



# RESOLVING GRIEVANCES

## FOR STUDENTS AND PARENTS

### **POLICY STATEMENT**

Methodist Ladies' College (MLC) values the partnership between the College and parents and encourages open communication in order to best meet the needs of our students. In all instances, we encourage concerns to be raised at the appropriate level in order to find a resolution to an issue. It is often easier to address a minor issue as it arises, rather than to leave this to escalate into a major or more difficult issue.

MLC is committed to providing a safe and healthy environment within which diversity is valued and encouraged. All students and their parents are expected to behave in accordance with the College Values and the Codes of Conduct that apply respectively, to students and parents.

The College understands that there may be times when parents may feel aggrieved about communications, actions, processes, conduct or decisions made by the College or its staff members. This Policy establishes the procedures for all students and their parents to follow for resolving a grievance which gives rise to a complaint concerning the College. For the purposes of this Policy, parents includes also the guardians of a student.

This Policy will apply where a grievance cannot be resolved through an open dialogue with the College.

A grievance is defined as an expression of dissatisfaction with a real or perceived outcome. The dissatisfaction may arise as a result of something not being done, something being done which is seen as wrong, or behaviour which is considered unfair or inappropriate.

### **AIM**

- When differences of opinion or differences in behaviour cause offence, it is expected that individuals or groups will resolve issues between themselves through open and honest dialogue, will keep issues confidential where possible, will avoid engaging authorities outside the College, and will be prepared to contribute to the solution. Students will often require the support of an adult to do this successfully.
- Aggrieved parties must avoid discussing the matter with unrelated parties, dealing with grievances through emails, broadcasting issues through emails and bullying or harassment to achieve an outcome. MLC promotes an environment free from harassment, bullying or escalating the matter without first speaking directly to the person concerned to attempt to resolve the issue to achieve an outcome.
- People involved in the grievance (including the complainant, respondent, witnesses and reviewer) are to follow the guidelines outlined in this Policy and should not disclose the information to anyone else. Information about a complaint will only be given to people directly involved in the management of the complaint.

## **POLICY**

All matters should be handled with sensitivity and apply the principles of natural justice. It is important to protect and maintain confidentiality and not discuss the matter with others. It is also important to recognise that all parties must be given an opportunity to be heard and for there to be a reasonable time frame for consideration of issues and their response.

All lodged grievances will be acknowledged within 72 hours and addressed in a timely manner.

The informal and formal grievance processes are not adversarial or technical.

For all matters except those involving the College Council, the Principal is the final decision maker and as such is not able to act as a support person for any involved party.

Complainants, respondents or other parties involved in the grievance procedure may not be represented by lawyers at interviews or meetings arranged as part of the procedure.

Any person who has lodged a grievance, or is a witness to a grievance, will not be discriminated against or victimised.

The Principal may consider a grievance and determine that the College will not proceed further with the grievance procedure where the Principal considers the grievance to be not substantiated, vexatious, trivial or regarding previously finalised issues.

If a grievance is lodged and is subsequently found to be frivolous or vexatious (no merit to the complaint or malicious), then the complainant who lodged the grievance may be subject to disciplinary action in accordance with the *Managing Student Behaviour Policy* and/or *Parent Code of Conduct* and/or sanction under the *Enrolment Contract*.

The College will ensure that documentation related to the grievance is stored securely and that confidentiality is maintained. All information, including written notes and supporting material, will be stored securely as directed by a Deputy Principal or the Principal.

## **INFORMAL GRIEVANCE PROCEDURE**

The informal grievance procedure may apply where the complainant initially requests the matter to be dealt with informally.

A student and/or their parent should first seek to resolve the matter through an informal discussion directly with the subject of the complaint. Please refer to the following flowcharts, available in the Handbook on the My MLC Portal, to assist with identifying the appropriate person in different circumstances:

- Queries and Concerns: Boarding House Pastoral Care
- Queries and Concerns: Day Students Pastoral Care
- Queries and Concerns: Curriculum Issues

If it is not possible to discuss the matter directly with the person concerned, or the student and/or their parents do not believe the matter has been satisfactorily addressed, then the matter should be discussed with the Head of Year, the Head of Academic Department, or the relevant Deputy Principal.

If the matter cannot be satisfactorily resolved by the Head of Year, Head of Academic Department or relevant Deputy Principal, the matter should then be referred to the Principal.

The Principal shall try to resolve the matter through further discussion. If the Principal is unable to resolve the matter through discussion, she/he may direct the matter to be dealt with through the Formal Grievance Process.

Where a student or their parent has a grievance against the Principal they shall first seek to resolve the matter by discussion with the Principal. If the matter is still not resolved, the student and/or their parent may seek to refer it to the Chair of the College Council through the Formal Grievance Process.

## **FORMAL GRIEVANCE PROCESS**

### **Formal Grievance Procedure**

Before lodging a formal complaint, the complainant must have made reasonable attempts to resolve the complaint informally with the person who is the subject of the complaint.

On receiving a written grievance or complaint (Appendix 2 - Formal Grievance Form), the Principal (or delegate) will:

- Acknowledge receipt of the grievance in writing to the complainant;
- Ensure the grievance is documented and filed accordingly;
- Provide the complainant an opportunity for further discussion at a mutually convenient time with the Principal (or delegate).

In light of the information provided/obtained, the Principal (or delegate) will decide how best to address the grievance. This may include:

- Internal review by a Deputy Principal or appropriate member of the College Leadership Team; or
- Engagement of an external person to review the grievance.

### **Internal Review**

Where an internal review is decided to be appropriate:

- If the complaint is regarding the process followed by the College or College staff member(s) in reaching a decision, a Deputy Principal/CLT member will meet with the relevant staff member(s) and any other parties involved in the process to inform her/him of the complaint and such details as are appropriate, and:
  - The staff member(s) will then be invited to respond at the time or, if she/he wishes, at a later time within a reasonable timeframe;
  - Other relevant parties, who were involved in the process, will also be invited to provide relevant information in relation to the complaint.
- If the complaint is regarding the alleged misconduct of a staff member, a Deputy Principal will meet with the relevant staff member<sup>1</sup> to inform her/him of the appropriate details of the complaint and the staff member will then be invited to then respond as he/she wishes or at a later time within a reasonable timeframe.

All parties may be accompanied to a meeting by an appropriate support person.

---

<sup>1</sup> Should the grievance refer to a Child Protection or Mandatory Reporting matter, this will then be referred immediately to proceed through the Child Protection or Mandatory Reporting processes.

The relevant Deputy Principal/CLT member will consider all the material provided by the complainant and the response of the staff member(s) and information of other relevant parties and make a decision about the grievance.

The decision handed down by the relevant Deputy Principal/CLT member will mark the end of the internal review process, subject to an appeal to the Principal in the circumstance set out below.

If the complainant is not satisfied with the process in which her/his grievance was dealt with, they may lodge an appeal to the Principal.

The Principal will consider all the material obtained during the internal review and decide whether to confirm the relevant Deputy Principal/CLT member's decision or if not, what other action is then necessary.

The decision of the Principal is the end of the internal review process.

### **External Review**

If an external review is decided to be appropriate:

- The external reviewer will be engaged by the Principal;
- The reviewer may attend the College to interview any parties, and any relevant witnesses nominated by the complainant, respondent, staff member and reviewer;
- The reviewer will report whether or not the reviewer considers that the grievance is substantiated.

The Principal, at her/his discretion, will decide on the most appropriate outcomes in view of the report.

The decision of the Principal is the end of the external review process.

### **Review of Decision made by the Principal**

If a complainant is not satisfied by the process in relation to the decision of the Principal made pursuant to this procedure, the matter may be referred to the Chair of Council for review of the material having been previously considered.

The review by the Chair shall be final and binding on the complainant and the College and the last step in this process.

### **Conflict of Interest**

In order to offer a fair and unbiased process, where a conflict of interest is identified with respect to a complainant's grievance, an alternative to this procedure must be followed.

For example, where:

- the procedure requires that the grievance be taken to a Deputy Principal, and that Deputy Principal is the staff member whom the grievance is against, the complainant may proceed directly to the Principal; or
- where the grievance is against the Principal, the complainant may proceed directly to the Chair of Council.

Where the grievance is against the Principal:

- these procedures will be followed as appropriate to the circumstance;
- the Chair of Council may at any time determine the grievance to be not substantiated, or to be vexatious, trivial or regarding previously finalised issues, and not proceed further with the grievance procedure; and
- the decision of the Chair of Council in relation to the grievance shall be final and binding on the complainant and the last step in this process.

## APPENDIX 1 - RESOLVING GRIEVANCES FOR FULL FEE PAYING OVERSEAS STUDENTS (FFPOS)

These processes in relation to FFPOS comply with the conditions set out in the National Code, Part D - Standard 10.

Full Fee Paying Overseas Students (FFPOS) and their parents are required to access the Methodist Ladies' College *Resolving Grievances Policy - Students and Parents* within 10 working days of the occurrence of a matter giving rise to a complaint or grievance.

The independent International Student Conciliator located at the Department of Education, Skills and Employment (DESE) is available to assist the parties to resolve the dispute themselves through mediation and conciliation, complementary to the College's *Resolving Grievances Policy - Students and Parents*.

If the student chooses not to initiate the process via the Department of Education, Skills and Employment or withdraws from the process, or the process is completed and results in a decision supporting the College, the Head of Admissions must notify the Secretary of Department of Education, Skills and Employment through the **Provider Registration and International Students Management System (PRISMS)**, of details pertaining to the matter that gave rise to the complaint, including steps taken to resolve or attempt to resolve it.

### FFPOS External Appeals Service

The independent International Student Conciliator cannot be nominated as the external body or person available for assistance where an international student and/or her parents disagree with the outcome of the College's internal grievance process (as referred to in Standard 10 of the *National Code*).

If FFPOS or their parents wish to lodge an external appeal or complain about the College's decision following completion of the process set out in the College's *Resolving Grievances Policy - Students and Parents*, they can do so by contacting the Overseas Students' Ombudsman.

The Overseas Students' Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students' Ombudsman website [www.ombudsman.gov.au](http://www.ombudsman.gov.au) or phone 1300 362 072 for more information.

During the internal grievance process (*Resolving Grievances Policy - Students and Parents*) and during external appeals processes involving unsatisfactory course progress or unsatisfactory attendance, the student's enrolment will be maintained until the process is completed. If the external appeals process is related to the College's decision to defer or suspend a student's enrolment due to misbehaviour, the student's enrolment can be suspended from the time of completion of the internal grievance process.



Steps Taken To Resolve Grievance			
Date	Time	Action	Outcome
Who else is aware of the complaint?		Grievance Procedure explained to complainant?	Yes / No
<b>Parent</b>			
(name)	(signature)	(date)	
<b>HR/Other</b>			
(name)	(signature)	(date)	