

## Non-Staff Grievance Policy and Procedure

<b>Policy Code</b> 3.6.2.6 POL_NSW_OP_NonStaff Grievance Policy and Procedure.V.1.0	<b>Authorisation Date</b> 14 May 2020	<b>Next Review Date</b> May 2022
<b>Enquiries Contact:</b> education.nsw@au.oneschoolglobal.com	<b>Approval Authority</b> Management Team and RP	<b>Policy Author</b> Regional Principal
<b>Associated Documents</b>		

### PURPOSE

To provide OneSchool Global NSW stakeholders with a clear policy and procedure aimed at resolving grievances between stakeholders at the school.

### SCOPE

Although this policy and procedure is specific to OneSchool Global NSW stakeholders other than staff, the essential elements are the same as for staff.

### POLICY STATEMENT

As part of the approach by OneSchool Global NSW to providing a fair, safe and productive school community environment, consideration of grievances will be dealt with fairly, consistently, promptly and with sensitivity to all parties.

### DEFINITIONS

Term	Definition
Complainant	The stakeholder lodging the grievance.
Grievance	Behaviour or action of another school stakeholder, which has or is likely to have an unreasonable negative impact on the ability of a stakeholder to participate as a member of the school community.
OneSchool Global NSW	Central Administration, District Principal, Regional Principal, Community Principal and members of OneSchool Global NSW Board.
Party	The complainant and/or respondent.
Procedural Fairness	Procedural fairness in the handling of a grievance that involves all of the following elements: <ol style="list-style-type: none"> <li>1. the opportunity for all parties involved to be heard and the right to a fair hearing;</li> <li>2. the right to attend hearings or interviews with a friend or support person, if required;</li> <li>3. the respondent having full knowledge of the nature and substance of the grievance;</li> <li>4. the opportunity for all parties to respond to allegations made against them during the course of an investigation;</li> <li>5. the right to an independent, unbiased decision-maker; and</li> <li>6. a final decision based solely on the relevant evidence.</li> </ol>
Respondent	The stakeholder against whom the grievance has been lodged.
Supervisor	Normally the management position to which the staff member reports. Head of Campus, District Principal, Regional Principal, Community Principal.

## PRELIMINARY ACTION STEPS

### Complainant

1. Before initiating the Consultation procedure, complainants are encouraged to try to settle any grievance directly with the person(s) concerned.
2. A complainant should raise their grievance with the respondent as early as possible.

### Complainant and Respondent

3. At any time while trying to settle the grievance, a complainant or respondent may consult confidentially with anyone they choose, and may seek advice from the Campus Administrator, Head of Campus, District Principal, Regional Principal and Community Principal.

## CONFIDENTIALITY

All persons associated with the Grievance process should maintain confidentiality and only discuss the grievance with those who have responsibility for dealing with the grievance.

## RESPONSIBILITIES

All stakeholders are expected to conduct themselves in a manner which respects the rights and welfare of other members of OneSchool Global NSW and to show competence, care, good faith and compliance with instructions, policies and procedures in the performance of their duties.

Supervisors are responsible for trying to prevent problems and settling grievances in the workplace and for notifying the Regional Principal, in writing, of the existence and outcome of any grievance.

It is the complainant's responsibility to raise the issue(s) of the grievance as soon as possible with the other party/parties and agree to be involved in settling the issue(s) by acting in good faith and using the procedure outlined in this Policy.

The Regional Principal is responsible for providing procedural guidance to the parties and supervisor (if requested).

The Regional Principal has overall responsibility for the implementation and review of this Policy and its Procedures.

## NON-STAFF GRIEVANCE CONSULTATION

	Steps	Responsibility	Comments
1.	<p>To commence the Procedure the complainant must contact the Head of Campus/District Principal/Regional Principal or use the confidential Registering Complaints and Grievances link which can be accessed by clicking on the Reporting Complaints and Grievances link on the school website. The complainant will be advised to provide in writing to the Head of Campus/Campus Administrator or other relevant person (supervisor):</p> <ul style="list-style-type: none"> <li>• a clear statement of the grievance, including the parties to the grievance;</li> <li>• a process for trying to settle the grievance and</li> <li>• a suggested solution which the complainant believes would settle the grievance. An appropriate solution will focus on achieving a productive working environment or relationship, rather than apportioning blame.</li> </ul>	Complainant	
2.	<p>Within seven (7) working days of receiving the notification of the grievance the supervisor will determine whether the subject matter falls within the definition of a grievance.</p> <p>Where it is determined that the subject matter falls within the definition, the supervisor will:</p> <ul style="list-style-type: none"> <li>• gather such other information as required to assist with the settlement of the grievance, including providing the respondent with the statement of the grievance and the opportunity to respond in writing; and</li> <li>• attempt to settle the grievance by using the process outlined by the complainant for settlement (if appropriate) or through discussion between the parties and the supervisor; or by arranging counselling, or informal mediation and/or conciliation or through facilitated discussion.</li> </ul> <p>Where it is determined that the subject matter of the grievance falls outside the definition of a grievance, the supervisor will advise the complainant in writing.</p>	Supervisor	<p>Supervisor may seek advice from the Regional Principal.</p> <p>Evidence gathering will include any statements, documents, emails etc that are relevant to the grievance.</p> <p>Supervisor should provide the Respondent with formal written notification of the grievance issues and provide them an opportunity to respond in writing in a timely manner.</p> <p>Settlement options can be at the Supervisors discretion, but agreement should be sought with all parties to the grievance.</p> <p>If the subject of the grievance falls outside out the grievance definition, the Supervisor may direct the complainant to the most relevant policy and</p>

	Steps	Responsibility	Comments
	The supervisor may dismiss a grievance if in the supervisor's view the grievance is ill-advised, misguided, frivolous, malicious or vexatious.		procedure that covers the circumstances.
3.	If the complainant's supervisor does not supervise the respondent, the complainant's supervisor will determine the appropriateness of including the respondent's supervisor in seeking to settle the grievance, recognising the importance of keeping the grievance as close to the source as possible.	Complainant's supervisor	
4.	After the conclusion of the investigation, the supervisor will write to both the complainant and respondent indicating the outcome of the process and specifying any action that has been agreed by the parties as part of that process.	Supervisor	Supervisor to formally write to all parties to advise of the outcome. The supervisor should provide the Principal with a brief written summary of the grievance, the outcome and any action taken, for record keeping purposes.
5.	If settlement of the grievance has not been achieved for any reason, including as a result of a determination by the supervisor that the subject matter falls outside the definition of a grievance or as a result of the grievance being dismissed, the matter must be referred to the Regional Principal within seven (7) days.	Supervisor	
6.	The Regional Principal will meet with the Head of Campus/Supervisor and local directors and if deemed necessary, will refer the matter to an external party for assistance. This decision will be advised to the member(s) of staff prior to external parties being involved.		The Head of Campus/Supervisor will provide the Regional Principal with a written report outlining the nature of the grievance, the parties involved, and provide recommendations for appropriate action if required. If the grievance is found to be unsubstantiated the report must include the reasons for this conclusion.
7.	A copy of the grievance along with an account of the process followed (if any) and the settlement shall be recorded by the Head of Campus to be held in the student/family/volunteer file and in a confidential file held by the Regional Principal.		

### VERSION CONTROL

Policy Code	Date	Version No.	Nature of Change
3.6.2.6 POL_NSW_OP_NonStaff Grievance Policy and Procedure.V.1.0	14 <sup>th</sup> May 2020	1.0	