



Grievances and Disputes Policy

Rationale

At St John the Apostle School we foster the recognition of Jesus in each other, respect for the dignity of each person, and actions grounded in Gospel values. It is the policy of the school to maintain a fair, safe and productive educational environment, where grievances are dealt with in a responsible, open and timely manner. An essential part of developing that environment is ensuring that members of the community are encouraged to come forward with their grievances in the knowledge that appropriate action will be taken to resolve those grievances. The school is committed to the fair resolution of grievances at all levels and using an efficient, transparent, impartial and accessible grievance handling process.

Aims

The aims of St John the Apostle's Grievances and Disputes Policy are to:

- Contribute to an environment that respects the dignity of individuals and supports their well-being.
- Resolve grievances and disputes promptly and equitably.

Agreed Practice

Grievance and Dispute Handling – Employee with Management

This section sets out the procedures to be followed where an issue of grievance or dispute arises between a staff member and a member of the School Executive or the School Principal.

Stage One

- A staff member should raise any concerns with the Principal, in the first instance, with the aim of resolving any issues as soon as possible.
- In drawing issues to the attention of the Principal, the staff member may either do this in person or in writing.
- When meeting with the Principal, the staff member is entitled to be accompanied by another person of his/her choice from the staff of the school.
- Should the staff member choose to be accompanied as provided, then the Principal may choose to have another member of staff present.
- Any person present at an interview between a staff member and the Principal is free to take notes.
- In any such interview between a staff member and a Principal or member of the School Executive, the staff member will inform the Principal or member of the School Executive of the nature of the problem and the

Principal or member of the School Executive is to be given an opportunity to respond.

- Should the matter of grievance not be resolved at this meeting the matter may progress to Stage Two.

Stage Two

- Should the matter not be resolved between the staff member and the Principal or member of the School Executive in the first instance, it may be referred to the Head of Human Resources at the Catholic Education Office who will assist the parties in resolving the matter. Should the staff member be a member of a union, then the staff member may request the assistance of the appropriate union in resolving the matter.
- The Head of Human Resources at the Catholic Education Office may allocate the matter to another officer of the CEO for action.
- Should it be necessary for meetings to be held in an attempt to resolve the matter, the procedures outlined above shall apply.
- As soon as practicable after the final meeting, but ordinarily not more than five working days after the final meeting, the Head of Human Resources will confirm in writing the agreed outcome. The matter, having been brought to a satisfactory conclusion, is now finalised.

Stage Three

- If notwithstanding the taking of the steps referred to in Stage One and Stage Two above, the grievance or dispute has not been resolved within a reasonable time, either the employee or the union may refer the matter to the Industrial Relations Commission for resolution.
- Nothing in the above procedures shall in any way limit a union's representative the right to interview the Principal or the CEO representative in an effort to resolve the grievance or dispute.

Grievance and Dispute Handling – Management with an Employee

This section sets out the procedures to be followed where a problem arises with respect to a staff member's performance of his/her duties.

Stage One

- All problems which arise within a school in relation to a staff member may be discussed within the school by the Principal and the staff member with a view to their resolution.
- Any such problem which is discussed within the school (whether regarded at that stage as having been satisfactorily resolved or not) may again become relevant where the problem continues to exist or if further problems develop.
- It is not essential in the school context for all problems to be brought to the staff member's attention in writing.
- Where a Principal seeks to interview a staff member in relation to a problem, the staff member may be accompanied by another person of his/her choice from the staff of the school.
- Where a problem has been brought to the Principal's attention or a complaint (written or verbal) has been made by parents, pupils or other

staff members, the staff member must be informed of the nature of the complaint. Anonymous complaints will not be acknowledged.

- Any person present at an interview between a Principal and a staff member is free to take notes. Should the Principal choose to make a record in writing of the interview, a copy of this record should be furnished to the staff member as soon as practicable thereafter. In no circumstances is the staff member to be asked or required to sign any such record of interview.
- In any such interview between a Principal and a staff member the Principal will inform the staff member of the nature of the problem and the staff member is to be given an opportunity to respond.
- Any specific instructions given to the staff member by the Principal, are to be confirmed in writing by the Principal to the staff member. These instructions should include any strategies to assist the staff member to overcome the problem and the period of time in which those strategies are expected to lead to a resolution of the problem.
- If, during this process, it is necessary for a Principal to warn, censure or reprimand the staff member, any such action must be followed up in writing to the staff member and a copy placed on the staff member's file in the school.
- Where, in the opinion of the Principal, the problem is so immediate and serious that Stage One cannot be applied or where a problem remains unresolved after the application of Stage One, the Principal shall refer the matter to the Director of the Catholic Education Office.

Stage Two

- The Director of the Catholic Education Office will advise the staff member in writing that the matter has been referred by the Principal.
- If the Director of the Catholic Education Office determines that an officer from the CEO will interview the staff member concerned, the Director will advise the staff member that such an interview is to take place. The advice will normally be in writing and will indicate the time and the place of the interview, the nature of the matters to be discussed and who may be expected to be present.
- Providing the staff member gives his/her permission, the CEO will also advise the appropriate union that the interview is to take place. Where the staff member himself/herself chooses to inform a union of the interview, and indicates such choice to the CEO, the appropriate union will inform the CEO of such a choice.
- The staff member may be accompanied at such interview by another person of his/her choice from the staff of the school who may be the union representative in the school or the staff member may be accompanied by a union officer.
- Any person present at the interview is free to take notes. The CEO officer will ensure that a written record of the interview is made and a copy of this record will be furnished to the staff member as soon as practicable thereafter. In no circumstances is the staff member to be asked or required to sign any such record of interview.

- During the interview, the CEO officer will inform the staff member of the nature of the problem referred by the Principal to the Director of the Catholic Education Office, and will show to the staff member any written allegations, complaints or reports pertinent to the matter. The staff member will be given an opportunity to respond.
- If the CEO officer determines to conduct further interviews with the staff member the above procedures shall also apply to such interviews.
- As soon as practicable after the final interview, but ordinarily not more than five working days after the interview, the staff member will be informed in writing by the Director of the Catholic Education Office or by the CEO officer who conducted the interview(s) that:
 - no further action is necessary; or
 - there is a need for improvement in the staff member's performance and the matter will be reviewed at a later date; or
 - there are specific matters which have caused concern and that any recurrence of those matters may result in further action being taken by the employer; or
 - steps will be taken to make available to the staff member appropriate advisory or counselling services; or
 - the staff member is to be disciplined and the nature of such disciplinary action; or
 - such other steps as regarded appropriate by the employer are to be taken.
- Where the staff member is advised that his/her performance is to be reviewed at a later date, the Director of the Catholic Education Office or the CEO officer who conducted the interview(s) will inform the staff member in writing of:
 - the aspects of the staff member's performance to be reviewed and the nature of the improvement required;
 - the method that will be used to conduct the review;
 - the name(s) of the person(s) who will carry out the review; and
 - the nature of any special assistance that will be made available to the staff member during the course of the review.
- At the end of the period of review as mentioned in 3.9 above, the staff member will be advised in writing that:
 - the process of review has been completed and that the required improvement in the staff member's performance has been achieved; or
 - the process of review is to be extended; or
 - the process of review has been completed and that the required improvement in the staff member's performance has not been achieved.

Stage Three

- If notwithstanding the taking of the steps referred to in Stage Two, the grievance or dispute has not been resolved within a reasonable time, either the employer or the union may refer the matter to the Industrial Relations Commission for resolution.

- Nothing in the above procedures shall in any way limit or exclude the employer's right of summary dismissal.
- Nothing in the above procedures shall in any way limit a union representative's right to interview the Principal or the CEO representative.

Resources

CEO Grievance and Dispute Handling – Employee with Management Policy:
http://www.ceo.cangoul.catholic.edu.au/policies/grievance_w_management.htm

CEO Grievance and Dispute Handling – Management with an Employee Policy:
http://www.ceo.cangoul.catholic.edu.au/policies/grievance_w_employee.htm

Related Policies / Agreed Practices

Communication Policy
 Complaints Resolution Policy
 Harassment Policy
 Responding to Allegations Agreed Practice

Review

The St John the Grievances and Disputes Policy is reviewed at least once each five years in line with current Registration practices. It may also be reviewed more often according to the need and educational trends.

Reviewed by:	Matthew Egan-Richards
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Approved by:	School Executive
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