

# Dispute Resolution Policy

<b>Purpose:</b>	The purpose of this policy is to ensure that student, parent and employee disputes are dealt with in a responsive, efficient, effective and fair way.	
<b>Scope:</b>	Students, parents and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.	
<b>Status:</b>	Final	<b>Supersedes:</b> All previous Dispute Resolution Policies
<b>Authorised by:</b>	Board Chair	<b>Date of Authorisation:</b> February 2018
<b>References:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Education (Accreditation of Non-State Schools) Regulations 2001</a></li> <li>• <a href="#">Australian Education Regulations 2013</a></li> <li>• <a href="#">Fair Work Act 2009</a></li> <li>• <a href="#">Work Health and Safety Act 2011 (Qld)</a></li> <li>• <a href="#">Privacy Act 1988 (Cth)</a></li> <li>• <a href="#">Anti-Discrimination Act 1991 (Qld)</a></li> <li>• <a href="#">Australian Human Rights Commission Act 1986 (Cth)</a></li> <li>• <a href="#">Sex Discrimination Act 1984 (Cth)</a></li> <li>• <a href="#">Age Discrimination Act 2004 (Cth)</a></li> <li>• <a href="#">Disability Discrimination Act 1992 (Cth)</a></li> <li>• <a href="#">Racial Discrimination Act 1975 (Cth)</a></li> <li>• Latest Enterprise Bargaining Agreement</li> <li>• Stuartholme Work Health and Safety Policy</li> <li>• Stuartholme Privacy Policy</li> </ul>	
<b>Review Date:</b>	Annually	<b>Next Review Date:</b> February 2019
<b>Policy Owner:</b>	School Governing Body	

### Policy Statement

Stuartholme is committed to ensuring that student, parent and employee disputes are dealt with in a responsive, efficient, and effective and fair way.

Stuartholme views complaints and disputes as part of an important feedback and accountability process. Stuartholme acknowledges the right of students, parents and employees to complain when dissatisfied with an action, inaction or decision of the school and the school encourages such feedback. Stuartholme recognises that time spent on handling disputes can be an investment in better service to students, parents and employees.

### Types of Disputes that may be Resolved under this Policy

Stuartholme encourage students, parents and employees to promptly lodge concerns regarding sexual harassment, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- the school, its employees or students have done something wrong
- the school, its employees or students have failed to do something that they should have done
- the school, its employees or students have acted unfairly or impolitely
- issues of student or employee behaviour that are contrary to their relevant code of conduct
- learning programs, assessment and reporting of student learning
- communication with students or parents or between employees
- school fees and payments
- general administrative issues.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

### Issues Outside of this Policy

The following matters are outside of the scope of this policy and should be managed as follows:

- Child protection concerns or risks of harm to children should be dealt with in accordance with the law and the school's Child Protection Policy.
- Student bullying complaints should be dealt with under the Student Behaviour and Positive Expectations Policy.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Student Behaviour and Positive Expectations Policy.
- Employee complaints related to their employment should be directed to their supervisor.
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate.

### Dispute Resolution Principles

Stuartholme is committed to managing disputes according to the following principles:

- disputes will be resolved with as little formality and disruption as possible
- disputes will be taken seriously
- anonymous complaints will be treated on their merits like any other dispute when possible
- disputes will be dealt with fairly and objectively and in a timely manner

- mediation, negotiation and informal resolution are optional alternatives to investigation
- procedural fairness will be ensured wherever practicable
- natural justice principles will be observed wherever practicable
- confidentiality and privacy will be maintained as much as possible
- all parties to the dispute will be appropriately supported
- all parties are entitled to reasonable progress updates
- appropriate remedies will be offered and implemented
- a review mechanism will be offered
- complainants, respondents and people associated with them will not be victimised as a result of lodging the dispute nor will they suffer any other reprisals
- the school will keep confidential records of disputes.

## Responsibilities

### School

The school has the following role and responsibilities:

- develop, implement, promote and act in accordance with the school's Dispute Resolution Policy and procedures
- appropriately communicate the school's Dispute Resolution Policy and procedures to students, parents and employees
- upon receipt of a dispute, manage the dispute in accordance with the Dispute Resolution model prescribed in the procedures
- ensure that appropriate support is provided to all parties to a dispute
- take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them
- appropriately implement remedies
- appropriately train relevant employees
- keep appropriate records
- monitor and report on disputes.

### All Parties to a Dispute

The complainant and respondent both have the following role and responsibilities:

- apply and comply with the school's Dispute Resolution Policy and procedures
- lodge disputes promptly as soon as possible after the issue occurs or as otherwise appropriate
- 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
- provide complete and factual information in a timely manner
- not provide deliberately false or misleading information
- not make frivolous or vexatious complaints
- act in good faith, and in a calm and courteous manner
- show respect and understanding of each other's point of view and value difference, rather than judge and blame

- act in a non-threatening manner
- to be appropriately supported
- acknowledge that a common goal is to achieve an outcome acceptable to all parties
- recognise that all parties have rights and responsibilities which must be balanced
- maintain and respect the privacy and confidentiality of all parties
- not victimise or act in reprisal against any party to the dispute or any person associated with them.

### Employees Receiving Disputes

Employees receiving disputes have the following role and responsibilities:

- act in accordance with the school's Dispute Resolution Policy and procedures
- inform the party lodging the dispute of how disputes can be lodged, when they should be lodged and what information is required
- provide the complainant with information about any support or assistance available to assist them in lodging their complainant
- provide the complainant with a copy of the school's Dispute Resolution Policy and procedures
- maintain confidentiality
- keep appropriate records
- to forward complaints to more senior employees, including the Principal, as appropriate
- to be appropriately supported
- not victimise or act in reprisal against the complainant, respondent or any person associated with them.

### Implementation

Stuartholme 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.

Stuartholme is also committed to appropriately training relevant employees (especially senior staff) on how to resolve disputes in line with this policy and the related procedures.

Stuartholme 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.

Stuartholme 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.