



## 1301 CONFLICTS, DISPUTES & APPEALS PROCESS

Policy Type: Board Policy Manual  
Applies To: Board Directors, All Staff, Students, Visitors, Parents  
Approved By: LCS Board  
Policy Reviewed: every 2 years  
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Revisions:

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### 1. PURPOSE:

- (a) This document outlines Langley Christian School's values, beliefs and procedures for dealing with conflicts, concerns, disputes and appeals. At LCS, it is not the absence of conflict that defines our community, but rather the way in which we deal with conflict.
- (b) This policy recognizes that dealing with conflict, disputes and appeals is a necessary process for any organization or workplace culture to maintain its health. Transparent procedures and processes are required to proactively address issues when they arise and to ensure effective and respectful relational governance of the organization.
- (c) This policy is designed to put protocols in place so that issues can be resolved in a manner modeled on Christian principles. This policy constitutes a foundational policy which underlies all the subsequent policies drafted to deal with workplace, parent/caregiver, student and school relationship conflicts, disputes over operational issues, student discipline, concerns about educational delivery, and appeals processes at the administration or Board level.

### 2. SCOPE OF THIS POLICY:

- (a) Processes and procedures for conflict, disputes and appeals involving **employees of Langley Christian School** are outlined in section 3300 Employee Disputes and Appeals of the Human Resource Policy Manual.
- (b) **Duty to Report:** All statutory or professional requirements of employee's duty to report or notify a supervisor of potential safety issues or potential harm to students or other minors supersedes this policy. All professional requirements requiring a certified teacher's duty to report professional misconduct also supersede the steps outlined in this policy and its sub-policies.
- (c) Person(s) involved in a conflict or dispute are expected to keep the issues/concerns confidential and contained within the circle of parties directly involved and to refrain from escalating the issues by drawing in person(s) not directly involved, or by engaging in gossip, slander or triangulating others.

- (d) The following groups or individuals are covered in this policy:
- Full members of the LCS Society, and non-member parents, guardians and caregivers of students
  - Current students enrolled in the school
  - Employees of LCS including administration and Head of Schools
  - Members of the community external to LCS where the Board deems it in the interests of the Society

### 3. CHRISTIAN PRINCIPLES FOR CONFLICT, CONCERNS & DISPUTES

- (a) As a Christian community, we make every effort to live in peace and harmony with one another. The Bible is rich in lessons about forgiveness, love, humility and putting others first. (Romans 12:18, Hebrews 12:14, Colossians 3:12-15).
- (b) Reconciliation and restoration of relationship is a desirable goal of all conflicts and disputes (Ephesians 2:11-19). The best outcome in any conflict or dispute is a healthy workplace and school environment where issues are dealt with fairly, and trust and integrity prevail.
- (c) The starting point for dealing proactively with any conflict is transparency and candidly disclosing to the offending party any implicit or explicit communication and actions, whether intentional or unintentional. (Matthew 18: 15-16).
- (d) Some conflicts and disputes may not be resolvable, but a Biblical principle exists to not have vengeful hearts but to live in peace with one another so far as possible (Romans 12: 17-19), to speak truthfully and not allow the sun to go down on anger (Ephesians 4:25-26).
- (e) Christ instructs His followers to quickly and efficiently resolve their differences to avoid lengthy arguments and disputes, but to act swiftly and make amends (Matthew 5:25).
- (f) The Bible does not provide a simple formula for dealing with conflict and disputes but records a variety of helpful principles (James 3:17-18):
- bearing with one another
  - peace-loving; considerate; thinking higher of others than oneself
  - risk taking; stepping out in faith; courage
  - listening more; speaking less
  - openness, transparency and honesty
  - taking responsibility; accountability; repenting from mistakes and harming others
  - encouraging a mutual willingness to reconcile or resolve the issue

### 4. RELATIONAL OR OPERATIONAL/PROCEDURAL

- (a) For the purpose of this policy and its sub-policies, conflict and disputes are distinguished by whether the issue is primarily relational or operational/procedural.

- (b) The process for resolving a conflict or dispute is different depending on the nature of the issue. Protocols are established in sub-policies. Conflicts may become disputes, so in some cases multiple processes may be required.
- (c) Discerning where an issue concerns a concern relating to core values, governance principles and philosophical or theological disagreements may require some discernment in deciding which protocols apply.

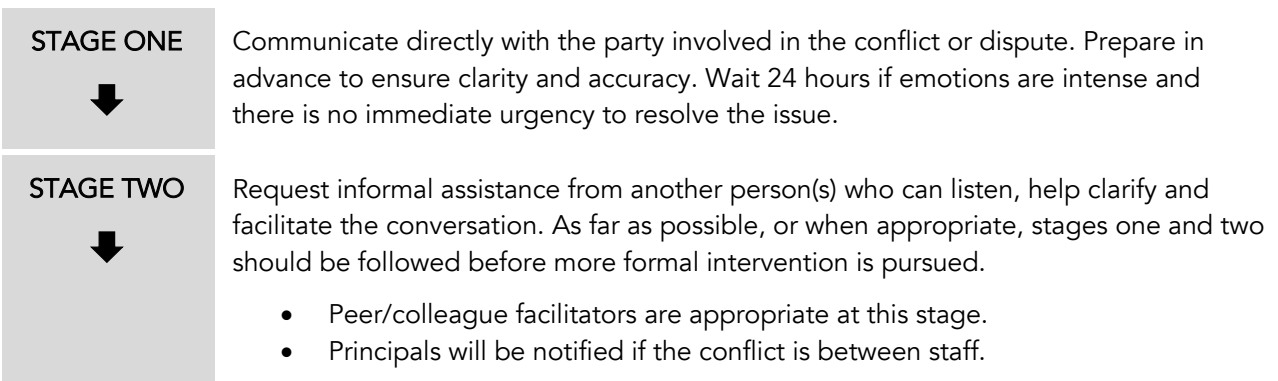
5. CONFLICTS & DISPUTES COVERED IN THIS POLICY

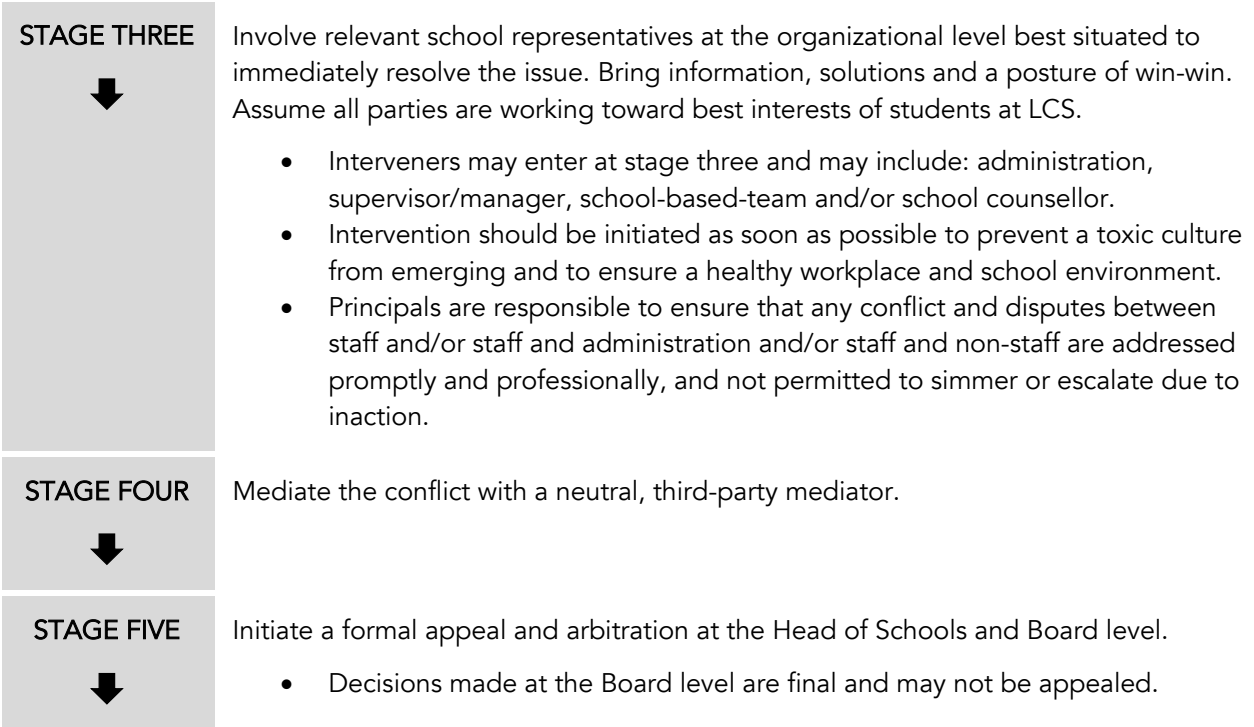
- (a) between staff members
- (b) between staff and administration (excluding Head of Schools)
- (c) between staff and or administration and the Head of Schools
- (d) between staff/administration/Head of Schools and Society members/parents/external parties
- (e) between students
- (f) between Board and staff/administration or Head of Schools
- (g) between Board Directors

6. DOCUMENTATION

- (a) Parties involved in conflict and/or disputes are advised to keep accurate documentation, keeping in mind the questions: who, where, what, why, and how (it happened). If the issue is ongoing, keeping a journal account is recommended.
- (b) Documentation improves accuracy and may become critically important in resolving the issue. Any documentation with names attached is considered confidential and protected under the Personal Information Protection Act (2003).
- (c) Principals/supervisors will keep documentation of all concerns, conflicts and disputes, but may not place any documentation in a student record or employee file without following proper procedure and policies.

7. RECOMMENDED PROCESS FOR DEALING WITH CONFLICTS & DISPUTES





8. BASIC TRAINING REQUIREMENTS

- (a) Advanced training and professional development in restorative practices, conflict resolution, mediation and effective communication is recognized as valuable and necessary for Board Directors, administration, and Employee Relations Committee representatives.
- (b) The Head of Schools will ensure that a core group of peer facilitators are trained and ready to assist staff in dealing with workplace conflict and disputes.
- (c) The Head of Schools will maintain a list of external, third-party mediators (male and female) who may assist in conflicts and disputes.
- (d) Training in restorative practices, conflict resolution, mediation and effective communication skills will be embedded in the K-12 Bible curriculum so that students can be equipped effectively with valuable life skills.

9. GLOSSARY OF TERMS

- (a) Arbitration (Internal)

In this policy the term arbitration is also used to refer to an internal third party intervention to bring a conflict or dispute to a conclusion by mutual agreement of the disputants to accept the decision of the arbitrator. Internal refers to parties within the LCS organizational structure who have the authority to arbitrate a decision—usually the Head of Schools or the Board. While the arbitrator should be trusted by the parties and be as neutral and impartial to the conflict or dispute as possible, it needs to be understood that an internal arbitrator, in the end, has the interest of LCS as a priority and therefore

cannot be entirely impartial. Neutrality and impartiality can only be assured by an external mediator/ arbitrator who has no interest in the outcome other than resolving the dispute to the best satisfaction of the disputing parties.

(b) Conflict

For the purpose of this policy, the use of the term conflict is oriented to interpersonal, relational conflict. Conflict is normal and occurs as people who hold to differing interests/goals, values and world views (including faith perspectives), communication styles and personalities, come into tension as they work and interact with each other. Dealing constructively with conflicts, when they arise, can become opportunities for growth, change and revitalization. When conflict is dealt with creatively and with love and grace, people have been heard and respected, issues have been processed and better solutions have been found. This results in growth in people—and in the organization.

However, when issues remain submerged under the surface, when contrasting behaviours and attitudes become incompatible, when communication breaks down and when conflicts and disputes become difficult to manage, conflict can begin to do harm. Unresolved conflicts and disputes introduce tensions that undermine the health of the school and can lead to organizational and school stress that consumes energy, goodwill and morale. It also erodes the ability of school personnel and students to work productively and cooperatively. Trust erodes as conflict deepens. Unresolved conflicts tend to escalate and broaden over time until harm is done. In the long term, serious conflicts become toxic to the school and become endemic. Unresolved conflicts can potentially evolve into grievances (disputes) when distrust interferes with conflicting parties' handling of routine operational matters. When conflict results in broken relationship(s), special efforts are required to restore trust, the relationship(s) and a healthy working and school environment.

(c) Conflict management

The goal of conflict management is to restore a functional working or student environment by restoring trust between the parties at the professional level in spite of unresolved issues that generated the conflict. This is the minimal level of dealing with conflict that should be expected. Conflict management will be less likely to be needed when values of mutual respect, transparency, honesty and integrity and good operational procedures are maintained. Managing conflict requires considerable discipline when relational stress has not been resolved. It is also recognized that not all workplace conflicts will be resolved even with our best efforts.

(d) Conflict resolution

Most conflicts can be resolved. When caught early, most are resolved without third-party assistance. Protracted conflicts may require the assistance of mediation to resolve. The goal is to achieve mutually satisfactory solutions to issues that generated the tension or conflict and to bring the parties back into a healthy working relationship. Conflict resolution does not have the goal of healing relationships (though that may happen), but rather of restoring a productive and cooperative working environment through creative processes that result in growth and a return to productivity.

(e) Conflict transformation

Healing relationships affected by conflict is the desired goal, but requires considerable effort. The aim is to reconcile and transform conflicting relationships through a process that leads to exploring underlying conflicting issues and interests, achieving mutual acceptance in spite of differences, repentance/acknowledgement and forgiveness that restores personal relationships in the spirit of love

and grace. Conflict transformation processes recognize that the conflict is an opportunity for personal and institutional growth. Though not always achievable in a workplace or student body, conflict transformation is the ultimate goal in achieving outcomes based on Biblical values.

(f) Dispute

For the purpose of this policy, disputes are differentiated from conflicts in that they focus on differences of opinion and interpretation over school values and positions, and operational procedures, practices and decisions that bring parties into fundamental disagreement. A dispute or complaint may be elevated to a formal expression of an unsatisfactory condition in the form of a formal complaint for the purpose of appeal regarding a lack of action or a decision that has been taken, on the grounds that the inaction or decision either contradicted core values, policies and/or operational procedures or practices or was in some way unfair to the aggrieved individual. In this policy, the dispute resolution process in some ways mirrors that of a grievance resolution process. The term "dispute" is preferred over "grievance".

(g) Mediation

Mediation brings a mutually agreed upon third party into a conflict or dispute when the parties are no longer able to find the resources internally to deal with their differences. Ideally, the third party should have no vested interest in a specific outcome of the mediation. The mediator's role is to create a "safe place" for parties to express themselves, help parties hear each other, build trust and respect, and facilitate the parties to achieve mutually satisfactory solutions to which they can hold each other accountable. The mediator meets with the parties separately before bringing them together. The parties in a conflict should mutually agree to the mediation and the selection of the mediator. In situations where one of the parties in a conflict is unwilling or uncooperative, mediation may be imposed in an effort to stop further harm from being done and to resolve an impasse.

(h) Colleague facilitation

Peer facilitators are staff or student colleagues who have basic training in conflict resolution and mediation skills and who can be called upon by mutual consent to assist in dealing with early stage conflicts. They work at the same goals as professional mediators but are not accredited or as experienced to work on complex conflicts. In the workplace peer facilitators are trusted colleagues with natural listening, mediation and facilitation skills selected by their colleagues to receive basic training. Peer facilitators in the student body are students with natural abilities who are selected by teachers to receive basic training and mentoring in conflict resolution skills that are age appropriate. Student peer facilitators can be called upon by students or teachers to assist students resolve disputes and conflicts, including incidents of school bullying.

## 10. FISA OMBUDSPERSON POLICY & PROCEDURES

The Federation of Independent School Associations (FISA) in consultation with the Office of the Inspector of Independent Schools has established the position of Independent School Ombudsperson, "the Ombudsperson," to investigate complaints made by persons affected by a decision, act or omission of an independent school or independent school authority that is a member of FISA.

- (a) The Ombudsperson is appointed and approved by the Board of Directors of FISA who is qualified through training and experience to act as an impartial investigator of complaints.

- (b) The Ombudsperson is available to assist those person(s) who have exhausted all avenues of redress or review within their independent school or school authority to resolve a dispute.
- (c) The Ombudsperson is not an arbitrator and does not have the ability to make a binding decision in a matter. The Ombudsperson does provide an opportunity for an external review of a decision or action of a school.
- (d) The Ombudsperson can make recommendations to the school in an attempt to resolve the matter. If the Ombudsperson is not satisfied with the school's response to the written report, the Ombudsperson may issue a report of the circumstances to FISA.
- (e) Making a complaint:
  - Any person or their legal guardian affected by a decision, recommendation, act or omission of an independent school may ask the Ombudsperson to conduct an investigation if the complainant believes that the complainant was treated in a manner contrary to the principles of natural justice; that the school applied a policy incorrectly or inconsistently; or that the decision or action was inconsistent with the Mission or Core Values of the school.
  - The Ombudsperson cannot in any way investigate a matter concerning an employee of the school.
  - The complainant must agree at the time of making the complaint to accept the Ombudsperson as unbiased party in the complaint and not to compel the Ombudsperson to give evidence in a court or in other proceedings of a judicial nature in respect of anything coming to the Ombudsperson's knowledge in the course of investigating the complaint.
  - If the complainant cannot accept the Ombudsperson as an unbiased person in the matter in dispute, the complainant may ask the FISA for another Ombudsperson for that matter.
  - It is at the discretion of Langley Christian School whether it is in the interest of the school community to participate in an Ombudsperson process.
- (f) Powers of the Ombudsperson
  - The Ombudsperson has the power to investigate a complaint despite any provision in the independent school's policy or procedures that a decision, recommendation, or act is final or that no appeal lies in respect of it.
  - The Ombudsperson cannot investigate a matter related directly or primarily to the employment, dismissal, reprimand, or punishment of a person employed by the school.
  - The Ombudsperson is not authorized to investigate a decision, recommendation, act or omission in respect of which (a) litigation has been commenced and is outstanding; or (b) there is a right of appeal, objection, or review until after that right has been exercised.
  - The Ombudsperson may refuse to investigate or cease to investigate a complaint if, in the sole discretion of the Ombudsperson, it is reasonable to do so.
  - The Ombudsperson may receive or obtain information from a person in the manner the Ombudsperson considers appropriate and at the Ombudsperson's discretion may conduct a hearing.
- (g) Procedures

- A Complaint referred to the Ombudsperson must be in writing.
  - If the Ombudsperson commences an Investigation, the Ombudsperson must notify the independent school or school authority affected and any other person as determined by the Ombudsperson, the Ombudsperson considers appropriate to notify in the circumstances of the name of the complainant and the nature of the complaint.
  - If, during an Investigation, the Ombudsperson decides to hold a hearing, the complainant, the school, and any other affected persons must be given notice of the hearing and given the opportunity to make representations.
  - A person is not entitled as a right to a hearing before the Ombudsperson. The Ombudsperson may determine the scope, procedures, location, and limitations applicable to a hearing.
  - If the Ombudsperson decides not to conduct an Investigation or further investigate a complaint, or, if at the conclusion of the Investigation, decides that the complaint has not been substantiated, the Ombudsperson must record the decision in writing and notify both the complainant and the school as soon as is reasonable of the decision and the reasons for it.
  - Upon completion of an Investigation the Ombudsperson shall provide a Written Report of Recommendations to the school and complainant.
  - The Ombudsperson may request the school or school authority to notify the Ombudsperson of any steps which have been taken to give effect to the Recommendation or, if no steps have been or are proposed to be taken, the reasons for not giving effect to the Recommendation.
  - If the school or school authority does not act on the Ombudsperson's Recommendation within a reasonable period of time, the Ombudsperson shall report the Ombudsperson's original Recommendations and the school's response, if any, to the FISA.
  - An Investigation under this Policy must be conducted in private unless the Ombudsperson considers that there are special circumstances in which public knowledge is essential in order to further the Investigation.
- (h) Confidentiality
- Unless the person who provides the information to the Ombudsperson authorizes its disclosure, the Ombudsperson will hold in confidence all information that comes to his or her attention in performing his or her duties, provided that such information is designated, or is reasonably intended to be, confidential.
- (i) All costs associated with the Ombudsperson process set out in this policy will be paid by the school.



APPENDIX: OVERVIEW OF LCS POLICIES RELATED TO CONFLICT, CONCERNS, DISPUTES & APPEALS

