GRIEVANCE POLICY

PURPOSE
To provide a set of principles and procedures for the resolution of grievances.

POLICY STATEMENT
The Hutchins School is committed to ensuring a harmonious, fair and just working and learning environment by ensuring that staff and students have access to processes that allow for grievances, disputes, problems and complaints to be resolved.

All managers and supervisors have an obligation and responsibility to proactively promote a workplace free of workplace bullying and intimidation whether this is between staff members, between parents and staff or between staff and students. All grievances will be dealt with in a supportive environment without victimisation or intimidation of anyone connected with the grievance either during or subsequent to a grievance resolution procedure.

RECOMMENDED PROCESS FOR RESOLVING GRIEVANCES

Informal Process
- The attached documents outline steps to be taken by:
  (a) Staff
  (b) Parents
  (c) Students
  (d) International Students

Formal Process
- A formal complaint may be initiated if informal procedures are not successful or in situations where the allegations are more serious and informal procedures would be inappropriate.
- Assistance may be sought from the School Counsellor who may arrange mediation.
- The attached Formal Grievance Form must be completed and submitted to the Deputy Principal, who will convene and chair the Grievance Committee. The Committee will include a person nominated by the aggrieved and a staff member from the relevant area, who will be nominated by the Deputy Principal. If the complaint is against the Deputy Principal, the Grievance Form must be submitted to the Principal. If the complaint is against the Principal, then refer to The Hutchins School Grievance Policy against the Principal.
- The Committee will seek to resolve the matter within ten (10) working days and the Deputy Principal will notify in writing all parties involved of the decision taken.
If the parties agree to the Committee’s resolution then the matter is closed. In such circumstances both parties will be required to sign a statement which includes details of the resolution and acknowledges that the matter is resolved.

The complainant or appellant will be provided with a copy of the written statement which details the outcome and includes details of the reasons for the outcome.

Any decision taken by the Committee may be appealed to the Principal, who will be responsible for the final decision.

At any stage the disputants can seek external arbitration through the courts or the IRC. The solution is then no longer in the hands of the disputants or the School.

RECORDS

Where the matter becomes a formal complaint, it is expected that all parties, including the School, shall maintain documentary records of meetings, correspondence, steps taken to resolve a matter etc dealt with under these guidelines. At this time, parties involved should be asked for background information, and notes will be taken of the information furnished. Furthermore, any records, once the formal complaint is resolved, will be kept securely and confidentially in a file established for the purpose by the Principal but not in the staff member’s personal file.

INVESTIGATION

The Principal must ensure that the complaint is given to the person against whom it is made as soon as is reasonably practicable after receiving it, having regard to the need for the Principal to be satisfied that the case is one:

(a) which is appropriate for a formal complaint
(b) in which the conduct is sufficiently described in the complaint
(c) in which the correct procedures under this Policy have been followed.

The person against whom the allegation has been raised must respond to the allegations within fourteen (14) days of receiving the formal complaint.

Following receipt of the response, the Principal (or Board delegate) shall then meet with each party in an attempt to identify the issues involved, review what steps have already been taken and give both parties an opportunity to undertake further informal measures. If the matter remains unresolved, the Principal should then advise them of the formal procedures to be followed.

The Principal will appoint a trained, external investigator to carry out an investigation into the complaint. It would be expected that this would be completed and a report submitted to the Principal within ten working days. The investigation will include interviews with the complainant and the respondent, and if necessary with witnesses called by either party.

The Principal and investigator will meet with both parties individually to discuss the report, its implications and the steps that will be taken to resolve the matter.

If, at any stage of the resolution, the Principal (or Board delegate) believes and/or is advised* that the matter may involve criminal activity, the Principal (or Board delegate) is obliged to refer the matter to the appropriate authorities. In such instances the activities to resolve the matter will be suspended until such time as the authorities have completed their inquiries, and the School reserves the right to take whatever other steps may be appropriate to manage the matter in the intervening period.

*In instances where the Principal (or Board delegate) is only co-ordinating the resolution of the matter.
If a resolution to the matter is reached (i.e., withdrawal or dismissal of the allegations, recommendations to prevent a recurrence, an apology, counselling, etc) the matter is closed. In such circumstances both parties will be required to sign a statement which includes details of the resolution and acknowledges that the matter is resolved.

If the issue is unresolved due to lack of evidence, both parties will be advised that the matter cannot proceed.

**NATURAL JUSTICE**

Both individuals accused of harassment and/or bullying and individuals making complaints of harassment and/or bullying within the terms of these guidelines have the right to be afforded natural justice.

A person accused of harassment and/or bullying has the right to:

- be informed of the nature of the allegations in the first instance
- respond to the allegations
- an impartial hearing, and fair and equitable treatment
- an understanding that all reasonable care will be taken to ensure the matter is handled confidentially
- engage the person or organisation of their choice to provide assistance and support throughout the course of the matter (e.g., assisting with the preparation of responses, representation, accompanying to meetings, etc)
- access to any documentation to be relied on by any person in the hearing relating to the complaint (including the person hearing the complaint)

A person making a complaint of harassment or bullying has the right to:

- an understanding that all reasonable care will be taken to ensure the matter is handled confidentially
- an impartial hearing, and fair and equitable treatment
- engage the person or organisation of their choice to provide assistance and support throughout the course of the matter
- access to any documentation to be relied on by any person in the hearing relating to the complaint (including the person hearing the complaint)