

HANDLING COMPLAINTS

PURPOSE

It is recognised that, from time to time, complaints may be received by the School from parents (including guardians and any person with whom a student normally or regularly resides) in our community. This policy sets out guidelines and processes by which such matters can be addressed respectfully, fairly, in a non-adversarial manner, expeditiously and with sensitivity to all concerned.

For the purpose of this policy, a complaint or grievance is an expression of dissatisfaction with a real or perceived situation or outcome.

The dissatisfaction may be based on the perception that the School has:

- done something wrong; or
- failed to do something it should have; or
- acted unfairly or inappropriately.

It may be about the school as a whole, about a specific department within the school or about an individual member of staff or student.

Neither the Minister for Education and Child Development nor the Department for Education and Child Development has any power to directly intervene in any complaints relating to the operations of a non-government school.

POLICY AND PROCEDURE DETAIL

- Working with all members of our School community to deliver the highest standard of learning and care for our students.
- Providing a safe and fair environment in which to work and study.
- Nurturing and promoting the development of positive and respectful relationships and seeking to minimise the incidence of conflict that might give rise to a serious complaint.
- Encouraging wherever possible, the resolution of complaints, if and when they arise, at the school level.
- Supporting the right of every member of the School to have their complaint lodged, listened to, addressed fairly and dealt with expeditiously.
- Complying with all relevant statutory and legal requirements. These include for example, but are not limited to: anti-discrimination and vilification laws, child protection laws and Family Court Orders.

1. Lodging a Complaint – Guiding Principles

- 1.1 The health, safety and wellbeing of all members of the School community shall remain the highest priority.
- 1.2 Parents are entitled to a bona fide complaint with the School. As such, complaints should be lodged in good faith without frivolous, malicious or vexatious intent.
- 1.3 Every reasonable effort will be made by the School and its representatives to ensure that a person who lodges a complaint or anyone dealing with or involved in the complaint will not be treated unfairly, victimised, coerced or intimidated.
- 1.4 Communication and resolution processes should always be based on the parties acting in good faith, exercising good judgment, being open and honest and focusing on the issue and not the person(s).
- 1.5 Each complaint is to be dealt with on its particular circumstances and merits and any settlements reached or determinations made through the resolution process will not necessarily constitute any binding precedent for future or similar cases.

- 1.6 In responding to a complaint, informally or formally, every reasonable effort shall be made to ensure that natural justice and procedural fairness are afforded to all parties. This means in practical terms that:
- 1.6.1 All parties are entitled to be treated with respect and to be heard.
 - 1.6.2 All parties should participate fully in the resolution process to achieve an outcome that is realistic and reasonable.
 - 1.6.3 A person who is the subject of the complaint shall be informed of the substance thereof and given a full opportunity to present their perspective.
 - 1.6.4 All parties have the right to seek advice and support.
 - 1.6.5 Investigations and proceedings must be conducted fairly, thoroughly and without bias or undue delay.
 - 1.6.6 Parties should provide all relevant, material, complete and factual information, documents or other evidence relating to the complaint.

2. **Informal resolution of complaints wherever possible**

- 2.1 Many complaints may be minor in nature or readily resolved, and often arise from genuine misunderstandings and/or issues relating to communication. In the vast majority of cases, these can be satisfactorily resolved informally. Complainants are encouraged to seek local and informal resolutions in the first instance.
- 2.2 The School supports complainants wherever possible and as soon as is practicable after a matter becomes of concern, to seek to resolve the complaint in an informal and amicable manner. This is best done through direct communication/discussion by and between the parties themselves (eg a parent and teacher).
- 2.3 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 by the parties themselves through informal means.

3. **Formal and serious complaints**

- 3.1 Complaints that cannot otherwise be resolved pursuant to 2.1 and 2.2 above or are of a very serious nature may be referred to or should be lodged formally and in writing with the appropriate staff in the following categories:
- Principal
 - Director of Finance and Corporate Services
 - Director of Learning and Teaching
 - Head of School
 - Head of Boarding
 - Head of Sport and Coaching
 - Head of House
 - Learning Leaders
 - Human Resource and Compliance Specialist
 - Other department leader
- 3.2 In such instances, the complainant may also seek advice or clarification from any of the aforementioned staff about the appropriate person(s) in the School to whom the concern or complaint might best be directed.
- 3.3 As soon as practicable after a formal written complaint has been lodged, a process will be put in place by the School to investigate the complaint.
- 3.4 The investigative process in relation to a formal complaint will include but not necessarily be limited to: gathering relevant and material information relating to the complaint, meetings convened of the parties to discuss the complaint and to seek a resolution. 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.

3.5 If 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, along with any follow up counselling or other actions as the parties agree and/or the School deems appropriate and necessary in all the circumstances.

4. **Referral of a complaint to the Council of Governors**

4.1 As a general rule, the Chair of the Council of Governors and members of the Council of Governors are not directly involved in the first instance with the receipt, investigation or resolution of a serious complaint other than grievances within the School Council itself.

4.2 In instances where a complaint is about the Principal a person 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. In turn and in consultation with the complainant, the Chair will expeditiously take all reasonable steps to have the complaint fully investigated and to facilitate a resolution.

5. **Referral of a complaint to an external authority**

5.1 Where a serious complaint is not or cannot be resolved within the School, the parties may seek assistance from outside professional agencies to judicial bodies in order that a further attempt can be made to resolve the matter.

5.2 The Association of Independent Schools (AISSA) will not act as a mediator between parents and schools.

5.3 Neither the Minister for Education and Child Development nor the Department for Education and Child Development has any power to directly intervene in any complaints relating to the operations of Walford Anglican School for Girls.

6. **Confidentiality, Discretion, and the School's duty or obligation to notify or report**

6.1 If a parent chooses to make a complaint without disclosing their identity, this will limit the options for proper and thorough investigation and resolution. It also raises issues in relation to procedural fairness for those who have a complaint made about them as they have a right to know the particulars of the complaint and to respond. The School therefore cannot guarantee that anonymous complaints can or will be dealt with. Complainants are always encouraged to identify themselves. ^[1]_[SEP]

6.2 As far as possible and appropriate, due discretion and respect will be maintained by all parties throughout the resolution process. However, the School reserves the right to disclose details of the matter to other persons who in the School's opinion, need to know them in order to facilitate the resolution of the complaint.

6.3 Where complaints are made in circumstances where an alleged crime may have been committed or the matter falls under the Responding to Risks of Harm, Abuse and Neglect provisions, the Police or similar outside agencies (eg Child Abuse Report Line - CARLS) will be contacted and formally advised. ^[1]_[SEP]

7. **Withdrawal of a complaint**

7.1 A parent may withdraw a complaint at any stage of the resolution process. If a complaint is withdrawn, the matter will be deemed to be closed, unless the School, at its discretion and in all the circumstances, wishes to continue to address a matter raised.

8. **Record keeping by the School**

8.1 It should be noted that documents that may be created during the course of investigations and handling a complaint might have to be produced in legal proceedings. It is important that this be borne in mind at all times.

8.2 The record of the complaint should contain clear and accurate notes of conversations with parents, students and staff, including dates, statements made by the complainant and those

taken in investigations and other relevant files and outcomes.

8.3 Records will be very useful if further disputation occurs or in the case of future legal action. An appropriate records management system be established which protects the privacy of the individual(s) concerned and which contains full details of the complaint and subsequent actions taken to resolve the matter. ^[1]
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9. **Distribution of this policy**

9.1 This policy, and any changes thereto, will be made available to all staff and parents of the School via the Parent Portal and the policies and practices platform.

Date Issued:	January 2016
Last Reviewed:	March 2023
Next Review:	January 2024
Responsibility:	Principal
Policy Number:	4.8