protection Policy.
- c. Legal matters, including requests for compensation, payment and redress.
- d. To the extent that there are any inconsistencies between this policy and the College's other grievance policies and appendices, other than the Child Protection Policy (041), this policy shall prevail.

When raising a grievance with the College, a member of the College community can expect to:

- a. Be treated with respect and courtesy.
- b. Have their grievance taken seriously, considered impartially (with consideration of any power imbalances), and dealt with on the merits.
- c. Have their grievance dealt with in a confidential and timely manner.
- d. Have access to appropriate and easily understandable information regarding the grievance resolution process being followed by the College (including this policy).
- e. Be supported by the College during the grievance handling process, with a focus on maintaining the emotional wellbeing of any students involved.
- f. Be kept informed of the progress and outcome of the grievance.
- g. Not be victimised, or subjected to reprisal, for raising grievances in good faith.
- h. In return, the College expects that a member of the College community who raises a grievance will:
  - o Treat others (including College staff, students and parents, both former and present) with respect and courtesy.
  - o Raise grievances in the appropriate forum, having regard to the below framework, and as soon as possible after the event giving rise to the grievance has occurred.
  - o Provide complete and factual information about the grievance.
  - o Ask for assistance or further information as needed.
  - o Act in good faith to achieve a reasonable outcome.

- Be understanding and accepting of any outcome reached, being mindful that the College must sometimes manage the interests of a number of students and other individuals when making decisions and may be privy to confidential information not known to the person raising the grievance.

Our aim is for the prompt resolution of concerns, ideally without there being a need for a formal complaint to be made. As the Board appoints the Principal to manage the day-to-day operations of the College, a review by the Board Chair should be a last resort.

Timeframes listed in this policy are only a guide, and can vary due to the nature of the grievance and surrounding circumstances. Where timeframes set out in this policy cannot be met, the College will strive to communicate with the affected parties about the status of the grievance, and the steps taken (or to be taken) to progress a resolution.

Please note the processes outlined in this policy are intended to be conciliatory, non-adversarial and non-legal.

## Framework

The College's framework for dealing with grievances involves a three-step process, namely:

- Stage 1** - A concern is raised with the College.
- Stage 2** - A complaint is made to the Principal (including via a Complaint Form).
- Stage 3** - A review by the Board Chair is requested.

Further details about these Stages are set out in Schedule 1.

Common considerations when the College is managing grievances are set out in Schedule 2.

## Recommendations for initially raising concerns (Stage 1)

At first instance, you should raise your concerns directly with the College. The College must be aware of a concern and of its substance in order to address it.

The College believes that a concern is often best resolved closest to its source, and when a concern relates to a student, encourages concerns to be raised with the relevant classroom teacher in the first instance.

However, depending on the nature and severity of an issue, and whether the classroom teacher has a conflict of interest, concerns may instead be raised directly with a senior staff member (eg a Head of House, or another member of the College Leadership Team). For guidance on who to contact at first instance, refer below.

Designated staff member		Nature of grievance
Prep to Year 6	Years 7 to 12	
Dean of Primary	Dean of Students	Student-related matters
Dean of Primary	Dean of Studies	Enrolment related matters
Dean of Primary	Head of House or Dean of Students	Student wellbeing matters
Dean of Primary	Dean of Studies	Curriculum matters and teaching matters
Dean of Primary or Executive Business Manager	Dean of Studies or Executive Business Manager	Staff related matters
Executive Business Manager		Business operations or finance matters
College Board of Directors		Principal or a member of the College Board of Directors matters

A student can directly raise concerns with their classroom teacher or the relevant Heads of House, the Dean of Students, or the Principal.

The following considerations are relevant prior to, and when, raising a concern:

- a. Clearly identify the issue or problem prior to contacting the College.
- b. Decide whether the issue or problem is in the nature of a complaint, concern, enquiry or suggestion. This will help in finding a solution.
- c. Identify the party or parties involved.
- d. Consider the practical outcome you are trying to achieve (while being realistic and open to other outcomes and solutions).
- e. If there is more than one issue or problem, write a list so that you are adequately prepared and then decide which issue or problem matters most to you.
- f. If there is more than one issue or problem, write a list so that you are adequately prepared and then decide which issue or problem matters most to you.
- g. Consider whether there are any interim measures you would like the College to consider whilst it makes enquiries about the issue or problem.
- h. Make an appointment to meet with the relevant staff member to discuss the concern - the best way to do this is to contact Reception to arrange a mutually convenient time for a telephone call or meeting. When contacting Reception, please identify yourself and the student concerned, the subject of your concern, identify the person you would like to speak with, and provide a brief description of the issue you wish to speak about (for example 'homework', 'enrolment decision (including appeals)', 'wellbeing' or 'grounds maintenance').
- i. Remain courteous and calm when conveying your concerns. The College is within its rights to terminate a conversation with the person raising the concern until such time that a courteous and calm conversation can continue.

### Schedule 1: Further details about Lake Joondalup Baptist College's Grievances Resolution Procedure

Stage 1: Raise the concern		
Step 1	Identify the concern	Clarify your concern: " <i>who, what, when, where, why, and how</i> ". Identify the outcome you are trying to achieve by raising your concern.
Step 2	Raise the concern	The College believes that a concern is often best resolved closest to its source and encourages concerns to be raised with the relevant classroom teacher in the first instance. Depending on the nature and severity of an issue, and whether the classroom teacher has a conflict of interest, concerns may instead be raised directly with a senior staff member (eg a Head of House, or another member of the College Leadership Team).
Step 3	Acknowledgement	Once a concern is raised, the College will record (by electronic file note or written correspondence) the details of the concern including your name and contact details. The College's focus will be on understanding the nature of the problem, the party or parties involved, and the nature of any agreeable solutions.
Step 4	Outcome	Where an agreeable solution is available, this will usually be communicated in writing to you (being usually within three (3) business days of the outcome being reached). Where a mutually agreed outcome between the College and the person raising the concern is not appropriate, or possible, the staff member handling the concern will make a decision that best aligns with the College's procedures and legal obligations. This decision will be communicated in writing to you (being usually within three (3) business days of the outcome being reached), and the communication will be kept on the relevant student's (and if appropriate, staff member's) file.

## Stage 2: Make a complaint

Step 1	Make a complaint	<p>If you are not satisfied with the way your concern has been handled, you may choose to make a formal written complaint. Complaints should ordinarily be made within one (1) calendar month of the initial concern first being raised with the College.</p> <p>A formal complaint should at first instance be addressed to the designated staff member. If the complaint concerns that designated staff member, the complaint should be directed to the Principal. If the complaint concerns the Principal, the complaint should be made to the Board of Directors (see Stage 3), in which case the Board Chair will manage the process outlined below.</p> <p>You may complete a Complaint Form and provide it to the designated staff member via hardcopy or email at <a href="mailto:ljbc@ljbc.wa.edu.au">ljbc@ljbc.wa.edu.au</a> or post (PO Box 95, Joondalup WA 6919). You may also telephone Primary Reception (08) 9300 7435 or Secondary Reception on (08) 9300 7444, to arrange a meeting. Please note that if phoning to arrange a meeting, Reception staff will take your details and endeavour to confirm a meeting time as soon as it is practicable to do so.</p>
Step 2	Acknowledge receipt	<p>The designated staff member or their delegate (eg Executive Assistant to the Principal) will acknowledge receipt of the complaint as soon as practicable (being usually within three (3) business days).</p>
Step 3	Review of complaint	<p>The College's objective is to achieve a resolution by:</p> <ul style="list-style-type: none"> <li>• Clarifying the substance of the complaint, and the steps taken by the College to address the initial concern.</li> <li>• Identifying whether the complaint raises an issue regarding non-compliance with the College's procedures.</li> <li>• Identifying whether the complaint raises an issue that would be more appropriately addressed under the College's Child Protection Policy (041).</li> <li>• Communicating with you and relevant parent(s), student(s) and staff, in an attempt to resolve the issue by agreement (where practicable).</li> <li>• Failing agreement, investigating the complaint and deciding appropriate outcomes in accordance with procedural fairness and natural justice principles. The Principal may delegate parts of the complaint-management process, and seek the assistance of third parties, however any ultimate decision will still be made by the Principal.</li> </ul> <p>If the designated staff member, Principal or delegate arranges to speak with you, you may request to have someone else present as a support person. The support person can be a relative or a friend, but please note that the role of a support person is to provide you with support and not to act as an advocate.</p>
Step 4	Outcome	<p>The designated staff member or Principal will aim to communicate the outcome of a complaint in writing within fifteen (15) business days where practicable.</p> <p>The Principal will promptly report any formal complaints, and relevant outcomes, to the College Leadership Team and Board. This is part of the cyclical review and risk management process at the College.</p> <p>The Executive Assistant to the Principal will maintain a register for all formal written complaints received by the College. The contents of the register will remain confidential and only accessed by relevant parties on a need to know basis.</p>

### Stage 3 – Request a Review

Step 1	Request a review by the Board Chair	<p>If you are not satisfied that your complaint has been adequately resolved by the Principal, you may request a review by writing to the Board Chair via email at <a href="mailto:ljbc@ljbc.wa.edu.au">ljbc@ljbc.wa.edu.au</a> or by post:</p> <p>The Chairman of the College Board of Directors The Lake Joondalup Baptist College PO Box 95 JOONDALUP WA 6919</p> <p>Members of the College community who raise grievances with other Board members will be directed to follow the procedures set out in this policy (eg raising a complaint with the Principal or requesting a review by writing to the Board Chair).</p> <p>Requests for review must be made in writing within ten (10) business days of the date the Principal communicated the outcome of your complaint in writing. The grounds for the review, and in particular any concerns you have with the way the relevant complaint was dealt with, must be clearly identified in the request for review.</p>
Step 2	Review	<p>Please note that in accordance with good governance, the Board entrusts the Principal with the day-to-day management of the College, and in particular its staff and students. The Principal is accorded significant discretion regarding such matters.</p> <p>Accordingly, any review of the Principal's decision under this policy will be confined to the Board Chair deciding whether there is evidence that the College's procedures have not been followed, in a way likely to have meaningfully influenced the Principal's decision, or that the Principal unreasonably exercised his or her discretion.</p> <p>The Board Chair may delegate parts of the review, or seek the assistance of third parties, however any ultimate decision will still be made by the Board Chair.</p> <p>For the avoidance of doubt, the Board Chair will not delegate to the Principal a review of a decision they have already made. However, if the Board Chair is satisfied that a complaint has not been properly raised (or dealt) with by the Principal (and the Principal does not otherwise have a conflict of interest), the Board Chair may refer the matter to the Principal to make an initial decision (noting that decision would then create a right to request a review).</p>
Step 6	Outcome	<p>The Board Chair will aim to communicate the outcome of a request for review in writing within forty-five (45) business days where practicable.</p> <p>The Board Chair will promptly report any requests for review, and relevant outcomes, to the Board.</p>

## **Schedule 2: Relevant Considerations**

### **1. Withdrawal of a Grievance**

- 1.1. A grievance can be withdrawn at any stage during the processes outlined in this policy. A grievance can only be withdrawn by the person who made the complaint to the College.
- 1.2. Ideally, all grievances should be retracted in writing, however, a dated notation on the College's systems, stating the grievance has been withdrawn verbally by the appropriate person can be made by a staff member at the College responsible for managing the grievance.
- 1.3. The College will notify affected parties if a grievance is withdrawn, where considered appropriate.
- 1.4. Regardless of a person's wish to withdraw a grievance, complaints that have disciplinary implications for a member of staff may still be followed up by the College.

### **2. Anonymous Grievances**

- 2.1. The College is committed to dealing with grievances in accordance with the processes outlined in this policy. The College respects in some cases, complainants would prefer to remain anonymous and not put a name to their grievances.
- 2.2. The College treats grievances about the College, a staff member, a student's education, enrolment and/or a student's wellbeing with the utmost importance, and will investigate such grievances raised to the fullest extent practicable. However, anonymity can make it difficult for the College to effectively resolve grievances (particularly where the College is being asked to accept an anonymous source's version of events) and are accordingly discouraged.

### **3. Previously Addressed, Stale or Vexatious Grievances**

- 3.1. Grievances that have been previously addressed by the College or externally, or which were not raised with the College within a reasonable period of time (having regard to the nature of the relevant grievance), will not be considered in the absence of highly relevant new information and/or evidence coming to light.
- 3.2. The College does not tolerate vexatious grievances, and these will not be investigated.

### **4. External Grievances and Redress**

- 4.1. The College acknowledges that grievances relating to the College can also be made to an external body, or be the subject of legal action. However, the College encourages its community to raise any grievances, and work to resolve such matters, in accordance with the procedures outlined in this policy.

### **5. Confidentiality**

- 5.1. Appropriate confidentiality will be maintained by the College at all times when dealing with a grievance, with information only being provided to those who have a right or need to know.

### **6. Communication**

- 6.1. This policy is available to parents, students and the College community via the College's website. This policy (or aspects thereof) will also feature in communications to parents via SEQTA, the College newsletters and bulletins as required.