

1. INTRODUCTION

The aim of the College's Complaints and Conflict Resolution Procedure is to produce a solution, which is acceptable to the individuals involved and the College. Not all problems however, will be capable of resolution which satisfies all concerned. This grievance procedure will ensure that the problem is addressed and that a clear response is provided at each stage of the process. The procedure involves both formal and informal components.

The Procedure reflects our positive restoration of relationships which encourages people with a grievance against another to, in the first instance, discuss with the other person of the grievance.

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.

2. DEFINITIONS

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| Complaint | An expression of dissatisfaction, either written or verbal, with an action taken, decision made or service provided, or the failure to provide a service, take action or make a decision at a school. |
| Complainant | The person or organization who is making the complaint. |
| Grievance | A grievance is an expression of dissatisfaction made to the College, related to the conduct of College activities, or the resolution process itself, where a response is explicitly or implicitly expected. For simplicity, the term 'grievance' will be used in the context of this Policy to refer to grievances, complaints and interpersonal disputes, but does not include matters relating to the safety of a child. If you have a concern about the safety of a child, please refer to the College's <i>Child Safe Policy</i> . |
| Investigator | The individual appointed to conduct a thorough and impartial examination of complaints received by the College. This role involves gathering facts, analysing evidence, interviewing relevant parties, and ensuring the investigation is conducted fairly and transparently. The goal is to determine the validity of the complaint, identify any issues or breaches of policy, and recommend appropriate actions or resolutions. The investigator must adhere to the principles of confidentiality, neutrality, and professionalism throughout the process. |
| 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. In effect it means that bias (both real and perceived) is avoided and all parties are given a fair hearing. |
| Respondent | The person about whom the complaint is made and who is required to respond to the complaint. |
| Support Person | Any person willing to support the interests of the Complainant or Respondent. |

3. MATTERS OUTSIDE THIS PROCEDURE

This procedure does not cover the following:

- a) Complaints from staff related to workplace discrimination, bullying, sexual harassment or other forms of harassment (please refer to the *Workplace Complaints and Dispute Resolution Procedure*)
- b) Complaints, concerns or issues regarding child safety (please refer to the *VLC Child Safe – Complaints Handling Policy and Procedure*)
- c) Complaints, concerns or issues brought up by a student against another student (please refer to the *Student Behaviour Discipline Policy, Harassment (Student Against Student) Policy* or the *Bullying Prevention and Intervention Policy*).
- d) Disclosable matters such as misconduct and contraventions of the Corporations Act 2011 (please refer to the *Whistleblower Policy*).

4. PRELIMINARY STEPS

Talk to the Person Directly

- 4.1 If your grievance relates to the conduct of a particular person, and you are not prohibited from and feel comfortable in doing so, it may be appropriate to talk to the person directly about your grievance at first instance. This should occur at an agreed time and location to provide for confidential engagement and active participation of both parties.
- 4.2 When speaking to the person, you should:
 - a) Identify the conduct that is causing you concern;
 - b) How the conduct makes you feel; and
 - c) Explain how you would like the issue to be resolved.
- 4.3 If you do not feel comfortable talking to the person directly, or you have tried this method and it did not resolve your grievance, or if you are prohibited from directly approaching the person, you may choose to lodge a grievance to the College.

Refer to *Appendix 1 – Guidelines for Parents/Carers*, for the correct steps in contacting the appropriate staff member.

Lodge Grievance to the College

- 4.4 If you would like to lodge a grievance with the College, you must provide it to the College as follows:
 - a) If the grievance is against a person other than the Principal or a member of the College Board, you must lodge a grievance in writing to the Principal via principal@vlc.vic.edu.au
 - b) If the grievance is against the Principal, you must lodge a grievance in writing to the Chair of the College Board.
 - c) If the person against whom the grievance is made is a member of the College Board, you are required to lodge a grievance in writing to the Executive Director of Lutheran Education VIC, NSW, TAS and ACT Ltd (LEVNT).
- 4.5 The nature of the grievance will determine who is the most appropriate person or body to manage the concerns raised. Grievances should be directed to the Principal in the first instance. For grievances of a serious nature involving school staff, the following additional information is provided.

For Misconduct or Serious Misconduct Complaints or Grievances

- 4.6 All complaints of alleged misconduct or serious misconduct by a teacher, staff member or volunteers should be reported to the Principal of the College.

Teacher registration body reporting

- 4.7 Grievances about teachers can also be reported to the Victorian Institute of Teaching (VIT) – the regulator in relation to the registration and investigation of serious misconduct (including conduct which is of a physical or emotional nature) of all teachers in the state of Victoria. If unsure whether the grievance constitutes serious misconduct by a teacher, contact the VIT on 1300 888 067 or vit@vit.vic.edu.au.
- 4.8 In some cases, certain actions which involve physical or emotional misconduct, such as unlawful assault or threats to the person, may constitute a criminal offence. These types of offences should be reported to and investigated by the police. Initial consultation with the Principal may help to determine the appropriate course of action in these circumstances.

Grievances Against the Principal or the Chair of the College Board

- 4.9 In the case of a grievance involving the Principal of the College, the Chair of the College Board should be informed immediately.
- 4.10 In the case of a grievance involving the College Board or a member of the College Board, the grievance should be lodged in writing to the Executive Director of LEVNT.

Anonymous Grievances

- 4.11 The College endeavours to address and respond to all grievances. In some situations, we may not be able to fully address grievances that are made anonymously or without sufficient detail being provided to enable an inquiry or resolution of the matter.
- 4.12 To ensure procedural fairness, respondents have a right to know the particulars of the allegations being made against them and be given an opportunity to respond to them. Where possible, complainants are encouraged to give their names and to be reassured that the College will deal with grievances professionally and in accordance with procedural fairness and confidentiality.
- 4.13 If the complainant wishes to remain anonymous, it is at the Principal's discretion what, if any, action will be taken.
- 4.14 Anonymous grievances will be recorded in the same manner that all other grievances are recorded.

5. GRIEVANCE RESOLUTION PROCESS

Initial Investigation

- 5.1 Once a grievance has been lodged to the College, the College will investigate the matter to establish the facts.
- 5.2 Having established the facts, the Investigator will determine whether the grievance:
 - a) Will be dismissed;
 - b) Is to be handled informally; or
 - c) Is to be handled formally; or
 - d) Will be referred to an external consultant or dispute resolution expert.
- 5.3 The College and the Investigator must keep records of the investigation, including making written records of any conversations had during the resolution process. All investigation records must be maintained as required under the College Records Management Policy.

The investigator should enter a summary of the Grievance into the Complaints Register.

Informal Grievance Procedure

- 5.4 At the discretion of the Investigator, the informal grievance procedure may be implemented. The informal grievance procedure is suited to less serious allegations that do not warrant disciplinary action being taken.
- 5.5 There are various informal methods available to address grievances. It will be depending on the specific circumstances of the case as to which method is appropriate.
- 5.6 Possible options may involve the Investigator:
 - a) Discussing the issue with the person against whom the grievance is made; and/or
 - b) Facilitating a meeting between the parties in an attempt to resolve the issue and move forward.
- 5.7 The investigator must consider and manage the impact of the grievance on any child involved in, or impacted by, the grievance.
- 5.8 The Investigator must keep records of the investigation undertaken during the informal grievance procedure, including making written records of any conversations had during the investigation. All investigation records must be maintained as required under the College Records Management Policy.

Formal Grievance Procedure

- 5.9 At the discretion of the Investigator, the formal grievance procedure may be implemented.
- 5.10 An investigation involves collecting information about the grievance and then making a finding based on the available information as to whether or not the alleged behaviour occurred. Formal investigations will be conducted as quickly as possible to protect the interests of all parties involved.
- 5.11 The Investigator will conduct the formal investigation in line with procedural fairness and make recommendations to resolve the grievance.
- 5.12 The Investigator will consider and manage the impact of the grievance on any child involved in, or impacted by, the grievance.

- 5.13 The Investigator will meet formally with the complainant and advise them of the process that will occur (outlining the steps in this procedure). Matters such as confidentiality and any adjustments that need to be considered to work arrangements on a temporary basis should also be canvassed.
- 5.14 A statement of grievance will be taken, providing particulars that can be essential to support investigation of the matter and/or conveyed to the other persons impacted. These details should be reviewed by the complainant to confirm their accuracy and completeness. An indication of the desired outcome from the complainant's point of view should also be sought. The College should remind the complainant of the confidentiality of the process and issues.
- 5.15 If the grievance is against an individual, the Investigator, in consultation with the Principal or their representative, will write to the individual named by the complainant (the respondent), advising them of the grievance, providing a summary of the particulars. This letter should invite the respondent to a meeting at which the issues can be set out in detail, and it should inform them of their right to be accompanied by a 'support' person.
- 5.16 Where possible, the length of time between the written notification and the meeting should be long enough for the individual to arrange a suitable support person; where an individual's preferred support person is not available at the time appointed for the meeting, the College may allow a delay of at least 24 hours to allow the person to select another support person.
- 5.17 Meetings should be held in a suitable location where interruptions will be minimised.
- 5.18 At the meeting with the respondent, the College should explain the grievance. The respondent should be allowed to consider the grievance or issues raised before responding (which may require an adjournment). The respondent will also be allowed to ask questions and offer their perspective. The College should remind the respondent of the confidentiality of the process and issues, the availability of support and any temporary workplace arrangements that have been suggested.
- 5.19 Following the meeting, the College will consider how to proceed depending on merits established in the information provided. Where it is decided that no action is justified, both the complainant and respondent should be informed. It may be appropriate to then consider informal issue resolution between the parties with the assistance of a manager, focusing on future conduct and agreements.
- 5.20 If the grievance is established and disciplinary or corrective action is considered justifiable, the Investigator in consultation with the Principal or their representative, will determine an appropriate outcome. The outcome (regardless of its nature) is to be communicated to the respondent in person and in writing.
- 5.21 The formal investigation will remain strictly confidential to the extent possible.

6. POSSIBLE OUTCOMES

- 6.1 The parties will be notified about the outcome of the informal grievance procedure or the formal grievance procedure as appropriate.
- 6.2 The possible outcomes will depend on the nature of the grievance and the procedure followed to address the grievance. Where an investigation results in a finding that a person has engaged in unlawful conduct or breach of a policy or contract, that person may be disciplined (including and up to termination of employment or enrolment).
- 6.3 The type and severity of disciplinary action will depend on the nature of the grievance and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result disciplinary action. Any disciplinary action is a confidential matter between the affected individual/s and the College.
- 6.4 The main purpose of grievance resolution is to resolve issues between individuals in a supportive, fair and constructive way. Identifying appropriate behaviours for the future and strategies to avoid further conflict are also important. Remedies (if not disciplinary) may include the provision of an apology or similar step (depending on the nature and severity of the conduct that has occurred).
- 6.5 Sometimes, the only achievable outcome may be an understanding of the matters raised and a recommendation to follow or improve guidelines or procedures or improve communication in the future. Sometimes either the formal or informal grievance procedure will not resolve the issue to the satisfaction of all parties, or the parties may have to agree to disagree on the outcome.
- 6.6 Outcomes of grievances can include the following:
- a) An apology – either verbal or written
 - b) Mediation – with an internal or external mediator
 - c) An official warning

- d) Disciplinary action
- e) A behavioural contract (in the case of a student)
- f) Pastoral or spiritual care
- g) An understanding that the behaviour will not be repeated
- h) A change in policy or procedure.

7. APPEALS PROCESS

- 7.1 Complainants and respondents are entitled to appeal decisions made. The purpose of the appeals process is to review whether the grievance process was applied fairly and consistently.
- 7.2 Appeals can be made by making an application to the Principal for a decision to be reviewed.
- 7.3 Prior to making an application to the Principal for a decision to be reviewed, the individual must discuss the matter initially with the Investigator.
- 7.4 Requests for the Principal to review a decision will be in writing and briefly set out reasons for the appeal and the outcome sought.
- 7.5 The Principal has the discretion not to proceed with the appeal which may include, but is not limited to the following:
- a) Where the application for review of the action was made more than one year after the action complained of, and there are no exceptional circumstances explaining this delay;
 - b) Where the application for review of the action is frivolous or vexatious;
 - c) Where the action or instruction was both lawful and reasonable (taking account of all the circumstances);
 - d) Where the affected person has previously applied for review of the same action under these provisions;
 - e) Where the affected person does not have sufficient direct personal interest in review of the action; and/or,
 - f) Where there are alternative internal review procedures (including, but not limited to, disciplinary action, promotion, anti-bullying, sexual harassment or discrimination and action arising under the relevant occupational health and safety laws) in which case the Principal will advise the complainant of the alternative procedure.
- 7.6 Upon receipt of an application for review, the Principal will determine the most appropriate way to review the decision in accordance with the principles outlined above.
- 7.7 The Principal may, dependent on circumstances and at their discretion, discuss the matter with the Chair of the College Board.
- 7.8 Once the review is completed, the Principal will advise the individual of the Principal's decision. Options the Principal may adopt include:
- a) Confirming the decision of the initial investigation;
 - b) Undertaking further investigation of any new information made available;
 - c) Varying the action;
 - d) Setting the action aside and substituting a new action; or
 - e) Dismissing the grievance as unsubstantiated.
- 7.9 If you are not satisfied with the outcome or the way in which the College has handled your grievance, you can contact the Chair of the School Board or the Executive Director of LEVNT.

8. DEALING AND RECORDING PROCESS

- 8.1 The College will record the details of all grievances including the name and contact details of the persons making the grievance. The College will then refer the grievance to the most appropriate person to undertake an inquiry/investigation. There will be many occasions that this will be someone other than the principal. The staff member conducting the inquiry/investigation may conduct a preliminary inquiry or communicate with the complainant to discuss the matter further.
- 8.2 Complainants are entitled to have a support person. The support person can be a family member, a friend or a professional with knowledge of the student. Any person acting in a professional capacity on behalf of the complainant must provide their occupational details and full name prior to the meeting being held. It is at the principal's discretion if an external professional is a participating member of any school meeting. The support person may encourage and facilitate sharing of parent/carer knowledge, perception and issues. The support person should support a positive working relationship between all parties. The support person does not speak on behalf of parents/carers when discussing grievances with the principal.

- 8.3 Any inquiry conducted by the College will be done so in a timely, efficient and confidential manner, ensuring the fair principles on natural justice are applied for all. Parents/carers will be provided with an anticipated timeframe for a resolution. The staff member conducting the inquiry will record the details of the inquiry.
- 8.4 Privacy laws may prohibit information being provided to the complainant of any specific action that has been taken in relation to individuals about whom the grievance has been raised.
- 8.5 The College will ensure that all records are maintained in accordance with its obligations under the Public Record Office Victoria Recordkeeping Standards.

9. WITHDRAWAL OF A GRIEVANCE

- 9.1 A grievance can be withdrawn at any stage during the grievance management procedures. A grievance should be retracted in writing by the complainant and addressed to the relevant person eg principal of the College or the Chair of the College Board.

10. RELATED DOCUMENTS

- Complaints and Conflict Resolution Policy
- VLC Child Safe – Complaints Handling Policy and Procedure
- Whistleblower Policy
- Workplace Behaviour Policy
- Student Behaviour Discipline Policy
- Harassment (Student Against Student) Policy
- Bullying Prevention and Intervention Policy)
- Parent Communication Policy.

These documents, as updated from time to time, can be found on the College’s website or requested.

11. POLICY ADMINISTRATION

This procedure will be reviewed by the College Board every three years, or as new legislation comes into effect.

| Responsible Person/s | Approver | Date Approved | Next Review |
|----------------------|---------------|---------------|-------------|
| Principal | College Board | July 2025 | August 2028 |

| Date Updated | Version | Summary of Changes | Updated By |
|--------------|---------|---|--|
| 01/01/2016 | 1 | New Procedure | |
| 01/08/2020 | 2 | Full review of Policy / Procedures | |
| July 2025 | 3 | Full review of Policy / Procedures, transferred to new policy template | College Board, Risk & Compliance Officer |
| May 2026 | 4 | Amended – included Principal email and step to enter complaint into Complaints Register | Risk & Compliance Officer |

APPENDIX 1 – GUIDELINES FOR PARENTS/CARERS

The following guidelines may assist you if you have a grievance or concern.

Parent/Carer Initiated Communications

Step by Step – who to contact

For some matters it may be appropriate to discuss directly with the Principal, however for the majority of situations the following steps will help to resolve issues and at the same time build strong partnerships between parents/carers and staff.

As a matter of general guidance:

- a) Enquiries relating to specific performance or educational issues should be directed to a student's teacher.
- b) Pastoral care/wellbeing enquiries should be directed to the Connect Teacher in the secondary school and Classroom Teacher in the primary school.
- c) General curriculum enquiries should be directed to the appropriate Director of Learning.

If a parent/carers is dissatisfied with the response of a teacher, they should request an appointment with:

Primary School - the Community Hub Leader and then:

- Education performance - Director of Learning and then the Head of School
- Pastoral care - Director of Wellbeing and then the Head of School

Secondary School:

- Education performance - Learning Leader then Director of Learning and then the Head of School
- Pastoral care - PC Leader then Director of Wellbeing and then the Head of School

If you are still dissatisfied, then advise the Principal.

Arranging meetings

When seeking to arrange a meeting, parents/carers should make a formal appointment for either a telephone meeting or a face-to-face meeting.

Appointments can be made by either emailing the teacher concerned, phoning the College, or sending an email to reception@vlc.vic.edu.au. Parents/carers can expect an initial response within 48 hours of contacting the staff member.

Where possible we will endeavour to arrange relevant meetings within 3 days of receiving a request.

Raising Grievances Appropriately and Productively

Parents/carers with grievances should follow the process outlined in this procedure. However, in general:

- a) Parents/carers should take care with volume, tone and vocabulary when communicating with members of the College Community.
- b) Parents/carers should not communicate with another student about an issue concerning their own child. In particular, parents/carers should refrain from any attempt to discipline a student who is not their child, unless they are attempting to restrain a student from causing a risk to themselves or others.
- c) Parents/carers should raise their grievances with their child's teacher in the first instance. More serious grievances, including where a parent is dissatisfied with a teacher's response to a grievance, may be raised with the appropriate member of the College as set out in the *Parent Communication Policy*.
- d) Parents/carers should arrange a face-to-face meeting to discuss their grievances, rather than relying on email or other written communications.
- e) Parents/carers should clearly identify their grievances, and what they would practically like to see happen. If there is more than one issue or problem, parents should write a list so that they are adequately prepared and then decide which issue or problem matters most.
- f) Parents/carers should appreciate that while the College is committed to dealing with their grievances in a timely manner, it will not always be practicable for staff to provide an immediate acknowledgement or response (particularly where a concern or grievance is sent by email).
- g) Parents/carers should respect that the College employs experienced educators and other professionals who are well-trained in making academic, disciplinary, extracurricular, pastoral and wellbeing decisions every day. Please understand that while the College will always take into account the interests of the parent's/carers' child, the College must ultimately make decisions that take into account the interests of all students (and others who may be affected by the College's decisions).

- h) Parents/carers should recognise that just as the College will seek to respect each student's privacy, the College will also respect the privacy of other members of the College community. This means there are limits to what information the College will share with a parent when issues arise. This does not mean that the College is not taking an issue or situation seriously, or hiding information from a parent/carer.
- i) If a parent/carer is not satisfied with the College's response to a grievance, they have a right to appeal the decision. The School respects a parent's/carers right to invoke any formal grievance-resolution procedures which may exist. However, parents who refuse to engage in constructive processes that may resolve their grievances, or who choose to publicly air their grievances about the College (and in particular about staff or students) on social media, are not welcome.