# Complaints & Conflict Resolution Policy

**Relevant to**
All College community members – staff, students, parents/carers/guardians, Council members.

**Responsible Officer**
Principal

**Contact Officer**
Complaints Officer

**Authorisation**
College Council

**Date Introduced**
01/09/2012

**Effective Date of Latest Version**
27/06/2019

**Next Review Date**
01/06/2020

This policy will be reviewed after 12 months and then every five years, or as required by legislation.

**Relevant Legislation or Source**
- Education and Training Reform Act 2006 (Vic)
- Education and Training Reform Regulations (2017)
- Victorian Registration & Qualifications Authority (VQRA) Minimum Standards
- Child Safe Standards Ministerial Order 870
- Privacy Act 1988 (Cth)
- Lutheran Education South Eastern Region (Victorian Schools) Multi Enterprise Agreement 2018

**Linked Victory LC Policy**
- Child Protection Policy
- Mandatory Reporting Policy
- Bullying & Harassment Policy
- Behaviour Management Policy

**Linked Victory LC Procedure**

**Linked Victory Guidelines/Manual**
Staff Handbook
Code of Conduct

**Key Words**
Complaint, Complainant, Defamation, Due Process, Restorative Justice, Support Person,

**Destination**
CompliSpace, Cirrus, Staff Handbook, College Website

## Revision / Modification History

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<th>Date</th>
<th>Version</th>
<th>Summary</th>
<th>Policy/Procedure</th>
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<tr>
<td>01/01/2016</td>
<td>1</td>
<td>New Policy</td>
<td>Complaints &amp; Conflict Resolution Policy</td>
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<tr>
<td>27/06/2019</td>
<td>2</td>
<td>Full Review of Policy / Procedures</td>
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COMPLAINTS & CONFLICT RESOLUTION POLICY

Purpose
This policy defines the principles and procedures regarding complaints and conflict resolution at Victory Lutheran College.

Victory Lutheran College endeavours to provide a quality Christian education where the whole person can grow and develop with confidence and dignity. The College strives to provide a safe, respectful and supportive environment for all students, parents and staff.

From time to time staff, parents or students may have concerns regarding relational, educational, behavioural or school environment complaints or grievances. The College seeks to resolve these matters in a positive, professional, respectful and timely manner.

Implementation
- **Review**
  The Principal is responsible for review of this policy.
- **Advice and Support**
  The College Executive Leadership Team, College Council, LEVNT & ISV personnel can give advice on this policy.
- **Communication Strategy**
  This policy will be communicated via the Staff Handbook and available on our Learning Management System (Cirrus) as well as available through the College website. Information will also be regularly provided via our College newsletter.

Authorisation of Policy

<table>
<thead>
<tr>
<th>Responsible Officer:</th>
<th>Principal</th>
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COMPLAINTS & CONFLICT RESOLUTION POLICY

Definitions

Complaint

Complaints or conflict situations involve two or more people with different expectations and views, each one taking a position and acting on what they believe is right. In addition, Victory Lutheran College has expectations that must also be taken into account.

Within the context of this process, a complaint is defined as an expression of dissatisfaction by a student, parent, staff member or other member of the Victory Lutheran College community with any action or behaviour of a staff member or an aspect of Victory Lutheran College life or employment which the complainant perceives as adversely affecting him or her, or a student of Victory Lutheran College.

The complaint may relate to real or perceived:
- sexual harassment
- harassment or bullying
- discrimination on the grounds of disability, race, religious belief, political viewpoint, gender, marital status, pregnancy, sexual preference, national or ethnic origin
- unfair, unreasonable or improper treatment
- alleged poor performance (of teaching or administrative duties)
- conflict of interest
- behaviour that is contrary to the standards defined in the LEA code of ethics
- allegations of bias
- ongoing personal conflict

An employee’s complaint may also relate to issues such as:
- behaviour or perceived inaction by a staff member which has or is likely to have an unreasonable negative impact on another staff member’s ability to fulfil their duties
- administrative decisions concerning people that are arbitrary, capricious or made without appropriate consultation
- industrial issues – anything that has a bearing on conditions of employment (salary, terms of employment, working conditions, work load, etc)

Complainant

A person who is dissatisfied. This may be a parent, student, staff member or other member of the Victory Lutheran College community.

Defamation

At times a complainant and the employer and employees who attempt to deal with a complaint internally may be threatened with an action of defamation. Although there is little risk of such action succeeding against a genuine complainant who seeks information and support from the appropriate people only, it is important that:
- a complainant is advised not to discuss the complaint issue with all and sundry;
- each person who is legitimately provided with information relating to the complaint takes great care to protect that information. Leaving a computer screen open or a note lying on a desk can put the person at risk in any legal action;
- each person who legitimately passes on information does so “without malice” and to ensure the health and safety of the complainant.
Facts at issue
Details of the complainant’s and respondent’s names and contact information, place and date and description of the alleged behaviour, why it is in question, whether there was any authority to engage in the alleged conduct, whether there was any breach of any policy, behaviour, standard or law.

Good faith complaint
A complaint submitted by a complainant who has honest belief based on reasonable grounds.

Impact of an investigation
Managing the impact of an investigation means:
- anticipating where the impact will be greatest
- considering how the investigation is likely to affect staff morale
- devising strategies to minimise the adverse effects
- devising strategies to restore relationship wherever possible

Procedural fairness
Procedural fairness is also referred to as “natural justice”. It applies to any decision that can affect the rights, interests or expectations of individuals in a direct or immediate way and works to ensure that decision making is fair and reasonable. Justice should not only be done, it should be seen to be done. In effect it means that bias (both real and perceived) is avoided and all parties are given a fair hearing.

Respondent
The subject of a complaint – the person alleged to have caused the dissatisfaction, through their words, action or inaction.

Vexatious complaint
A complaint that is submitted for an improper purpose – for example, as an act of revenge, to obtain personal benefit or because the person likes to complain all the time.

Policy Statement

1. Rationale
As a Lutheran school, Victory Lutheran College seeks to be a place of physical, social and psychological safety for all where legal requirements are fulfilled, and where caring, cooperative and respectful relationships contribute to supportive communities that reflect the values of the gospel of Jesus Christ. At Victory Lutheran College there is a focus on love, justice, compassion, forgiveness, service, humility, courage, hope, quality and appreciation.

“If it is possible, as far as it depends on you, live at peace with everyone” (Romans 12:18)

From time to time, concerns regarding educational, behavioural or school environment issues may arise. For this reason, Victory Lutheran College has developed a set of procedures to work through unresolved situations, or where an action or decision is considered unfair or inappropriate. This is the reality of sin and our inability to live in perfect harmony with one another. However, through God’s grace and forgiveness, and by the guidance of the Holy Spirit, we strive to reconcile differences and resolve all conflict amicably.

To this end we are guided by the Scriptures:
- “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” (Matthew 18: 15,16)
- “Do not let any unwholesome talk come out of your mouths, but only what is helpful for building others up according to their needs, that it may benefit those who listen.” (Ephesians 4:29)
- “Be kind and compassionate to one another, forgiving each other, just as in Christ, God forgave you.” (Ephesians 4:32)
Victory Lutheran College is committed to using Restorative Practices (RP) to address issues of concern, resolve conflict and restore peace.

RP consists of a philosophy and continuum of processes based on the premise that it is preferable for people involved in a conflict, wrong doing or misbehavior (where possible) to be actively involved in the process of resolution and that repairing harm done to people and relationships is an effective way to build a safe and caring community.

2. Guiding Principles

Aims
- The grievance procedure provides guidelines for raising an unresolved issue or complaint and having it considered seriously. It is essential, therefore, that before the process begins, all parties participating are familiar with the process and with the Christian principles underpinning it.
- It is recognized that individuals in Victory Lutheran College community are at different stages in their faith journeys and that this could affect their readiness and/or willingness to engage in prayer throughout the procedural steps.
- Informal resolution of a grievance is encouraged and is always the preferred option. This is reached when the outcome is satisfactory to all. The formal process is set in motion where the informal process does not reach a satisfactory outcome.

Commitment
- Victory Lutheran College leaders model best practice in handling complaints.
- Victory Lutheran College community members are informed about complaint resolution procedures and the people with the responsibility for receiving and dealing with complaints.
- Complaint resolution processes rely on people acting in good faith, exercising good judgement, being honest and open, focusing on the issues not the person, and communicating in a courteous and respectful manner.
- Victory Lutheran College Council will support and encourage conflict resolution training for the Principal and Staff to assist the grievance process.

Fairness
- People are entitled to lodge a complaint.
- Complaints are lodged in good faith.
- All complaints are taken seriously.
- Every reasonable effort is made to ensure that a person who lodges a complaint will not be treated unfairly or victimized, the person dealing with a complaint is not intimidated or coerced and the respondent receives a fair hearing.
- Subject to duty of care or other legal obligations, people are informed of any allegations against them or grounds for adverse comment about them.
- All parties are given reasonable opportunity to reflect on information and to put forward their case.
- Only matters relevant to the complaint under consideration are taken into account.
- As far as possible and appropriate, confidentiality is respected and maintained by all parties through the resolution process, save where persons are required to be informed on a “needs to know basis” or where statutory or legal requirements demand that matters be reported.
- Reasonable inquiries or investigations are made before a decision is made about the validity or otherwise of a complaint.
- All parties to a complaint are informed of the decision and the reason for it.
- Investigation and decision-making arrangements do not conflict.
- No person decides a case in which they have a direct interest.
- All parties are entitled to personal and/or professional advice, support or representation.
- Application of the rules of procedural fairness may vary from one context and situation to another.
Advocacy and Support

- Students are entitled to have a staff member or parent support them through the complaint resolution process, including attending meetings.
- All other complainants are entitled to have a support person to support them through the complaint resolution process, including attending meetings.

Resources

- Roles and responsibilities for receiving and dealing with complaints are clearly defined and designated, and relevant staff provided with training in communication skills and handling complaints.
- Designated staff have sufficient authority to handle complaints or ready access to those who do have the necessary authority.

Access

- Complaints resolution procedures are accessible, consistent and apply to all participants.
- Participants have the right to exercise choice in the method of resolution of a complaint.
- Complaints can be lodged in multiple formats.
- Complainants are encouraged to identify themselves to allow optimal investigation and resolution of an issue. However, anonymous complaints are taken seriously, recorded and considered as far as practically possible as they can lead to a productive outcome in some circumstances.
- The complaints handling procedure is available to all members of Victory Lutheran College community, in either print or electronic form.
- The complaints handling procedure is regularly promoted within Victory Lutheran College and community.

Assistance

- Complainants are not required to repeat their complaint to a number of different people.
- Complainants are allowed a support person in the complaint process.
- Victory Lutheran College designates people to receive and manage complaints.

Mediation and Counselling

- Counselling is available to staff through:
  - College Pastor and/or Chaplain, or
  - Director of Well-being, or
  - through the College’s Employee Assistance Program accessible through the Access EAP 24 hour contact line 1800 818 728.
- Counselling is available to students and parents through our:
  - College Well-being Team, including Director of Well-being and/or Counsellors;
  - College Pastor and/or Chaplain;
- All parties involved in addressing a complaint may seek the services of a mediator when there is difficulty coming to an agreement.
- Mediation can be requested through the Principal, or if the matter concerns the Principal, from the Chair of the Victory Lutheran College Council.

Responsiveness

- Complaints are dealt with speedily and sensitively.
- Early intervention, effective management and prompt resolution are seen to be critical.
- In general, complaint resolution closest to the source of the problem is the most effective.
Remedies

- An effective complaints procedure includes a variety of options for resolution.
- The grievance procedure may result in the decision or action not changing or being reversed. Sometimes the only achievable outcome may be the enactment of forgiveness. Sometimes it may be an understanding to follow or improve guidelines or procedures in the future.
- Acknowledgement and an apology are expected when a complaint has substance. Where possible, there should be an agreement about how harm can be repaired.
- A complainant should be provided with evidence that the complaint has been addressed in a transparent and consistent manner.

Data Collection and Use

- Complaints are recorded in a systematic and standard way and records filed.
- Records of complaints include sufficient information to allow subsequent analysis if needed.
- Recorded complaints are analysed to determine if there are any recurring patterns.
- Any patterns of behaviour are dealt with by Victory Lutheran College Executive Leadership Team.

Reviews

- Complaints handling procedures are regularly reviewed for responsiveness and effectiveness.

Referrals

- A complainant has the option to refer the complaint if they are not satisfied with the outcome reached by Victory Lutheran College or if the complaint is regarding the Principal. Depending on the type of complaint the following referral avenues are available:
  - Victory Lutheran College Council
  - Executive Director of Lutheran Education Victoria, New South Wales and Tasmania (LEVNT) (03) 9236 1250 or director@levnt.edu.au
  - Victorian Registration and Qualifications Authority (VRQA)
    *Note the VRQA does not investigate all complaints, however can refer you on to the external agencies who do. For example, the VRQA cannot investigate refund disputes, however Consumer Affairs can.*
  - The Victorian Institute of Teaching (VIT)
    *Note the VIT deal with complaints that relate to allegations of misconduct, serious misconduct, serious incompetence or a teacher’s mental and physical ability to teach. The VIT encourages you to follow the College’s grievance policy and only refer the matter to the VIT if the complaint cannot be resolved in this forum.*
COMPLAINTS & CONFLICT RESOLUTION
PROCEDURAL STATEMENT

What Constitutes a Complaint?

This procedure explains what to do if you have a complaint about any decision, behaviour, act or omission at Victory Lutheran College.

A complaint is an expression of significant dissatisfaction with the policies, procedures or service provided by the school. Complaints may be oral or written. Written complaints include those sent by letter, fax or email. You could have a complaint about, for example:
- student disciplinary procedures;
- homework;
- damage/loss of personal property;
- student bullying;
- Victory Lutheran College management and Victory Lutheran College fees;
- quality of teaching;
- breach of privacy;
- Victory Lutheran College resources;
- work health and safety issues.

What Matters Are Not Dealt With Under This Procedure?

There are specific complaint procedures in place for the following matters:
- child protection issues (ie. if the complaint is about alleged inappropriate physical contact, sexual misconduct, neglect, or psychologically harmful conduct by an adult towards any child or young person).
- workplace bullying
- harassment
- enrolment
- employment relations

You can obtain further information about how to pursue complaints of this nature from the principal.

Introduction

As issues and concerns arise parents, students and staff are challenged to model the reality of working as a Christian community. The centre point of all Christian relationships is forgiveness and acceptance. However, in any community there will be times where we let each other down by falling short of what God would have us be. Issues will need to be resolved. It is in these situations that we are challenged to model most strongly the centrality of Christ’s love for us all.

Issues or concerns that have the potential or have already caused conflict are most effectively dealt with if they are raised in the following ways:
- Don’t raise an issue when you or the person you are going to speak with is likely to be angry. This may mean waiting 24 hours.
- For particularly important issues arrange a time to meet with the person concerned rather than speak over the phone. The use of electronic communication also has the potential to be extremely damaging and is generally not appropriate for grievance processes.
- Identify the issues clearly before speaking to someone and distinguish issues from the person. Personal attacks destroy relationships whereas constructive analysis of issues builds relationships.
- Speak directly with the person concerned and work to maintain the confidentiality of the discussion. Take time to ascertain the events, and identify the emotions generated by the event.
Be prepared to listen. Take a moment to stand in the other person’s shoes.
Brainstorm together potential ways for solution. If possible, choose a joint solution.
Sometimes this might mean to agree to disagree but still respect one another as people whose values and opinions are different. It may also mean accepting the right of the role of that person to make decisions according to the role and the policies and procedures of the Victory Lutheran College.
Seek advice and support from appropriate staff as described below, again utilizing the above principles.

All personal matters such as concerns regarding student, parent or staff relationships should be communicated directly with Victory Lutheran College through the class teacher or Principal in a confidential manner. The lower level at which the conflict can be addressed the better.

Key Steps in the Management of a Complaint Expectations:

Victory Lutheran College requires a person raising a concern or complaint to:
- do so promptly, as soon as possible after the issue occurs
- provide complete and factual information about the concern or complaint
- maintain and respect the privacy and confidentiality of all parties
- acknowledge that a common goal is to achieve an outcome acceptable to all parties
- act in good faith, and in a calm and courteous manner
- show respect and understanding of other points of view and value differences, rather than judging and blaming
- recognise that all parties have rights and responsibilities which must be balanced.

Victory Lutheran College will address any concerns and complaints received from members of the community:
- courteously
- efficiently
- fairly
- promptly, or within the timeline agreed with the complainant
- in accordance with due process and principles of natural justice.

Raising a Concern or Complaint:

In the first instance, a complaint or expression of concern should be made to Victory Lutheran College.
The complainant should telephone, visit or write to:
- the student’s teacher about learning issues and incidents that happened in their class or group;
- the Principal / Heads of School / Directors about issues relating to staff members or complex student issues;
- the Principal about issues relating to school policy, school management, staff members or very complex student issues.

For contact details for any staff member, call the office on (02) 6057 5859.
If you are not sure who to contact the office staff will assist you be directing your enquiry to the relevant staff member.

Help with Raising Concerns and Complaints:

Resources are available to students, parents, teachers and support staff involved in addressing a concern or complaint.
Complainants can seek the services of an advocate when they feel they are unable to express their concern clearly. An advocate can be a friend or someone who is available through an appropriate support organisation who does not receive a fee for service.
All parties involved in addressing a complaint may seek the services of a mediator when there is difficulty coming to an agreement.
Victory Lutheran College will ensure that the complainant is aware of these supports. A complainant who wishes to use these support services should ensure the person addressing the concern or complaint is aware of their intention and is in agreement.
Managing Concerns and Complaints Information:

Victory Lutheran College will record the following details of all complaints received:
- name and contact details (with permission) of the person with a concern or complaint;
- the date the concern was expressed or complaint made;
- the form in which the concern or complaint was received (such as face-to-face, by telephone, in writing, by email);
- a brief description of the concern or complaint;
- details of the school officer responding to the concern or complaint;
- action taken on the concern or complaint;
- the outcome of action taken on the concern or complaint;
- any recommendations for future improvement in the school’s policy or procedures.

However, in the first instance, when the complaint is easily resolved in a telephone call, a brief note in the school’s/principal’s/teacher’s diary recording the issue and the resolution will be all that is required.

Addressing Concerns or Complaints:

Victory Lutheran College will determine whether a concern or complaint should be managed through the Victory Lutheran College’s own processes. Victory Lutheran College will make every effort to resolve issues before involving outside groups.

Victory Lutheran College will make available to a complainant a copy of its complaints procedures via the website or personally.

All complaints will be noted and acted on promptly by the staff member who receives the complaint.

Victory Lutheran College will acknowledge all complaints made in writing. It will provide the complainant with a timeline for investigating the complaint. Should the complaint involve complex issues, Victory Lutheran College may need to take advice from the outside parties; this may take more time. Victory Lutheran College will keep the complainant informed of the nature of any such delays. In all cases, Victory Lutheran College will endeavour to resolve a complex concern or complaint within 20 school days.

The Principal will investigate all complaints and will provide a response to the complainant.

Concerns and complaints about general school matters (such as the timing of events, school policies and facilities) will be addressed by the principal or a relevant staff member.

Remedies:

Victory Lutheran College will make every attempt to resolve a concern or complaint as quickly as possible. If the complaint involves many students and a range of issues, Victory Lutheran College will need more time to investigate and resolve it.

If a concern or complaint is substantiated in whole or part, Victory Lutheran College will offer an appropriate remedy. For example, at its discretion and depending on the circumstances, Victory Lutheran College might offer:
- an explanation;
- an acknowledgement of each other’s perspective and agreement on ways to manage differences;
- an apology or expression of regret;
- an admission of fault;
- a change of decision;
- a change of policy, procedure or practice;
- agreement on what constitutes acceptable behaviour;
- an undertaking that unacceptable behaviour will change;
- the waiving of debt related to school fees and payments;
- a refund of parent payments;
- the provision of counselling or other support.
Referral of Concerns and Complaints:

If a person with a concern or complaint is not satisfied with the outcome determined by Victory Lutheran College, they should contact the Victory Lutheran College Council Chair.

If a person with a concern or complaint is not satisfied with the outcome determined by the Victory Lutheran College Council Chair, they should contact Lutheran Education – Victoria, New South Wales, Tasmania (LEVNT) on (03) 9236 1250.

Monitoring complaints:

Victory Lutheran College Council will receive feedback on the policy and procedures from the Principal.

Victory Lutheran College Council will monitor concerns and complaints and consider issues raised through the complaints process, and any other relevant information from opinion surveys, when undertaking a review of the Victory Lutheran College’s policies, procedures and operations.

Victory Lutheran College Council will regularly review information about complaints to ensure its policy and procedures effectively address concerns and complaints as part of its cyclic review schedule.

Victory Lutheran College Council will review its information about complaints made over time to:
- identify common or recurring issues that may need addressing;
- assess the effectiveness of these and other procedures and whether they are being followed.

The Victory Lutheran College Council will use information provided to Victory Lutheran College through the opinion survey on the views of stakeholders.

Due to confidentially, feedback will not include specific details of complainants and those involved in the complaint.
Procedure for Parents

The following guidelines may assist you if you have a concern. For some issues it may be appropriate to discuss matters directly with the Principal, however for the majority of situations the following process will help to resolve issues and at the same time build strong relationships.

1. Make an appointment to talk to the classroom teacher. Let them know what subject you wish to discuss as this will facilitate the process prior to the interview. This makes the most productive use of the time available when the teacher is free to give you their full attention. If you consider that the issue you have raised is still unresolved, it is important you state this to the teacher at the conclusion of the meeting. Acknowledgement of the need for a meeting with the classroom teacher would normally occur within three working days of the request for an appointment.

2. If the issues are not resolved, speak with any of the following staff:
   - Head of Schools / Directors

   Acknowledgement of the need to speak to these Executive Leadership Team members would normally occur within three working days of the request being made.

   Let them know what subject you wish to discuss as this will again facilitate the process. Nominate times when you are available. Results of these discussions may include the following:
   - the situation is monitored
   - further discussions with the people involved (e.g. Principal and teacher)
   - outside support for the child or family may be sought.

3. If you are still dissatisfied with the outcome of the meeting or it is a more serious issue, speak with the Principal. The results of this meeting again could involve any of the above outcomes. If you are unsatisfied then speak with the Principal again, perhaps putting your concerns in writing. If Victory Lutheran College does not receive further information, it is reasonable for the issue to be considered resolved. The Principal should make contact within 3 working days of a request being made.

4. If after the above steps you are still dissatisfied then advise the Principal and write a report of the issue, detailing the what, when, how and who to the Chair of Victory Lutheran College Council. On the basis of the report the Victory Lutheran College Council Chair will try to resolve the situation further if the above processes have been followed. Meeting cycles will mean that this may take 14 working days for acknowledgement to be made by the Victory Lutheran College Council Chair.

5. If after the Victory Lutheran College Council Chair has responded to the issue, the matter is still unresolved then the Victory Lutheran College Council and the Principal should be informed and a formal letter should be written to the Executive Director of Lutheran Education - Victoria, New South Wales and Tasmania District. The Executive Director or nominee will acknowledge receipt of the complaintant within 14 working days of receiving the complaint.

It is important that these grievances are kept confidential, and although at times you may wish to seek support from friends or an advocate, it is very important to do this wisely. Ill-informed discussion can often cause unnecessary hurt and harm to staff, students and parents. When the matter is discussed in the student's hearing, it is important that the student understands that you have confidence that the issue will be resolved confidentially at the Victory Lutheran College level. Criticism of Victory Lutheran College or a teacher does not support the child's education as it undermines trust and confidence. Victory Lutheran College can only deal with issues that are raised in the ways outlined above. If we do not receive information, then we assume that all is well.
Please remember:

- everyone should feel they have the right to have a matter of concern raised with the appropriate people in Victory Lutheran College.
- we can’t address problems we don’t know about.
- there are usually several aspects to any one incident and not all involved will understand all the aspects.
- you are urged to contact Victory Lutheran College directly with concerns when they happen, not later on.
- the best person to contact is usually the person involved.
- we may endeavour to resolve problems by seeking outside advice.
**Procedures for Students**

Students have the right and responsibility to raise issues with staff in an appropriate manner where they feel that they have been treated in an unfair manner by a member of staff of Victory Lutheran College. It is important that matters are discussed in private and in a way that reflects respect for each person involved in the discussion and using the principles listed above.

The following guidelines may assist you if you have a concern. For some issues, particularly where you believe that teacher has behaved inappropriately or if you are scared to talk to the teacher, it may be better to discuss matters directly with the Principal, so go directly to step 5.

<table>
<thead>
<tr>
<th>WHAT TO DO</th>
<th>NOTES</th>
<th>WHY?</th>
<th>WHEN IS THIS USUALLY DONE?</th>
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<tbody>
<tr>
<td>1. Arrange a meeting to talk to the teacher you are having a problem with.</td>
<td>You can ask another adult to be with you for support (teacher or parent).</td>
<td>• So the teacher can focus on you. • So you can talk about the problem in private.</td>
<td>Within 3 days</td>
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<tr>
<td>2. Have your meeting.</td>
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<tr>
<td>3. If the meeting did not fix your problems, arrange a meeting with:</td>
<td>You can ask another adult to be with you for support</td>
<td>May lead to:</td>
<td>Within 3 days</td>
</tr>
<tr>
<td>• Pastoral Care Leader</td>
<td></td>
<td>• the situation is monitored</td>
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<td>• Head of School</td>
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<td>• further discussions with the people involved</td>
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<td>• Director of Well-being and/or Director of Teaching &amp; Learning</td>
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<td>• outside support for the child or family</td>
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<tr>
<td>4. Have your 2nd meeting.</td>
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<tr>
<td>5. If this meeting did not fix your problems, arrange a meeting with the Principal.</td>
<td>You can ask another adult to be with you for support.</td>
<td></td>
<td>Within 3 days</td>
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<tr>
<td>6. Have your 3rd meeting.</td>
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<tr>
<td>7. If this meeting did not fix your problems, let your parents and the Principal know and they will help you report to the Chair of the Victory Lutheran College Council.</td>
<td></td>
<td>14 days because they don’t work for the school</td>
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<tr>
<td>8. If Council did not fix your problems, let your parents and the Principal know and they will help you report further.</td>
<td>LEVNT VRQA/NESA</td>
<td>14 days because they don’t work for the school</td>
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NOTES:

1. Each time you arrange a meeting please let the person know what you want to talk with them about.

2. You need to speak up. If you don’t let the teacher or Victory Lutheran College know that you are still unhappy after a meeting they will think everything is OK.

3. It is important that grievances are kept as confidential as possible. Sometimes you might need to talk to a friend or another support person. You need to try not to talk to too many people and also try not to hurt others by sharing too much.
Summary of Grievance Procedure for Students

1. Concern Arises: Students have the right and responsibility to raise issues with staff in an appropriate manner where they feel they have been treated in an unfair manner by a member of staff at Victory Lutheran College.

2. Step 1: Meet with your Teacher regarding your concern.

3. Step 2: Arrange a meeting with a Pastoral Care Leader, Director of Wellbeing, or Director of Teaching & Learning.

4. Step 3: Within 3 days, have a meeting but no resolution.

5. Step 4: Within 3 days, have another meeting but no resolution.


The following guidelines may assist you in your pursuit.

- For most complaints, you are required to speak to the teacher concerned.
- If you believe that the teacher has behaved inappropriately or if you are scared to talk to the teacher, it may be better to talk to the Principal. You may then go directly to Step 3.

For complaints involving the Principal, you should contact the school’s principal and department head for advice.
Procedures for Staff

This process aims to assist staff and Victory Lutheran College to resolve staff grievances effectively and agreeably to all concerned. The above principles for the resolution of grievances should also inform grievances held by staff.

Definition

A staff grievance occurs where a staff member believes s/he has been unfairly or badly treated by another person at Victory Lutheran College or by a management decision, and wishes some action to be taken to remedy the situation. (Grievance processes should not apply to a report of misconduct or poor work performance about a staff member – this should be dealt with under disciplinary or staff appraisal processes.)

Guidelines

In the interests of everyone concerned, staff grievances should receive a high priority and should be resolved as quickly and effectively as possible.

All parties to a grievance should try to resolve the matter informally through discussion, moving to formal processes only if informal processes do not succeed.

Confidentiality is vital; no-one should discuss information about a grievance outside the grievance procedures. Discussion with others causes significant damage and undermines processes of resolution.

- Once a grievance has moved beyond the informal level, a staff member raising a grievance has the right to have a union representative assist her/him at any stage in the process. They may have another person of their choice present at any meetings or interviews for support. The Principal may also elect to have representatives present to manage the grievance process. Presence of others in meetings should be clarified and agreed to prior to any meeting taking place.
- A staff member who has commenced a grievance process may withdraw and stop the process at any time without penalty.
- No staff member should suffer any personal or professional disadvantage because they decide to pursue a grievance.
- Every attempt should be made to resolve grievances in ways that are agreeable to all the parties concerned.
- Where formal procedures are used in resolving a grievance, these should be clearly documented. This documentation should be kept secure and confidential by the Principal once the matter has been resolved.
- All grievances should be handled according to the grievance procedures adopted by Victory Lutheran College.
Staff Grievance Process

It is important that these grievances are kept confidential, and although at times you may wish to seek support from friends or an advocate, it is very important to do this wisely. Ill-informed discussion can often cause unnecessary hurt and harm to staff, students and parents. When the matter is discussed where other staff may hear, it often undermines trust and confidence. Victory Lutheran College can only deal with issues that are raised in the ways outlined below. If we do not receive information, then we assume that all is well.

1. At a time that is mutually convenient to both parties, and when the emotion has shifted from the situation, arrange a time to meet with the person. Discuss the issues with the person. Be prepared to listen. Taking time to pray together for resolution can be a helpful start and end to discussions.

2. Where issues are not resolved, then the matter may be referred to the Principal who will meet with the staff member. Within 3 working days the Principal will acknowledge receipt of the complaint and outline an agreed likely timeline and process. Outcomes of this meeting may include:
   - Resolution of the problem.
   - A meeting or series of meetings between the parties with the Principal acting as a mediator. This type of discussion would only occur once both parties had the opportunity to express their points of view and were happy for the meeting to occur.
   - The inclusion of an outside mediator to assist with the mediation process.

3. If after the above steps you are still dissatisfied with the outcome reached by the Principal, write a report of the issue, detailing the what, when, how and who to the Chair of Victory Lutheran College Council. On the basis of the report the Victory Lutheran College Council Chair will try to resolve the situation further if the above processes have been followed. Due to the meeting cycle timeline this may take 14 working days for the Victory Lutheran College Council Chair to make contact with the complainant.

4. If after the Victory Lutheran College Council Chair has responded to the issue, the matter is still unresolved then the Victory Lutheran College Council and the Principal should be informed and a formal letter should be written to the Executive Director of Lutheran Education - Victoria, New South Wales and Tasmania District.
Mediation Process for all types of Grievance Procedures

As part of the planning for mediation staff should expect to take part in the following steps:

Preparation for mediation:

- Identify the problem.
- Define the goal.
- The negotiation outcome.
- Plan possible outcomes.
- Record facts about the negotiation.
- Choose appropriate language for the negotiation.
- Create the non-verbal environment.

Before commencing a mediation process the mediator will:

- Analyse the negotiation.
- Identify the issues.
- Identify the problem.
- Clarify and reach agreement between the parties about the goal.
- Assess the people involved including:
  - who are they.
  - what do they see as the problem.
  - how do they feel about the issues.
  - what are the relationships that need to be considered.
  - record the facts.
  - what information is known.
  - what is the context for the negotiation.
  - what outcomes are possible.
  - decide on action that is needed to set up the mediation.
  - communicate this to both parties before commencing the mediation process.
Staff Complaint Resolution Options

The choice of the resolution process must lie with the complainant. According to the nature and seriousness of the situation, a staff member may elect to deal with dissatisfaction in one or more of the following ways.

<table>
<thead>
<tr>
<th>Type of Resolution</th>
<th>Who</th>
<th>Process</th>
</tr>
</thead>
</table>
| Face to Face Resolution | Respondent | If at all possible, a concern, issue, problem or conflict is best dealt with directly between the people involved before it escalates to the stage of making a complaint. Early action at this level generally provides the best opportunity for positive resolution. 

Face to face resolution involves the person with the concern raising the matter directly, either verbally or in writing, with the person(s) responsible for the behaviour to let them know the impact their behaviour has had and to see if a misunderstanding has occurred. It requires both parties to work together to reach a mutually agreed resolution through a problem solving approach conducted in a spirit of goodwill and commitment. Both the complainant and the respondent will need to approach the situation in an open, inclusive and cooperative manner. 

The following process is recommended: 
- discuss confidentially.
- state what the problem is.
- give an example of the behaviour that has caused dissatisfaction.
- state how it is affecting you and your work.
- describe what is at stake and why the problem needs to be resolved.
- express personal willingness to contribute to a resolution.
- seek the other person’s perceptions of the situation.
- state what is needed.
- be open to new solutions.
- be willing to make the first move towards reconciliation. |

Expression of Concern | | At times an aggrieved person simply wishes to talk over a concern about a one-off incident to a trusted friend or colleague but does not want to take any further action. While this is a legitimate way of managing a minor concern, by passing annoyance or irritation, both parties should be clear about the situation. 

However, the following must be noted: 
- This should not be a substitute for tackling the issue directly with the person concerned.
- While some situations will heal with time, others will not. This is not an appropriate course of action if the issue is causing a problem that is likely to become worse, if not dealt with, or if increasing numbers of people are becoming involved. |

Seek Procedural Guidance | OH&S Representative, Union Representative, Delegated Manager | Guidance about possible options and assistance in determining an appropriate course of action could be sought from: 
- an Occupational Health & Safety representative;
- a Union representative;
- a senior management member will be allocated responsibility for staff. |
<table>
<thead>
<tr>
<th>TYPE</th>
<th>WHO</th>
<th>PROCESS</th>
</tr>
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<tbody>
<tr>
<td>Resolution based on Commitment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resolve directly with the person</td>
<td>Respondent</td>
<td>Wherever possible, an informal, amicable and equitable resolution of a complaint is the least stressful option for all parties. After obtaining advice, a complainant may decide to make a formal complaint but still be of the opinion that direct resolution with the person is their preferred option.</td>
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<tr>
<td>Resolution based on Cooperation</td>
<td></td>
<td></td>
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<tr>
<td>Mediation</td>
<td>Internally appointed,</td>
<td>A process in which parties to a dispute with the assistance of a neutral third party (“the Mediator”) identify the disputed issues, develop options, consider alternatives and endeavor to reach agreement. The mediator has no advisory or other determinative role in regard to the content of the dispute or the outcome of its resolution, but may advise on or determine the process of mediation whereby resolution is attempted.</td>
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<tr>
<td></td>
<td>trained mediator</td>
<td></td>
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<tr>
<td></td>
<td>Externally appointed,</td>
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<tr>
<td></td>
<td>trained mediator</td>
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<td></td>
<td>LEVNT complaints process</td>
<td></td>
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<tr>
<td>Conciliation</td>
<td>Internally appointed,</td>
<td>A process in which parties to a dispute with the assistance of a neutral third party (“the Conciliator”) identify the disputed issues, develop options, consider alternatives and endeavor to reach agreement. The Conciliator may have an advisory or other determinative role in regard to the content of the dispute or the outcome of its resolution, but not determinative role. The Conciliator may advise on or determine the process of mediation whereby resolution is attempted and may make suggestions or give advice on terms of settlement.</td>
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<tr>
<td></td>
<td>trained conciliator</td>
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<td></td>
<td>Externally appointed,</td>
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<td>LEVNT complaints process</td>
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<tr>
<td>Resolution based on Compliance</td>
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<tr>
<td>Investigation and Arbitration</td>
<td>External Investigation – A third party (investigator) collects the information about the situation, appraises it and determines whether the complaint is substantiated or otherwise. It is strongly recommended that this person is from outside the Victory Lutheran College Community to ensure that procedural fairness is followed. Investigations should not be carried out with the perceived notion that misconduct has occurred. Rather, they are designed to get to the truth of the matter. Even when an investigation does uncover wrongdoing, it can have a favorable impact. It should be noted that there may be circumstances where initial inquiries or the early stages of an investigation will reveal that there is no case to answer. In such circumstances it may not be necessary to inform the respondent at all, if they are unaware of the investigation. This may save the person from suffering unnecessary stress. LEVNT Complaints Process - As part of an Enterprise Bargaining Agreement, LEVNT has a complaints procedure that includes both mediation and investigation. Complaints should therefore be lodged through LEVNT. LCA Safe Place – While this option is to be used only for complaints relating to sexual abuse and harassment, it would be quite appropriate for a complainant to go directly to this option. Contact is made via phone (1800 644 628), email (<a href="mailto:report.abuse@safeplace.lca.org.au">report.abuse@safeplace.lca.org.au</a>) or writing (The Supervisor, P.O Box 519, Marsden SA 5070).</td>
<td></td>
</tr>
<tr>
<td>Pursue Legal Action</td>
<td>Report matter to Australian Human Rights Commission Report matter to state anti-discrimination or Equal Opportunity agency Report matter to police Legal redress through court action – The matter can be reported to the Australian Human Rights and Equal Commission or the relevant state agency. Police – some things should not be addressed at a personal level. When complaints are made in circumstances where an alleged crime may have been committed, there is no discretion – the complaint must be reported to the police or relevant outside authority. These include physical or sexual assault, fraud, indecent exposure, stalking or obscene communications, threatening behaviour.</td>
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Roles and Responsibilities

The people designated to manage complaints relating to workplace behaviour will be publicised so that everyone is very clear about who to contact and the extent and limitations of that person’s role.

Authorised Persons

Authorised persons are people who have been designated the responsibility, and trained, to deal with complaints relating to workplace behaviour. At Victory Lutheran College, these include the Principal, the Business Manager. An authorised person may also be a Complaints Coordinator.

Authorised persons do:

- receive complaints.
- act as internal mediators, provided that they have received appropriate training (however, if there is any likelihood that the authorised person may be required to implement subsequent disciplinary action, that person should not act as a mediator).
- coordinate any investigation by liaising with the external investigator.
- take accurate and detailed records of complaints and subsequent action.
- keep the complainant fully informed of progress to the resolution of the complaint.
- ensure that any agreed action arising from the complaint is carried out.
- ensure that all privacy and confidentiality requirements are met.
- ensure that the complaint is resolved as quickly as possible.

Authorised persons do not:

- conduct investigations.

Complaints Coordinator

A Complaints Coordinator is a senior staff member who has been delegated both the authority and the responsibility for policy creation, implementation and evaluation, and ensuring compliance.

The Complaints Coordinator does:

- receive complaints.
- acts as a point of contact for the parties involved and communicated with them.
- coordinate the tasks that need to be undertaken in the resolution process.
- ensure everyone is treated fairly and with confidentiality.
- monitor the management of complaints, ensuring that they proceed to resolution in a timely manner.
- ensure that details of complaints and subsequent action are recorded and filed confidentially – a confidential complaints register for the collection and keeping of all records relating to complaints is recommended.
- monitor the complaints records for repetition and patterns of behaviour that may be of concern.
- ensure that relevant staff receive training in complaints processes.
- provide information regarding Employee Assistance Programs and external investigation and mediation service.
Receiver of a Complaint

The employee of Victory Lutheran College with whom a complaint is lodged. Most commonly, authorised persons will also receive complaints. However, in some instances, a complainant may choose to lodge the complaint with someone else – most likely front office admin / receptionist.

A receiver does:

- listen to and record details of the complaint.
- clarify why someone has the perception about a situation that they have, and get specific examples of how this perception has been formed.
- decide if they, as receiver, are authorised to deal with the complaint and advise the complainant.
- if necessary, hand the written details of the complaint on to the person authorised to deal with it.
- advise the complainant that the matter is to be handed on to an authorised person.

A receiver does not:

- offer any defence to the complainant.
- act as an investigator.
Parent / Student Complaints

Open Door Policy

At Victory Lutheran College, we have an Open Door Policy that allows parents, students and other members of our community access to people at the College who can listen to their concerns, provide information and resolve issues. We encourage parents to take the opportunity of our Open Door, rather than to seek answers from people who may not know the facts, or to express their concerns to people who cannot help them. As the saying goes: “If you are happy, tell others; If you are not happy, tell us!”

The following is the appropriate procedure for approaching people at Victory Lutheran College. It reflects our commitment to Restorative Practices and is based on a passage in the Bible, Matthew 18, which guides all conflict resolution policies of Victory Lutheran College.

First

Always approach the teacher or staff member who is most immediately involved in the situation. For example, if it is a classroom matter, approach your child’s class or subject teacher. If it is matter to do with Sport, approach our Sport Coordinator.

Second

If you do not feel your question is answered, or the situation is resolved, or the person you need to speak to is unavailable, contact the appropriate Head of School.

Third

If this brings about no resolution, make an appointment to meet with the Principal.

Please note the following:

The Role of the Parents & Friends (P&F)

The main purpose of the P&F is to raise funds, run business and coordinate social activities. It is not a forum to discuss specific issues related to students at Victory Lutheran College, although there is opportunity at meetings to ask questions of general interest to parents.

Appointments with teachers

If you wish to speak to a class or subject teacher, please make an appointment. Just prior to class, during class and while classes are being dismissed are not appropriate times to speak with teachers, especially about issues of significant concern. At these times, teachers must attend to their duty of care for students and their responsibility to be properly prepared for lessons.
Parent and Staff Complaints to Victory Lutheran College Council

From time to time, situations may arise where you, as a member of the Victory Lutheran College community, may wish to contact the Victory Lutheran College Council over an issue that you feel has not been satisfactorily resolved. It is important that community members realise that Council has employed the Principal to manage the day-to-day operations of Victory Lutheran College and that all concerns must be taken to the Principal in the first instance.

If the Principal is unable to resolve the matter and you wish to refer it to the Victory Lutheran College Council, please follow the steps outlined below to ensure that Council can respond in a fair and equitable manner to your concern:

- **Address** your concern in writing to either the Secretary or the Chair of Victory Lutheran College Council. Please ensure that your letter is signed and dated because Council cannot act upon anonymous complaints.

- **Outline:**
  - the exact nature of your concern/s
  - what opportunity you have provided for the Principal to resolve the matter
  - what remains unresolved
  - what action would you like to see taken to fully resolve the matter for you

- **Provide:**
  - Full details of your name and address, home and business telephone numbers to enable Council to contact you if it requires further information.
  - Details of your children’s names and classes (if the concern involves one or more of your children). This is to assist Council members who are not directly involved in Victory Lutheran College and who may not be aware of the details that you may feel are obvious.

- A copy of the letter should be handed to the Principal.

Council will then consider your letter and determine the appropriate response.

Each member of the Victory Lutheran College Council has undertaken to recommend the above procedure when he or she becomes aware of a complaint not resolved to the satisfaction of the complainant. This can only occur if the usual avenues of redress have been exhausted.
**Student Academic Appeals**

It is the right of all students at Victory Lutheran College to appeal against a judgement made by a teacher in a test or assignment. It is recognised that marking is a subjective activity and therefore it is possible for students to feel, from time to time, that they wish to verify a judgement made. Students who make an appeal should not be made to feel they have done the wrong thing.

It is the right of all teachers to be treated with respect as professionals. Thus the following behaviours are unacceptable:

- students going behind a teacher’s back to get a second opinion;
- teachers giving the student a second opinion on a fellow-teacher’s marking without the procedure below being followed.

If at all possible, **to avoid charges of lack of fairness**, the following should occur:

- orals, especially for Year 11’s and 12’s, should be double-marked or videotaped.
- the marks for orals should be returned only after all have been completed.
- when there is more than one class in the subject, regular moderation meetings should be held where marks or ratings of different teachers for the same piece of work or test are compared.

The correct procedure is as follows:

1. The student approaches the teacher who has marked the work and asks to appeal the decision.
2. The teacher will discuss the reasons with the student and will offer to seek a second opinion (this should be offered willingly, not grudgingly).
3. This second opinion will preferably be sought from the Head of Secondary or Principal.
4. The second marker should read the work, without knowledge of the mark given by the first teacher.
5. The two teachers will then confer, discuss the matter, and come to an agreement.
6. The result will be provided to the student, with comment from the second marker inwriting.