

# GRIEVANCE POLICY

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## AL SIRAAT COLLEGE INC

Association No. A0051356N  
ABN 96 957 841 991

A registered independent school under the Education Training and Reform Act 2006 (Vic)

A registered charity with the Australian Charities and Not-for-profits Commission

Version 2.1 – 13<sup>th</sup> September 2021





So, fear Allah, and set your relations right, and obey Allah and His Messenger, if you are believers. ~ Y μ CE U v ô W í •

All believers are but brothers, therefore seek reconciliation between your two brothers, and fear Allah, so that you may be blessed with mercy. μ CE U v ð õ W í •

»|- CE U ~ Z • v CE CE š š Z š š Z said: "Shall I inform you of what is more virtuous than the rank of fasting, prayer, and charity?" They said: "But of course!" He said: "Reconciliation amongst each other. For indeed, spoilt relations with each other are a blade [that shaves away the religion]." » Á » ð õ í õ U d ] CE î ñ ì õ).

ñ X í ð The process of raising and resolving a grievance, through both informal and formal procedures, should embody the following guidelines:

The potential conflict should be dealt with and discussed as early as possible and people be encouraged to be positive rather than judgemental.

The focus needs to be on the issues, rather than the people.

Ensure that the appropriate person represents the conflict. It is the responsibility of the College leadership to contain issues to appropriate and independent people, and to see that others understand this.

It must again be emphasised that there needs to be clarity as to the precise roles and responsibilities of people involved.

All input/contributions are to be listened to respectfully and attentively by others in the process --- i.e. participants in the process require a sense of 'having been heard'.

5.15 The College welcomes the airing of a grievance in a responsible and constructive manner.

## 6. CONFIDENTIALITY

ò X í We are committed to creating a safe environment for all members in our community. The person hearing a grievance will maintain confidentiality as far as possible. However, it may be necessary to speak with other persons in order to determine what happened, to afford fairness to those against whom the complaint has been made, and to resolve the complaint. If a complaint is raised and it appears that unlawful conduct had potentially occurred, in order to uphold this policy, the College will need to take appropriate action in relation to the complaint.

ò X í All persons aware of the complaint (and/or involved in the informal or formal complaint procedure) must also maintain confidentiality, including the person who lodges the complaint. Spreading rumours or gossip may expose individuals to a defamation claim. Individuals may discuss the complaint with their support person or representative. However, the support person or representative must also maintain confidentiality.

## 7. GRIEVANCE PROCEDURES FOR PARENTS OR GUARDIANS

7.1 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





## 11. GRIEVANCE PROCEDURE LOCAL COMMUNITY

- 11.1 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.
- 11.2 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.
- 11.3 The following guidelines outline a process to assist members of the local community if they have a grievance.

All concerns, whether they relate to students, parents, staff or programs offered by the College should be raised directly with the College. The Customer Care email should be the first point of contact (cc@alsiraat.vic.edu.au).

Grievances should be kept as confidential as possible. However, the concern may need to be shared with relevant others in the College community.

Support from bodies within the College, such as the College Committee, may be sought.

Any party has the right to be accompanied by another person in a setting with a representative of the College.

If the complaint is against the Principal then you must lodge a complaint in writing to the Committee Chairperson.

- 12.2 If the person against whom the complaint is made is a member of the College Committee, you are required to lodge a complaint in writing to Committee Chair.
- 12.3 The complaint should include clear details about the particular allegations (e.g. who, what, when, where) and preferably be supported by evidence.
- 12.4 A person selected from the pool formed under clause 12.1 will be nominated by the College to handle the complaint or their delegate (the Investigator). The Investigator will not be biased in favour of or against either party or have a material interest in the matter.
- 12.5 The Investigator will, within a reasonable period of time, acknowledge receipt of the complaint, consider the details of the complaint and how to appropriately address the concerns raised, and provide you with details in relation to how the complaint will be handled.
- 12.6 All options will be considered to address the complaint. It will be dependent on the specific circumstances of the case as to which method is appropriate, including what is in the best interests of the students and the College. The Investigator will exercise discretion to determine how to resolve a complaint.
- 12.7 It may be necessary in some circumstances for the Investigator to obtain advice and pastoral support from an independent external person (e.g. a legal adviser) to ensure that the complaint is appropriately and fairly handled.
- 12.8 If the complaint relates to allegations concerning the safety of a child, the Investigator will refer to the College's Child Safety Policy and Procedure.
- 12.9 If the complaint relates to allegations concerning criminal code, the Investigator is entitled to make a report to the Police.

## DISPUTE RESOLUTION WITHIN THE SCHOOL

### 13. Initial investigation

- 13.1 The Investigator will investigate the matter to establish the facts.
- 13.2 Having established the facts, the Investigator in consultation with the Principal and/or Chairperson as appropriate, shall determine whether the grievance:
  - will be dismissed;
  - is to be handled informally; or
  - is to be handled formally; or
  - will be referred to an external consultant or dispute resolution expert.
- 13.3 The College and the Investigator must keep records of the investigation, including making written records of any conversations had during the investigation.

### 14. Informal Complaint Procedure

- 14.1 At the discretion of the Investigator, the informal complaint procedure may be implemented. Without limiting the circumstances in which the informal complaint procedure may be implemented, the informal complaint procedure is suited to less serious allegations that do not warrant disciplinary action being taken.



í ð X î There are various informal methods available to address complaints. It will be dependent on the specific circumstances of the case as to which method is appropriate.

í ð X î Possible options may involve the Investigator:

discussing the issue with the person against whom the complaint is made; and/or

facilitating a meeting between the parties in an attempt to resolve the issue and move forward.

í ð X ð The Investigator must keep records of the investigation undertaken during the informal complaint procedure, including making written records of any conversations had during the investigation.

15. Formal Complaint

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Following the meeting the Investigator will consider how to proceed depending on merits established in the information provided. Where it is decided that no action is justified, both the complainant and respondent should be informed. It may be appropriate to then consider informal issue resolution between the parties with the assistance of a manager, focusing on future conduct and agreements.

15.11 If the grievance is established and disciplinary or corrective action is considered justifiable, the Investigator, and if appropriate in consultation with the Principal and/or Committee Chairperson as appropriate, shall determine an appropriate outcome. The outcome (regardless of its nature) is to be communicated to the complainant and respondent in person and in writing.

15.12 The formal investigation will remain strictly confidential to the extent possible.

## 16. Possible Outcomes

The parties will be notified about the outcome of the informal complaint procedure or the formal complaint procedure as appropriate.

The possible outcomes will depend on the nature of the complaint and the procedure followed to address the complaint. Where an investigation results in a finding that a person has engaged in unlawful conduct or breach of a policy or contract, that person may be disciplined (including and up to termination of employment or enrolment).

The type and severity of disciplinary action will depend on the nature of the complaint and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result disciplinary action. Any disciplinary action is a confidential matter between the affected individual/s and the College.

The main purpose of grievance resolution is to resolve issues between individuals in a supportive, fair and constructive way. Ident

í ó X ð The Decision Reviewer has the discretion not to proceed with the appeal which may include, but is not limited to the following:

where the application for review of the action was made more than one year after the action complained of, and there are no exceptional circumstances explaining this delay;

where the application for review of the action is frivolous or vexatious;

where the action or instruction was both lawful and reasonable (taking account of all the circumstances);

where the affected person has previously applied for review of the same action under these provisions;

where the affected person does not have sufficient direct personal interest in review of the action; and / or,

where there are alternative internal review procedures (including, but not limited to, disciplinary action, promotion, anti-bullying, sexual harassment or discrimination and action arising under the relevant occupational health and safety laws) in which case the complainant will be advised of the alternative procedure.

17.5 Upon receipt of an application for review, the Decision Reviewer will determine the most appropriate way to review the decision in accordance with the principles outlined above.

í ó X ò The Decision Reviewer may, dependent on circumstances and at their discretion, discuss the matter with the College Committee Chairperson.

17.7 Once the review is completed, the Decision Reviewer will advise the individual (and his/her manager as appropriate) of the decision. Options available to the Decision Reviewer include:

confirming the decision of the initial investigation;

undertaking further investigation of any new information made available;

varying the action;

setting the action aside and substituting a new action; or

dismissing the grievance as unsubstantiated.

í ó X ô If you are not satisfied with the outcome or the way in which the College has handled your complaint, you can contact the relevant governing body.

18. RELATED POLICIES AND PROCEDURES

Enrolment Terms and Conditions;

Privacy Policy;

Parent Code of Conduct;

Student Code of Conduct;

Child Safety Policy;

Child Safety Code of Conduct;

Grievance Procedure - Staff;

Grievance Procedure - Students; and

Customer Care Procedure - Parents.

19. MONITORING AND REVIEW

This policy will be reviewed as part of the College's three-year review cycle.

20. DOCUMENT HISTORY

Date	Author	Version
2021-09-13	ASC	1.0