



## Complaints Policy and Procedures

Version:	V1.1	Date Authorised: May 2021
Review Date:	May 2022	

### 1. Purpose of this policy

Bairnsdale Christian Community School understands that from time-to-time parents, external organisations and other stakeholders may be dissatisfied or have a concern or complaint in relation to a decision taken or an action or activity for which the school is responsible. Where possible the school encourages such concerns to be identified and resolved speedily and informally; the complaints policy is designed to apply when that proves more difficult, and a formal process is required.

The purpose of this policy is to set out the principles, guidelines and procedures governing the school's approach to the resolution of complaints from parents. The policy, together with the procedural documents listed in section 14, should be read, and understood by all staff and by those wishing to make a complaint.

### 2. Scope

This policy applies to employees, volunteers, parents/carers/guardians, students, and members of the public, and describes the step-by-step procedures to follow upon receiving a complaint.

### 3. Definitions

A complaint is an expression of dissatisfaction with a real or perceived problem.

A complaint may be made if a parent or student thinks that the School has, for example:

- done something wrong
- failed to do something it should have done
- acted unfairly or impolitely
- breached the Child Protection Policy.

A complaint may be made about the School as a whole, about a specific department in the School or about an individual member of staff.

#### **4. Principles**

The school believes that staff, parents, and students are committed to working closely together to provide the best educational opportunities for every child. The school is committed to the development of professional, trusting, and cooperative relationships between the school, parents, and the school community.

The school seeks the assurance from members of its school community that complaints do not give rise to victimisation or reprisal.

The school believes that complaints are an important way in which parents and the school community can provide the school with feedback and so form the basis for future improvements. The school will undertake to respond to both the specific and (where applicable) the systemic issues raised by the complaint.

Where possible, the school encourages concerns and complaints to be identified and resolved speedily and informally; the complaints policy is designed to apply when that proves more difficult, and a formal process is required.

The school is committed to child safety and has a zero tolerance of child abuse. In the context of this policy, the response to a complaint relating to child safety, particularly any in relation to Indigenous children, children with disabilities, children from linguistically and culturally diverse backgrounds, and children who are vulnerable, will be given the highest priority and attention.

The complaints policy and procedures are intended to be conciliatory, non-adversarial and non-legal.

#### **5. Principles governing the way in which complaints are handled**

The key principles for the handling of complaints are:

- The school will give priority to the student's wellbeing and educational needs
- The School is open to the concerns of parents and students
- Complaints are received in a positive manner
- The school will endeavour to respond to each complaint in a fair, objective and unbiased manner, taking into account the school's mission and values. Anyone involved in the complaint will be required to declare any conflicts of interest.
- Parents and students can expect to be taken seriously and can approach any member of staff about their concerns
- Information about complaints is clear and readily available
- Concerns are dealt with speedily and those who have raised them are kept informed about progress
- It is not acceptable for students to receive adverse treatment because they or their parents have raised a complaint
- Clear confidential files and a log are kept

- Confidentiality is respected and maintained so far as is possible
- Resolution of the matter is sought
- Staff training covers the handling of complaints
- The school will ensure any actions, outcomes and the resolution of a complaint are well documented, kept on file and that the parents concerned have a copy of the final decisions.

## **6. Who handles complaints?**

Where possible, the school encourages concerns to be identified and resolved speedily and informally with the member of staff most directly involved such as the classroom teacher.

Where the concern has not been resolved to the satisfaction of those concerned, a formal complaint may be made to the Principal.

If the complaint concerns the decisions, actions or activities of the principal, a formal complaint should be made to the Chair of the governing board.

Any appeals process should be addressed to the Chair and will be handled by the governing board.

## **7. What issues are covered by this policy?**

Issues that might be considered under the complaints policy could include, for example:

- A breach of the obligations by the school in relation to the democratic principles as set out in the Education and Reform Regulations (2017).
- Availability of information about the school's performance.
- The right of a parent or student to access information about the student's achievement.
- Decisions, actions, or activities for which the school is responsible, and which are thought to go against the spirit of the school's mission and values, or which are alleged to be inequitable or procedurally unfair.

## **8. Breach of policy**

Any breach of school policy by a parent will be considered by the principal and will be dealt with on a case-by-case basis.

The principal may take such action as considered appropriate in response to a breach of the policy including the:

- provision of a verbal or a written warning
- withdrawal of certain privileges or opportunities
- exclusion from future school events or functions

- exclusion from the school grounds and facilities
- revocation of their child's enrolment.

## **9. Legal and regulatory basis for compliance**

- Education and Training Reform Act 2006 (Vic)
- Education and Training Reform Regulations (2017)
- Victorian Registration and Qualifications Authority (VRQA) Minimum Standards
- Child Safe Standards Ministerial Order 870
- Privacy Act 1988 (Cth)

## **10. Roles and responsibilities**

The governing board is responsible for:

- reviewing this policy on an annual basis
- responding to any formal complaint raised that relates to the principal
- responding to an appeal if that is lodged in relation to an unresolved formal complaint

The principal is responsible for:

- determining the complaints procedures and ensuring that they are implemented in a way that is consistent with this policy
- ensuring the complaints policy is communicated to parents and the wider school community and external community via the website with copies also available from the school office
- responding to a formal complaint brought under this policy
- retaining a register of formal complaints (listing the date, subject and resolution) for reporting to the governing board on an annual basis and to be available to the VRQA as required.

Members of staff are responsible for:

- responding to and resolving concerns and complaints raised informally
- responding to concerns raised by students

The School will ensure that all members of staff have appropriate training in handling complaints.

Training will cover:

- the complaints procedure
- communication skills, such as listening, questioning and calming
- handling complaints, negotiation, and mediation skills
- skills in observing, recording and reporting
- the benefits of handling complaints well and the consequences of handling them badly

## 11. Recording

A log book for recording complaints is kept in the Executive Office.

It is important that you record the details of the complaint accurately as:

- it may become the cause of legal action in the future
- patterns in the record may indicate a need for action
- the Principal should be able to check the log and report on it regularly to the School Board.

The log should contain the following information:

- date when the issue was raised
- name of parent
- name of student
- brief statement of issue
- location of detailed file
- member of staff handling the issue
- brief statement of outcome

These files are confidential and are only to be accessed by members of School staff in the presence of the Principal. The files should contain simple but clear notes of all conversations with parents about any source of dissatisfaction. This applies to friendly chats and to telephone conversations, as misunderstandings easily arise. There should be a clear statement of what is concerning the complainant. The notes can be agreed with parents.

## 12. Confidentiality

Confidentiality is an important issue for students, parents, and staff. It is essential that any complaint is treated in a confidential manner and with respect.

Parents often seek an assurance of confidentiality before expressing their concerns. If, for example, they wish to discuss a particular member of staff, they may fear that their child will suffer in some way because they have complained.

It should be made clear to all concerned that it is the School's policy that complaints made by parents should not rebound adversely on their children and similarly that complaints raised by students should not rebound on them or on other students.

The question of confidentiality should be discussed sensitively and on an individual basis with the parents and the School's policy should be carefully explained.

It may be possible to deal with a problem without naming individuals. However, even if no names are given, the source of 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 or the child – it may also be in the interest of the child to do so.

Members of staff are rightly concerned that they should know about complaints that might be damaging to their reputation. Such complaints will be known only to themselves and to those who have to be consulted. The School will provide support for staff against whom a complaint is made, upon request; this will be provided by a colleague who is not otherwise involved.

If there is a situation involving the police, the Principal, will take responsibility for action in the School and the Governing Body Chairperson will be informed as soon as possible.

### **13. Related policies**

- Child Safe Standards Policy
- Whistle blower Policy
- Community Code of Conduct
- Anti-Bullying (Students) Policy

### **14. Procedural documents**

Informal concerns and complaints: Guidelines for parents in raising these and for staff in responding (Appendix A)

Guidelines for members of staff in responding to concerns raised by students (Appendix B)

Guidelines for students if they have a problem (Appendix C)

Formal complaints procedures (Appendix D)

- how a complaint can be raised
- complaints form
- how an investigation or inquiry will be conducted
- the procedures for handling the complaint
- guidelines for recording the complaint, decisions taken in response to the complaint and the resolution.

Appeals (Appendix E)

- how an appeal can be raised and on what basis
- how the appeal is handled
- guidelines for recording the complaint, decisions taken in response to the complaint and the resolution.

### **15. Policy review**

The governing board will review this policy and monitor its implementation, including the register of complaints, on an annual basis.

## **Appendix A.**

### **Informal concerns and complaints – guidelines for parents**

If at any time you wish to discuss your child's general progress with his or her class teacher, you can arrange an appointment by contacting the school office. If you have other school related concerns, the school office can make an appointment for you with a member of the executive team.

Where there are concerns, parents are encouraged to make contact with the school at an early stage. Initially engaging in an informal process for complaints resolution as outlined below:

1. If you have a concern about your child or feedback for the school, in the first instance, please email your child's class teacher. Teaching staff will endeavour to acknowledge your email within one business day and arrange a time to talk to you further about the matter. Please remember that teachers do not have immediate access to email or phone calls because they are teaching.
2. If a parent feels the concerns have not been resolved, they may contact the school office to arrange a time to discuss the matter with a member of the executive team.
3. Where concerns have still not been resolved through the informal process, the instructions for initiating the formal complaints procedure is outlined in Appendix D.

In dealing with any concerns or complaints, the school is committed to acting in a confidential manner and expects that parents involved in the complaint process will show similar respect for the school, and for others involved, by doing likewise.

### **Informal concerns and complaints – guidelines for staff**

Staff must be familiar with the Complaints Policy, the Staff Handbook, and the Parent Handbook.

If a situation arises where parents have not followed the procedures outlined in this document Staff can find further information on how to proceed in the Staff Handbook.

The parent should receive an acknowledgment of the concern within one business day even if it then takes longer to arrange a meeting or a phone call.

Staff are encouraged to resolve issues as quickly and as simply as possible without resorting to unnecessary process and bureaucracy and where possible, the member of staff who receives the concern or complaint should deal with it themselves rather than escalate the matter.

Some matters, however, need to be escalated and require a swift response. Such matters are likely to include:

- *anything to do with child safe standards that must be dealt with under the school's Child Safe Standards Policy*
- *matters that allege misconduct, corruption or illegal behaviour*
- *complaints against the principal or the governing board*

- *privacy issues that must be dealt with under the school's Privacy Policy*
- *legal issues and requests for compensation or payments*
- *issues that have a wider school or systemic implication.*

Where possible all complaints, even at an informal level, should be recorded and be retained as part of the school's records. The Staff Handbook sets out the requirements for recording complains.

## **Appendix B.**

### **Guidelines for members of staff in responding to concerns raised by students**

More information about how to respond to a concern raised by a student can be found in the Staff Handbook.

The school encourages students to raise concerns with their teachers at an early stage so that issues can be resolved quickly.

Students should be clear about how they can raise a concern in the first instance: with whom and in what way. The school has guidelines in student friendly language for students (see Appendix C).

Staff are encouraged to resolve issues as quickly and as simply as possible without resorting to unnecessary process and bureaucracy, where possible, the member of staff who receives the concern or complaint should deal with it themselves rather than escalate the matter.

Some matters, however, need to be escalated and require a swift response. Such matters may include:

- anything to do with child safe standards that must be dealt with under the school's Child Safe Standards Policy
- Matters that allege misconduct or illegal behaviour
- Issues that have a wider school or systemic implication.

Where possible all complaints, even at an informal level, should be recorded and be retained as part of the school's records. The Staff Handbook further sets out the requirements for recording complaints.

- complaints that should be recorded include those concerning:
  - the effectiveness of the teaching
  - bullying, racial, or sexual harassment
  - a child's persistent unhappiness
  - discrimination.
- complaints that the school may decide do not need to be recorded might include those concerning:
  - school work or homework
  - lost belongings (unless, for example, there is a concern it may be theft)
  - friendships relationships between students.

## **Appendix C.**

### **What to do if you have a problem – guidelines for students**

Sometimes things may go wrong at school, or you may have a problem that is making you unhappy. If you have a concern, suggestion, or complaint it is important for us, as a school, to hear and understand so we can address it and make any appropriate changes. We will do our best to remedy problems promptly and deal with each matter fairly.

You can make a suggestion or complaint either by speaking with us or by writing to us. If you speak to us about your suggestion or complaint, you may need to put it in writing later. We can help you to do this if necessary.

Where possible, you should raise your concern or make your suggestion to your class teacher. However, if the complaint is about this person, then it can be made to the Principal.

Where possible, we would recommend that you give your name in relation to the suggestion or complaint. This is because anonymous complaints can be acted on only in certain circumstances.

Types of issues that you may have a concern about could include – this is not a complete list:

- sometimes you just need help straight away and so the best thing to do is to ask for that assistance
- your concern may be about a policy, a process or a decision
- you may need to talk to someone about bullying or harassment
- you may need assistance in managing your schoolwork
- you may just be unhappy.

All suggestions and complaints are reviewed to assess the type of issues being raised and the seriousness of those issues. If a suggestion or complaint is not anonymous, we will let you know that we have received the suggestion or complaint and provide you with an estimation of how long we think it will take for us to deal with it.

Initially your concern will be handled in confidence, although sometimes the member of staff to whom you speak, as the responsible adult, will need to tell someone else about the issue. If that is necessary, you will be informed before any confidential information is passed on.

## **Appendix C.2**

### **A Possible Leaflet For Students**

This specimen leaflet includes the elements of a complaints system for students. It is kept brief so that it can be printed on a postcard. A full explanation could be a part of "Working Circles" in the classroom.

#### **Any Problems, Complaints, or Suggestions?**

If so, the School would like to hear.

#### **How do I make a complaint?**

By talking about it – or by writing it down if you find that easier. You can do it by yourself, or as part of a group, or through your parents.

#### **To Whom?**

To anyone on staff.

#### **Does it matter what the issue is?**

No, it can be a big problem or a small one. By discussing it, you may come up with some positive ideas.

#### **What will happen next?**

If possible, the staff member will deal with it in person. If not, he or she will go on your behalf to someone who can help.

#### **Do others have to know?**

If you are worried about confidentiality, tell the staff member – he/she will understand.

**Even if you find the issue hurtful or embarrassing, don't worry – it will only be discussed by staff members who can help you.**

## **Appendix D.**

### **Formal complaint procedure**

#### **Making a complaint**

Parents are asked to discuss any concerns with the relevant teacher at an early stage so that the school can work together with parents to resolve these as promptly and efficiently as possible. Guidelines for making and resolving a concern using the informal process can be found in Appendix A.

If the concern or complaint is not resolved to the satisfaction of the parents through the informal process, the formal complaints procedure may be followed as set out in this document.

The formal complaint should be made in writing using the formal complaints form and should be addressed to the principal.

If the complaint is in relation to the principal, the complaint should be made in writing using the formal complaints form and should be addressed to the Chair of the governing board.

Parents may choose to make the complaint in person or by phone, in which case they are asked to make arrangements to meet or speak to the principal at a convenient time:

- if parents arrange to meet with the principal in person, they may choose to have someone to support them. The support person could be a relative or a friend, but it is not appropriate for that person to be a legal representative.
- if parents arrange to meet with the principal in person or by phone, it is important that, as set out in the policy, the conversation is respectful and constructive. If either the principal or the parent is of the view that the conversation has become confrontational and is no longer conciliatory, either party may ask for the conversation to be temporarily halted and re-scheduled for completion at another time
- if parents decide to make the complaint in person or by phone, the school may use the formal complaints form to record the complaint. The parents will be invited to review the completed form to confirm that the complaint has been accurately recorded.

It is helpful if the complaint is clearly identified before contacting the school:

- if there is more than one problem, parents are advised to list the issues concisely and clearly so that the extent of the problem is clear to the school.
- if more than one parent or a set of parents raises the same or a substantially similar problem, each complaint will be managed separately.

Parents are also asked to indicate how, if legal, possible, and practicable, they would want the complaint to be resolved.

## **Investigating the complaint**

Some complaints can be resolved through discussion, but others require that the problem or allegation be investigated before coming to a resolution.

The principal may appoint a suitable colleague at their discretion to investigate the issue.

The investigation may take the form of interviews with others involved, reviewing documentation, etc. If it is thought advisable and necessary, the principal may appoint an external advisor to investigate.

In carrying out an investigation, the school will be mindful of the need for confidentiality. The parents will be informed in advance of any decision to speak to others during the course of the investigation.

The investigator will be asked to prepare a brief written report outlining their findings. The investigator's report is confidential to the school.

## **The complaints meeting**

A member of the executive team will normally chair the complaints meeting.

Parents may choose to have someone to support them. The support person could be a relative or a friend, but it is not appropriate for that person to be a legal representative.

The meeting will discuss the matter thoroughly, ideally using the following steps:

- a clear description and understanding of the issue
- the claimed impact and whom it impacts
- what is claimed will happen if the issue is not resolved
- what action(s) is requested in order to resolve the complaint.

These steps will be summarised briefly and will be included in the documentation of the process.

At each step of the process, all those attending the meeting will have the opportunity to put forward their point of view and will be treated with dignity and respect.

It may not be possible to agree the way forward in just one meeting; in this case further meetings will be scheduled until all those involved agree the issue has been considered as thoroughly as needed.

At any stage in the process, the meeting chairperson may decide that it would be helpful to seek either informal or formal mediation in order to resolve the complaint.

## **The complaints resolution**

All those involved should agree when the complaint (or an aspect of the complaint) is considered resolved. When not everyone agrees, the complaint procedures should continue until a resolution

is found, even if the resolution is to agree that the complaint is dismissed or that no further action should be taken.

In resolving the issue, the following steps should be followed:

- a statement confirming that those involved consider the complaint (or an aspect of the complaint) is resolved
- how the complaint is resolved
- a description of each specific action or decision, including a note as to who is responsible for the action and by when.

These steps will be summarised briefly and will be included in the documentation of the process.

When the complaint is resolved (or dismissed), a follow up meeting or conversation should be scheduled to ensure that the agreed actions have been implemented and that there are no further matters outstanding.

### **Record keeping**

It is important that consistent, well-structured, concise, and complete information is on file for current and future use.

The parents will be provided with a copy of the record of the complaint.

The following documentation will form the record of the complaint:

- the formal complaints form, whether completed by the parents or by the school and confirmed by the parents.
- a record of the complaints meeting and the steps followed.
- a record of the resolution.
- a record of the follow up meeting.

The management of these records will follow the school's Record Management Policy. Except where dictated otherwise by law, the school will retain all records of complaints for a minimum of one year after the family or student has left the school and then will be destroyed. The records will be kept secured by the executive team or the governing board (in the case of a complaint made against the principal) as is appropriate.

### **Appeals**

If parents believe that their complaint is not resolved or that the resolution is unsatisfactory, they may appeal the complaint to the governing board. The appeal procedure can be found in Appendix D.

### **Complaints to the governing board**

If the complaint is in relation to the principal, the complaint should be made in writing using the formal complaints form and should be addressed to the Chair of the governing board.

The Chair will constitute a complaints sub-committee to deal with the issue. The composition of the committee will be decided by the Chair and approved by the full board.

The complaints committee, acting on behalf of the board as a whole, will decide how to proceed and will make recommendations for any action to resolve the matter to the whole board.

When a complaint is made to the governing board, the board's decision will be final.



## Formal Complaints Form

### Parent details

Title: \_\_\_\_\_ First name: \_\_\_\_\_ Family name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number(s): \_\_\_\_\_ Email address: \_\_\_\_\_

### Student details

First name: \_\_\_\_\_ Family name: \_\_\_\_\_

Date of birth: \_\_\_\_\_ Year level: \_\_\_\_\_ Class Teacher: \_\_\_\_\_

**Form signed:** \_\_\_\_\_ **Dated:** \_\_\_\_\_

Please complete all of the details including the complaint sections on the back of this form and return to the School Office in a sealed envelope addressed to the Executive Team, BCCS.

You will receive an acknowledgement within one business day that your complaint has been lodged. The acknowledgement will endeavour to set out the next steps in responding to your complaint.

### Administration use only:

Date form received:

Form received by:

Date form acknowledged:

Form acknowledged by:

**Details of the complaint**

*Outline and specific details, including chronology:*

*Please provide details of any relevant phone conversations/meetings:*

*How has the matter been raised informally? With whom? With what outcome or actions?*

*How could this matter be resolved?*

## **Appendix D:**

### **Appeals within the complaints process**

#### **Making an appeal**

If parents believe that their complaint is not resolved or that the resolution is unsatisfactory, they may appeal the complaint to the governing board.

The appeal must be made in writing within [14] days of finalising the complaint resolution and should be addressed to the Chair of the governing board.

The grounds for the appeal should be clearly identified. The grounds could include the following:

- the complaints policy and procedures were not followed
- the resolution of the complaint is claimed to be insufficient, unfair, biased, unreasonable and/or disproportionate.

The appeal will use the record of the complaint as agreed and will not normally re-hear the complaint itself. Parents are also asked to indicate how, if legal, possible and practicable, they would want the appeal to be resolved.

#### **Responding to the appeal**

The Chair will constitute an appeal sub-committee to deal with the issue. The composition of the committee will be decided by the Chair and approved by the full Board.

The appeal committee, acting on behalf of the Board as a whole, will decide how to proceed and will make recommendations for any action to resolve the matter to the whole board.

The appeal committee may approve the appointment of an external consultant to investigate, mediation and/or arbitration.

The appeal committee will make recommendations to the full board as to the actions required to resolve the issue. The decisions of the governing board are final.

#### **Record keeping**

A full record of the appeal will be made following a similar structure to that outlined in the complaints procedures. Parents will be provided with a copy of the final decisions of the appeal.

The management of these records will follow the school's Record Management Policy. Except where dictated otherwise by law, the school will retain all records of appeals for a minimum of one year after the family or student has left the school and then will be destroyed. The records will be kept secured by the principal or the governing board (in the case of a complaint made against the principal) as is appropriate.