



HEATHDALE CHRISTIAN COLLEGE LTD

GRIEVANCE MANAGEMENT PLAN

August 2008

1. PREAMBLE

Matthew 5:23-24

Therefore, if you are offering your gift at the altar and there remember that your brother has something against you, ²⁴ leave your gift there in front of the altar. First go and be reconciled to your brother; then come and offer your gift.

Philippians 2:3-5

Do nothing out of selfish ambition or vain conceit, but in humility consider others better than yourselves. ⁴ Each of you should look not only to your own interests, but also to the interests of others. Your attitude should be the same as that of Christ Jesus...

Heathdale Christian College wishes to promote an environment where all staff, student and parents feel they are able to serve their community in a culture of unity of purpose, and a spirit of belonging to a community of Christians serving Jesus and each other. We are also aware that our world is not a perfect one and we know that staff can find themselves in a position of conflict or disagreement with others.

Such conflict and disagreement solved in an adversarial process firstly damages the good name of Jesus in our wider community, is costly in human, educational and productive terms, and rarely results in a positive ongoing working relationships.

As individual Christians we are called to be patient and tolerant of each other, but we also need to be sensitive toward our colleagues and making their working environment as happy and free from anxiety as we possibly can.

The College has an *Issues Management Plan*. This can be referred to as staff tool for resolving issues of disagreement or grievance.

2. OBJECTIVE

Heathdale Christian College is committed to achieving and maintaining a harmonious and productive work environment based on the principles of the Scriptures, and for the mutual benefit of all concerned.

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Date: August 2008

Signed: Reynald Tibben (Principal)

This plan seeks to resolve differences through prayer, negotiation and mediation. This plan is designed to encourage informal resolution of issues swiftly, confidentially, and as close to the actual class or work situation as possible. This plan also recognises that situations may arise where informal resolution is not achievable or is not appropriate, and provides a process for Formal Resolution.

3. SCOPE

3.1. This plan applies to staff, student or parents concerned about one or more of the following:

- 3.1.1. The application of College policy, rules or conditions
- 3.1.2. An official instruction.
- 3.1.3. The ill effects of a person contravening workplace rules and/or requirements.
- 3.1.4. Issues arising from decisions or actions connected to classroom management, be that discipline decision or a decision made by the College where a student or parents believes that an injustice has taken place.
- 3.1.5. Unfair or unkind treatment from other people.

3.2. This plan does NOT cover issues about:

- 3.2.1. Issues of disagreement with the College Foundation Statements;
- 3.2.2. Issues of disagreement with College employment of staff;

4. PRINCIPLES

This plan is based on principles outlined in Matthew 18:15-16. The following need to be recognised as integral to this plan.

4.1. Confidentiality

At all times, documentation and discussion associated with a grievance shall be treated as confidential. Relevant information shall be retained on a specific confidential file to which access shall be restricted to a 'need to know' basis only. Information on relevant files may be subject to applications for disclosure under the *Freedom of Information Act* 1982.

4.2. Fairness

Procedural fairness shall apply to all parties where:

- 4.2.1. There is a right to a fair hearing and/or investigation by an unbiased person.
- 4.2.2. Parties have a right to know the case against them.

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- 4.2.3. Parties have an opportunity to comment on material which may result in findings adverse to them.
- 4.3. Timelines.
All complaints should be dealt with promptly and thoroughly with a view to finding a resolution as soon as practical.
- 4.4. Disciplinary Action:
Disciplinary action may be taken against a staff member or student who contravenes College rules or policies. Action shall also be taken against a staff or student or parent who knowingly makes false or misleading accusations against another person.

5. RESPONSIBILITIES

- 5.1. Staff
It is the responsibility of all staff to take reasonable and genuine steps to prevent situations which may lead to grievances and to work co-operatively to resolve any disagreements as far as practicable at the local level by:
- 5.1.1. Promptly addressing any disagreements as they arise.
 - 5.1.2. Discussing those disagreements in a fair, honest and constructive manner.
 - 5.1.3. Providing information and explanation about matters in disagreement.
 - 5.1.4. Maintaining strict confidentiality by restricting discussion to those directly involved in the resolution process. and
 - 5.1.5. Complying to the Biblical principle of caring for and looking out for their colleagues advantage above their own. (Philippians 2:3)
- 5.2. Senior Staff (Principal, Assistant Principals Business Manager) and Co-ordinators
In addition to the above general responsibilities, Senior Staff and Co-ordinators have the responsibilities to:
- 5.2.1. Ensure decisions on managing staff, students and parents are ethical and transparent.
 - 5.2.2. Refer to and apply any relevant Policy and/or Guidelines when making decisions.
 - 5.2.3. Advise all concerned of decisions as soon as possible.
 - 5.2.4. Prevent situations or complaints from developing into grievances by creating an atmosphere in which staff can raise concerns and by encouraging them to communicate promptly about emerging problems.
 - 5.2.5. Demonstrate to all concerned that their viewpoints are important by taking steps to swiftly address their concerns and resolve any issues as they arise.

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- 5.2.6. Engage in resolution processes in an impartial manner and encourage informal resolution where ever possible.
- 5.2.7. Ensure that any agreements or decisions reached are implemented.
- 5.2.8. Ensure that persons raising concerns are not disadvantaged or discriminated against for raising concerns, and
- 5.2.9. Complying to the Biblical principle of caring for others.
- 5.3. Senior Staff
Senior Staff (ie the Principal, Assistant Principals and the Business Manager) also have specific responsibilities in relation to the prevention and resolution of grievances. They must ensure that:
 - 5.3.1. All Co-ordinators and Senior Staff are fully briefed and trained in the execution of this Plan
 - 5.3.2. Co-ordinators adopt sound people management practices which contribute to the effective, equitable and proper conduct of the College, and
 - 5.3.3. Any person raising a concern is not disadvantaged or discriminated against for raising concerns

6. INFORMAL RESOLUTION

Any person finding themselves in a position of having a grievance are urged, if at all possible, to attempt resolving the situation themselves. keeping in mind the confidentiality needs of this sort of situation (see 4.1).

Staff, students and parents should be aware of their right to raise concerns, and to initiate discussions ideally within 48 hours and certainly within seven days of receiving a request to resolve a disagreement.

- 6.1. Resolving the situation yourself, you should discuss the issue directly with the person whom you have the problem or grievance with.

IF.....

THEN.....

The matter is resolved,...

the matter is closed

The matter is not resolved, ...

refer to 6.2

- 6.2. The person making the complaint can involve an Year Level Co-ordinator or a Co-ordinator whose responsibility is within the area of concern to reach a resolution. It should explained:

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complaint, the request should be forwarded directly to the Principal. Where the Principal is the subject of the complaint or has had involvement in the complaint, the request should be forwarded to the Board Chairman.

If this last scenario is the case, then all further written references in this plan to the Principal should be read as references to the Board Chairman.

- 7.2. Depending on the situation, the Principal shall either
 - 7.2.1. Appoint an independent investigator, or
 - 7.2.2. Take the position of independent investigator.
- 7.3. The investigator takes on a formal investigation. (Nothing in this process is intended to prevent the Investigator from resolving the grievance informally by mediation or other appropriate means at any time before the formal process is complete).
- 7.4. The Investigator reports to the Principal addressing each of the areas of complaint and makes recommendations where appropriate. A copy of the report is made available to the person making the complaint, and any third party that has received a written notice that there are allegations against them (see 4.3).
- 7.5. The Principal shall, where the Investigator is not the Principal;:
 - 7.5.1. Review the report and may request further information if necessary.
 - 7.5.2. Accept or vary the recommendationsAnd then
 - 7.5.3. Advise the person making the complaint and any third party of any action as a result of the investigation.

Outcome:

IF.....	THEN.....
The matter is resolved,...	the matter is closed
The matter is not resolved, ...	refer to 7.6

7.6. The Principal's decision is final.

8. NOTES ON FORMAL RESOLUTION

- 8.1. **When is a formal process appropriate?** A formal grievance may be lodged with the Principal where the grievance was not resolved via an informal process.

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- 8.2. **What information is required?** The request for a Formal Resolution must come from the person making the complaint, must be in writing and clearly state the issue(s) to be resolved. The request should be concise, detailing the facts of the case and providing relevant information in support of the claims. It should clearly detail the impact on them personally, and care should be taken not to include any personal attacks on any individual. The person Making the complaint shall include a statement about the outcome(s) sought. It is important that the employee consider the outcomes they believe are appropriate and reasonable.
- 8.3. **Response from the Principal.** Within 14 days of the Principal receiving a written formal request for an investigation that conforms to 8.1 and 8.2 above, the staff member shall be advised of who has been nominated to investigate the complaint and may have the opportunity to object. The objection must be made within 14 days of being notified. Where there is an allegation against a third party in the formal request, that staff member shall be advised in writing within 14 days of the allegation being received in writing by the principal. (see 4.3).
- 8.4. **Early resolution of the matter.** The investigator should always keep in mind the possibility of suggesting an appropriate solution that shall be acceptable to all parties, and may result in the matter being resolved. In these circumstances the solution and the agreement of the parties should be put in writing and signed by the parties to avoid any subsequent misunderstandings.
- 8.5. **Withdrawing a request for a formal investigation.** Where the person making the complaint does not wish to proceed with their formal investigation, this can be withdrawn in writing, and any third party referred to in 8.3 shall receive written notification of this request.
- 8.6. **Conduct of the investigation.** The independent Investigator shall, wherever possible, interview all relevant persons. It is important, particularly in cases where there is conflicting evidence, that statements be made in writing and signed by the employee concerned. The Investigator shall record the substance of the interviews and the interviewee shall be given the opportunity to verify the report and make any comments on its contents.
- 8.7. **The Investigators report.** The independent Investigator shall prepare a report on the investigation and forward this to the Principal. The report shall advise the Principal of the outcome of the investigation including:
- 8.7.1. The recommended outcome.
- 8.7.2. The reasons for the recommendation(s).

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The person making the complaint and any third party shall receive a copy of the report and shall also be given an opportunity to comment in writing on the recommendations made in the report within 14 days.

8.8. Response of the Principal. The Principal may:

8.8.1. Accept the recommendation(s) and confirm the action(s).

8.8.2. Accept the recommendations and vary the actions.

8.8.3. Reject the recommendations and substitute a new action (giving reasons)

The Principal shall advise the person making the complaint and any third party in writing of any proposed actions to be taken as a result of the investigation. A copy of this shall be sent to the Independent Investigator.

Where appropriate the Principal shall also meet with the person making the complaint and any third party to discuss the actions being taken. Where the Principal proposes to vary or substitute the Investigators recommendations, the employee and third party shall be advised of the intended action and be given 14 days to make a submission to the Principal.

8.9. The person making the complaint and third party may request a meeting with the Independent Investigator to discuss the content of the report and to give constructive feedback on the content of the report and the process used. The Principal also has an opportunity to provide feedback to the Independent Investigator on the process and the content of the report.

8.10. The Principal's decision is final

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