

Grievance Policy and Procedure

A grievance may be a misunderstanding or disapproval of an event occurring which is related to the education or educational environment of a child.

The School is based on Montessori philosophy which develops an atmosphere of mutual acceptance, respect and support between staff, children and parents.

NB This Policy specifically targets concerns raised by parents and/or students. For staff grievances see *Discrimination, Harassment and Bullying Policy For Employees, Contractors and Volunteers*

This Policy should be read in conjunction with the School's *Child Protection Policy* and the School's *Code of Conduct*.

Grievances may arise from time to time and it is important that they are addressed and not ignored. An unexpressed or unresolved grievance may escalate unnecessarily. Parents and/or students should feel free to raise any concern at any time.

To ensure that problems are addressed, the following points are to be observed:

Parents

1. Parents have ultimate responsibility for their children. It is therefore their right to question, understand and be clear about any school issue.
2. Parents have the right to reasonable consultation, arbitration or mediation.
3. The grievance procedure sets out the steps to take, the time scales, and the documentation requirements for handling a grievance.
4. Parents are required to follow the grievance procedure on any serious school related matter. If this procedure is not followed within the time scale laid out, the issue will be considered to have lapsed.
5. Confidentiality of any issue raised will be respected at all times.
6. Standard conditions for withdrawal of a child apply if at any time the parent(s) take that decision.

Students

1. Students must feel confident that they can raise any concern at any time with staff in the School.
2. It is important to establish and maintain a climate of trust and mutual respect so that students feel safe and do not fear repercussions for raising issues.

Procedural Fairness

Grievance will be handled in an unbiased manner and taking into account the principles of procedural fairness (see summary outline at end of this Policy).

PROCEDURES FOR PARENTS

Educational Matters

1. The parents are to discuss the matter as soon as possible with the child's teacher (Guide) by scheduling an appointment through the Office. The parents or Guide may request that a record of the interview be prepared by the Guide and signed by both parties. Either party may request that the Principal be present.
2. If either party (parents or Guide) is not satisfied with the outcome, the matter may be referred to the Principal within two weeks of the initial discussion, by way of a written submission outlining the problem and proposed solution.
3. The Principal will then mediate a discussion between the two parties. A record of the interview will be made and signed by all parties. This process may continue until a resolution is reached.
4. If either the parents, Guide or the Principal is still not satisfied with the outcome, the dissatisfied party must make a written submission to the Principal within two weeks of the last mediation discussion. The Principal may appoint a representative to investigate and make a report back to the Principal within two weeks. The Principal will then reach a final decision on the matter as soon as possible. Notification of the Principal's decision will be given in writing to all parties involved within five working days of the decision.

Non-Educational Matters

1. The parents are to discuss the matter as soon as possible with the Principal or a representative appointed by the Principal, by scheduling an appointment through the Office. The parents or Principal may request that a record of the interview be prepared by the Principal and signed by both parties.
2. If the problem remains unresolved within 10 working days of the first discussion, the complainant should make a written report outlining the issue and any proposed solution, and forward it to the President of the School Board. The issue will be raised at the first available Board meeting. The complainant may be given the opportunity of presenting the complaint to the Board at this meeting.
3. If the issue cannot be resolved at the Board meeting, the Board will appoint a sub-committee or independent mediator to investigate. All parties will be consulted and the outcome reported at the next Board meeting where a final decision will be made. Written notification from the Board of the final decision will be made within five working days of the meeting.

Teacher (Guide) in Dispute with a Parent

1. The Guide will discuss the potential issue with the parent by scheduling an appointment that is mutually convenient to both parties. The Guide or Parent may request that a record of the interview be prepared by the Guide and signed by both parties. Either party may request that the Principal.
2. If either party (parents or Guide) is not satisfied with the outcome, the matter may be referred to the Principal within two weeks of the initial discussion, by way of a written submission outlining the problem and proposed solution. Should the dispute be with the DTL then proceed to item.
3. If either the Guide or the parent is still not satisfied with the outcome, the dissatisfied party must make a written submission to the Principal within two weeks of the last mediation discussion. The Principal may appoint a representative to investigate and make a report back to the Principal within two weeks. The Principal will then reach a final decision on the matter as soon as possible. Notification of the Principal's decision will be given in writing to all parties involved within five working days of the decision.
4. Should there be a conflict of interest perceived by either party, a review by the Board may take place with the dissatisfied party making a written report and forwarding it through the Board. The issue will be raised at the first available Board meeting.
5. If the issue cannot be resolved at the Board meeting, the Board will appoint a sub-committee or an independent mediator to investigate the complaint. All parties will be consulted and the outcome reported at the next Board meeting where a final decision will be made. Written notification from the Board of the final decision will be made within five working days of the meeting.

Teacher (Guide) in Dispute with a Student

1. It is likely that students, especially younger students, will raise concerns informally. These should be heard with empathy and not dismissed. Older students may raise issues of concern at weekly Community Council Meetings. In the latter circumstance, teachers attending that meeting have a responsibility to take action to resolve the concern.
2. Where the concern is personal in nature, the student should be taken aside so they can speak freely. **If the matter may involve a reportable incident (see Child Protection Policy), do not investigate and refer the matter immediately to the Principal.**
3. If it is a matter based on educational fairness or relationships, the teacher receiving the information should make every effort to deal with it as soon as is practicable. If another teacher or staff member is involved it is often better to discuss with them without the student in the first instance.
4. Mediation should be arranged if both parties are happy to discuss in this way. Otherwise a determination may need to be sought from the Principal.

Procedural Fairness

The processes outlined above have been designed to embed the principles of Procedural Fairness. Procedural fairness must be observed in all aspects of grievance handling process. In practice procedural fairness involves:

- ensuring that there is proper investigation of the facts;
- informing relevant parties of any allegations made against them, as appropriate;
- ensuring that all parties are informed of the procedures under which the grievance is being handled and are given a copy of the relevant policy and guidelines;
- ensuring that all parties are heard and those who have had complaints made against them are given an opportunity to respond.
- ensuring that all relevant submissions and any mitigating factors are given due and proper consideration before any conclusions are reached or any action is taken;
- advising all parties that if the grievance is of such a serious nature that disciplinary action may result, then the facts revealed during an investigation into the grievance may be used in any subsequent disciplinary proceedings;
- impartiality on the part of the investigator and/or decision, which means the investigator/decision maker must exclude themselves if there is any bias or conflict of interest.

These procedures usually require that the person raising a grievance must be willing to be identified, unless the facts of the matter are not in dispute, or the matter involves allegations of corruption, mal-administration or serious waste or child abuse. If in doubt about the requirements of procedural fairness, advice should be sought from the Principal.

On any occasion when the grievance is to be discussed, staff (both grievant and/or respondent) may choose to be accompanied by a colleague from the School.

If the allegations have been made in writing, a copy will be given to the parties against whom the allegations have been made (unless the allegations relate to corruption, maladministration and serious waste or child abuse, where legislation provides otherwise).

The 'hearing rule' includes the right of the person against whom an allegation has been made to:

- know the allegations related to a specific matter and any other information which will be taken into account in considering the matter
- know the process by which the matter will be considered
- respond to the allegations
- know how to seek a review of the decision made in response to the allegations.

The 'right to an unbiased decision' includes the right to:

- impartiality in an investigation and decision-making.
- an absence of bias by a decision-maker.