



# CHRISTIAN SCHOOLS EVENTS NETWORK GRIEVANCE POLICY

DATE OF POLICY IMPLEMENTATION: MAY 2020

DATE OF NEXT MAJOR REVIEW: FEBRUARY 2025

APPROVAL AUTHORITY: CSEN COMMITTEE

GOVERNING AUTHORITY: CSEN BOARD

RESPONSIBLE OFFICER: CSEN EXECUTIVE OFFICER

## BACKGROUND

It has been recognised that whilst the CSEN Code of Conduct sets out the required code of conduct for behaviour of all staff of member schools, as well as the CSEN Board, there still needed to be a policy developed for how to handle breaches of this Code of Conduct in terms of disciplinary matters. It was also felt that a mechanism for handling grievance should also be formalised.

These guidelines aim to have any grievance settled privately between the two parties if possible. A process for further action has been set up if needed. It is also your right to seek help from outside CSEN.

Communication and resolution processes should always be based upon parties acting in good faith, exercising good judgement, being honest and open and focussing on the issue and not the person.

Each complaint is to be dealt with on its specific circumstances and merits and any settlements reached through the process will not constitute any binding precedent for future cases.

In dealing with the complaint, informally or formally, every reasonable effort should be made to ensure that natural justice is afforded to all parties.

This means in practical terms:

- Subject to any duty of care or other legal obligations, respondents should normally be informed of all allegations and the basis for and the specific circumstances which give rise to the complaint.
- The right of all parties to be heard and to put forward their case.
- Investigations must be taken thoroughly and expeditiously.
- Only matters relevant to the complaint under consideration should be taken into account.
- As far as is possible or appropriate, confidentiality will be respected and maintained by all parties throughout the resolution process. The people involved will only be informed on a need-to-know basis because they are tasked with dealing with the complaint, advising how it should be handled, or they are responsible for providing information such as witness statements, or where legal requirements determine that the matter is to be reported.

It is recognised that the application of the principles of procedural fairness can vary, depending upon the context and nature of the complaint and the nature of the response sought.



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## LOGGING A COMPLAINT

The following principles will apply to the lodging of a complaint.

- The health, safety, and wellbeing of all members of CSEN remain the highest priority.
- People are entitled to lodge a complaint.
- Complaints should be lodged in good faith and without frivolous, malicious or vexatious intent.
- The complaint will be heard promptly and will be taken seriously.
- The right to complain will be affirmed and the complainant will not be pressured in any way.
- CSEN will make every reasonable effort to ensure a person lodging a complaint will not be treated unfairly or victimised because of the grievance.
- All resolution policies and processes acknowledge and value different perspectives and will operate under the principles of impartiality, promptness, and protection from victimisation.
- The complainant will be reminded that this policy does not remove the right of any person lodging a complaint to proceed to an external body or authority.

The CSEN Executive Officer or their appointed delegate has the responsibility for investigating complaints of discrimination, harassment, bullying, vilification, and victimisation.

## INTERNAL RESOLUTION

CSEN supports wherever possible an informal, amicable, and equitable resolution of a serious complaint through discussions, mediation and/or conciliation to achieve an agreed course of conduct and behaviour aimed at enabling all parties to continue free from harassment and retribution.

Complainants are encouraged to firstly, and where practicable, seek to resolve a complaint informally. Formal procedures for the resolution of a complaint will normally be invoked when a matter cannot be resolved by informal means.

## FORMAL COMPLAINTS

A formal complaint should be made in writing to CSEN and addressed to either the CSEN Executive Officer or the CSEN Board. It would normally be dealt with in the following manner:

- Discussing the complaint in a private location.
- Allowing the complainant to tell the whole story.
- Affirming the right to complain.
- Acknowledging the complainant's concerns.



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- Appropriate notes of each key point will be taken, repeating them to the complainant and asking whether they represent an accurate record of the allegations.
- Show empathy with the complainant's emotion but reserve the right to request the complainant to be civil or terminate the interview.
- Avoiding immediate judgements or debate or becoming defensive or angry in the early stages of discussion.
- The complainant will be asked what he or she wishes to achieve in terms of resolution.
- Options will be explored, and a plan of action devised.
- The issue of confidentiality will be raised. Who should be informed about the complaint will be discussed.
- Offer time to the complainant to reconsider.
- Implementation of the agreed action. The complaint will be investigated to work out whether it is more likely the behaviour happened than not and, if so, how serious it is.
- A response will be given within the timeline set and the decision will have reasons given.
- Where the person responsible for handling the complaint is satisfied that a complaint of unacceptable behaviour is false and either malicious, vexatious, or mischievous, serious consideration will be given to disciplinary or administrative action against the complainant.

### REFERAL TO A HIGHER AUTHORITY

If a complaint is not resolved to the satisfaction of the complainant via the means outlined previously in this policy, the complainant may choose to take no further action, or to refer the complaint to chair of the CSEN Board.

The chair will attempt to resolve the serious complaint using the means outlined in this policy. If the action taken by the chair is unable to resolve the complaint, the complainant may choose to take no further action, or to refer the matter to outside authorities.

\*In instances where the complaint is regarding the CSEN Executive Officer, this should be put in writing, addressed to the CSEN Board and sent to [cse@csen.au](mailto:cse@csen.au) to be forwarded to the CSEN Board Chairperson.

### PROVEN COMPLAINTS

If proven, the consequences related to the complaint may include counselling, or other such disciplinary action as is necessary.

CSEN will monitor how the complaint was resolved and the wellbeing of those involved. Further action will be taken if the problem behaviour continues.



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## DOCUMENTATION

While the detail and formality of record keeping may vary according to each issue, appropriate documentation should be maintained.

Records will need to be kept if further disputation occurs or in the case of future legal action. Details such as dates, names, contacts, statements, relevant files, staff involved, and outcomes should be recorded.

Records should be kept by the CSEN EO.

## ANONYMOUS COMPLAINTS

Complaints from an anonymous source will be investigated as practicably as is possible. However, it is difficult to undertake a thorough investigation and resolution if the complainant cannot be identified or does not want information to be passed to the relevant people. Complainants are therefore encouraged to identify themselves.

## CONFIDENTIALITY AND MANDATORY REPORTING

CSEN will treat a complaint with respect and sensitivity. However, a complainant should not assume communications with the CSEN, or any documents supplied, will necessarily be kept confidential. Although CSEN will endeavour to deal with complaints with appropriate discretion, it reserves the right to disclose details of the matter to other persons who, in their opinion, need to know them in order to facilitate the resolution of the complaint. In such cases as Mandatory Reporting the matter will be reported to the relevant authorities.

## WITHDRAWING A COMPLAINT

A complaint can be withdrawn at any stage. If a complaint is withdrawn, the matter will be deemed to be closed.

## CSEN EXECUTIVE OFFICER

Should the CSEN Executive Officer have a grievance with a School Sports or Cultural Coordinator, they will follow this policy first, then work with the CSEN Board chair, before contacting the Member School Principal if required.

## WHERE THIS POLICY CAN BE FOUND

A copy of this policy can be found on the CSEN website.