

# Complaints Procedure Policy



## REVISION REQUIREMENTS

- Biennial Revision - next due May 2021
- Responsibility - School Board
- Amendments to this version are annotated by the inclusion of a solid black line in the left margin

## INTERPRETATION

Within this document:

- words denoting a gender or genders include each other gender;
- words in the singular number include the plural and words in the plural number include the singular; and
- the word parent is taken to include parents, guardians, step-parents, grandparents, extended family, babysitters and any others while involved in activities or communication related to Quintilian School.

## RESPONSIBILITIES FOR IMPLEMENTING THIS POLICY

The School Board is responsible for endorsing this Policy, maintaining its currency and relevance.

The Principal is responsible for ensuring all parents, staff, volunteers, and visitors, as are applicable, are aware of this policy.

## OTHER POLICIES THAT APPLY TO THE COMPLAINTS PROCEDURE POLICY

- Quintilian School Constitution
- Child Protection Policy
- Student Behavioural Policy
- Parent Code of Conduct
- Board Code of Conduct
- Staff Code of Conduct

## DEFINITIONS

- A concern is the expression of a worry, something that has made a person troubled or anxious about an issue and is expressed at a 'first level' i.e. to a class teacher at the classroom door or by telephone or email directly to the relevant staff member. Depending on the nature of the concern, it can often be resolved at this 'first level' in a more informal manner. NB: It would be prudent nonetheless for the teacher or staff member concerned to make and file a brief note regarding the issue and interaction in case of future escalation.
- A complaint is an expression of dissatisfaction with a real or perceived problem received in writing, of protest, objection, dissatisfaction with a real or perceived problem, accusation, or criticism and is usually dealt with in a formal manner. A complaint may be made if a parent, staff member or student thinks that the school has for example:
  - Done something wrong
  - Failed to do something it should have done
  - Acted unfairly or impolitely
  - Another person or student has acted inappropriately.
- A dispute would usually be viewed as an argument or disagreement and may be the result of a pursued unresolved complaint.

## PREFACE

Quintilian School as a community school recognises and encourages parental involvement in the education of their children. The school recognises that under the Western Australian School Education Act 1999 it must have in place a dispute resolution procedure. The Education Act 1999 also includes a standard, applicable to Non-Government Schools that relates to 'the response to, and recording of, complaints and disputes at schools.' Sec 159(1)(k). This policy incorporates those standards.

Complaints, where possible, are to be resolved closest to the source of the complaint.

## INTRODUCTION

Complaints occur from time to time and the School is committed to achieving an effective resolution in a positive atmosphere. This policy and procedure sets out the process by which complaints are to be addressed in a confidential, expeditious and sensitive way.

A positive resolution will most often arise where there is clear communication, an opportunity for all parties to express their views and be heard. As such, the School encourages parties to agree upon a method of resolution.

The School considers that accurate record-keeping during the process of hearing a complaint and respect for confidentiality of those involved are important elements in the complaints handling process.

The School expects that complaints will be handled in a respectful manner in the best interests of students of the School as a whole.

It is essential that our procedure is child friendly. To ensure this the School has used the 'Are You Listening Guidelines' produced by the WA Commissioner for Children and Young People to ensure students are able to raise concerns easily within the school.

Complaints from members of the public will be treated in a similar way to complaints from parents, staff and students, although most complaints from the public would be referred directly to the Principal.

All students, parents, staff and other members of the School community are covered by this policy.

The School has a Child Protection Policy with a stated Code of Conduct and Reporting Process, and Codes of Conduct for all members of the school community. These policies, and their procedures, take precedence over the Complaints Policy at all times.

The school listens to the parent body in a number of ways:

- Parents are actively encouraged to be partners in their child's education.
- Class meetings are held on a regular basis and at least each year.
- Teachers are available to parents before and after normal classroom hours and parents are encouraged to firstly discuss matters directly with teachers. *Refer Quintilian School Parent Code of Conduct for the details of the School Communication Process.*
- Parental surveys are held linked to specific matters.
- Parent forums are held where appropriate.
- Board newsletter items are regularly included in the school newsletter.
- School and class newsletters are published regularly during term times.
- Parents are welcome to discuss any matter with the Principal.
- Parents may contact Board members to raise concerns and may write to the School Board for formal consideration of their complaints.

## COMMUNICATION AND TRAINING

The school will make information about procedures for addressing concerns and complaints readily available via the school website to parents and the school community, in clear and easy-to-understand language.

The school will:

- brief all members of staff about its procedures to address concerns and complaints; and
- provide staff with access to training and support appropriate to their responsibilities under these procedures.

## STUDENTS' COMPLAINTS, PROBLEMS OR CONCERNS

It is well recognised that 'empowering children and young people to understand their rights, to report problems and concerns and effectively support them to address the issue raised is critical. Taking children and young people seriously if they raise a matter of concern and ensuring that staff and volunteers have appropriate training and processes to ensure that such matters are dealt with effectively' is of paramount importance. Taken from Summary – [Creating Child Safe Organisations Report on Consultation with Children and Young People June 2015](#), WA Commissioner for Children and Young People.

At Quintilian School, students are encouraged to raise concerns with any member of staff with whom they feel comfortable, whether it is the class teacher, another teacher, a member of the support staff or the Principal. Students may also raise concerns via a parent, guardian or any trusted person. Students may raise concerns in any manner they feel most comfortable with, for example, verbally, in writing or by email.

Complaints or concerns that may appear trivial in the first instance will still be treated seriously. Quintilian School recognises that students may test the complaints procedures on relatively minor issues before finding the confidence to raise something painful, such as bullying or another more serious matter.

With all student concerns, but particularly if the complaint or concern is a difficult one, or if exploration of the concern raised will take time, it is understood that a student may need support from another student or from a trusted adult. Students are to be encouraged to choose a person with whom they feel comfortable to provide this support.

## LODGING COMPLAINTS

We encourage parents or students who have concerns to make it known to the School as soon as possible. We are more than willing to listen and to work together to find a resolution to the issue. Often what may seem to be a small issue or concern can be addressed easily, but if left can escalate into major and more difficult issues.

All complaints will be handled to ensure natural justice and procedural fairness principles are applied to all parties. In the first place, if a concern is regarding classroom matters, then this matter should be raised with the teacher concerned. If the matter cannot be resolved with the teacher, or is of a serious nature, then parents are encouraged to raise their concerns with the Principal. Meetings will be arranged as soon as is possible so that resolution can be as quick as possible. However, the Principal may not be able to resolve the matter until they have discussed the matter with the staff member or other parties concerned.

The Principal shall inform the Board Chair of all serious complaints and all disputes.

Details of serious complaints and those requiring ongoing monitoring/investigation will be recorded and will contain the following information:

- The date when the issue was raised
- Name of the parent, staff member
- Name of the student
- Brief statement of the matter
- Staff, parents, students involved
- Details of follow up telephone calls or conversations
- Brief statement of the outcome
- Date of closure of the complaint
- Any referral to the Board Chair

Copies of correspondence will be kept electronically, and copies of letters or reports kept on the staff member or student's file.

## **PROCEDURAL FAIRNESS**

All decisions and investigations must be approached with Procedural Fairness at all times. Procedural fairness is concerned with the procedures used by a decision maker rather than the actual outcome reached. It requires a fair and proper procedure be used when making a decision.

The rules of procedural fairness require:

- a hearing appropriate to the circumstances;
- lack of bias;
- evidence to support a decision; and
- inquiry into matters of dispute.

The duty to act fairly requires that:

- the decision maker must have an open mind (free from bias) when reading/listening to what is said by both parties; and
- people whose interests will be affected by the decision must have the chance to give a response before the decision is made, but after all important information has been gathered.

## **CONFIDENTIALITY**

This is an important issue for students, parents and staff. It is important that any complaint be treated in a confidential manner and with respect to all parties.

It may be possible to deal with a problem without naming individuals. Even if no name is given, the matter and process to resolve the complaint may be clear. Depending on the nature of the complaint and on the circumstances, it may be impractical to investigate without identifying the member of staff, the parent or the child – it may also be in the interest of the staff member, parent or child to do so.

We cannot entirely rule out the need to make third parties outside the school aware of the complaint and possibly, also the identity of those involved. This would only be likely to happen where, for example, a child's safety was at risk or it became necessary to refer matters to the Police or other external authority. If information is passed to a third party, all parties will be informed, unless this is prevented by legal obligation.

Members of staff shall be informed of any complaint that might be damaging to their reputation. Such complaints will be known only to themselves and to those who have to be consulted.

Where there is a situation involving the police, the Principal, or next most senior staff member if the Principal is unavailable, must take responsibility for action in the school and the Board Chair should be informed as soon as possible.

## **ANONYMOUS COMPLAINTS**

Quintilian School does accept anonymous complaints and will act judiciously in accordance with the seriousness of the complaint.

Anonymous allegations about child abuse (including physical, sexual, emotional, psychological, neglect or grooming), will be acted upon according to the Child Protection Policy.

Where a parent, staff member or student wishes to remain anonymous about any matter, it is at the Principal's discretion as to what action, if any, should be taken, depending on the nature of the complaint.

## **RESOLUTION**

Sometimes the very acknowledgement of an issue is all that the parent, student or staff member requires and the feeling that their opinions are listened to and valued. Resolution may also come from any of the following:

- Parent, student or staff discussions with the staff member, parent or student to resolve the matter satisfactorily;
- Knowing that changes have been made and that matters will be different in the future;
- Knowing that the school is now alert to a possible problem;
- An outcome which may be different from the one they sought, but which they perceive to be well considered;
- A considered letter; and/or
- An apology, if appropriate.

With intractable complaints the Principal will raise the issue with the Board Chair. After discussion with the Principal, the Chair should respond to the parents, notifying them that they are reviewing the matter and will proceed under Rule 23 of the Quintilian Constitution which addresses Disputes and Mediation. If a briefing is required from a member of staff, this should occur in the presence of the Principal. If a meeting is requested, the Chair will offer to meet the parents at a time convenient to them. Those involved are:

- The Board Chair;
- The Principal and, at the most, one other member of staff; and
- The parents.

Parents and the staff member should be allowed to bring along a supportive friend who is not involved in the complaint. However, the supportive friend must not make representation (speak, etc.) on the matter unless permitted to do so by the Chair. Legal representation is not appropriate at this stage.

If a solution is unable to be reached then the Chair should engage an independent arbitrator in accordance with *Rule 23 of the Constitution*.

## **WITHDRAWING A COMPLAINT**

A complaint can be withdrawn at any stage. If a complaint is withdrawn, the matter will be deemed to be closed. However, the complaint will still be recorded on the school's Complaints Register and a notation will be made to the effect that it has been withdrawn.

