

GEMS Christian Education Ltd



**EMERALD
CHRISTIAN
COLLEGE**
LEARNING FOR LIFE



Grievance Policy and Procedures

for Staff, Students and Parents

Applies to:

Emerald Christian College

Ontrack College

Created: August 2007
Current: February 2020 V6
Next Review: February 2021

Contents

[Staff Grievance](#)

[Procedures](#)

[Outcomes](#)

[Parental Grievances](#)

[Lines of Approach](#)

[Reducing Anxiety](#)

[Confidentiality](#)

[Anonymous Complaints](#)

[Resolution](#)

[Intractable Complaints](#)

[Key Principles](#)

[Appendix A](#)

[Appendix B](#)

[Appendix C Parent Leaflet](#)

Grievance Policy and Procedures

Staff Grievance

Introduction

This policy enables all staff to have access to a way of settling disputes.

Policy

1. GEMS Christian Education Ltd is committed to providing a fair, safe and productive work environment where grievances are dealt with sensitively and expeditiously. An essential part of developing that environment is ensuring that staff members are encouraged to come forward with their grievances in the knowledge that the Decision Maker will take appropriate action to address those grievances. Grievances that are not addressed have the potential to grow into major problems that can cause tension, low morale and reduced performance and productivity.
2. In the first instance the decision maker is the Principal but where the grievance involves the Executive Principal, the Complainant should contact the Chairperson of the Board. The Chairperson may, in his/her absolute discretion, appoint an independent person to investigate and address the grievance.
3. This policy applies to all forms of grievances including workplace bullying and harassment.
4. Grievance resolution is an integral part of a Decision Maker's duties. The Decision Maker has a responsibility to identify, prevent and address problems in the workplace.
5. Any member of staff may lodge a grievance regarding work-related problems. However, if other procedures exist that more appropriately addresses that grievance (e.g. sexual harassment or unlawful discrimination), that mechanism should be used.

Procedures

Step 1 Attempt to informally resolve the grievance, between the Complainant and Respondent directly;

Step 2 Formal complaint to the decision maker;

- Step 3 Advise the Respondent that the complaint has been received. If the Respondent admits the complaint is factually correct, the process could move to Step 7;
- Step 4 Investigate the complaint. This would involve discussing the details of the complaint with the Complainant, the Respondent and any other witnesses or interested parties;
- Step 5 Provide the Respondent with the complaint and the details of the investigation, and invite a response from the Respondent;
- Step 6 Consider the Respondent's response and other evidence, and make a decision regarding the complaint;
- Step 7 If the complaint is substantiated, provide the Respondent with an opportunity to respond to relevant disciplinary options. The range of options that the Organisation is considering should be outlined to the Respondent;
- Step 8 Take into account the Respondent's response to the disciplinary options, and make a final decision regarding the discipline of the Respondent.

Outcomes

Outcomes could include but not be limited to:

- The complainant gaining a better understanding of the situation and no longer being aggrieved;
- The complainant receiving a verbal or written apology;
- The respondent receiving a verbal or written apology
- The respondent receiving a verbal or written reprimand;
- The complainant receiving a verbal or written reprimand
- One or both parties agreeing to participate in some form of counseling; and disciplinary action where the Staff Code of Conduct has been found to have been breached, and/or where misconduct/serious misconduct or unsatisfactory performance has occurred.

Parental Grievances

An Open Organisation: Climate and Culture

Problems are likely to arise if parents feel that the Organisation is not open to their concerns. It is better to have a direct complaint to a member of staff than to have parents sharing their dissatisfaction with others. Parents like to feel valued and involved with the Organisation and they should be encouraged to voice their concerns. This is more likely to occur where the culture of the Organisation is open and complaints are received in a positive manner.

An effective complaints procedure can diffuse problems and can provide the Organisation with helpful information. Complaints treated as constructive suggestions can be used to improve standards and may prevent cause for further complaint. Even an unjustified complaint may indicate an area that can be improved.

What constitutes a complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. A complaint may be made if a parent thinks that the Organisation has, for example:

- Done something wrong;
- Failed to do something it should have done; or
- Acted unfairly or impolitely.

A complaint may be made about the Organisation as a whole, or about an individual member of staff or classroom situations with other children.

All complaints need to be handled seriously

An expression of concern, or a simple query, may grow into a painful matter if parents feel that they have been brushed aside. Equally, issues with the potential to become acutely difficult may dwindle and fade if they are handled well at the initial stage.

An unresolved problem may become a festering dispute or a confrontation. Procedures must therefore be in place for appropriate action when a matter remains unresolved or cannot be resolved quickly.

Procedures need to be flexible to handle both formal complaints and the informal raising of issues. It does not seem helpful to attempt to differentiate between formal and informal complaints. One can easily become the other. Serious issues may be raised in an informal

and friendly way and apparently trivial issues in an adversarial manner. Complaints against members of staff need particularly sensitive handling.

All complaints need to be recorded.

Lines of Approach

GEMS Christian Education Ltd has a clear protocol for dealing with complaints. The Organisation sees it as appropriate that all members of staff are encouraged to deal with parental concerns that lie within their area of responsibility. Notes will be taken to record all meetings – formal and informal – in line with our recording procedure. It is then the responsibility of the particular teacher to report to the Principal the nature of the complaint and if the parent is satisfied with the result of the meeting with the particular teacher. If the parent wishes to discuss the matter with the Principal, the teacher will contact the Principal and let them know the intention of the parent to have a meeting with them.

If approached about a matter that lies outside their responsibility, staff should refer it to the appropriate person and inform the parents who will be able to help them with this concern.

Matters incapable of resolution at a particular level should be referred to the Principal, with parents kept informed of the action being taken. This covers, for example, a complaint made to a relatively junior member of staff about a more senior colleague.

Senior staff will recognise when issues need to go straight to the Principal, with whom the responsibility for most complaints lie.

Certain parents will wish to go straight to the Principal with their concerns, and this should be respected. However, it should be explained that the Principal might not be able to respond until he/she has consulted the staff members who can help.

The Principal should share serious complaints with the Chairperson of the Organisation Board. There may be certain circumstances, such as complaints about the Principal, when the parents would like to write directly to the Chairperson, whose address should be supplied on request.

Written responses from the chairperson concerning complaints about the Principal should always be discussed with the Principal, who should sign the response.

Reducing Anxiety

Because the person who complains may feel vulnerable, the Organisation can reduce anxiety by taking the matter seriously and dispelling uncertainty about how the complaint will be handled.

- *Information about the complaints procedure should be clear.*
- *Complaints should be acknowledged immediately, or within five working days if the matter is complex. This acknowledgment may be verbally or in writing.*
- *Staff should inform parents what is happening to their concern or complaint and, if a more detailed response is needed, by when they will receive it. The issue should be dealt with as quickly as possible.*
- *The nature of the complaint and what is concerning the complainant should be clear. If it is not immediately obvious:*
 - *The parents may need more time to explain;*
 - *They could be asked to put their complaint in writing;*
 - *It may be helpful to discuss possible outcomes.*

Parents need to feel that their views matter. Paradoxically, in some circumstances, parents may prefer a response given after 24 hours to a response (even the same one) given immediately.

Confidentiality

Confidentiality is an important issue for pupils, parents and staff. It is essential that any complaint is treated in a confidential manner and with respect.

Parents often seek an assurance of confidentiality before expressing their concerns. If, for example, they wish to discuss a particular member of staff, they may fear that their child will suffer in some way because they have complained.

It should be made clear to all concerned that it is the Organisation's policy that complaints made by parents should not rebound adversely on their children.

The question of confidentiality should be discussed sensitively and on an individual basis with the parents and the Organisation's policy should be carefully explained.

It may be possible to deal with a problem without naming individuals. However, even if no names are given, the source of the complaint may be clear. Depending on the nature of the complaint and on the circumstances, it may be impractical to investigate without identifying the member of staff or the child. It may also be in the interest of the child to do so.

Members of staff are rightly concerned that they should know about complaints that might be damaging to their reputation. Such complaints will be known only to themselves and to those who have to be consulted. Training will be provided to help staff to deal not only with complaints that are made to them, but also to complaints that are made about them. GEMS Christian Education Ltd will provide support for staff against whom a complaint is made; a colleague who is not otherwise involved should provide this.

The Organisation may be required to divulge the contents of the complaint in order to meet its legal or good governance requirements. For example, the Organisation might decide that, in order to fulfill any duty of care obligations, it is necessary to divulge the content of the complaint to other persons. Confidentiality is not breached by disclosure within the leadership community of the Organisation, including, without limitation, the Board members, management staff and counseling staff.

If there is a situation involving the police, the Executive Principal, or next most senior staff member if the Executive Principal is unavailable, must take responsibility for action in the Organisation and the Governing Body Chairperson should be informed as soon as possible.

Anonymous Complaints

Anonymous complaints may be where there is no indication of either name or address, or where the complainants say that they do not wish to be identified. They may come from members of the public or from parents.

Complaints from the public about the behaviour of a group of pupils could be dealt with on a general basis, with reminders to all about the Organisation's expectations.

Parents should be encouraged to give their names and should be given reassurance on the issue of confidentiality. If they persist in wishing to remain anonymous, it is at the Principal'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.

Anonymous allegations about child abuse should be monitored closely but no action taken until there is more certainty about the veracity of the allegation.

Recording

The teachers should keep an effective record of complaints and other parental concerns because:

- *It may become the cause of legal action in the future;*
- *Patterns in the record may indicate a need for action; and*
- *The Principal should be able to check the teacher's records regularly*

The Record

The record will be maintained by individual teachers and may contain the following information:

- *Date when the issue was raised*
- *Name of parent*
- *Name of pupil*
- *Brief statement of issue*
- *Location of detailed file*
- *Member of staff handling the issue*
- *Brief statement of outcome.*

Detailed Report

Each teacher will complete a detailed report of parental concerns – form provided- and give it to the Principal to be kept in a secure central location.

Confidential files on all complaints should be maintained and kept together, cross-referenced with other files as necessary. The files should contain simple but clear notes of all conversations with parents about any source of dissatisfaction. This applies to friendly chats and to telephone conversations, as misunderstandings easily arise. There should be a clear statement of what is concerning the complainant/s. Parents will know that notes are being taken on the issue and the notes need to reflect the true concerns of the parents and so they may need to be agreed on by the parents. e.g. So have I got it correct in writing that you are not happy with ...

Resolution

Sometimes the very acknowledgement of an issue by the Organisation brings relief to parents. Satisfaction for a complainant may come from any of the following:

- Knowing that changes have been made, and that matters will be different in future
- Knowing that the Organisation is now alert to a possible problem
- Feeling that their concern has been considered seriously

- An outcome which may be different from the one they sought, but which they perceive to be well-considered.
- A considered letter.
- An apology.

If time has been needed to consider matters, parents should receive a report letter. This should cover:

- The issues raised
- How the issues were considered
- The people consulted
- The action that is to be taken
- An apology, if appropriate.

Intractable Complaints

Most complaints can be resolved if approached positively. If a complaint becomes intractable, it may be due to its nature or to the way in which it was handled, or possibly because the parent perceives the Organisation to have closed ranks against him or her. The Organisation may even discover on investigation that the complaint was without foundation or motivated by malice. Nevertheless, it is wise to treat all complaints seriously and to follow the procedures.

There are different stages of action to be taken with intractable complaints:

Referral to the Chairperson of the Organisation Board

In most cases, the procedure will be that the Principal refers the matter to the Chairperson of the Board and informs the parents that this stage has been reached. However, a situation may arise where the complaint seems, to the parent, to have been mishandled by the Principal. In those circumstances, the parent should be able to write directly to the Chairperson.

The Chairperson should discuss the matter fully with the Principal and be provided with relevant documentation. If a briefing is required from a member of staff, this should occur in the presence of the Principal.

The Chairperson should respond to the parents, notifying them that he/she is reviewing the

matter, asking them if they wish to add anything further and providing a date by which they may expect a response.

The Chairperson may be able to offer a new approach to the matter, and this may satisfy the parents. The Chairperson's response should be clear and detailed. If the Chairperson deems that a meeting with parents may be beneficial to bring about a resolution the Chairperson will offer to meet the parents at a time convenient to them.

Those involved are:

- the Chairperson of the Organisation Board
- the Principal and,
- the parents

Parents should be permitted to bring with them a supportive friend who is not involved with the complaint. Legal representation is not appropriate at this stage.

The Chairperson, after questioning and listening to the parents may be able to assist the Principal to find a solution.

The GEMS Christian Education Ltd recognizes and acknowledges parent's entitlement to lodge a grievance and the Organisation hopes to work with parents in the best interest of the children and young people in our care.

Training

Given the diverse nature of complaints, GEMS Christian Education Ltd will ensure through training that **all staff** members, including support staff, know how to carry out their responsibilities. Training should cover:

- the complaints procedure
- communication skills, such as listening, questioning and calming
- handling complaints, negotiation and mediation skills
- skills in observing, recording and reporting
- the benefits of handling complaints well and the consequences of handling them badly.

In some circumstances, training for child protection purposes may be appropriate.

A Leaflet for Parents

This leaflet is designed to explain the grievance procedure to parents. Copies might be sent out with Organisation handbooks, reports or newsletters and they will be readily available at Administration.

GEMS Christian Education Ltd welcomes suggestions and comments from parents and takes serious complaints and concerns that may be raised. This leaflet will show you how to use our grievance procedure.

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 take action where appropriate.

How should I complain?

When you contact the Organisation, 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 e.g. the classroom teacher. They may be able to sort things out quickly, with the minimum of fuss. However, you may prefer to take the matter to the Principal.

Don't want to complain as such, but there is something bothering me

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

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 working days, to respond to your concerns and explain how we propose to proceed. Further communication will be forthcoming as we work towards a resolution.

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 Chairperson of the Organisation Board may also need to be informed. It is the Organisation's policy that complaints made by parents should not rebound adversely on their children.

We cannot entirely rule out the need to make third parties outside the Organisation 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 becomes necessary to refer matters to the Police. You would be fully informed.

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

Action, which needs to be taken under staff disciplinary procedures as a result of complaints, would be handled confidentially within the Organisation.

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 Chairperson of the Organisation Board. Alternatively, you may wish to write directly to the Chairperson.

Upon the receipt of a parent's letter of grievance the Chairperson of the Organisation Board will:

1. Liaise with the Executive Principal to determine what action the Organisation has undertaken to resolve the issue and then
2. Give a written response to the parents

Following the above, if the Chairperson deems that a meeting with parents may be beneficial to bring about a resolution the Chairperson will offer to meet the parents at a time convenient to them.

Those involved are:

- The Chairperson of the Organisation Board
- The Executive Principal,
- The Principal and,
- The parents

Parents are permitted to bring with them a supportive friend who is not involved with the complaint. Legal representation is not appropriate at this stage.

The Chairperson, after questioning and listening to the parents, may be able to assist the principal in finding a solution.

The GEMS Christian Education Ltd recognises and acknowledges your entitlement to lodge a grievance and we hope to work with you in the best interests of the children and young people in our care.

Key Principles

The key principles for the handling of complaints are:

<i>The Organisation is open to the concerns of parents</i>
<i>Complaints are received in a positive manner</i>
<i>Parents can expect to be taken seriously and can approach any member of staff about their concerns</i>
<i>Information about complaints is clear and readily available</i>
<i>Concerns are dealt with speedily and those who have raised them are kept informed about progress</i>
<i>It is not acceptable for pupils to receive adverse treatment because their parents have raised a complaint</i>
<i>Clear confidential files and a log are kept</i>
<i>Confidentiality is respected and maintained so far as is possible</i>
<i>Resolution of the matter is sought</i>
<i>Staff training covers the handling of complaints</i>

If a concern or complaint is dealt with seriously and sensitively at an early stage, it is likely to have a satisfactory outcome. Having a good complaints procedure reflects positively on the ethos and values of the school.

Appendix B

Detailed Report of Parental Concerns

Parent: _____

Date: ____/____/____

Brief Statement of Issue

Member of Staff

Staff Response

Statement of Outcome

- Parent went away relieved
- Parent went away still concerned
- Refer to Principal

Details

Appendix C Parent Leaflet

[GEMS Grievance Procedure Pamphlet Link](#)