

CSV Complaints Resolution/Grievance Policy



Introduction

CSV Ltd (“CSV”) and its schools, Balcombe Grammar School, Clyde Grammar, and Casey Grammar School, seek to foster a culture within the school communities, which inspires and reinforces high standards of conduct and accountability.

External stakeholders, staff, students or other members of the school communities are entitled to make a complaint, whether informally or formally, if they perceive they have:

- experienced behaviour by staff, students or other school community members; or
- encountered a school process that is unsatisfactory or not in accordance with the company and school policies, values and expectations or not in accordance with Government regulation.

It is the responsibility of the School Principals, and ultimately the Board of CSV, to ensure that proper and transparent grievance processes are established to ensure that any complaints received are managed and resolved fairly, efficiently, promptly in line with company and school values, and in accordance with relevant legislation.

Policy Accessibility

This policy and its procedures must be accessible to all external stakeholders, staff, students and other members of the school communities and shall be made generally available to view on the schools’ portals and websites and provided by hardcopy if requested.

Policy Principles

Rights

All external stakeholders, staff, students or other members of the school communities are entitled to make a complaint, either informally or formally, in order to ensure a safe, respectful and caring environment is maintained within the schools.

Response time

All complaints will be responded to in a timely manner. They will be acknowledged within two working days and a grievance process will commence within seven working days of their receipt.

Confidentiality

The process of investigation will remain confidential and only involve the person or persons directly involved or witnesses of any incident/s in question.

Records

The outcomes of the grievance process will be provided as a written statement to all parties involved and will be kept and stored in an appropriate and secure manner.

Fairness

Investigations will be made on the basis of presumed innocence and will require defined evidence to substantiate any complaints.

Support

During the investigation process, the complainant and the respondent have the right to be represented or supported by another person of their choice.

Good faith

Complaints made in good faith will be treated respectfully and the company and schools will endeavour to support all parties involved. Victimisation will not be tolerated. Complaints found to be vexatious will be dismissed or viewed as misconduct

Process

- Complaints may be made informally by contacting the relevant staff member by email or in person. It may be possible to resolve the complaint by discussion, mediation or the instigation of a restorative process, facilitated by the School Principal. Members of the school communities are encouraged to raise complaints with the staff member closest to the issue of concern.
- A student, parent or staff member is entitled to make a formal complaint either if no satisfactory resolution was obtained after an informal complaint or if the matter is of sufficient seriousness for a formal complaint to be the first step.
- In the normal course, a formal complaint should be lodged in writing with the Principal of the School concerned. Special procedures apply when the complaint concerns the Principal, another member of the Executive Team ("ET") or a Member of CSV Board and this Policy deals separately with such complaints.
- Any formal complaint (other than about the actions or decisions of the Principal, another member of the ET or a Board Member of CSV) will result in an investigation and will be carried out under the direction of the Principal, or will be convened by a delegate of the Principal. Any investigation will be conducted in a fair and impartial manner.
- If a complaint is validated, appropriate action will be taken with reference to the relevant company and school policies.
- Where the grievance relates to a staff performance matter, principles of Due Process may apply.
- Should a complainant not be satisfied with the grievance process conducted by the Principal, or the application of company and school policies by the Principal, the complainant is entitled to seek review by the Chair of the CSV Board ("the Chair") and may do so by written request to the Chair stating the particular grounds why the complainant is not satisfied with the process conducted by the Principal. The Chair will review the processes undertaken and policies applied to ensure that these policies and procedures have been appropriately applied. Should any of these requirements not be evident, the Chair may, at its sole discretion, investigate the facts and require the Principal to revisit the case.
- If the matter still remains unresolved, then the individuals concerned or the Chair may refer the matter to the relevant body, such as Anti-Discrimination Commission, Fair Work Commission or Victorian Institute of Teaching for advice, representation or conciliation.

Ensuring procedural fairness

- If a formal complaint has been lodged against a person, that person will be informed of the nature and content of the complaint in writing and will have the right to respond. At the conclusion of any investigation, the person will have access to all unrestricted information regarding the complaint and the findings of the investigation.
- A mediation or restorative process may be instigated to assist in the resolution of a formal complaint if considered appropriate. This may be conducted by an external or internal facilitator, to be determined by the Principal in consultation with the complainant.
- During the course of any grievance process, final sanctions will not be determined until the review has been completed. However, the Principal retains the right to suspend a student or staff member should the matter under review be of sufficient severity and/or involve safety concerns.

Process where complaint concerns the Principal, another member of the ET or a Member of the CSV Board:

- Any formal complaint concerning the Principal, another member of the ET or a Board Member of CSV should be lodged, in writing, to the following address:

Private and Confidential

The Chairperson

CSV Ltd

PO Box 302

Cranbourne Vic 3977

Email: chairman@caseygrammar.vic.edu.au, or
chairman@balcombegrammar.vic.edu.au, or
chairman@clydegrammar.vic.edu.au

- If the complaint is about the Chair it should be forwarded to the Deputy Chair at the same address and for the purposes of this Policy, if a complaint is against the Chair all further references in this Policy to the Chair shall apply instead to the Deputy Chair.
- Any such complaint will result in an investigation carried out under the direction of the Chair, or will be convened by a delegate of the Chair. Any investigation will be conducted in a fair and impartial manner.
- If a formal complaint has been lodged against a person, that person will be informed of the nature and content of the complaint and will have the right to respond. At the conclusion of any investigation, the person will have access to all unrestricted information regarding the complaint and the findings of the investigation.
- A mediation or restorative process may be instigated to assist in the resolution of a formal complaint if considered appropriate. This may be conducted by an external or internal facilitator, to be determined by the Chair in consultation with the complainant.
- During the course of any grievance process, final sanctions will not be determined until the review has been completed. However, the Chair may suspend the person concerned should the matter under review be of sufficient severity and/or involve safety concerns. Any such suspension must be referred to the CSV Board as soon as practicable for ratification or reversal.
- If a complaint is validated, appropriate action will be taken with reference to the relevant company and school policies.
- Where the grievance relates to a staff performance matter, principles of Due Process may apply.
- If the matter still remains unresolved, then the individuals concerned or the Chair may refer the matter to the relevant body, such as Anti-Discrimination Commission, Fair Work Commission or Victorian Institute of Teaching for advice, representation or conciliation.

As a general rule CSV and its Schools will not accept anonymous complaints and will do so only at the discretion of the School Principal or the Board (as the case may be) having regard to the nature and seriousness of the complaint and whether there is sufficient information for an investigation to be conducted. Possible exceptions to the general rule include matters which involve significant personal welfare issues or a serious abuse of power where the identity of the person making the claim is not always essential for the proper investigation of such a complaint. Any complaint relating to child abuse, whether anonymous or attributed, will be investigated.

For the avoidance of doubt, this Policy and process is not intended to apply in relation to any decision or policy of the CSV Board and should an external stakeholder, staff member, student or other member of the school communities wish to query or express concern about such matters they may do so, in writing, to the Board which correspondence will be considered by the Board in the proper course of its business.

Relevant Definitions

Victimisation means treating someone unfairly because that person, or someone with whom they associate, has made, or intends to make, a complaint under this policy. It is unlawful to victimise or penalise a person for making a complaint in good faith.

Vexatious Complaint means inaccurate, misleading, malicious or false accusations that are not substantiated or do not constitute reasonable grounds for complaint.

Grievance means a complaint or concern where the individual wishes to obtain an action or response from the school or the company.

Mediation means a process which assists the complainant(s) and respondent(s) to reach a solution that is satisfactory to all parties.

Restorative Practice means an approach to restoring and repairing relationships where harm has been done by one party towards another.

Policy History

This policy was created in May 2014 and amended in October 2019. The policy will be formally reviewed in three (3) years or when required, to ensure that it is achieving its purpose in an effective manner.

Review

This policy is to be reviewed no later than October 2022.

Board approved:

17 October, 2019.