

## PR-PHW-301 Dispute resolution procedure

### Purpose

The purpose of this procedure is to provide a clear framework for dealing with student, parent and employee disputes in a responsive, efficient, effective and fair way.

Parklands Christian College is committed to managing disputes according to the principles outlined in the school's Dispute Resolution Policy.

### Lodging a Dispute

Parklands Christian College encourages students, parents and employees to promptly lodge concerns regarding sexual harassment, discrimination, workplace bullying, privacy breaches and non-compliance with child protection processes as well as more general complaints.

To ensure transparency and fairness is promoted throughout the grievance resolution process; it is important that any party wishing to commence grievance resolution discussions do so by directing any initial communications to the most appropriate person.

Parties to a dispute are therefore encouraged to meet together before engaging in communication with uninvolved persons (see Appendix 1) to resolve issues prior to involving additional persons.

Where a dispute arises, parties are guided by the following standards for fair and transparent communication:

1. The full details of the grievance are made known to the other party in a timely manner.
2. Details of the issue are not conveyed to uninvolved persons without the acceptance and understanding of both parties to the dispute.
3. Adequate time is given from notification of a dispute issue to when resolution meetings are planned to occur.
4. Both parties give fair and reasonable consideration to the issues raised by either party to the dispute.
5. Communications conveying the nature of a grievance are made without elements of intimidation, threat or slander; but are focused on detailing actual events leading to the grievance.

### Steps of Grievance Resolution

The grievance resolution process comprises of five steps (see Appendix 1); representing an increasing level of formality.

#### Step 1- Informal Discussion:

As soon as possible, where disputes first arise, concerned parties are encouraged to meet and discuss the issues at hand through private discussion at their own arrangement without the involvement of a mediator. While no official record is required to be kept at these discussions, both parties are encouraged to keep diary notes of the matters with specific detail to any agreements reached upon.

This step may be repeated a number of times until it becomes clear that resolution cannot be reached via informal discussion.

If the matter is not resolved, the grievance should be taken to the next appropriate level of authority.

### **Step 2- Informal Facilitated Discussion:**

Where resolution cannot be reached between concerned parties by means of their own direct informal discussion, a facilitator may be sought to assist bringing about a resolution.

As per step 1, no formal records are kept of discussions. The facilitator (usually HoS or area supervisor) will act to encourage both parties to reach an agreement through promotion of constructive discussion, focused on reaching a resolution. It is advisable that informal records are kept of matters discussed and any agreements reached.

### **Step 3- Formal Discussion:**

Where an agreement cannot be reached through previous resolution stages; formal discussion and counselling will take place. The Principal (or Board Chairperson in the case of a dispute with the Principal) is to be informed of the disagreement.

Detailed notes of these formal discussions are required; including any commitments or undertakings given by either party to the dispute. At the conclusion of formal discussions, both parties are encouraged to sign and retain a common record of discussions. The College will retain a secure copy of records in the Principal's office as per the Parklands Christian College Workplace Grievance Forms

Mediators to formal discussions are to be selected with the mutual acceptance of both parties to the dispute and while promoting a resolution; remain impartial throughout any formal meetings and discussions.

### **Step 4- Formal Mediation:**

Where a dispute cannot be resolved through previous stages; formal mediation is used in an attempt to reach a compromise outcome. Formal mediation can be invoked upon a grievance issue by the Principal, Board or any party to the dispute.

An independent person, as agreed upon by both parties and the College Principal, is asked to formally mediate in the dispute. The mediator will ensure full documentation of details pertaining to the dispute for report to the Board.

It is expected that both parties at this stage are committed to reaching a satisfactory compromise solution, and would therefore provide their compliance to any reasonable recommendations provided by the mediator as resolution to the dispute.

### **Step 5- External Arbitration:**

Where no agreement can be reached via any stage of the grievance resolution process; the matter can be directed to formal avenues of lawful arbitration. Each party is responsible for costs incurred.

## **Managing a Dispute**

Parties to a dispute are strongly encouraged to meet together to resolve the dispute before seeking additional support (see Appendix 1).

Where additional persons are required to engage the parties of the dispute shall involve their direct supervisor; if an after informal facilitated discussion resolution is still not reached the relevant Head of School should be informed.

The Head of School is responsible for managing the Dispute Resolution Process, including reporting timely and non-biased information to the Principal and College Board.

## Remedies

Mediation, negotiation and informal resolution are optional alternatives to investigation.

## Referral or Review

Where relevant the dispute may be referred to a Head of School, Principal, College Board or to an external mediation service.

## Records

Records shall be kept in accordance to Parklands Christian College Privacy Policy.

## Implementation

Parklands Christian College is committed to raising awareness of the process for resolving disputes at the school, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

Parklands Christian College is also committed to appropriately training relevant employees (especially senior staff) on how to resolve disputes in line with the Dispute Resolution Policies and the related procedures.

Parklands Christian College will keep appropriate records of disputes, will monitor disputes and their resolution and will report on a high-level basis to the school Board on dispute resolution at the school.

Parklands Christian College will act to encourage students, parents and employees to contribute to a healthy school culture where disputes are resolved with as little formality and disruption as possible.

## Communication and Training

Executive staff and area coordinators/supervisors shall be provided with annual training by relevant Head of School in regard to applying the Dispute Resolution Policies and Procedures, including the appropriate documentation and recording using the Workplace Grievance Prevention Form.

## Roles and Responsibilities

### Principal/Head of School

The school has the following role and responsibilities:

- a. Develop, implement, promote and act in accordance with the school's Dispute Resolution Policy and procedures
- b. Appropriately communicate the school's Dispute Resolution Policy and procedures to students, parents and employees
- c. Upon receipt of a dispute, manage the dispute in accordance with the Dispute Resolution model prescribed in the procedures
- d. Ensure that appropriate support is provided to all parties to a dispute
- e. Take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them
- f. Appropriately implement remedies

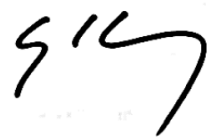
- g. Appropriately train relevant employees
- h. Keep appropriate records
- i. Monitor and report on disputes

### **All Parties to a Dispute**

The complainant and respondent have the following role and responsibilities:

- a. Apply and comply with the school's Dispute Resolution Policy and procedures
- b. Lodge disputes promptly as soon as possible after the issue occurs or as otherwise appropriate
- c. Expect that the dispute will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that natural justice principles will be observed wherever practicable; that confidentiality and privacy will be maintained as much as possible
- d. Provide complete and factual information in a timely manner
- e. Not provide deliberately false or misleading information
- f. Not make frivolous or vexatious complaints
- g. Act in good faith, and in a calm and courteous manner
- h. Show respect and understanding of each other's point of view and value difference, rather than judge and blame
- i. Act in a non-threatening manner
- j. To be appropriately supported
- k. Acknowledge that a common goal is to achieve an outcome acceptable to all parties
- l. Recognise that all parties have rights and responsibilities which must be balanced
- m. Maintain and respect the privacy and confidentiality of all parties
- n. Not victimise or act in reprisal against any party to the dispute or any person associated with them



<b>Category</b>	<input type="checkbox"/>	Business excellence and governance	BEG
	<input checked="" type="checkbox"/>	People, health & well-being	PHW
	<input type="checkbox"/>	Students	STU
	<input type="checkbox"/>	Infrastructure, material resources & environment	INF
	<input type="checkbox"/>	Staff	STA
	<input type="checkbox"/>	Learning	LEA
	<input type="checkbox"/>	School community	COM
	<input type="checkbox"/>	Emergency response	EMR
<b>Related policy</b>	PO-PHW-300	Dispute resolution policy	
<b>Related forms</b>			
<b>Legislation</b>			
<b>Procedure owner</b>	Principal	<b>Authorised by</b>	
<b>Date</b>	12.06.2024	<b>Next review date</b>	July 2025
<b>Distribution</b>	<input type="checkbox"/> Board members	<input type="checkbox"/> Teaching staff	
	<input type="checkbox"/> Administration staff	<input type="checkbox"/> Student services	
<b>Risk category</b>	<b>HIGH</b>	<b>MEDIUM</b>	<b>LOW</b>
<b>Revision cycle</b>	<b>1 year</b>	<b>2 years</b>	<b>3 years</b>
<b>Revision history</b>	Version number	Date	Version number
	0.1	July 2024	3.0
	1.0		4.0
	2.0		5.0