



Grievance/Complaints Resolution Policy and Procedures

Introduction

Minaret College endeavours to solidify the three-way partnership of parents, staff and students with the aim of creating a harmonious and productive educational environment in which healthy relationships are cultivated and preserved.

Our goal is to provide a safe and nurturing atmosphere for students, however, just as in any environment, there also exists a potential for grievances/complaints to arise.

Minaret College is committed to providing all members of the School community with a fair process in the event of a grievance/complaint. This opportunity is available to all staff, parents, students and other members of Minaret College Community.

The grievance resolution processes undertaken by the College will encompass procedural fairness, confidentiality and privacy.

Scope

This Policy applies to all staff, students, parents/guardians, or other members of Minaret College Community (such as volunteers, contractors and visitors) who may have a complaint or grievance about a decision, behaviour, act or omission within Minaret College.

Grievances/complaints can be made when a staff member, student, parent/guardian or member of the Minaret College Community considers that an action or decision has been taken (or not taken) within the School that they believe to be, for example:

- a breach of a relevant Act or Regulation;
- an infringement upon the principles of merit and equity; or
- is unfair or unreasonable.

Serious complaints should be referred immediately to the Principal and are not the subject of this Policy, for example, complaints about behaviour which places others at risk of serious harm. In relation to matters requiring mandatory reporting or involving workplace occupational health and safety, staff members should refer to the Mandatory Reporting Policy and the Hazard, Incident, Injury and Illness Reporting Policy respectively. In addition, this policy does not address complaints relating to employment matters under industrial instruments and does not replace procedures regarding the Child Safe Standards as set out in the Code of Conduct and Policy.

Rationale

The School affirms the dignity and value of all peoples and seeks to conduct all matters in a way that respects and cares for people. The core business of the School is conducted through relationships, so a high value is placed on maintaining and protecting relationships within the School community.

In the event that a student, parent, staff member or other members of Minaret Community has a complaint/grievance, the process set out in this Policy should be followed. Reconciliation and resolving a complaint or dispute is the focus of this policy.

Resolution should start with discussion between the parties where possible, be based upon a desire for resolution and reconciliation (as opposed to a desire for retribution), consider factual evidence rather than impressions or rumors, provide a fair opportunity for review of all decisions, and be carried out in a manner that enables all parties to retain their dignity regardless of the outcome.

The guiding principle is: be completely humble and gentle, be patient, bearing with one another in love. Make every effort to keep the unity with one another through the bond of peace.

Implementation

Minaret College seeks to provide a positive, harmonious and productive environment and to resolve grievances/complaints promptly, confidentially and in accordance with procedural fairness. Undisclosed or unresolved grievances/complaints may create distress and can be a violation of a person's rights. Resolution of grievances/complaints at a local level, where appropriate, is the desired outcome.

Informal Approach to Grievances/Complaints

Staff

- Employees may choose to resolve grievances/complaints personally by talking with or writing to the person whose behaviour is of concern.
- Alternatively, employees may choose to seek assistance in resolving grievances/complaints informally, including seeking assistance from the School Counsellor or Principal. In such circumstances informal resolution procedures such as mediation may be utilised if appropriate.
- It is important that all grievances/complaints procedures and outcomes are fully documented and the parties are informed of the outcome.
- Employees may lodge formal grievance/complaints when unwelcome behaviour persists despite advice to a respondent that his/her behaviour is causing problems and must cease or where informal processes have not resolved the grievance/complaint. Please see Stage 1 of this Policy regarding lodging a formal grievance/complaint.

Students

- Where a student has a grievance/complaint they may wish to raise it with the person whose behaviour is of concern, however, if the student does not wish to do this then they may:
- Advise their form teacher or Year Level Coordinator if the matter pertains to an incident with another student, an incident on the way to or from School or a process within the School, or
- Advise the Department Team Leader if the matter refers to an academic area either teacher behaviour or process used for determination.

The matter will then be dealt with by the appropriate person who will try to resolve the issue using informal processes which could include mediation if appropriate.

- If the student is not satisfied with the outcome of the grievance/complaint, the matter may then be referred to the Assistant Principal Students and Family Support Services who will then seek to resolve the issue using informal processes.
- If the grievance/complaint is still unresolved, the student may wish to lodge a formal grievance/complaint – please see Stage 1 of this Policy regarding lodging a formal grievance/complaint.
- It is important that all grievances/complaints, ensuing procedures and outcomes are fully documented and the parties are informed of the outcome of the process.

Parent/Carer

- Should a parent/carer wish to lodge a grievance/complaint informally, they may contact either of the following (depending upon the nature of the issue):
- Advise the Level Coordinator if the matter pertains to an incident with another student, an incident on the way to or from School or a process within the School; or
- Advise the Department Team Leader if the matter refers to an academic area involving either teacher behaviour or the process used for determination.
- If the Parent/Carer's grievance/complaint has not been satisfied, the matter may then be referred to the Assistant Principal Students and Family Support Services or the Assistant Principal Teaching and Learning to review the complaint/grievance and seek to resolve the matter using informal processes.
- If either of the above are unable to resolve the grievance/complaint, the parent/carer may lodge a formal complaint – please see step 1 of this Policy regarding lodging a formal complaint..
- It is important that all complaints, ensuing procedures and outcomes are fully documented and the parties informed of the outcome.

Member of Minaret Community

- Where a member of Minaret Community has a grievance/complaint that they wish to raise with the School they can contact the Principal or the Assistant Principal to determine if the matter can be resolved informally.
- Where the matter is unable to be resolved informally, the member of Minaret Community may lodge a formal complaint as set out in Stage 1 of this Policy.

Victimisation

A person must not victimise or otherwise subject another person to detrimental action as a consequence of that person raising, providing information about or otherwise being involved in the resolution of a complaint/grievance under these procedures. Any breach of the non-victimisation requirements will be treated seriously by the College.

Formal Approach to Complaints/Grievances

Stage 1

1. When a student, staff member, parent/carer or a member of Minaret College Community decides to lodge a formal complaint/grievance they can complete a Grievance Application Form which can be obtained from the Year Level Coordinators or the front office.
2. Subject teachers, Form Teachers, Year Level Coordinators, Team Leaders, or the Assistant Principal Students and Family Support Services, in consultation with the Principal, will review the complaint/grievance and determine whether it should be investigated.
3. If the School finds that the complaint should be investigated, a panel will be established to resolve the issue. The format of the panel will be as follows:
4. Year Level Coordinator or any other senior staff to act as chairperson, in order to arbitrate the proceedings (as long as they are not involved in the issue at hand).
5. The complainant: The student, staff member, parents, member of the Minaret College Community.
6. The Respondent: The complainant will initially have the opportunity to be heard in a confidential and private setting.
7. It is expected that all complainants (students, staff members, parents and members of Minaret College Community) will receive support from the chairperson to enable their complaints/grievances to be resolved.
8. It is important that all grievances/complaints procedures and outcomes are fully documented.

9. The complainant and the respondent will be informed of the decision of the chairperson in relation to the grievance/complaint.

Stage 2

Where a grievance/complaint could not be resolved through the aforementioned procedure or the complainant considers that the decision given at Stage 1 above in relation to the grievance/complaint should be reviewed, then the matter can be referred to the School Principal. The Principal may appoint another panel chaired by a senior staff member or the Principal may investigate the matter. If a new panel is to be established, the above procedure in points 3 to 7 of Stage 1 will be followed.

The complainant and the respondent will be informed of the decision of the chairperson in relation to the grievance/complaint.

Formal Investigation Procedure

- The formal investigation of a grievance/complaint at Stage 1 and Stage 2 above will include interviews with the complainant, the respondent and any witnesses.
- The complainant and the respondent may choose to be accompanied by a support person.
- Processes such as mediation may be arranged to facilitate resolution if the parties agree.
- All matters must be treated with utmost confidentiality by all of those involved in the process. The Privacy and Confidentiality Policy must be adhered to. However, depending upon the nature of the complaint, it may be necessary in some circumstances to disclose details of the complaint/grievance in order to facilitate resolution of the complaint.
- Parties dissatisfied with the process can appeal to the external agencies set out below.

Timeline

Each grievance/complaint will be finalised within as short a period of time as possible. Complainants will be advised if the matter cannot be finalised within one month.

External Agencies

In the case where a grievance/complaint cannot be resolved within the School, or the complainant considers the decision given by the School in relation to the matter should be reviewed, the complainant may decide to seek assistance in relation to their complaint from the following external bodies:

- Victorian Registration & Qualifications Authority (VRQA);
- Victorian Institute of Teaching (VIT);
- Australian Health Practitioner Regulatory Authority; and
- Victorian Equal Opportunity and Human Rights Commission.

International Students

For ordinary grievances/complaints, overseas students will follow the same procedures as mentioned in Stage 1, Stage 2 and ultimately they may refer the matter to external agencies as set out above. If disagreements arise between the School and the overseas student in the case of a student's withdrawal from the School, in relation to fee reimbursement or the amount of fees to be reimbursed to a particular student, and where the dispute cannot be resolved within the School, a panel will be established to resolve the dispute, the format of the panel will be as follows:

- The chairman of Islamic Schools Association of Australia (I.S.A.A) or his nominee as a chairperson;
- The School Principal (or his nominee);
- The overseas student, if the overseas student wishes a friend, a parent/carer, School counsellor or a student from the S.R.C may attend the panel in a supportive role but not one of advocacy.

The two parties will be bound by the majority decision of the panel (2 votes out of 3).

Possible Outcomes

1. If the complaint is upheld or sustained, the following are possible outcomes depending on the nature of the complaint:

- An agreement between the parties
- A verbal apology
- A written apology

Where staff members are the subject of a complaint, action taken may be as stated in the Staff Relations Policy.

2. If a complaint is not upheld or not substantiated (e.g. there is insufficient evidence) but some issues come out of the investigation that are required to be addressed then possible outcomes include:

- Relevant training for employees and/or students; and/or
- Monitoring of the behaviour of employees and/or students;
- Counselling for the aggrieved person;
- Mediation at the local level.

3. If the complaint is proven to be lacking in substance or to be vexatious or malicious,, possible outcomes include:

- Counselling for the person who made the complaint;
- A written apology from the person who made the complaint;
- Referral for disciplinary action for students and staff.

Evaluation

This Policy will be reviewed as part of the School's review cycle.

Islamic Perspective

Minaret College endeavours to solidify the three-way partnership of parents, staff, and students with the aim of creating a harmonious and productive educational environment in which healthy relationships are cultivated and Allah (SWT) is revered.

O ye who believe! stand out firmly for Allah, as witnesses to fair dealing, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just: that is next to piety: and fear Allah. For Allah is well-acquainted with all that ye do. (5:8)

The School affirms the dignity and value of all people as Allah's creation, and seeks to conduct all matters in a way that pleases Allah (SWT) and cares for people. The core business of the School is conducted through relationships, so a high value is placed on maintaining and protecting relationships within the School Community.

In the event that a student, parent, staff member or other member of Minaret Community has a complaint/grievance, the process set out above shall also be guided by applicable principles set forth in Islam. Making peace and resolving a grievance/complaint is an Islamic duty, hence we should be careful not to harm others as there is great reward for those who strive for peace and preserve brotherhood.

The believers are but a single Brotherhood, so make peace and reconciliation between your two contending brothers; and fear Allah that you may receive mercy (49:10)

This policy was last ratified by Minaret College Board in August 2016.

This policy will be next reviewed by Minaret College Board by August 2019.