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Child Safety Grievance Policy and Procedure

Outlines the College's framework for receiving, managing and addressing grievances.

Version 2.0 / 01 December 2020



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Grievance Policy

Purpose of our Grievance Policy

The Rabbinical College of Australia and New Zealand (the College) is an Orthodox Jewish not-for-profit organisation in St Kilda East, providing formal Jewish educational services to enrolled children and young adults above the age of 16 years. The College also provides a range of informal extracurricular activities for unenrolled students of (primary and high) school age.

The College aims to provide students with a positive and enriching educational environment that promotes their religious, academic, social, physical and emotional development, based on Jewish heritage, commitment to Jewish Law (Halacha) and guided by religious values (Hashkafa).

The College has a zero-tolerance approach to child abuse. The College understands we have a legal and ethical obligation to keep children and young people safe from harm, and we take seriously our responsibility to deliver a learning environment that is caring, nurturing and safe. We are committed to safeguarding children and young people from abuse and neglect, and this is affirmed and guided by our [Child Protection Policy](#) and related policies (see [Appendix 5](#)).

As part of our Child Safety implementation, this Grievance Policy has been developed to provide the framework for receiving, managing and addressing complaints and grievances at the Rabbinical College of Australia and New Zealand (the College), and to outline procedures that are to be followed in investigating complaints and grievances. This forms an important cornerstone of our Child Protection practices.

Scope of our Grievance Policy

This policy applies to all personnel, students, parents and guardians who have a complaint or grievance that relates to child-protection or child-safety, or to breaches of our [Code of Conduct](#), and which falls within the College's area of responsibility. Matters of serious misconduct such as sexual offences, criminal charges, serious incidents, or matters requiring mandatory reporting should in the first instance be raised with the relevant external authority and are not covered by the scope of this policy (refer to the [Child Safety Reporting Policy](#)).

This policy does not address complaints relating to training and assessment matters, which are covered by our [Complaints Policy](#), available at this link:

https://www.rabbinicalcollege.edu.au/templates/articlecco_cdo/aid/572800/jewish/Accreditation.htm

Similarly, this policy does not address employment related complaints, which should be referred to the Executive Director of the College.

Principles of our Grievance Policy

The College welcomes feedback it receives from personnel, students, parents and guardians. Responding to both positive and negative feedback promotes open communication.

Grievances can occur in all workplaces and handling them properly is important for maintaining a safe, healthy, harmonious and productive environment. Documented grievance procedures are important because:



- staff, students and parents need to know a process exists for receiving and managing grievances and complaints fairly, impartially, promptly and thoroughly.
- they help to ensure small issues or problems do not escalate.
- supervisors and managers need to be aware of issues causing conflict.
- documentation provides evidence and a record of the grievance and the outcome.
- complaints facilitate continuous improvement of College operations.

All personnel, students, parents and guardians have the right, where they believe that the matter is serious enough, to report a grievance. Complaints will be handled in an appropriate manner, and the College undertakes to:

- Investigate complaints or grievances thoroughly;
- Handle complaints or grievances seriously and sympathetically;
- Handle complaints or grievances in an impartial, consistent and fair manner;
- Handle complaints or grievances promptly and in a timely manner;
- Handle complaints or grievance confidentially; and
- Where appropriate, encourage individuals to take ownership of their actions and reflect on the impact of their behaviour.

In the event of a complaint, where appropriate, every attempt will be made to seek a resolution to the matter through informal discussions. When addressing a complaint it is expected that all parties will:

- Show respect and understanding of each other's point of view.
- Operate within applicable legislation.
- Acknowledge that their goal is to achieve an outcome acceptable to all parties.
- Act in good faith and in a calm and courteous manner.
- Recognise that all parties have rights and responsibilities which must be considered.

Unreasonable complainant conduct

All complaints should be considered in accordance with the College's complaint-handling procedures, including when a complainant's behaviour is thought to be unreasonable.

While a decision maker considers a range of factors and views, they may at any point in the process outlined in this policy consider a complainant's behaviour to be unreasonable, inaccurate, misleading, malicious or false. In these circumstances, it is appropriate for the decision maker to communicate to the complainant the basis on which this consideration was arrived at. The decision maker may also indicate an acceptable procedure for future communication with the complainant about their complaint.

The College considers behaviour to be unreasonable when:

- It is clearly and significantly outside the expectations of cooperation, courtesy and respect.
- It calls for staff resources and time unjustified by the nature or significance of the complaint.
- An action or complaint is brought without merit or simply untrue, often to cause annoyance to another person.
- It is oriented towards conflict.



Anonymous complaints

The College requires all complaints to be considered. However, it recognises that its staff might not be able to fully consider a complaint if they cannot effectively liaise with the complainant.

Furthermore, anonymous complaints raise natural justice issues for respondents who have a right to know full particulars of the allegations made against them.

The College staff responsible for handling anonymous complaints shall determine the procedure by which each anonymous complaint received by the school will be managed.

Grievance management and procedure

Receiving informal complaints

Complaints that relate to child-protection or child-safety should be addressed to the College's [Child Safety Officer](#) in the first instance. The Child Safety Officer is identified on our website at this link: <https://www.rabbinicalcollege.edu.au/faculty>.

When a complaint is received by the Child Safety Officer, he will:

- Encourage the complainant to resolve the complaint directly with the person involved, where appropriate (discussions should remain private, confidential, respectful and open-minded, and not involve others needlessly);
- Through informal discussion, attempt to resolve the issue and develop solutions to ensure the problem does not happen again;
- Inform the complainant that they may request a meeting with the [Executive Director](#) (identified on our website at this link: <https://www.rabbinicalcollege.edu.au/faculty>) to discuss their complaint; and
- Inform the complainant to submit a formal complaint in writing if the matter cannot be resolved informally or directly, or if the complainant feels unable to raise the matter directly with the person concerned.

Receiving formal or serious complaints or grievances

When a formal/serious complaint or grievance is lodged with the College, the staff member receiving the formal complaint or grievance should record all relevant details regarding the grievance and immediately inform the Child Safety Officer or the Executive Director.

If the complaint or grievance needs to be reported to any external agency, the staff member together with the Child Safety Officer or the Executive Director will promptly make a report to the relevant authority. The complainant will be informed of the requirements to notify the relevant external authority of the grievance and explain the role that authority may take in investigating the complaint where appropriate. Refer to the [Child Safety Reporting Policy](#) for more details.



In the event of a serious but “non-reportable” complaint or grievance being lodged, the Child Safety Officer or the Executive Director will:

- Acknowledge the grievance in writing (see [Appendix 1](#)), in a timely manner, being no more than 2 business days;
- Disclose any conflict of interest and stand aside from the investigation and subsequent processes and pass the matter on if necessary;
- Inform other College staff if their involvement is required;
- Maintain appropriate records of the information and data collected, including minutes of meetings, incident reports and copies of relevant documentation relating to the grievance (see [Appendix 3](#));
- Respect the confidential nature of information relating to the grievance and handle any grievance in a discreet and professional manner; and
- Store all written information relating to grievances securely and in compliance with the College’s Privacy Policy.
- All mandatory reports or issues related to any form of abuse will be registered and stored in an area with secure and restricted access.

Investigating the formal complaint or grievance

When investigating the formal complaint or grievance and gathering relevant information, the person conducting the investigation (generally the Child Safety Officer or Executive Director) will:

- Meet with the individual complainant;
- Give right of reply to the person against whom the allegations are made in relation to any accusation or information relating to an alleged incident, where appropriate;
- If any of the parties are students, refer the students to the [Rosh Yeshivah](#) (Dean) or [Mashgiach](#) (Behaviour and Welfare);
- Inform personnel involved that they have the right to be accompanied by a support person such as a friend or colleague;
- Inform personnel involved that if they engage the services of a lawyer or other advisor, the personnel member is responsible for payment of all costs of such services. The College must be notified 48 hours prior to the meeting if a lawyer has been engaged, and in what capacity they will attend;
- Dependent on the seriousness of the issue, contact relevant parents/guardians;
- Inform the complainant of the procedures for dealing with the grievance if the complainant does not take up the opportunity to attend a meeting;
- Document the time, date and detail of meetings/discussions (see [Appendix 3](#)), and follow this up with a letter to the complainant outlining the information discussed;
- Review relevant information and documents;
- Obtain any other relevant information or documentation that will assist in resolving the grievance; and
- Seek advice, where appropriate, from individuals and organisations that may be able to assist in resolving the grievance.



Following the investigation

Once the investigation of the grievance is complete, the person conducting the investigation will:

- Endeavour to resolve the grievance by mutual agreement of the parties involved;
- Attempt to resolve the grievance within 10 working days;
- Meet to discuss the information gathered and determine further action, including generating recommendations to be presented to the Executive Director or Executive Committee if necessary;
- Ensure that any recommendations or actions are in accordance with relevant legislation, funding and compliance requirements;
- Document outcomes and issue formal warnings or disciplinary action where required;
- Report outcomes that may include relevant information gained in investigations and consultations to the Executive Director and, where required, provide any recommendations for consideration by the Executive Director;
- Inform the Executive Director of the involvement of external authorities and the outcomes of any investigation by external authorities;
- Advise the complainant and other relevant parties of any decisions made by the Executive Director in relation to the grievance; and
- Follow up to ensure the parties involved understand and have been communicated with clearly in relation to the outcome and monitor progress on any actions taken. Further disciplinary action or sanctions may be implemented if issues persist.

Failure to resolve the Formal Complaint or Grievance

If the formal complaint or grievance is not resolved following investigation:

- The complainant should outline the grievance in writing to the Executive Director; and
- Every effort will be made to resolve the issue within 10 working days and the Executive Director may recommend that the parties in dispute meet with an external mediator or other relevant 3rd party to resolve;

If the issue remains unresolved after mediation:

- The Executive Director will review the grievance and investigation documentation, and the mediation documentation, and will issue a decision in writing to the complainant.

Right of external review

If a complainant is not satisfied with the outcome, or the complaint directly concerns the Executive Director, then the complainant may refer the formal complaint or grievance in writing to the Executive Committee.

The Executive Committee delegate will then review the investigation process, and a decision will be made as to whether the above procedures have been followed and reasonably determined. The Executive Committee delegate will decide in their absolute discretion whether any further action will be taken or not.

This policy does not limit a complainant's right to use other available agencies and processes including legal processes.



Periodic Policy Review


Review Schedule

The Rabbinical College of Australia and New Zealand will review the Grievance Policy and Procedure every 12 months, in consultation with stakeholders. Some circumstances *may* trigger an early review, such as (but not limited to):

- after any serious incident; or,
- legislative changes; or,
- organisational changes; or,
- as deemed appropriate by the Executive Director and/or the Executive Committee.

Endorsement and review dates of the current version appear in the footer of this document. Endorsement and review dates of previous versions appear in the table below.

This policy has been reviewed and endorsed by:



Avrohom Procel
Executive Director



Josh Goldhirsch
On behalf of the Executive Committee

Date:

Date:

Version History

Version Number	Version Name	Endorsed by	Endorsement Date
1	Child Protection Policy	Interim CEO	December 2016
2	Grievance Policy and Procedure	Executive Director Executive Committee	15 December 2020



Appendix 1: Sample letter acknowledging complaint

Dear _____,

Thank you for your letter of [DATE] describing the issues you have been having with our College. [OUTLINE OF GRIEVANCE].

We are not taking your dissatisfaction lightly. We will be using our grievance policy to address your grievance, and this letter outlines the steps we will be taking.

We will do our utmost to maintain confidentiality throughout this process. However, in order to deal with the grievance effectively, the person involved in the grievance may have to be told of the grievance being made against them.

I will be the person handling the grievance in the first instance. In normal cases, no action will be taken without the consent of the persons raising the grievance, nor will their name be disclosed without prior consent.

Victimisation of any person presenting with a grievance is unacceptable and may be viewed as misconduct.

Our grievance process follows the below steps:

1. Receipt letter upon receiving the grievance (this letter)
2. Grievance to be investigated
3. Areas to be addressed identified
4. Communicate the result of the investigation to the grievant
5. Document the result and process
6. Offer external review to the grievant

For more information, please review our [Child Safety Grievance Policy and Procedure](https://www.rabbinicalcollege.edu.au/grievancepolicy) available at <https://www.rabbinicalcollege.edu.au/grievancepolicy> .

Sincerely,

[Signature]

[Name of Person Addressing Grievance]

[Date]



Appendix 2: Grievance register template

A register will be maintained by the College outlining the nature of the complaint, the complainant, dates, attention and action taken to resolve the complaint.

Grievances are classified as “less serious” or “more serious”. Less serious grievances tend to be those where the problem is causing inconvenience or dissatisfaction rather than serious physical or emotional stress.

Name of Person Dealing With Complaint: _____

Date Grievance was received: / /

Task	Date Started	Date Complete	Completed By	Signature
Receipt Letter Upon receiving the grievance				
Grievance to be investigated				
Areas to be addressed identified				
Communicate the result of the investigation to the grievant				
Document the result and process				
Offer external review to the grievant				
Send questionnaire to grievant				



Appendix 3: Grievance investigation record template

The College will conduct an interview with the complainant and clarify the facts, work out whether advice is needed from another source, discuss the options available and help formulate a plan of action.

Section 1: Complainant Details	
Name:	
Address:	
Home Phone:	Mobile Phone:
Work Phone:	Email address:

Section 2: Interviewer Details	
Interviewer Name:	Interviewer Role:
Signature:	Date:
Address:	
Home Phone:	Mobile Phone:
Work Phone:	Email address:

Section 3: Interview Details
Clarify and document the facts.
Is advice/statements/eye witness needed from another source? If yes, list other sources.
What would be the desired outcome from the grievant?
Are you a suitable person to investigate the matter? [If yes = continue / if not = who would be suitable?]



When will you be able to contact the other sources for further information/clarification?
Set timeframe for further investigation:
Advice or statements received from other sources:
Is the desired outcome from the complainant achievable?
Areas to be addressed:
Timeframe to address:
Date that this has been addressed by and completed:
Date that the result of the investigation was communicated to the complainant:
<p>Resolution of grievances:</p> <p>Grievances are usually only considered resolved when all parties agree, when the cause of the grievance has been removed or resolved, and when arrangements have been made, if appropriate, to repair and make good any damage and distress suffered by the grievant.</p> <p>Any disciplinary action of a staff member resulting from the investigation of a serious grievance shall be dealt with in accordance with the College's Code of Conduct.</p> <p>Date that grievance is considered resolved:</p>



Appendix 4: Grievance outcome questionnaire

On the conclusion of any complaint or investigation, complainant feedback should be sought via the provision of a simple tick box questionnaire, as per below.

To ensure you are totally satisfied with the resolution of your grievance – please complete this form.

Section 1: Contact Details	
Name:	
Address:	
Home Phone:	Mobile Phone:
Work Phone:	Email address:
Signature:	Date:

Section 2: Satisfaction Level	
Overall, how satisfied are you with the grievance process (Please tick one)	
<input type="checkbox"/> Very Satisfied <input type="checkbox"/> Satisfied <input type="checkbox"/> Neither satisfied or dissatisfied <input type="checkbox"/> Dissatisfied <input type="checkbox"/> Very Dissatisfied	
Did you receive a receipt letter upon receiving the grievance?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Was your grievance investigated?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Were the results of the investigation communicated to you by the College?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Were you offered an external review for your grievance?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do any areas of the grievance policy and procedures require improvement? If yes, please explain:	
Other comments:	



Appendix 5: Associated Procedures, Forms and Documents

This Appendix contains other policies and procedures that relate to, and should be read in conjunction with, this document. These documents are all accessible on the College's website, at: <https://www.rabbinicalcollege.edu.au/childsafety>

They may include, but are not limited to:

Policies and Procedures

Child Protection Policy

<https://www.rabbinicalcollege.edu.au/childprotectionpolicy>

Outlines the College's commitment, culture and approach to providing child protection and safety.

Code of Conduct

<https://www.rabbinicalcollege.edu.au/codeofconduct>

Outlines the College's clear expectations for appropriate behaviours with children.

Child Safety Reporting Policy

<https://www.rabbinicalcollege.edu.au/childreportingpolicy>

Outlines the College's processes for responding to and reporting suspected abuse.

Human Resources Policy

<https://www.rabbinicalcollege.edu.au/humanresourcespolicy>

Outlines the College's practices that reduce the risk of child abuse by new and existing personnel.

Risk Management for Child Safety Policy

<https://www.rabbinicalcollege.edu.au/riskmanagementpolicy>

Outlines the College's strategies to identify and reduce or remove risks of child abuse.

Child Safety Grievance Policy and Procedure

<https://www.rabbinicalcollege.edu.au/grievancepolicy>

Outlines the College's framework for receiving, managing and addressing grievances.

Child-Friendly Documents

Commitment to Children

https://www.rabbinicalcollege.edu.au/commitment_children

Communicates the College's commitment to safeguarding children in simple language.

Child-friendly and Parent-friendly Child Safety Policy

https://www.rabbinicalcollege.edu.au/child_friendly_policy

Communicates all the College's Child Safety Policies and related documentation in a child-friendly and parent-friendly manner, and includes a reporting flowchart and child-friendly complaints guide.



Templates of Forms, Records and Related Documents

[A Step by Step Guide to making a Report to Child Protection or Child First](http://rabbinicalcollege.edu.au/stepbystepreporting)

<http://rabbinicalcollege.edu.au/stepbystepreporting>

Provides personnel with an easy-to-access and clear guide to alerting Child Protection or Child First.

[Flowchart: Child safety reporting process](http://rabbinicalcollege.edu.au/flowchart_reporting)

http://rabbinicalcollege.edu.au/flowchart_reporting

Provides personnel and students with an easy-to-understand infographic of the reporting process.

[Flowchart: Responding to disclosures / incidents process](http://rabbinicalcollege.edu.au/flowchart_responding)

http://rabbinicalcollege.edu.au/flowchart_responding

Provides personnel with an easy-to-understand infographic of managing incidents and disclosures.

[Risk Assessment and Action Plan Template](https://www.rabbinicalcollege.edu.au/riskassessment)

<https://www.rabbinicalcollege.edu.au/riskassessment>

The College's template for assessing and managing child safety risks with an action plan.

[Working With Children Check Register Template](https://www.rabbinicalcollege.edu.au/wwcc_register)

https://www.rabbinicalcollege.edu.au/wwcc_register

The College's template for tracking the status of Personnel WWCC's.

[HR Personnel Records Checklist](http://rabbinicalcollege.edu.au/hrchecklist)

<http://rabbinicalcollege.edu.au/hrchecklist>

The College's checklist for ensuring all Personnel records are up-to-date.

[HR Recruitment and Induction Checklist](http://rabbinicalcollege.edu.au/hrrecruitlist)

<http://rabbinicalcollege.edu.au/hrrecruitlist>

The College's template for managing the recruitment and induction process.

[HR Applicant Interview & Referee Record](http://rabbinicalcollege.edu.au/hrapplicant)

<http://rabbinicalcollege.edu.au/hrapplicant>

The College's template for managing recruitment and referees interviews.

[HR Personal Details and Identity Record](http://rabbinicalcollege.edu.au/hridentity)

<http://rabbinicalcollege.edu.au/hridentity>

The College's checklist for authenticating personnel identity.

