

1. INTRODUCTION

Victory Lutheran College maintains a fair process to resolve complaints and grievances brought forward by members of the College community including parents/carers, students and staff. In doing so, the College seeks to achieve and maintain a setting that encourages a productive and harmonious College environment. Within this context, grievances will be dealt with quickly, impartially and fairly.

The College understands that from time-to-time complaints and grievances arise regarding aspects of the College's operation of programs and activities and that it is important that all members of the community have the opportunity to be heard. The College commits to ensuring procedural fairness is observed when dealing with complaints and grievances.

Positive, clear and effective procedures and processes for resolving grievances between the College and community members can assist in building strong relationships, dispelling anxiety and ultimately providing students with a settled and happy learning environment.

2. PURPOSE

The purpose of this policy is to provide the College Community with an opportunity to lodge a complaint or grievance and provide an avenue to facilitate a resolution.

This policy aligns with the directions on Complaints and Grievances provided by Lutheran Education VIC, NSW, TAS and ACT Ltd (LEVNT) to provide minimum directions, promote consistency, good governance and best practice in our system and College policy.

The College aims to ensure that where the Grievance involves a child that the Grievance Process is focused on the wellbeing of the child.

The College aims to foster a culture in which appropriate standards of conduct are maintained by community members at all times, and that grievances are managed and resolved fairly, efficiently, promptly and in accordance with relevant legislation. The College aims to provide a harmonious, positive and productive environment and supports the practices of dispute resolution and confidential mediation as a means to resolve issues.

3. SCOPE

This policy covers grievances and complaints about any matter, brought by parents/carers, students, staff, or other members of the College community.

This policy 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 Behaviour Policy*)
- 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. DEFINITIONS

- 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 *Child Safe Policy*.
- 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.

5. ROLES AND RESPONSIBILITIES

Lutheran Education VIC, NSW, TAS and ACT Ltd (LEVNT)

LEVNT is responsible for providing any applicable Lutheran Education minimum directions on Complaints and Grievances content and principles, support in form of templates and tools to direct efficiency and guide consistent, best practice and compliant policy and procedure.

LEVNT is available as an escalation body if a complainant is not satisfied with the outcome of a process escalated to the College Board or if there are grievances related to the College Board. LEVNT is also kept informed by the Principal and/or College Board on grievances of a serious nature, related to child safety and/or have the potential for media attention and reputation damage.

College Board

The College Board is responsible for ensuring this policy is reviewed and updated as needed and that the College's complaints and grievances are managed in line with the procedure.

Principal

The Principal is responsible for the College's compliance with this policy and resolving grievances as required with the procedure, in conjunction with the Leadership Team and others as required, including escalation to the College Board and LEVNT on grievances of a serious nature or have the potential for media attention and reputation damage.

All Staff

All staff are responsible for abiding by this policy, treating grievances seriously and sensitively, having due regard to procedural fairness, confidentiality and privacy requirements, and escalating grievances as soon as possible in line with the procedure

6. POLICY

Rationale

- 6.1 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.
- 6.2 "If it is possible, as far as it depends on you, live at peace with everyone" (Romans 12:18)

- 6.3 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.
- 6.4 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)
- 6.5 Victory Lutheran College is committed to using Restorative Practices (RP) to address issues of concern, resolve conflict and restore peace.
- 6.6 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.

General

- 6.7 All members of the College community have the right to raise genuine issues of concern. In receiving and responding to grievances, the following guiding principles will inform and direct the College's actions:
- a) Grievances of a college-based nature are best received and managed at the school level, with the parties involved expected to act in good faith and work together with respect and openness to achieve an outcome acceptable to all parties. Grievances that are unable to be resolved at the Principal level will be escalated to the Board Chair.
 - b) LEVNT have both an escalation and oversight role for the College in the management of complaints.
 - c) Grievances are received and managed in a way that is culturally safe and sensitive to the diverse circumstances of children and students, as well as providing support to vulnerable children and students.
 - d) Complainants can expect their grievance to be taken seriously and to be responded to in a respectful, thorough and timely manner.
 - e) Staff members and volunteers will be informed of formal grievances that are made about them.
 - f) Complainants and the person/s against whom the grievance is made have the right to be heard and to expect that procedural fairness will be observed.
 - g) Confidentiality, protection of privacy, respect, access, dignity and impartiality will form the basis of the grievance resolution process.
 - h) The grievance resolution process will seek to achieve the restoration of good and respectful relationships.
 - i) The best interests of the school community together with the interests of the individual will be taken into account.
 - j) Record keeping, reporting, privacy and employment law obligations will be complied with when receiving and handling grievances.

Considerations

Victimisation

- 6.8 Victory Lutheran College recognises that reasonable steps should be taken to ensure that complainants and those involved in the grievance process do not suffer further disadvantage, retaliation or threats. The College will not tolerate victimisation.
- 6.9 An individual is victimised if they are threatened with, or subjected to, any form of detriment because of a grievance, or because of participation in the process of resolution.

Vexatious Grievances

- 6.10 Inaccurate, misleading, malicious or false accusations have negative consequences for the person(s) concerned, interpersonal relationships and the morale of the school community.
- 6.11 Where it is found that a grievance has been made in bad faith to cause distress to one or more persons, or as a practical joke, disciplinary measures will be taken. Victory Lutheran College considers such behaviour intolerable, as well as an unacceptable abuse of school policy.

Defamation

- 6.12 Confidentiality protects everyone and minimises the risk of defamation. The College's grievance management protocols require confidential management of all grievances. As the College has undertaken to investigate any grievances received, and as investigations may involve witnesses, any grievance will be dealt with confidentially.
- 6.13 Inappropriate breaches of confidentiality may jeopardise an investigation, injure the reputation of the parties involved and negate any defences against defamation.

Fairness

- 6.14 The College's management of grievances must be fair and must be seen to be fair. The principles of procedural fairness ensure that:
- a) All those involved in an issue have a reasonable opportunity to:
 - Have their voice heard
 - Defend themselves
 - Explain their understanding of the context and any extenuating circumstances
 - b) The response to the grievance is unbiased and consistent
 - c) The resolution of the grievance is proportionate to the issue. This could involve taking into account:
 - The impact of the issue on others
 - Whether or not the grievance has been raised previously
 - The likelihood of the complaint being raised in the future

Advocacy and Support

- 6.15 Students are entitled to have a staff member, parent/carer or other person to support them through the grievance resolution process, including attending meetings.
- 6.16 All other complainants are entitled to have a support person to support them through the grievance resolution process, including attending meetings.
- 6.17 Respondents are entitled to have a support person to support them through the grievance resolution process.
- 6.18 Support is available to staff through:
- a) College Chaplain
 - b) Director of Wellbeing
 - c) the College's Employee Assistance Program accessible through the AccessEAP 24-hour contact line 1800 818 728.
- 6.23 Support is available to students and parents through our:
- a) College Wellbeing Team, including Directors of Wellbeing and/or Wellbeing Mentors
 - b) College Chaplain

Outcomes and Remedies

- 6.20 If a grievance is substantiated, then all aspects of the case must be taken into account when making recommendations for appropriate outcomes or remedies, including:
- a) the severity and frequency of the grievance
 - b) the weight of evidence
 - c) the impact on the Complainant
 - d) the intention of the Respondent
 - e) prior behaviour of, or documented warnings to, the Respondent(s)
- 6.21 Where it is found that breaches of College policy or the law have occurred, remedies may range from an apology through to disciplinary action, including termination of employment, depending upon the circumstances of the case.
- 6.22 It is important to ensure that members of the College community are able to continue to participate fully in the school environment with minimum interruption to the working/learning environment. Mediation may be an outcome of a grievance, regardless of substantiation. Outcomes or remedies may also include measures to ensure both the Complainant and the Respondent receive individual and personal counselling to ensure their safety and wellbeing in the College. Counselling, mediation, support or other referrals for the Complainant and/or Respondent may also be a recommended outcome of grievance, regardless of substantiation.

Referrals

- 6.23 If a staff member believes that the process of handling the grievance and/or the outcome of the grievance has been unfair and/or inappropriate, they have the right to pursue the Dispute Resolution Procedure identified in the Lutheran Education (Victorian Schools) Multi Enterprise Agreement 2023 (and any Agreement that replaces same from time to time).
- 6.24 If a parent/carer or student believes that the process of handling the grievance and/or the outcome of the grievance has been unfair and/or inappropriate, they have the right to pursue other legal remedies or avenues of recourse including approaching an external agency, such as Lutheran Education Victoria New South Wales Tasmania (LEVNT).
- 6.25 A complainant has the option to refer the grievance if they are not satisfied with the outcome reached by Victory Lutheran College or if the grievance is regarding the Principal. Depending on the type of grievance the following referral avenues are available:
- Victory Lutheran College Board
 - 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 grievances**, however, can refer you on to the external agencies who do. Online complaint form can be found [here](#).*
 - 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.

Complaint Register

- 6.26 The College maintains a Complaint Register with details such as the date, source and description of grievances, the employee managing the grievance, the actions taken, the outcome and the date the grievance was closed.
- 6.27 The complaint register will be stored securely.
- 6.28 All grievances shall be entered into the Complaint Register as soon as practicable after the grievance is received. The Complaint Register will not contain grievances about the Principal. Records of grievances about the Principal will be maintained by the College Board with access restricted to the College Board.
- 6.29 To safeguard the confidentiality and maintain the integrity of the grievance process, access to the entire Complaint Register will be limited to the Principal or their representative and the Leadership Team.
- 6.30 The Principal may authorise the sharing of specific, relevant entries from the Complaint Register with other designated staff members (such as the senior leadership team), provided measures are taken to protect the confidentiality of all parties involved, particularly ensuring that respondents to a grievance do not gain inappropriate access to information about the allegations against them.

7. APPEALING A DECISION

Complainants and Respondents are entitled to appeal decisions made under this policy. Please refer to the College's Complaints and Conflict Resolution Procedure for the Appeals Process. A copy of the College's Complaints and Conflict Resolution Procedures can be found on the College's website.

If you have any questions in relation to this policy, you can contact the Principal – principal@vlc.vic.edu.au

8. RELATED DOCUMENTS

- Complaints and Conflict Resolution Procedure
- 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).

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

9. POLICY ADMINISTRATION

This policy 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 Policy	
27/06/2019	2	Full review of Policy / Procedures	
01/08/2020	3	Full review of Policy / Procedures	
July 2025	4	Full review of Policy / Procedures, transferred o new policy template	College Board, Risk & Compliance Officer