

HORIZONS COLLEGE – POLICY & PROCEDURE

DISPUTE RESOLUTION POLICY



Purpose: The purpose of this policy is to ensure that any disputes involving students, parents/caregivers and employees are dealt with in a responsive, efficient, effective and fair way.

Scope: 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.

- References:**
- [Education \(Accreditation of Non-State Schools\) Regulations 2017](#)
 - [Australian Education Regulations 2013](#)
 - [Fair Work Act 2009](#)
 - [Work Health and Safety Act 2011 \(Qld\)](#)
 - [Privacy Act 1988 \(Cth\)](#)
 - [Anti-Discrimination Act 1991 \(Qld\)](#)
 - [Australian Human Rights Commission Act 1986 \(Cth\)](#)
 - [Sex Discrimination Act 1984 \(Cth\)](#)
 - [Age Discrimination Act 2004 \(Cth\)](#)
 - [Disability Discrimination Act 1992 \(Cth\)](#)
 - [Racial Discrimination Act 1975 \(Cth\)](#)
 - [Educational Services Award 2010](#)
 - Horizons College Child Protection Policy
 - Horizons College Work Health and Safety Policy
 - Horizons College Anti-Discrimination Policy
 - Horizons College Sexual Harassment Policy
 - Horizons College Disability Policy
 - Horizons College Workplace Bullying Policy
 - Horizons College Privacy Policy

Policy Type:	Governance *		
Supersedes:	Previous		
Authorised by:	Board Chair	Date of Authorisation:	June 2020
Review Date:	Every 2 years	Next Review Date:	June 2022
Policy Owner:	Principal		

Note: Policy types marked with asterisks as follows are:

* published on school website

** only mandatory for schools incorporated through the *Corporations Act 2001* (Cth)

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Policy Statement

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

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

Types of Disputes that may be Resolved under this Policy

Horizons College encourage students, parents/caregivers 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 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
- student or employee behaviour is contrary to school policies
- disputes that occur around learning programs, assessment and reporting of student learning
- issues with communication with students or parents or between employees
- issues around school resources levy
- General administrative issues.

Student complaints may be brought by students or by parents/caregivers 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 Anti- Bullying Policy.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Discipline Policy.
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate

Dispute Resolution Principles

Horizons College 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

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- 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, eg in TASS.

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/caregivers 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 any 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 have the following role and responsibilities:

- Apply and comply with the school's Dispute Resolution Policy and Procedures
- Lodge disputes and inform the Principal 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
- 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.

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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 Principal as soon as a complaint is received
- 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 complaint
- Provide the complainant with a copy of the school's Dispute Resolution Policy and procedures
- Maintain confidentiality
- Keep appropriate records in TASS
- 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

Horizons 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.

Horizons College 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.

Horizons College will keep appropriate records of disputes, will monitor disputes and their resolution and will report to the school Board any ongoing or unresolved dispute including with parents/caregivers.

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

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Appendix 1: Dispute Resolution Procedures

