



## EASTSIDE LUTHERAN COLLEGE

### GRIEVANCE POLICY AND PROCEDURES

#### **POLICY**

##### **Preamble**

Lutheran schools are practicing Christian communities where conflicts are dealt with in a spirit of loving servant-hood. These conflicts are to be dealt with in relation to the principles of a functioning Christian community. (See Matt 28, 1 Cor 12, Eph 4, Rom 12). For a Christian community to function well, all members must actively work together for the common good. The functions and gifts of each member will vary but the desire to work for the good of the community is the same. The respect and status of an individual is not determined by their particular gifts, or by their position in the school. Responsibilities are to be carried out in love and forgiveness so that the community is built up. No one is exempt.

The Christian atmosphere of a school community should be such that all feel safe to express their point of view openly and honestly, and in a spirit of love. Potential conflict should be dealt with and discussed as early as possible, and people be encouraged to put the best construction on things. The focus needs to be on the issues, rather than the people personalities.

However, the Lutheran Church of Australia Safe Place Policy outlines the Church's policy toward sexual abuse and harassment. In matters of this nature, council members, staff, parents and students are obliged to follow the procedures and guidelines of the College Anti-harassment policy.

##### **Defining Grievance**

A general definition may simply be that a grievance is an unresolved problem.

Where an action or decision is considered to be unfair or inappropriate, there is the right to raise a complaint and have it considered seriously – such a complaint is known as a grievance.

##### **Grievance Procedure Aim**

The aim of a grievance procedure is to produce a solution which is acceptable to the individuals or parties involved. However, not all problems will be capable of a resolution which satisfies those concerned, but the 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 informal and formal components.

##### **Grievance Policy**

Eastside Lutheran College is a Christ-centered community where individuals should feel safe to express their points of view openly, honestly, constructively and in a spirit of love. St Paul's analogy of the church as a human body (1 Cor 12:12-27) serves well as a picture of all members actively working together for the common good.

From time to time concerns regarding educational, behavioural or College environment, issues may arise. For this reason Eastside Lutheran College has developed a set of

procedures to work through unresolved situations, or where an action or decision is considered to be unfair or inappropriate. Through God's grace and forgiveness, and by the guidance of the Holy Spirit, we strive to reconcile differences and resolve all conflict amicably.

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." (Matt 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." (Eph 4:29)
- "Be kind and compassionate to one another, forgiving each other, just as in Christ, God forgave you." (Eph 4:32)

Within the grievance process the power of prayer should never be underestimated. As a practicing Christian community Eastside Lutheran College enlists the Holy Spirit's guidance through each step. Board members, staff, parents or guardians, students and other members of the community are encouraged to follow the procedure outlined below.

## **PROCEDURE**

### **General Statements**

- The grievance procedure provides guidelines for raising an unresolved issue or complaint and having it considered seriously. It is essential, therefore, that before the process begins all parties participating are familiar with the process and with the Christian principles underpinning it.
- It is recognized that individuals in the College community are at different stages in their faith journeys and that this could affect their readiness and/or willingness to engage in prayer throughout the procedural steps.
- Informal resolution of a grievance is encouraged and is always the preferred option. This is reached when the outcome is satisfactory to all. The formal process is set in motion where the informal process reaches an unsatisfactory outcome.
- The grievance procedure may not result in a change to, or reversal of, a decision or action. Sometimes the only achievable outcome may be the enactment of forgiveness. Sometimes it may be an understanding to follow or improve guidelines or procedures in the future.

### **General Guidelines**

- Raising the issue directly, and as soon as possible, with the person concerned is encouraged.
- Communication should be open and honest, focusing on the issue and not the person. This includes listening carefully and respectfully while the other person is talking, and exercising responsibility and mutual respect: respect by staff for parents' special relationships with their children; respect by parents for staff as professionals.

- When an issue is discussed in the student's hearing, it is important that the student understands that you have confidence that the issue will be resolved confidentially at the College level. Criticism of the College or teachers does not support the child's education as it undermines trust and confidence.
- Confidentiality must be maintained through all stages of the process.
- Constructive conflict helps everyone learn, grow and change for the better. Where both parties agree to seek a positive resolution, positive outcomes are likely to result.

### **Confidentiality**

- Grievances should be kept as confidential as possible.
- Support in principle may be sought from the College Board on the basis of the consultative role that it can play.
- However, it should be recognized that the involvement of such bodies, or of others such as the Schools Director, Lutheran Education Victoria, NSW and Tasmania (LEVNT) as mediators, can compromise confidentiality.

### **Documentation**

- Before disputes are referred to the Schools Director LEVNT or persons outside the College, the concerns should be documented and covered by a letter which confirms that each of the steps outlines in this set of procedures has been followed.
- Any party to a dispute has the right to be accompanied by another person, in a support role, at any meetings convened to discuss resolution of that dispute.
- Accurate records of all disputes and proceedings should be maintained and current copies held by all parties involved (Appendix B).
- It is extremely difficult for the Schools Director LEVNT, the Principal or the Collage Board Chairperson to act on anonymous complaints, although they may be obliged to listen to the complaint as indicative of an issue requiring attention.

### **Time Frame**

- It is the obligation of all parties to deal with a concern as promptly and amicably as possible. In most cases, a reasonable time for resolution might be one month. In some cases where external personnel or factors are involved, resolution might take longer.

### **Use of external authorities**

- Complaints against Eastside Lutheran College may be raised with the Schools Director LEVNT. Normally, the Director will not accept a complaint until the College grievance procedures have been completed. If a complainant is dissatisfied with the outcome of the grievance procedures, the Executive Director, Lutheran Education Australia may be asked to review the College and LEVNT process.

- If all processes have been followed in accordance with this document and still the matter remains unresolved, the school recognizes the right of the aggrieved party/parties to access legal process.
- At anytime a person may choose to involve the Union to which they are affiliated and a member.

#### **A. GRIEVANCE PROCEDURE – PARENTS OR GUARDIANS**

Good relationships within school communities give children greater opportunities to succeed. It is natural that parents or community members at one time or another may have concerns about what happens at the College. To maintain good relationships, grievances or conflicts should be resolved so that all parties achieve satisfactory results.

The welfare students at the College is paramount. Open criticism of any parties in a dispute does not support students' education. To this end, fair and open communication conducted within the procedures framework outlined here, ensures that the rights and responsibilities of all parties are respected and consensus achieved.

All personal matters, such as concerns regarding student, parent or staff relationships should be realized directly with the College through the class teacher or Principal in a confidential manner.

The following guidelines are to assist parents if they have a concern.

**1. Parents make an appointment to talk to the classroom teacher.** Let him/her know what subject they wish to discuss since this will facilitate the process. (This makes the most productive use of the time available - when the teacher is free to give parents his/her full attention). If parents consider that the issue which they have raised is still unresolved, it is important that they state this to the teacher at the conclusion of the meeting.

- If the issues are not resolved, parents should make an appointment with the Principal and let him / her know what subject they wish to discuss as this will facilitate the process.

**2. Parent meeting with the Principal**

Results of this meeting may include the following:

- The situation is monitored;
- Further discussions with the people involved (e.g. Principal and teacher);
- Outside support for the student or family may be sought.
- If parents are still dissatisfied with the outcome of the meeting, they should telephone or write to the Principal again to air their concerns. If the College does not receive further information it is reasonable for the issue to be considered resolved.

**3. Ongoing dissatisfaction**

If after the steps outlined in 1. and 2. have taken place, parents are still dissatisfied they should approach the Chairperson of College Board who will try

to resolve the situation further. The expectation of the Chairperson of the College Board will be that the above steps have been followed.

#### **4. Mediation**

If the conflict remains unresolved, a neutral mediator shall be involved. The mediator, agreeable to all, shall be appointed in consultation with the Schools Director, LEVNT.

#### **5. General principles**

It is important that all grievances are kept confidential, and although at times parents may wish to seek support from friends or an advocate, it is very important to do this wisely.

When the matter is discussed in the student's hearing, it is important that the student understands that parents have confidence that the issue will be resolved confidentially at the College level.

Criticism of the College or teacher does not support the child's education as it undermines trust and confidence.

The College can only deal with issues that are raised in the ways outlined above. If staff do not receive information then they assume that all is well.

### **B. GRIEVANCE PROCEDURE- STUDENTS**

It is recommended that 'Mapping the Conflict' (see Appendix A) precede the following steps. The following procedure should be followed:

#### **1. Talk with the person concerned (Student or teacher)**

Students should say what the problem is, i.e. say how they feel.

They should say what they would like him/her to do about it. If this is too difficult, they are encouraged to take a friend with them OR speak to a trusted adult such as the College psychologist, Social Worker, Chaplain, Principal or teacher.

#### **2. Listen**

Students should listen to the other's side of the story.

#### **3. Reflection**

Students should think seriously about whether there is any wrong on their side.

#### **4. Agreement**

Students should try to reach an agreement with the other person where they both feel satisfied with the outcome.

#### **5. Further Concerns**

If students still have a concern, they should go to someone in authority for assistance.

#### **6. Mediation**

If the conflict remains unresolved, a neutral mediator shall be involved. The mediator, agreeable to all, shall be appointed in consultation with the Schools Director, LEVNT.

### **7. Some Helpful Hints for Students**

- Don't talk about the person to others – talk directly to the person.
- It is better not to talk while you are angry or in public.
- Remember to pray for the right words to say, for understanding and for the issue to be resolved.
- All students have the right to question the assessment that the teacher has made of their work in assignments and tests. If they are not satisfied that the assessment was correct and accurate, they should:
  - Approach the teacher and ask for clarification
  - Ask for a reassessment of the work by the teacher
  - Ask the teacher to have the Coordinator – or another teacher -reassess the work
  - Accept the decision

### **C. GRIEVANCE PROCEDURE – STAFF**

In any organisation conflict of a personal or professional nature may arise. Procedures to resolve conflict should reflect the Christian ethos of the College and be based on the principles in Matthew 18:15. Staff need at all times to seek to resolve conflict and not contribute to it by gossip. The following guidelines will assist who have a grievance.

#### **1. Procedure - Personal Conflict**

- Seek God's guidance through prayer.
- Identify and clarify the issue, possibly discuss with another person.
- Discuss the issue with the person involved, stating the problem and seek a resolution through offering or asking for forgiveness.
- If the problem is not resolved involve a third impartial person, acceptable to both parties.
- If the conflict is unresolved discuss with the Principal to establish a professional working relationship.

#### **2. Procedure - Professional Conflict**

- Identify and clarify the area of concern.
- Discuss with the Principal, Deputy Principal or Coordinator.
- Place the matter on the agenda of the staff meeting.
- Be prepared to state the area of concern and offer possible solutions.
- If the conflict is not resolved discuss the matter with the Principal.
- Finally the matter can be referred to the College Board which will determine further action.

#### **3. Mediation**

If the conflict remains unresolved, a neutral mediator shall be involved. The mediator, agreeable to all, shall be appointed in consultation with the Schools Director, LEVNT.

#### **4. Special Notes**

- **The Role of the Congregational Pastor**

Direct involvement of the Congregational Pastor in the grievance process runs the possible risk of compromise of their pastoral work, i.e. as spiritual adviser/counselor to all parties. Every effort must be made not to put in jeopardy this unique relationship.

- **The Role of College Board Members**

Direct involvement of individual College Board Members in the grievance process runs the possible risk of compromise of their position. If College Board Members are approached individually by a person with a grievance they should refer them to the Principal or speak to the Board Chairperson. In some circumstances the Board Chairperson may allocate a role for Board Members.

The Board may also consider matters associated with long range planning and where a person considers the Principal has not followed the Grievance Procedure in accordance with the College's principles.

- **Resource People**

Where the College is seeking facilitators for involvement in the grievance process, it is recommended that they look to neighbouring Principals, Senior Staff or to Professional Consultants, Counselors or the Director, LEVNT and other personnel of LEVNT.

#### **D. GRIEVANCE PROCEDURE – COLLEGE BOARD MEMBERS**

In principle, any conflict is capable of resolution if the parties involved work through the issues in a rational, logical, and prayerful manner.

Unfortunately, many conflicts are far from rational and an outside mediator may need to be involved. While it is appropriate that the Director LEVNT be aware of the conflict, it is not always appropriate that he/she act as mediator, since to do so may jeopardise his/her neutrality. However, the Schools Director LEVNT should be kept informed of all situations involving conflict where intervention may become necessary. The following guidelines should be followed to restore harmony between College Board members and the Principal.

##### **1. Prayer**

Those involved in a conflict come together as God's people in prayer. Prayer, repentance and forgiveness sets a basis for further discussion.

##### **2. Representation**

Ensure that the conflict is represented by the appropriate person. It is the responsibility of Christian community leaders to contain issues to the appropriate people, and to see that others understand this.

##### **3. Role clarity**

Clarity as to the precise roles and responsibilities of the people involved must be established.

#### **4. Mediation**

If the conflict remains unresolved, a neutral mediator shall be involved. The mediator, agreeable to all, shall be appointed in consultation with the Director, LEVNT.

#### **E. GRIEVANCE PROCEDURE – LOCAL COMMUNITY**

Good relationships between the College and its local community give students greater opportunities to succeed and to contribute to that community. Whilst community members may at times have concerns about what happens at the College and its impact in the community, in order to restore and maintain good relationships, conflicts and grievances should be resolved so that all parties achieve satisfactory results.

At all times, the welfare of students of the College is vital. Fair and open communication ensures the rights and responsibilities of parties involved as they work towards a satisfactory resolution.

The following guidelines outline a process to assist members of the local community if they have a grievance.

1. All concerns, whether they relate to students, parents, staff or programs offered by the College should be raised directly with the College. The Principal should be the first point of contact.
2. Grievances should be kept as confidential as possible however the principal may need to share the concern with relevant others in the College community.
3. Support from bodies within the College, such as the College Board may be sought.
4. Any party has the right to be accompanied by another person in a support role at any meetings convened to discuss the resolution of the grievance.
5. Where both parties determine the need for, and agree to the role of a mediator in the resolution of the grievance, a mediator acceptable to both shall be appointed in consultation with the Director LEVNT.
6. Accurate records of the grievance and meetings convened in order to discuss and resolve the grievance are to be documented and each party provided a copy.
7. It is important that the grievance is dealt with as promptly and amicably as possible – the welfare and learning of students should be kept as a key focus.
8. Before grievances are referred to offices and/or persons outside the College, the concern and procedural steps undertaken should be documented.
9. Where a satisfactory resolution to the grievance is not possible within the resources of the College, the matter should be referred to LEVNT and the Director.
10. If all processes have been followed and a resolution to the grievance has not been determined, both parties may seek legal processes.

## Appendix A

### MAPPING THE CONFLICT

#### MY DEFINITION OF THE PROBLEM:

What needs of mine are involved?

What major values do you feel are involved here (eg. strongly held beliefs I am prepared to act on: co-operation, human rights, ideological or cultural beliefs)?

What are my objectives and priorities?

What fears of mine need to be overcome?

What life situation limits, or personal limitations, are relevant (the boundaries my situation imposes on me)?

#### THEIR DEFINITION OF THE PROBLEM:

What needs of theirs are involved?

What major values do they feel are involved here (eg. strongly held beliefs they are prepared to act on: cooperation, human rights, ideological or cultural beliefs)?

What are their objectives and priorities?

What fears of theirs need to be overcome?

What life situation limits, or personal limitations, are relevant (the boundaries their situation imposes on me)?

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