

# Grievance and Whistleblowing Policy

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## **I. Foreword**

### **A. Our Mission and Vision**

At FIS, we are a multicultural school, offering diverse curricula built upon values of global mindedness, critical thinking and personal development.

Our mission is to energise young minds, prepare independent and compassionate life-long learners and inspire them to achieve their full potential.

We reach our goals by providing a collaborative and stimulating bilingual learning environment where all members of our community are valued and respected.

Our team is committed to providing a world-class school environment anchored in Hong Kong, delivering academic excellence based on a multilingual/multicultural education and developing caring, respectful citizens, who are proud to belong to the FIS community.

This policy is linked closely to the FIS strategic plan. FIS is committed to fostering a positive, supportive, and inclusive environment for all members of the school community. We recognize that concerns and complaints may arise, and this policy establishes the procedures for addressing them, ensuring that all reports of wrongdoing or unfair treatment are addressed promptly, thoroughly, and impartially.

### **B. About the Policy**

This policy outlines the procedures for addressing grievances and reporting instances of whistleblowing. It is designed to foster a fair and transparent environment where employees can raise concerns without fear of reprisal.

Grievances are formal complaints regarding perceived unfair treatment, policy violations, or other issues impacting an individual's experience at FIS.

Whistleblowing, on the other hand, involves reporting suspected wrongdoing, illegal activity, or serious breaches of policy or ethical standards that may harm FIS. Whistleblowing concerns can be, but are generally not personal to the reporter, and often focus on systemic issues or misconduct. This policy provides separate, but related, pathways for addressing both grievances and whistleblowing concerns, ensuring that all issues are handled appropriately and confidentially.

## II. Grievance Policy

### A. Introduction

The School is committed to fostering a positive, supportive, and inclusive environment for all members of the school community, including employees, students, parents, and external service providers. We recognize that concerns and grievances may arise, and this document outlines the procedures for addressing them.

### B. Definitions

“Grievance”: A formal complaint regarding perceived unfair treatment, policy violations, or other issues impacting an individual’s experience at the School.

“Complainant”: The individual raising the grievance.

“Respondent”: The individual or group against whom the grievance is lodged.

“Internal Grievance”: A grievance where both the Complainant(s) and Respondent(s) are employees of the School.

“External Grievance”: A grievance involving one or more employees of the School and one or more non-employee members of the School community, such as students, parents/guardians, or external service providers.

“HR”: The Human Resources Department.

“Principal” means the principal of the relevant stream/grade.

“Department Head” means the administrative head of the relevant department.

“Manager” means the staff member directly responsible for management of an external service provider

### C. Grievance Procedures

#### 1. Internal Grievances

Stage	Description	Details
1	Informal Resolution	<p>The Complainant should first attempt to resolve a concern informally by discussing it directly with the respondent in a respectful and professional manner. The aim is to clarify misunderstandings and reach a resolution without escalation.</p> <p>If the concern is not resolved through direct communication, the Complainant should approach their line manager. The line manager will mediate a discussion between the parties to seek an amicable resolution. The line manager should keep a written record of the discussion and the outcome.</p>

<b>2</b>	Formal Submission	<p>If the concern remains unresolved, the Complainant should submit a Grievance to HR, detailing: the nature of the Grievance; steps taken to resolve the matter informally; and desired outcome.</p> <p>HR will investigate the Grievance, which may include interviewing the Complainant, Respondent, and witnesses. HR will consult with the line manager as needed, and will try to bring about an amicable resolution. If HR is unable to help the parties reach an amicable resolution, it will make a decision on the matter. HR should keep a written record of the process and the outcome.</p>
<b>3</b>	Appeal to Head of School	<p>The Complainant or Respondent may appeal the HR decision to the Head of School. The appeal must be in writing and clearly state the grounds for the appeal.</p> <p>The Head of School will review the case, and make a final decision. A summary of the outcome will be communicated to the parties, although there is no obligation on the Head of School to share all the reasoning behind the decision.</p>
<b>4</b>	Board Involvement (If applicable)	<p>The Board will only be involved if the Grievance relates directly to the conduct or decisions of the Head of School. In cases where the Grievance relates to the Head of School, the Complainant should take the Grievance directly to the Board Chair.</p>

## 2. External Grievances

**IMPORTANT NOTE:** Where a Grievance involves a student or a family, the Complainant should not contact the student or the family directly.

Stage	Description	Details
<b>1</b>	Informal Resolution	<p>The Complainant should raise the concern with the relevant student's Class Teacher (for concerns relating to or originating from a student/family) or the Manager responsible for the external service provider (for concerns relating to service providers). The Class Teacher or Manager will attempt to assist the parties to reach an amicable resolution.</p> <p>If the concern is unable to be resolved, the Complainant should escalate the concern to the Vice Principal (for student/family concerns) or to the Department Head (for service provider concerns). The Vice Principal or Department Head will attempt to assist the parties to reach an amicable resolution.</p>
<b>2</b>	Formal Submission	<p>If informal attempts fail, the Complainant may submit a Grievance to the Principal or to the Department Head, outlining: the nature of the Grievance; steps taken to resolve the issue informally; why the issue remains unresolved; desired outcome.</p> <p>The Principal or Department Head will investigate, meet with the relevant parties if necessary, and provide a written decision.</p>

3	Appeal to Head of School	<p>The Complainant may appeal the Principal or Department Head's decision to the Head of School, stating clearly the grounds for the appeal.</p> <p>The Head of School will review the case and make a final decision. A summary of the outcome will be communicated to the parties, although there is no obligation on the Head of School to share all the reasoning behind the decision.</p>
4	Board Involvement (If applicable)	<p>The Board will only be involved if the Grievance relates directly to the conduct or decisions of the Head of School. In cases where the Grievance relates to the Head of School, the Complainant should take the Grievance directly to the Board Chair.</p>

### 3. Contact Information

This section provides the contact details of the relevant person to contact as set out in the applicable Grievance procedures in this section. If you are still unsure who is the relevant person, you should contact the Head of School directly, who will direct the concern to the relevant person.

Contact Point	Email Address
HR	<a href="mailto:hrdepartment@g.lfis.edu.hk">hrdepartment@g.lfis.edu.hk</a>
Class Teacher, Vice-Principal, Principal	<p><b><u>Blue Pool Road</u></b></p> <p>French stream: <a href="mailto:secretaryBPR-FS-secondary@g.lfis.edu.hk">secretaryBPR-FS-secondary@g.lfis.edu.hk</a></p> <p>International stream: <a href="mailto:secretaryBPR-IS-secondary@g.lfis.edu.hk">secretaryBPR-IS-secondary@g.lfis.edu.hk</a></p> <p><b>Chai Wan:</b></p> <p>French stream: <a href="mailto:secretaryCW-FS-primary@g.lfis.edu.hk">secretaryCW-FS-primary@g.lfis.edu.hk</a></p> <p><b><u>Jardine's Lookout:</u></b></p> <p>French stream: <a href="mailto:secretaryJL-FS-primary@g.lfis.edu.hk">secretaryJL-FS-primary@g.lfis.edu.hk</a></p> <p>International stream: <a href="mailto:secretaryJL-IS-primary@g.lfis.edu.hk">secretaryJL-IS-primary@g.lfis.edu.hk</a></p> <p><b><u>Tseung Kwan O:</u></b></p> <p>French stream (primary): <a href="mailto:secretaryTKO-FS-primary@g.lfis.edu.hk">secretaryTKO-FS-primary@g.lfis.edu.hk</a></p> <p>International stream (primary): <a href="mailto:secretarytko-is-primary@g.lfis.edu.hk">secretarytko-is-primary@g.lfis.edu.hk</a></p> <p>French stream (secondary): <a href="mailto:secretaryTKO-FS-secondary@g.lfis.edu.hk">secretaryTKO-FS-secondary@g.lfis.edu.hk</a></p>
Manager, Department Head, Head of School	<a href="mailto:hos_assistant@g.lfis.edu.hk">hos_assistant@g.lfis.edu.hk</a>
Head of School	<a href="mailto:HOSGrievance@g.lfis.edu.hk">HOSGrievance@g.lfis.edu.hk</a>

Board Chair	<a href="mailto:BoardGrievance@g.lfis.edu.hk">BoardGrievance@g.lfis.edu.hk</a>
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## **D. Confidentiality**

All parties involved in a Grievance procedure are expected to maintain strict confidentiality. Information shared during the process should only be disclosed to those directly involved in the investigation and resolution, and then only on a need-to-know basis. In certain situations, the School may be obliged to disclose information, for example where required by law. The decision to make such disclosure will be taken by the Head of School, or by the Board Chair where the Head of School is implicated in the Grievance. A breach of the confidentiality obligation may lead to disciplinary measures or legal action.

Participation in a Grievance procedure will not influence or be influenced by any other procedures to which an employee may be subject.

Serious Grievances that may impact the School or its operations may be reported to the Board by the Head of School.

## **E. Protection from Retaliation**

Retaliation against any individual who files a Grievance, participates in an investigation, or acts as a representative is strictly prohibited. Any individual who engages in retaliation will be subject to disciplinary action, up to and including termination and/or legal action as applicable.

## **F. Code of Conduct (CARE Model)**

Employees and members of the FIS Community are reminded that they should at all times abide by the FIS Code of Conduct in all interactions with each other. The FIS Code of Conduct can be found in Annex I to this policy.

### III. Whistleblowing Policy

#### A. Introduction

Every school board has a responsibility to ensure that its school is managed to the highest standards of probity, and that its decision making and administration is conducted in such a way as to be above any suspicion of malpractice.

Clear policies, standards and procedures for making decisions, particularly those which entail significant expenditure, or decisions which significantly affect employment at the school are essential elements in creating and sustaining an atmosphere of openness and trust in school management. Such an atmosphere is the best way of forestalling suspicion or complaint.

An employee may be the first person to realise that there could be something seriously wrong within the school. However, they may feel anxious about potential consequences of speaking up, or that it is not their place to do so. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion.

The purpose of this policy and procedure is to make it clear that employees can raise concerns in confidence without fear of victimisation, subsequent discrimination or disadvantage. Employees should raise serious concerns in the first instance **within** the school rather than overlooking a problem or 'blowing the whistle' outside, and it is preferred that the matter is raised when it is just a concern with some initial supporting grounds rather than waiting for concrete proof to allow the school to investigate the matter as soon as possible.

The school is committed to the highest possible standards of openness, integrity and accountability. The Board expects employees, and others involved in the work of the school, who have serious concerns about any aspect of the school's work to come forward and voice those concerns.

This policy and procedure applies to all employees and those contractors working for the school on school premises, for example, supply staff, catering staff and drivers. It also covers suppliers, those providing services under a contract with the school and organisations working in partnership with the school. All employees must adhere to this policy.

Although there is no whistleblower law in Hong Kong, existing legislation provides a certain degree of protection to the whistleblowers including, but not limited to, the Employment



Ordinance, the various anti-discrimination ordinances, and the Prevention of Bribery Ordinance. This policy is in addition to the protections provided in such legislation and any other applicable laws, and does not replace them.

## **B. Aim and scope**

This policy aims to:

- encourage employees to feel confident in raising serious concerns and to question and act upon concerns;
- provide avenues for employees to raise those concerns and receive feedback on any action taken;
- ensure that employees receive a response to concerns they have raised and that they are aware of how to pursue them if they are not satisfied with the response; and
- protect employees from possible reprisals or victimisation by maintaining confidentiality where appropriate, and ensuring, if the concern was genuinely raised in good faith, that the raising of the concern will not have any detrimental impact on the whistleblower's employment at the School.

This whistleblowing policy is intended to address concerns relating to:-

- any unlawful act, whether criminal or a breach of civil law;
- maladministration, meaning any act, omission, or decision that is improper, unreasonable, or inconsistent with the proper administration of the school, its policies, or applicable laws and regulations;
- breach of any statutory code of practice;
- any failure to comply with appropriate professional standards;
- fraud, corruption or dishonesty;
- actions which are likely to cause physical danger to any person, or to give rise to a risk of significant damage to property;
- loss of income to the school;
- abuse of power, or the use of the school's powers and authority for any unauthorised or ulterior purpose;
- discrimination in employment or the provision of education; and
- other serious concerns relating to the school's operations, ethical conduct or legal compliance that cannot be appropriately addressed through other established channels.

\* Concerns relating to harassment of, or discrimination against an employee will be dealt with under the specific procedures and policies relating to those matters.

It should be emphasised that this policy and procedure is intended to assist individuals who have discovered or suspect concerns of the nature listed above, provided they make the disclosure in accordance with the procedures herein. It is not designed to question financial or business decisions taken by the school nor may it be used to reconsider any matters that

have already been addressed under harassment, complaint or disciplinary procedures unless it is believed that the decision taken under such procedures was taken in bad faith or involved malpractice. Individuals who make disclosures outside the arrangements set out here will not be protected under this policy.

### **C. The school's commitment**

The school is committed to good practice and high standards and wants to be supportive of employees.

It can be difficult for an employee to make the decision to report a concern. If a concern is raised in good faith and based on reasonable belief, then even if their concern is not confirmed by the investigation, no action will be taken against them.

Any investigations arising from whistleblowing will not influence or be influenced by any other procedures to which an employee may be subject.

### **D. Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal the identity of the employee if that is their wish. Employees should be aware that, while they may request anonymity, the School may disclose their identity if required to do so, for example by law or a court order, or to protect the safety of individuals. These situations will be discussed with the employee beforehand, where possible.

### **E. Anonymous allegations**

This policy and procedure encourages an employee to put their name to their concern whenever possible.

Concerns expressed anonymously may be considered by the school taking into account:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

### **F. How to raise a concern**

The earlier an employee expresses concerns the easier it is to take action.

An employee is not expected to provide conclusive proof but they will need to demonstrate that there are reasonable grounds for their concern. If, after a preliminary assessment the

investigator determines that the concern lacks reasonable grounds, they may decide not to proceed and the employee will be informed of this decision. If a concern is reported anonymously, the investigator shall have the discretion to decide whether it should be investigated.

Concerns should be reported to the Head of School, who will normally appoint a suitable investigator acting under the Head of School's supervision, or in certain cases may decide to investigate the matter him/herself. Reports to the Head of School should be sent to this email address: [[HOSWhistleBlow@g.lfis.edu.hk](mailto:HOSWhistleBlow@g.lfis.edu.hk)].

If the concern is about the Head of School, the employee should report this directly to the Board Chair, who will investigate the concern together with the vice-chair(s) of the Board. Reports to the Board Chair should be sent to this email address: [[BoardWhistleBlow@g.lfis.edu.hk](mailto:BoardWhistleBlow@g.lfis.edu.hk)].

If the concern is about the Board chair, the employee should report this directly to the Head of School at [HOSWhistleBlow@g.lfis.edu.hk](mailto:HOSWhistleBlow@g.lfis.edu.hk), and the Head of School will investigate the concern together with the vice-chair(s) of the Board.

Whistleblowing concerns usually relate to the conduct of school employees but they may sometimes relate to the actions of a third party, such as a service provider. Employees may also raise a concern in respect of a third party, such as a service provider, in line with the procedures outlined here.

Concerns should be recorded by the investigator in sufficient detail to enable the matter to be thoroughly investigated. As a minimum, they will record the name of the employee but also indicate whether the individual wishes his or her identity to remain confidential and the nature of the concern. In some cases, it will not be possible to maintain confidentiality and the investigator should explain this to the employee. In such instances, the employee will have the choice of either withdrawing the report or agreeing to his/her identity becoming known to enable the concern to be effectively dealt with. Employees should be aware that in some serious cases, once the concern has been shared, it may not be possible to protect the identity of the employee even if this is requested, for example if the school is required by law or by court order to disclose the identity of the employee. However, in such cases the protections in this policy will still apply, and the employee should not fear any stigma, harassment or discrimination.

The employee may bring a colleague to any meetings under this policy. The colleague must respect the confidentiality of the disclosure and any subsequent investigation, and disciplinary action, up to and including dismissal, may be taken if there is a breach of such confidentiality.

## **G. External disclosures**

The aim of this policy and procedure is to provide an internal mechanism for reporting, investigating and remedying any alleged wrongdoing in the workplace. In most cases, employees should not find it necessary to alert anyone externally. If an employee decides to raise a concern externally without reasonable justification (what is considered reasonable will be the Head of School's decision, or where the concern is about the Head of School, the Board Chair's decision), the employee may be subject to disciplinary action up to and including dismissal, and legal action if appropriate.

## **H. Investigation and outcome**

Once an employee has raised a concern, the Head of School (or Board Chair or the vice-chair(s), as the case may be) will, within a reasonable timeframe, carry out an initial assessment to determine the scope of any investigation. The employee raising the concern may be required to attend additional meetings in order to provide further information.

While in most cases the Head of School will appoint an internal investigator under his or her supervision to conduct the investigation, where the reported concern is of a serious or sensitive nature, the decision may be taken to engage an independent third party to assist in or lead the investigation.

The investigator will aim to keep the employee informed of the progress of the investigation and likely timescale, if known. Sometimes the need for confidentiality may mean that the employee cannot be given specific details of the investigation or any disciplinary action taken as a result. The employee is required to treat any information about the investigation as strictly confidential.

Whilst it cannot always be guaranteed that the outcome will be in line with the employee's expectation, concerns will be dealt with fairly and in an appropriate way.

Once an investigation is completed, the decision taken by the investigator will normally be final and not subject to review unless material new evidence is presented, in which case the investigators may, but do not have to, review their findings in light of the new evidence. The Head of School may refer any particular case to the Board Chair for review if considered appropriate.

Any employee raising a concern under this policy and procedure will be informed, where appropriate, of the final outcome of the investigation. It will generally not be appropriate to provide specific details due to the confidentiality and sensitivity of such matters.

## I. Protection and support for whistleblowers

Employees are encouraged to be open and will be protected by this policy where genuine concerns are raised in good faith, even if they turn out to be mistaken.

Employees will not suffer any detrimental treatment as a result of reporting a concern in good faith. “**Detrimental treatment**” can include dismissal, disciplinary action, harassment, discrimination, threats, or other unfavourable treatment connected with the raising of the concern. If an employee believes that they have suffered any such treatment, they should inform the Head of School immediately. If the Head of School is involved in the alleged detrimental treatment, or was the subject of the concern, the employee should inform the Board Chair. If the matter is not remedied, the employee should raise it formally using the school’s grievance procedure.

No employee or director should threaten or retaliate against a whistleblower in any way. Any individual involved in such conduct will be subjected to disciplinary action. If an employee feels that a report has been made against them in bad faith or maliciously, and without basis, they should raise this with the investigators. Where a concern is found to have been reported maliciously or in bad faith, and without basis, the employee making the report will be subject to disciplinary measures.

All employees are responsible for the success of this policy and procedure and should ensure that they use it to disclose any suspected danger or wrongdoing. Employees are invited to comment on this policy and procedure and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Head of School in the first instance.

The school will do what it can to minimise any difficulties which an employee may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings the school may arrange for them to receive advice about the procedure and other appropriate support, depending on the circumstances of the case.

## J. Protection and support for those implicated in whistleblowing allegations

FIS understands that being implicated in a whistleblowing investigation is stressful for employees, regardless of the final outcome. FIS offers counselling sessions to employees through the Employee Assistance Program in association with St John’s Cathedral

Counselling Service. Employees who are the subject of investigations may wish to make use of the Program, which is provided in complete confidence. Matters disclosed during counselling sessions will not be disclosed unless the counsellor is legally required to do so. To arrange a counselling session, employees may contact the head of the Health Department by email at [head\\_healthdepartment@g.lfis.edu.hk](mailto:head_healthdepartment@g.lfis.edu.hk).

Employees who are implicated in whistleblowing reports or investigations will not be subjected to any detrimental treatment, as defined in section I. above, save that the School may take appropriate disciplinary or legal actions if the investigation results in findings that warrant such actions.

## **K. Child safeguarding**

If an employee suspects that there is a serious safeguarding issue that they feel is not being taken seriously by the Head of School, or if there is a serious safeguarding issue involving the Head of School, they should in the first instance contact the relevant designated safeguarding lead as specified by the FIS Child Protection and Safeguarding Policy.

## **L. Records of Whistleblowing Reports**

Whistleblowing reports will be recorded and tracked using CPOMS software by the Investigator.

The Board plays an important role in having oversight on whistleblowing reports. The Board will be informed about cases the Head of School considers significant. There will also be an annual report made to the Board analysing patterns and the incidence of whistleblowing reports.

# FIS Community Code of Conduct

\*This Code of Conduct applies to the wider FIS Community of staff, parents and service providers. Students of FIS have a separate Code of Conduct.

## THE CARE MODEL

These guidelines have been developed with reference to the codes of conduct and codes of ethics published by the Education Bureau of Hong Kong, IB World School and the AEFEE. The document is divided into matters of principle and matters of practice.

### Principles

#### Co-operation

**We** are very proud to have a very supportive and committed community.

**We**, all the staff, parents and carers recognise that the best education for our students will be achieved through a positive partnership between us all.

**We** are all aware of the FIS Vision statement that we are engaged in creating a healthy and safe environment for our whole community and that together we stand united in diversity.

**We** strive for a nurturing environment, emphasizing mutual respect, which enriches the school and emphasise values of tolerance and responsible global citizenship.

#### Ambition

**We** pledge to continuously strengthen our community through collaboration, understanding each other's differences, mutual respect and a celebration of our diversity.

**We** strive for seamless teamwork across roles, cultures, generations, streams and campuses.

**We** encourage all our members to be active, compassionate and lifelong learners who seek understanding first and acknowledge that others can be correct regardless of their differences.

#### Respect

As members of the FIS Community:

**We** are grateful for the healthy, nurturing and safe environment of the School and show our respect for this by conducting ourselves in a considerate and orderly manner whenever in School or representing the School.

## **Expect**

As members of the FIS community:

**We** support and help each other to observe all school rules and protect the School's property, equipment and reputation.

**We** communicate promptly, honestly and openly about issues and employ the communication channels provided by the School.

**We** seek to clarify all versions of events as part of a peaceful solution-focused resolution process.

## **Practices**

**We** respect and follow the instructions of the School security guards, and staff whilst they are undertaking their duties.

**We** request permission from the various Heads of School/Campus before arranging any parent assembly on the School campus.

**We** seek information and raise concerns directly with the School through the appropriate channels.

**We** ensure that our behaviour on the school campuses is appropriate e.g. no illicit products on premises, request permission for photographs of children and appropriate dress.

**We** respect all members of the community by using appropriate language and a dignified tone when communicating with others - regardless of the mode of communication.

**We** respect each individual's right to confidentiality by treating any such information with the care with which we would expect them to treat our information.

## **SOCIAL MEDIA**

### **Principles**

**We** understand that 21st century education is about promoting communication, and our school is no exception; this means using a number of varied devices and platforms, including the huge array of social media available to all members of our community.

**We** acknowledge that the majority of the community take part in online activities and interact through social media. For the most part, this is fun, interesting and keeps us informed and connected.

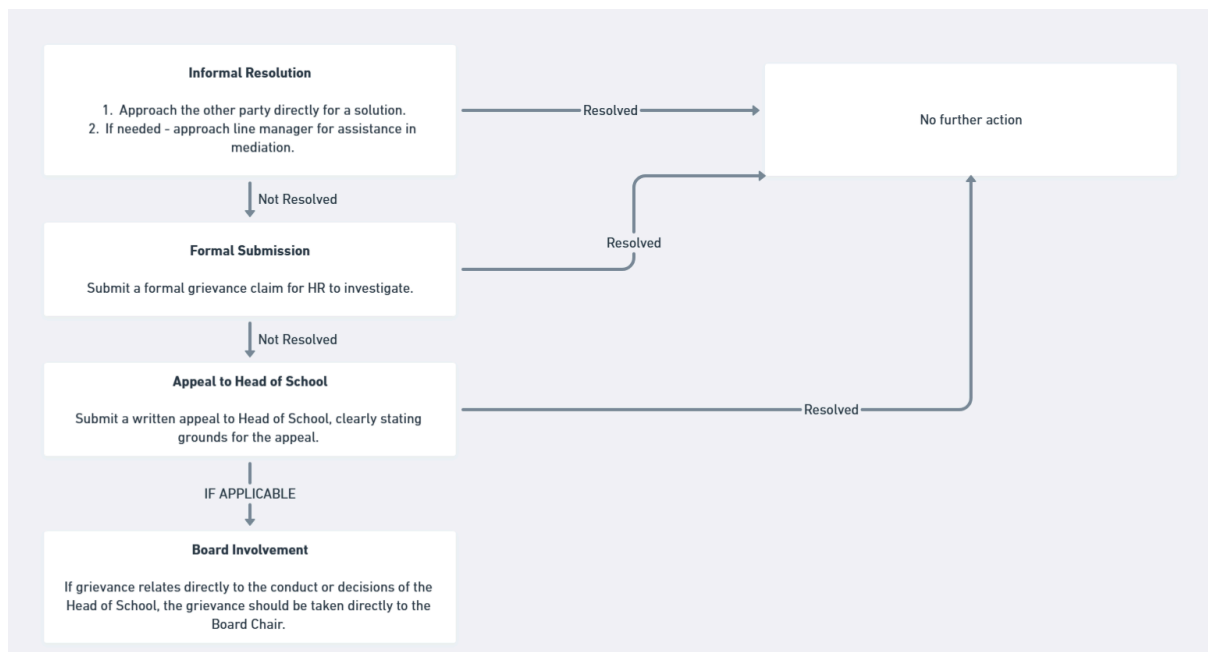
### **Practices**



**We** need to think before we post: social media, whether public or private, should not be used to create and fuel campaigns and complaints against any member of our community. Should members find themselves the target of suspected inappropriate online communication they should use the complaints procedure.

**We** take very seriously any inappropriate use of social media by anyone to publicly humiliate or criticise another member of our community and instigate the complaints procedure. Any concerns must be addressed through the appropriate channels by speaking to the leadership team of the school so that the issues can be dealt with fairly, appropriately and effectively for all concerned.

### Internal Grievance Flowchart



## External Grievance Flowchart

