

# **RESOLVING GRIEVANCES**

## **FOR STUDENTS AND PARENTS**



**METHODIST  
LADIES'  
COLLEGE**

### **STATEMENT**

Methodist Ladies' College (MLC) is committed to providing a safe and healthy environment which values and encourages diversity. All students and their parents are expected to behave in accordance with the College Values and the student and parent Codes of Conduct.

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

The College understands that there may be occasions 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 parents to follow for resolving a grievance which gives rise to a complaint concerning the College. For the purposes of this Policy, 'parents' includes 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**

To establish clear and fair procedures for the raising and handling of complaints and grievances. To define informal and formal grievances and the appropriate process for dealing with each.

### **POLICY**

When differences of opinion or differences in behaviour cause offence, it is expected that individuals or groups will maintain open and honest dialogue, keep issues confidential where possible, avoid engaging authorities outside the College, and 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, unnecessarily escalating the matter prior to speaking first to the person concerned, and using bullying or harassment 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.

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, therefore 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 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 where the Principal considers the grievance to be unsubstantiated, vexatious, trivial, or regarding previously finalised issues.

If a grievance is lodged and is subsequently found to be frivolous or vexatious (e.g. the complaint has no merit or was made with malice), 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.

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.

## **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 appropriate flowcharts, available in the Handbook on the My MLC Portal, to assist with identifying the



appropriate person in different circumstances (i.e. Queries and Concerns for Boarding House Pastoral Care, Day Students Pastoral Care, and Curriculum Issues).

If it is not possible to discuss the matter directly with the person concerned, or the student and/or 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, 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 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 to make them aware of the complaint and:



- The staff member(s) will then be invited to respond at the time or within a reasonable timeframe;
- Other relevant parties, who were involved in the process, will also be invited to provide information.
- If the complaint is regarding the alleged misconduct of a staff member, a Deputy Principal will meet with the relevant staff member to inform them of the appropriate details of the complaint and the staff member will then be invited to then invited to respond at the time or within a reasonable timeframe.

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

The relevant Deputy Principal/CLT member will consider all material provided by the complainant, response of the staff member(s), and information of other relevant parties in making 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, should the complainant not be satisfied with the process.

During the appeal process, 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 another course of action is 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 their discretion, will decide on the most appropriate outcome 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.



## 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 MLC *Resolving Grievances Policy - Students and Parents* within 10 working days of the occurrence of a matter giving rise to a complaint or grievance regarding the College or educational agent. If the internal or external complaints handling or appeals process results in a recommendation in favour of the overseas student, the College will immediately implement this, and/or take preventative or corrective action required, and advise the overseas student of this action.

Where an internal appeal has taken place, a written statement of the outcome and the reasons will be given to the overseas student within 10 working days and will include information on the FFPOS right to access the FFPOS External Appeals process.

### FFPOS External Appeals Process

Where an internal appeal has been completed the FFPOS or their parent have a right to lodge an external appeal or complaint about the College's decision by contacting the Overseas Students' Ombudsman (website [www.ombudsman.gov.au/How-we-can-help/Overseas-students](http://www.ombudsman.gov.au/How-we-can-help/Overseas-students)). The Overseas Students' Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal if they believe that the College may have not followed the rules or treated the FFPOS fairly. Appeals might include fees and refunds, transfers, course progress or attendance, cancellation of enrolment, assessments, written agreements or other related matters.

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 MLC'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 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.



If the student chooses not to initiate the process an External Appeals Process 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 Commonwealth Department of Education 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.



### APPENDIX 2 - FORMAL GRIEVANCE FORM

<b>Complainant details</b>			
Name		Date lodged	
Address		Phone	
Address 2		Email	
<b>Regarding</b>		Nature of Grievance/Complaint	
<b>Incident details</b>		State <b>what</b> happened (facts), <b>when</b> (if more than one occasion then state all dates), <b>where</b> it happened and <b>who</b> was present and <b>what</b> you did about it and <b>what</b> were the consequences? [You can attach additional pages if you need more room]	
<b>Preferred Outcome</b>			





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)	