



EAST PRESTON ISLAMIC COLLEGE

COMMUNITY GRIEVANCES POLICY

July 2023

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Last Review: July 2023	Constructed / Reviewed by: East Preston Islamic College on advice from Russell Kennedy Lawyers
Next Review: July 2025 (and every two years thereafter in accordance with the College's review cycle, or more frequently as required)	Approval Required: Leadership Team
	Approval Date: April 2023

1 Overview

- 1.1 East Preston Islamic College (the **College**) is committed to ensuring a safe and healthy environment characterised by tolerance and support, mutual respect and open communication, and which also respects differing learning styles and celebrates student achievements.
- 1.2 Part of this commitment involves ensuring the College community has access to processes that allow for grievances to be managed appropriately, promptly, fairly and in accordance with the principles of procedural fairness. The College is a working community and inevitably concerns, grievances, disputes or allegations of inappropriate or illegal behaviour arise.
- 1.3 This policy provides clear and transparent information about how a parent, student or other member of the College community (other than a staff member) can raise grievances about the College, staff conduct, a student's education and/or student wellbeing, and about how such grievances will be managed and resolved.
- 1.4 The College takes all complaints and concerns received from staff, parents, students and other complaints from outside of the College, seriously. Our aim is to ensure that grievances are handled objectively and with sensitivity. In doing so, we will seek to identify both the specific and (where applicable) systemic issues raised by a grievance (thereby enabling future improvements to be identified and implemented).

2 Scope

- 2.1 This policy applies to all activities and services provided by the College, including the Early Learning Centre, and a reference to the College is taken to include all of those activities and services.
- 2.2 This policy applies to all College Board members, staff, contractors, volunteers, visitors, parents/guardians, students and other members of the College community.
- 2.3 This policy does not apply to:
- (a) staff grievances, which should be raised in accordance with the College's *Staff Grievances Policy*;
 - (b) concerns about child abuse, reportable conduct and student safety, which will be addressed in accordance with the *Responding to Student Safety Concerns Policy*;
 - (c) legal matters, including requests for compensation, payment and redress.
- 2.4 To the extent that there are any inconsistencies between this policy and the College's other grievance policies and appendices, other than the *Responding to Student Safety Concerns Policy*, this policy shall prevail.

3 Guiding Principles

- 3.1 When raising a grievance with the College, a member of the College community can expect to:
- (a) be treated with respect and courtesy;
 - (b) have their grievance taken seriously, considered impartially (with consideration of any power imbalances) by an unbiased decision-maker, and dealt with on the merits in accordance with the principles of procedural fairness;
 - (c) have their grievance dealt with in a confidential and timely manner;
 - (d) have access to appropriate and easily understandable information regarding the grievance resolution process being followed by the College (including this policy);
 - (e) be supported by the College during the grievance handling process, with a focus on maintaining the emotional wellbeing of any students involved;
 - (f) be kept informed of the progress and outcome of the grievance;
 - (g) receive an outcome that is based on the information available to the College.
 - (h) not be victimised, or subjected to reprisal, for raising grievances in good faith.
- 3.2 In return, the College expects that a member of the College community who raises a grievance will:
- (a) treat others (including College staff, students and parents, both former and present) with respect and courtesy;
 - (b) raise grievances in the appropriate forum, having regard to the below framework, and as soon as possible after the event giving rise to the grievance has occurred;
 - (c) provide complete and factual information about the grievance;
 - (d) ask for assistance or further information as needed;
 - (e) act in good faith to achieve a reasonable outcome;
 - (f) be understanding and accepting of any outcome reached, being mindful that the College must sometimes manage the interests of a number of students and other individuals when making decisions, and may be privy to confidential information not known to the person raising the grievance.
- 3.3 Our aim is for the prompt resolution of concerns, ideally without there being a need for a formal complaint to be made. As the Board appoints the Principal to manage the day-to-day operations of the College, a review by the Chairman should be a last resort.
- 3.4 Timeframes listed in this policy are only a guide, and can vary due to the nature of the grievance and surrounding circumstances. Where timeframes set out in this policy cannot be met, the College will strive to communicate with the affected parties about the status of the grievance, and the steps taken (or to be taken) to progress a resolution.
- 3.5 Please note that the procedural steps outlined in this policy are intended to be conciliatory, non-adversarial, and non-legal. Steps will be implemented flexibly at the College's discretion, depending on the circumstances of each situation.

4 Procedural fairness

- 1.1 The framework set out in this policy and its attached schedules demonstrate how grievances raised with the College will be dealt with in a way that is procedurally fair to all involved parties.

5 Framework

- 5.1 The College's framework for responding to and managing grievances involves a three-step process, namely:

- (a) **Stage 1** – A concern is raised with the College.
- (b) **Stage 2** – A formal written complaint is made to the Principal.
- (c) **Stage 3** – A review by the Chairman is requested.

- 5.2 Further details about these stages are set out in **Schedule 1**.

- 5.3 Common considerations when the College is managing grievances are set out in **Schedule 2**.

6 Recommendations for initially raising concerns (Stage 1)

- 6.1 At first instance, you should raise your concerns directly with the College. The College must be aware of a concern and of its substance in order to address it.
- 6.2 The College believes that a concern is often best resolved closest to its source, and when a concern relates to a student, encourages concerns to be raised with the relevant classroom teacher in the first instance.
- 6.3 However, depending on the nature and severity of an issue, and whether the classroom teacher has a conflict of interest, concerns may instead be raised directly with a senior staff member (eg Heads of School). For guidance on who to contact at first instance, refer below.

Designated staff member	Nature of grievance
Per the <i>Student Grievances Policy</i> but typically, the student's Homeroom Teacher	Student-related matters
Enrolment Officer	Enrolment related matters
Per the <i>Student Grievances Policy</i> but typically, the student's Homeroom Teacher. Alternatively, the Imam, Heads of Schools, Vice Principal or Principal.	Student wellbeing matters
Head of Curriculum, Assistant Head of Curriculum	Curriculum matters and teaching matters
Head of School, Vice Principal, Human Resources	Staff related matters
The Principal	Staff related matters – Leadership Team

Human Resources, The Principal	Business operations or finance matters
The Chairman of the Board	Principal or a member of the Board matters

- 6.4 A student can directly raise concerns with their Homeroom Teacher or another trusted member of staff, in accordance with the *Student Grievances Policy*.
- 6.5 The following considerations are relevant prior to, and when, raising a concern:
- (a) Clearly identify the issue or problem prior to contacting the College.
 - (b) Decide whether the issue or problem is in the nature of a complaint, concern, enquiry or suggestion. This will help in finding a solution.
 - (c) Identify the party or parties involved.
 - (d) Consider the practical outcome you are trying to achieve (while being realistic and open to other outcomes and solutions).
 - (e) If there is more than one issue or problem, write a list so that you are adequately prepared and then decide which issue or problem matters most to you.
 - (f) Consider whether there are any interim measures you would like the College to consider whilst it makes enquiries about the issue or problem.
 - (g) Make an appointment to meet with the relevant staff member to discuss the concern – the best way to do this is to contact Reception to arrange a mutually convenient time for a telephone call or meeting. When contacting Reception, please identify yourself and the student concerned, the subject of your concern, identify the person you would like to speak with, and provide a brief description of the issue you wish to speak about (for example 'homework', 'enrolment decision (including appeals)', 'wellbeing' or 'grounds maintenance').
 - (h) Remain courteous and calm when conveying your concerns. The College is within its rights to terminate a conversation with the person raising the concern until such time that a courteous and calm conversation can continue.

SCHEDULE 1

Further details about the College's Grievances Resolution Procedure

Details		Comment
Stage 1: Raise the concern		
Step 1	Identify the concern	Clarify your concern: " <i>who, what, when, where, why, and how</i> ". Identify the outcome you are trying to achieve by raising your concern.
Step 2	Raise the concern	The College believes that a concern is often best resolved closest to its source and encourages concerns to be raised with the relevant classroom teacher in the first instance. Depending on the nature and severity of an issue, and whether the classroom teacher has a conflict of interest, concerns may instead be raised directly with a senior staff member (eg a Head of School, or another member of the College Leadership Team). However, that senior staff member may decide to delegate responsibility for dealing with the concern to another appropriate staff member (eg a Year Level Co-Ordinator).
Step 3	Acknowledgement	Once a concern is raised, the College will record (either by way of an electronic file note or written correspondence) the details of the concern including your name and contact details. The College's focus will be on understanding the nature of the problem, the party or parties involved, and the nature of any agreeable solutions.
Step 4	Response	When concerns are raised in accordance with this framework, the College will review the grievance. This process serves two key purposes. The first purpose is to ensure procedural fairness, including by allowing all relevant parties the chance be heard before the relevant decision-maker determines any outcomes. The second purpose is to ensure that the decision-maker has sufficient information to address all relevant considerations to be taken into account as part of the process.
Step 5	Outcome	Where an agreeable solution is available, this will usually be communicated in writing to you (being usually within three (3) business days of the outcome being reached). Where a mutually agreed outcome between the College and the person raising the concern is not appropriate, or possible, the staff member handling the concern will make a decision that best aligns with the College's procedures and legal obligations. This decision will be communicated in writing to you (being usually within three (3) business days of the outcome being reached), and the communication will be kept on the relevant student's (and if appropriate, staff member's) file.

	Details	Comment
Stage 2: Make a complaint		
Step 1	Make a complaint	<p>If you are not satisfied with the way your concern has been handled, you may choose to make a formal written complaint. Complaints should ordinarily be made within one (1) calendar month of the initial concern first being raised with the College.</p> <p>A formal complaint should at first instance be addressed to Principal. If the complaint concerns the Principal, the complaint should be made to the Chairman (see Stage 3), in which case the Chairman will manage the process outlined below.</p> <p>You may lodge a formal written complaint to the Principal in writing via post to 55 Tyler Street, Preston VIC 3072.</p> <p>You may also telephone Reception on (03) 9478 3323 to arrange a meeting. Please note that if phoning to arrange a meeting, Reception staff will take your details and endeavour to confirm a meeting time as soon as it is practicable to do so.</p>
Step 2	Acknowledge receipt	<p>The Principal will acknowledge receipt of the formal written complaint as soon as practicable (being usually within three (3) business days).</p>
Step 3	Review of complaint	<p>When dealing with a formal written complaint, the College's objective is to achieve a resolution by:</p> <ul style="list-style-type: none"> • Clarifying the substance of the complaint, and the steps taken by the College to address the initial concern. • Identifying whether the complaint raises an issue regarding non-compliance with the College's procedures. • Identifying whether the complaint raises an issue that would be more appropriately addressed under the <i>College's Responding to Student Safety Concerns Policy</i>. • Communicating with you and relevant parent(s), student(s) and staff, in an attempt to resolve the issue by agreement (where practicable). • Failing agreement, investigating the complaint and deciding appropriate outcomes in accordance with procedural fairness and natural justice principles. <p>The Principal may delegate parts of the complaint-management process, and seek the assistance of third parties, however any ultimate decision will still be made by the Principal.</p> <p>If the Principal or delegate arranges to speak with you, you may request to have someone else present as a support person. The support person can be a relative or a friend, but please note that the role of a support person is to provide you with support and not to act as an advocate.</p>

	Details	Comment
Step 4	Outcome	<p>The Principal or delegate will aim to communicate the outcome of a formal written complaint in writing within fifteen (15) business days where practicable.</p> <p>The Principal will promptly report any formal written complaints, and relevant outcomes, to the Board. This is part of the cyclical review and risk management process at the College.</p>

	Details	Comment
Stage 3 – Request a Review		
Step 1	Request a review by the Chairman	<p>If you are not satisfied that your formal written complaint has been adequately resolved by the Principal, you may request a review by writing to the Chairman by post at:</p> <p style="text-align: center;">Chairman 55 Tyler Street Preston VIC 3072</p> <p>Members of the College community who raise grievances with other Board members will be directed to follow the procedures set out in this policy (eg raising a complaint with the Principal or requesting a review by writing to the Chairman).</p> <p>Requests for review must be made in writing within ten (10) business days of the date the Principal communicated the outcome of your complaint in writing. The grounds for the review, and in particular any concerns you have with the way the relevant complaint was dealt with, must be clearly identified in the request for review.</p>
Step 2	Review	<p>Please note that in accordance with good governance, the Board entrusts the Principal with the day-to-day management of the College, and in particular its staff and students. The Principal is accorded significant discretion regarding such matters.</p> <p>Accordingly, any review of the Principal's decision under this policy will be confined to the Chairman deciding whether there is evidence that the College's procedures have not been followed, in a way likely to have meaningfully influenced the Principal's decision, or that the Principal unreasonably exercised his or her discretion.</p> <p>The Chairman may delegate parts of the review, or seek the assistance of third parties, however any ultimate decision will still be made by the Chairman.</p> <p>For the avoidance of doubt, the Chairman will not delegate to the Principal a review of a decision they have already made. However, if the Chairman is satisfied that a complaint has not been properly raised (or dealt) with by the Principal (and the Principal does not otherwise have a conflict of interest), the Chairman may refer the matter to the Principal to make an initial decision (noting that decision would then create a right to request a review).</p>
Step 6	Outcome	<p>The Chairman will aim to communicate the outcome of a request for review in writing within forty-five (45) business days where practicable.</p> <p>The Chairman will promptly report any requests for review, and relevant outcomes, to the Board.</p>

SCHEDULE 2

Relevant Considerations

1 Withdrawal of a Grievance

- 1.1 A grievance can be withdrawn at any stage during the processes outlined in this policy. A grievance can only be withdrawn by the person who made the complaint to the College.
- 1.2 Ideally, all grievances should be retracted in writing, however a dated notation on the College's systems, stating the grievance has been withdrawn verbally by the appropriate person can be made by a staff member at the College responsible for managing the grievance.
- 1.3 The College will notify affected parties if a grievance is withdrawn, where considered appropriate.
- 1.4 Regardless of a person's wish to withdraw a grievance, complaints that have disciplinary implications for a member of staff may still be followed up by the College.

2 Anonymous Grievances

- 2.1 The College is committed to dealing with grievances in accordance with the processes outlined in this policy. The College respects in some cases, complainants would prefer to remain anonymous and not put a name to their grievances.
- 2.2 The College treats grievances about the College, a staff member, a student's education, enrolment and/or a student's wellbeing with the utmost importance, and will investigate such grievances raised to the fullest extent practicable. However, anonymity can make it difficult for the College to effectively resolve grievances (particularly where the College is being asked to accept an anonymous source's version of events) and are accordingly discouraged.

3 Previously Addressed, Stale or Vexatious Grievances

- 3.1 Grievances that have been previously addressed by the College or externally, or which were not raised with the College within a reasonable period of time (having regard to the nature of the relevant grievance), will not be considered in the absence of highly relevant new information and/or evidence coming to light.
- 3.2 The College does not tolerate vexatious or malicious grievances.

4 External Grievances and Redress

The College acknowledges that grievances relating to the College can also be made to an external body, or be the subject of legal action. However, the College encourages its community to raise any grievances, and work to resolve such matters, in accordance with the procedures outlined in this policy.

5 Confidentiality

Appropriate confidentiality will be maintained by the College at all times when dealing with a grievance, with information only being provided to those who have a right or need to know.

Parties to a grievance raised in accordance with this policy are also expected to observe confidentiality, unless advised otherwise by the College. Should details of a grievance become widely known, it may be less likely that the matter will be resolved to the satisfaction of parties involved.

6 Communication

This policy is available to parents, students and the College community via the College's website. This policy (or aspects thereof) will also feature in communications to parents via the College's intranet, the College newsletters and bulletins as required.

7 Record keeping

The College will maintain an accurate record of grievances raised in accordance with this policy and any outcomes, including:

- (a) the grievances raised;
- (b) the process followed by the College in response;
- (c) the findings; and
- (d) the outcomes, and any learnings and reflections.

The College will also keep a separate record of grievances that are found to be vexatious or based on misinformation.