1.0 Purpose and Values

This document identifies procedures to facilitate dispute resolutions at the school level.

Values

The values which shape and direct dispute resolution procedures include:

1.1 The Church is a community in which relationships are called to manifest love and respect for all.

1.2 The Christian understanding of forgiveness and reconciliation which implies that the primary process for resolving disputes involves a conciliation of human persons rather than the independent assertion of legal rights.

1.3 Provision of means whereby the parties in dispute can reach agreement and be reconciled thus maintaining or restoring right relationship.

2.0 Definitions

**Adjudication:** The act of making an order, judgement or decree (in relation to an issue where parties are in dispute).

**Conciliation:** A procedure for the resolution of a dispute. The process through which a neutral third party attempts to persuade parties to a dispute to settle their differences.

**Catholic Education Office (CEO):** The educational executive arm of the Bishop. It operates under the authority of its Director.
**Director:** The person whom the Bishop has delegated the leadership, management and administration of Catholic Education in the Diocese.

**Mediator:** One who mediates between parties at variance or in dispute.  
**Mediation:** Bringing about an agreement between parties: to effect an agreement or reconciliation.

**School staff:** For the purpose of this document school staff will include; teachers, teacher's aides, administration staff, support staff, ground staff.

### 3.0 Conciliation

#### 3.1 When a dispute arises within the school community involving

- parents/guardians and school staff,
- school staff member/s and other staff member/s,

the matter will be discussed initially between the parties involved with a view to resolving the dispute. The Principal must be told a dispute exists.

If, within seven (7) days, the parties are unable to reach a mutually acceptable outcome a conciliation meeting will be arranged between the Principal and the parties involved. This meeting should take place within seven (7) days of the parties telling the Principal the dispute is unresolved.

If the matter remains unresolved, any party to the process may formally refer the matter to the CEO through the Director.

The Director will refer the matter to the Head of Division: Staff and School Development.

(i) the Head of Division: Staff and School Development will:
- register the dispute.
- acknowledge to each party to the dispute the dispute has been referred.
- appoint a Senior Education Officer to liaise with the parties.

(ii) the Senior Education Officer will
- develop a dispute resolution process acceptable to both parties.
- coordinate and, where appropriate, participate in the process.
- notify the Head of Division: Staff and School Development of the outcome of the process.

If the dispute is unresolved it may proceed to mediation or adjudication as outlined in Sections 4.0 and 5.0.

#### 3.2 When a dispute arises within the school community involving

- parents/guardians and the school Principal, or,
- school staff member/s and the school Principal,
the matter will be discussed initially between the parties involved with a view to resolving the dispute.

If, within seven (7) days, the parties involved are unable to reach a mutually acceptable outcome, any party may refer the matter to the CEO, through the Director.

The Director will refer the matter to the Head of Division: Staff and School Development.

(i) the Head of Division: Staff and School Development will:
- register the dispute.
- acknowledge to each party to the dispute the dispute has been referred.
- appoint a Senior Education Officer to liaise with the parties.

(ii) the Senior Education Officer will
- develop a dispute resolution process acceptable to both parties.
- coordinate and, where appropriate, participate in the process.
- notify the Head of Division: Staff and School Development of the outcome of the process.

If the dispute is unresolved it may proceed to mediation or adjudication as outlined in Sections 4.0 and 5.0.

4.0 Mediation

4.1 The Head of Division: Staff and School Development will convene the mediation forum, and will appoint a Mediator to oversee the mediation process based on training and experience of that person. If necessary, more than one Mediator may be appointed.

4.2 The following people are normally disqualified from serving as mediator/s.
   a) anyone involved with one or other of the parties so as to have a particular interest in the outcome of the dispute; and/or,
   b) anyone who can be shown to be biased towards or against one of the parties in dispute.

4.3 Prior to the meeting the senior staff member of the CEO and the parties to the dispute will document the complaint/s and will provide the mediator/s with a summary of the issue/s to be resolved.

4.4 Parties involved should answer questions and suggestions put to them by mediator/s in order to achieve a resolution of the dispute.

4.5 Meetings
   Meetings between the parties in dispute and the mediator/s shall take place in private.

4.6 Confidentiality
   All communications made in the process of mediation shall be treated as confidential by all who share them.

4.7 Minutes
The Mediator will be responsible for minutes of the meeting to be taken and filed at the Catholic Education Office. Copies will be provided to each party to the dispute.

4.8 If resolution is reached, the mediator/s will draft a summary of the agreement, and shall submit it for the approval of the participants. The participants and the mediator/s shall sign a copy of the summary that shall be forwarded to the Director of the CEO.

5.0 Adjudication

5.1 It is preferable that the parties themselves propose the solution to their dispute. If they are unable to do so following mediation, the Director of CEO will be notified.

5.2 The Director will then confirm with the parties to the dispute that adjudication will take place. The mediator/s will be responsible for adjudication and will decide if it is necessary to obtain any further information.

5.3 The decision of the adjudication process will be forwarded to the Director.

5.4 The Director, upon advice of the adjudicator/s, will inform parties in writing of the decision/s reached.

5.5 Should any party remain aggrieved by the outcomes of the adjudication process, recourse to the Diocesan Appeals Tribunal is available.

__________________________________________________________
Paul Toohey
Board Chairman
23 August 2010

__________________________________________________________
Chris Rosentreter
Acting Principal
23 August 2010