

## HANDLING COMPLAINTS

### 1. INTRODUCTION

Walford Anglican School for Girls is dedicated to creating a safe and nurturing environment that prioritises the safety and wellbeing of all individuals. Parents are key partners in their daughter's journey, actively participating in the care and growth of each student and working together with the School to ensure the best for their child.

Walford endeavours to create an environment in which people feel able to speak up about issues concerning the education and wellbeing of students and the conduct of staff. Complaints are an important way for parents to provide information and feedback to the School and request a response or action.

It is important to note that neither the Minister for Education, Training and Skills nor the Department for Education has any power to directly intervene in any complaints relating to the operations of a Non-Government School. The Association of Independent Schools (AISA) will not act as a mediator between parents and schools.

### 2. PURPOSE

This policy describes the way Walford deals with parent complaints respectfully, fairly, expeditiously and with sensitivity to all concerned. Complaints should be made and dealt with in a non-adversarial manner.

This policy does not apply to staff employment-related grievances, which are addressed through the Staff Grievance Policy.

### 3. DEFINITIONS

In this document, the term *parent* refers to both parents and caregivers. The term *caregiver* includes an individual who has assumed the role of primary caregiver for a child or young person, such as a guardian, grandparent, or other family member.

For the purpose of this policy, a *complaint* is an expression of dissatisfaction with:

- (a) a real or perceived situation, outcome or decision; or
- (b) a failure by the School to provide a service, take action or make a decision.

A complaint may be about the School as a whole, about a specific department within the School or about an individual in the School community.

The *complainant* is the person making the complaint.

### 4. GUIDING PRINCIPLES

The following principles underpin Walford's handling of complaints.

- The health, safety and wellbeing of all members of the School community is Walford's highest priority.
- Walford values feedback and is open to hearing the concerns of parents.
- Complaints should be lodged in good faith.
- Walford will receive complaints in a positive manner.
- Walford will support a complainant wherever possible.
- Walford is committed to being as clear as possible with the complainant about what will and will not be treated in confidence.
- A complaint will, wherever possible, be resolved at the School level, and by the staff member closest to the situation, with a view to early intervention, effective management and resolution.
- Walford will securely maintain records of all complaints.
- Legal obligations will be met in all cases, including, but not limited to, those relating to anti-discrimination and vilification, child protection and Family Court Orders.

## 5. PROCEDURES

### 5.1 Determining the seriousness of the complaint

The complainant should determine whether a complaint is minor in nature or serious. Minor complaints can generally be dealt with swiftly and informally. Serious complaints generally require fuller investigation and will be dealt with formally. The School can provide guidance as to whether a complaint is minor or serious.

#### **Minor complaints**

A complaint that is minor in nature or which can readily be resolved. These often arise from genuine misunderstandings and/or issues relating to communication.

Minor complaints should, if possible, be resolved informally as follows.

- Complaints relating to **academic matters** should be directed to:
  - the relevant teacher in the first instance; followed by
  - Director of the ELC (ELC), Assistant Head of Junior School (Junior School) or Head of Faculty (Middle and Senior Schools); and then
  - Head of Junior School (ELC and Junior School), or the Director of Learning and Teaching (Middle and Senior Schools).
- Complaints relating to **pastoral matters** should be directed to:
  - the classroom teacher (ELC and Junior School) or Mentor teacher (Middle and Senior Schools) in the first instance; followed by
  - Director of the ELC (ELC), Assistant Head of Junior School (Junior School) or Head of House (Middle and Senior Schools); and then
  - Head of Junior School (ELC and Junior School) or Assistant Head of Secondary School followed by Head of Secondary School (Middle and Senior Schools).
- Complaints about **finances, corporate services or facilities** should be directed to the Director of Finance and Corporate Services.
- Complaints about **operations** should be directed to the Director of Professional Growth and Operations.

#### **Serious complaints**

Formal procedures for the resolution of complaints should only be invoked when a matter is of a very serious nature and/or cannot be resolved through informal means. In such instances, the School can advise the complainant about the appropriate person/s in the School to whom the complaint is best directed.

### 5.2 Lodging a complaint

A complainant should make the complaint, whether minor or serious, to the staff member most appropriate to investigate, consider and resolve the complaint. This may be the class teacher, Mentor teacher, Head of House, Head of School or other appropriate member of the Executive Leadership Team, or Principal.

Complaints about the Principal or a member of the Council of Governors should be made to the Chair of the Council of Governors (unless the complaint is about the Chair, in which case the complaint should be made to the Deputy Chair).

Only the following people can receive a serious complaint:

- Head of Junior School.
- Head of Secondary School.
- Director of Learning and Teaching.
- Director of Professional Growth and Operations.
- Director of Marketing and Community Engagement.
- Director of Finance and Corporate Services.
- Principal.
- In the case of a serious complaint about the Principal or a member of the Council of Governors only, the Chair of the Council of Governors (unless the complaint is about the Chair, in which case the complaint should be made to the Deputy Chair).

All serious complaints must be made in writing.

### 5.3 Behaviour during investigation

While a complaint is being investigated and resolved, it is expected that all parties will behave in a manner consistent with the School's Codes of Behaviour and values. As outlined in the Parent Code of Behaviour, parents are expected to support the educational ethos and values of the School, behave respectfully towards members of our community, communicate and use technology and social media appropriately, be a responsible visitor and participant, and raise genuine complaints in an appropriate, constructive and respectful way.

Effective communication and resolution requires the both complainant and the School to:

- show respect and understanding of each other's point of view;
- 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 balanced; and
- comply with all legislation.

Unreasonable behaviour in connection with a complaint will not be tolerated. Behaviour will be considered by the School to be unreasonable when:

- it is clearly and significantly outside the expectations of co-operation, courtesy and respect;
- it calls for staff resources and time unjustified by the nature or significance of the complaint;
- it is without merit, or is designed to cause annoyance to another person;
- it is oriented towards conflict; or
- it has an unreasonable cost impact to the School.

Examples of unreasonable behaviour include repeated calls or emails after a matter has been addressed, personal insults or threats, or demands that are disproportionate to the issue raised.

### 5.4 Investigation and resolution

#### All complaints

Once a complaint is raised, the School will endeavour to investigate and resolve it as quickly as possible. It will do this through direct communication and discussion by and between the parties.

Every reasonable effort will be made by the School and its representatives to ensure that a complainant or anyone dealing with or involved in the complaint will not be treated unfairly, victimised, coerced or intimidated.

Each complaint will be dealt with on its circumstances and merits and any settlements reached or determinations made through the resolution process will not constitute a binding precedent for future or similar cases.

In responding to a complaint, every reasonable effort shall be made to ensure that natural justice and procedural fairness are afforded to all parties. This means that:

- All parties will be treated with respect and heard.
- All parties should participate fully in the resolution process to achieve an outcome that is realistic and reasonable.
- A person who is the subject of the complaint will be informed of the substance of the complaint and given a full opportunity to present their perspective.
- All parties have the right to seek advice and support.
- Investigations and proceedings will be conducted fairly, thoroughly and without bias or undue delay.
- Parties should provide all relevant, material, complete and factual information, documents or other evidence relating to the complaint.

Depending on the complaint, the School may inform its insurer of the issue, as the insurer may have requirements about management of the complaint.

If a resolution cannot be found, a determination will be made by the School, based on thorough investigation, as to whether or not to uphold the complaint.

Whether the complaint is substantiated, the evidence is inconclusive, or if the complaint is found not to be substantiated, all parties will be formally advised accordingly. The School will also communicate any follow up actions, mediation or counselling it deems appropriate.

### **Serious complaints in particular**

As soon as practicable after a serious complaint has been made, a formal plan will be put in place by the School to investigate the complaint.

The investigation plan in relation to a serious complaint will include but not necessarily be limited to gathering relevant and material information relating to the complaint, and meetings convened of the parties to discuss the complaint and to seek a resolution.

#### **5.5 Referral of a complaint to the Council of Governors**

As a general rule, the Chair of the Council of Governors and members of the Council of Governors are not directly involved with the receipt, investigation or resolution of a serious complaint except for complaints about the conduct of the Council of Governors itself.

In instances where a complaint is about the Principal or a member of the Council of Governors a complainant may, if they feel the matter cannot otherwise be resolved or feels it is appropriate to do so, lodge a formal complaint with the Chair of the Council of Governors (unless the complaint is about the Chair, in which case the complaint should be made to the Deputy Chair). In turn, and in consultation with the complainant, the Chair (or Deputy Chair if the complaint is about the Chair) will expeditiously take all reasonable steps to have the complaint fully investigated and to facilitate a resolution.

The Chair of the Council of Governors can be contacted at [boardchair@walford.asn.au](mailto:boardchair@walford.asn.au) or via the Executive Assistant to the Principal.

## **6. CONFIDENTIALITY**

The School will treat each complaint with respect, sensitivity and discretion. However, the School cannot guarantee that communications or documents will be kept confidential. The School reserves its right to disclose details of the matter to other persons who in its opinion need to know them to facilitate the resolution of the complaint.

Often it is not possible to keep the information only with the complainant and the staff member(s) who receives the complaint to reach resolution. Generally, the details of the complaint will be disclosed only to people who need to know them, either because they are dealing with the complaint, or are advising about how it should be handled, or are providing information such as witness statements.

In handling complaints, the School will distinguish between situations where a legal obligation of confidentiality arises and cases where it does not. Any staff member involved in the investigation will be instructed very clearly not to discuss the matter with any other people, including, but not limited to, other staff, students or parents.

The School notes that it may be possible to investigate a complaint without naming individuals. However, the source of the complaint may be obvious even if no names are given. Depending on the nature of the complaint and on the circumstances, it may be impractical to undertake an investigation without disclosing the identity of the complainant, the staff member(s) and/or the student concerned.

## **7. ANONYMOUS COMPLAINTS**

A complainant may wish to make a complaint anonymously. While this may limit the School's ability to fully investigate or respond, the School will consider the issues raised to the extent practicable.

The Principal will determine how to manage these complaints on a case-by-case basis.

## **8. MANDATORY REPORTING**

Where a complaint suggests a crime might have been committed or the matter falls under the Responding to Risks of Harm, Abuse and Neglect provisions, the Police or similar outside agencies (e.g. Child Abuse Report Line - CARL) will be contacted and formally advised.

Legal obligations relating to child abuse may limit Walford's ability to undertake a comprehensive investigation. This particularly applies to the mandatory reporting requirements outlined in the [\*Children and Young People \(Safety\) Act 2017 \(SA\)\*](#). South Australia Police (SAPOL) involvement in some investigations may also limit the nature and scope of the School's investigation. In such cases, the School will seek guidance from SAPOL as to what can or cannot be done while the police are involved in the matter.

## 9. WITHDRAWAL OF A COMPLAINT

A complainant may withdraw a complaint at any stage of the resolution process. If a complaint is withdrawn, the matter will be deemed closed, unless the School, at its discretion and in all the circumstances, wishes to continue to address a matter raised. The School reserves the right to continue to address issues raised in a complaint if it considers it necessary to meet legal obligations or ensure the safety and wellbeing of the School community.

## 10. RECORD KEEPING BY THE SCHOOL

Documents created during the course of investigating and handling a complaint might have to be produced in legal proceedings. It is important that this be borne in mind at all times.

The School will keep records of a complaint including clear and accurate notes of conversations with parents, students and staff, including dates, statements made by the complainant, investigation notes and outcomes.

The School will maintain a records management system to keep records of complaints. The School will use its best endeavours to ensure the system has appropriate controls to protect the privacy of any personal information collected in connection with a complaint.

## 11. REVIEW AND DISTRIBUTION OF THIS POLICY

Regular reviews of complaint handling procedures are undertaken to ensure the effectiveness and responsiveness of School policy and procedure.

This policy will be made available to all staff and parents of the School via the Parent Portal and the School's policy platform.

## LEGISLATIVE CONTEXT

[Children and Young People \(Safety\) Act 2017 \(SA\)](#)

[Privacy Act 1988 \(Cth\)](#)

[Education and Children's Services Act 2019 \(SA\)](#)

[Equal Opportunity Act 1984 \(SA\)](#)

[State Government Funding Deed](#)

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