



Bangalow Community Children's Centre
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Conflict Resolution Policy

Reviewed: June 2017

Legislation:	Education and Care Services National Regulations 2011 Education and Care Services National Law 2011
Reference:	National Quality Framework Resource Kit 2011 Early Childhood Australia Code of Ethics 2006 NSW Ombudsman (2003) <i>Know your rights as a consumer of community services</i>

Introduction

Good working relationships between children, educators, families and the community is highly valued at this Service and considered a key element of best practice within the education and care environment. Effective communication strategies are utilised to ensure respectful communications and positive approaches to conflict are implemented.

Goals

- To provide a harmonious environment and resolve disputes in a confidential, respectful and timely manner.
- To ensure staff implement effective communication strategies when addressing conflict
- To ensure conflict is addressed in a manner that respects the rights and dignity of all involved

Practices

- Open communication is encouraged to increase and clarify understandings between children, families, educators and the community
- Constructive feedback is welcomed and expressions of ideas encouraged to benefit working together collaboratively
- Children, families, educators and members of the community are treated equitably and are valued for their contributions, uniqueness, diversity, skills and strengths.
- The Early Childhood Code of Ethics is adhered to in decision making and resolution.

Concerns from families and the community:

- Families are requested to raise any concerns they may have regarding their child with the Educational Leader in their child's room. If they feel that their concern has not been satisfactorily resolved then the Nominated Supervisor should be informed.
- Community concerns are initially to be directed to the office and forwarded to the Nominated Supervisor where relevant.
- All concerns are treated confidentially and with respect, with the assurance of no retaliatory action to the family or member of the community.
- If concerns are not verbally resolved and considered to be of a serious nature then they must be written, dated, addressed and signed. The concern shall be discussed at a committee meeting which is dealt with confidentially. The Committee may seek advice from authorised agencies to ensure the best possible result and may engage the resources of an independent Conflict Resolution Service to mediate if required.
- Comment/Concern Forms will be kept at the office.
- Concerns will be dealt with in a timely matter relative to each complaint
- Where there is a written and signed concern, this is replied to in writing.

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- Families have the right to contact Early Childhood Education & Care Directorate Department of Education and Communities - Ph: 1800 619113 if they feel their concerns have not been satisfactorily addressed.

Concerns amongst staff:

- All staff are entitled to work in a harassment free workplace
- Staff members who have a grievance will be allocated time for a formal discussion with the staff member they have a grievance with. The time and the date of the discussion should be noted in room diary. Both should try to resolve the issue and develop solutions to ensure that the problem doesn't happen again.
- Ethically, other staff members or parents/caregivers should not be involved in an individual concern and it is not ethical for that concern to affect inter-staff relationships. If unable to resolve the situation, the Nominated Supervisor should be called in to conflict resolution to both sides. The Nominated Supervisors role is to be non-bias and fair when dealing with a problem and to maintain confidentiality. Only necessary staff will be informed of the outcome of any conflict resolution.
- Staff members are encouraged to communicate openly with the Nominated Supervisor. Team-work is encouraged amongst Service staff and having respect for other team members is crucial.
- It is important that the staff are fully aware of their expectations as an employee in the Service and that clear guidelines are given regarding staff duties, code of conduct and professionalism.
- Management will ensure that all staff are given clear job descriptions and orientation into the position with opportunity to clarify any issues.
- Staff are responsible for addressing any concerns and clarify any issues in the job description or expectations that they are unsure of.
- Staff are encouraged to maintain good working relationships and have a commitment to maintaining a quality standard of work as a team.
- Compliance checks will be carried out regularly to ensure compliance with Service's procedures and policies.
- Staff will be given clear notification should their standard of work or conduct fall below what is expected and outlined in their job description.
Staff have the right to appeal against any allegation and the right to speak on their behalf or to have a union representative appear on their behalf.

Inadequate Work Performance

The following steps will be followed to deal with inadequate work performance or conduct. There may not be the need to go through all the steps when the issue is resolved however staff should be aware of the whole process.

Should staff fall below clearly identified standards then the Nominated Supervisor or Management will:

Step 1 – Verbal Warning:

- Give a verbal warning as soon as possible indicating the specific problem regarding the performance of their work or conduct. The issues must clearly relate to the job description outlined in the staff handbook.
- Indicate what should happen to improve the situation and how the staff member can improve their performance.
- Identify any support needed to assist the staff member to make the changes and take steps to implement these.
- Indicate how the improvements will be measured and when a review will take place. (1-4 weeks depending on the circumstances).
- Give an opportunity for the staff member to respond to the concerns and seek union representation if required.
- This verbal discussion will be documented and signed off by Nominated Supervisor and staff member.

If this resolves the issue then there is no need to go any further.

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Step 2 – Written Notice:

- Where the problem continues to occur the staff member will be given written notice of the matters that need addressing.
- A formal documented meeting with the Nominated Supervisor will take place.
- The aim of the meeting is to negotiate how the situation may be improved.
- The staff member will again be given specific indication of where their performance standards are not being met, indicate where changes are required and ways of achieving these, and told the method and date of review of their performance.
- Staff have the right to know as the procedure progresses whether or not their performance is moving satisfactorily. This program of assistance will run alongside the review process.
- The staff member will be informed at the meeting that termination will be considered if no changes occur.

If this resolves the issue then there is no need to go any further.

Step 3 – Final Written Warning:

- If the problem still persists a meeting with the Nominated Supervisor and two representatives of the management committee should be called and the staff member given at least 24 hours notice to attend.
- The matter should be discussed as per the first meeting and further action considered.
- At this stage the staff member will be given a “final written warning”.
- The staff member has the right of reply and can discuss the situation. They also have the right to have a union representative or person of their choice attend the meeting.

If this resolves the issue then there is no need to go any further.

Step 4 – Termination of Employment:

- If the problem still continues after the 3 warnings, another special meeting of the management committee will be called and a decision made as to the employment of the staff member.
- If the management believe that the staff member’s performance is unlikely to improve then the staff member will be dismissed.
- A written notice will be given indicating date of dismissal (2 weeks from notice) and reasons for dismissal.

Procedure for Dealing with Serious Unacceptable Behaviour.

Where a staff member in the workplace:

- Intentionally endangers life.
- Is found stealing
- Reports to work under the influence of drugs or alcohol.
- Inflicts or threatens physical or sexual abuse, bullying or harassment.

The Nominated Supervisor or Management Committee will suspend the employee without loss of pay pending an investigation. The investigation is to be completed within 72 hours and an interview date determined. If the employee is a union member the union representative will be informed.

The interview is to be attended by the Nominated Supervisor, two representatives of Management Committee, the person reporting the unacceptable behaviour and the union representative if desired. The employee is to be advised formally of the findings of the investigation and the action being taken.

When immediate termination is required, a dismissal notice is prepared at the interview. When continued employment is recommended a warning letter will be issued.

All the relevant records will be recorded on the employees file.

If the employee is vindicated of the accusation, all relevant formal documentation is to be removed from their file.

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National Regulations

168(2)(i) Policies and procedures are required in relation to staffing including a code of conduct for staff members; determining the responsible person present at the service and the participation of volunteers and students on practicum placements

NQS

4.2 Educators, co-ordinators and staff members are respectful and ethical

6.1 Respectful and supportive relationships with families are developed and maintained

EYLF

Outcome 1: Children have a strong sense of identity

Children learn to interact in relation to others with care, empathy and respect

Outcome 2: Children are connected with and contribute to their world

Related Policies

Interactions with children

Staff policy

Relevant Documents

Comment Form

Parent Concern Form

Staff Counseling Form

Evaluation and Review

This policy will be reviewed based on regulatory requirements or earlier if the need arises.

Family and staff feedback will be considered in the review process. Changes in legislation, regulations, NQF and standards will be considered.

Any changes to this policy will be communicated to families and staff.

