



Concerns, Complaints, Disputes Policy

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RATIONALE

The *School Education Act 1999* has, as a condition of registration or renewal of registration, a requirement that a school has a “means by which concerns, disputes and complaints about the provision of education and the care of students at the school may be dealt with.”

An effective complaints procedure can diffuse problems and can provide the College with helpful information. Complaints treated as constructive suggestions can be used to improve standards and may prevent cause for further complaint. Even an unjustified complaint may indicate an area that can be improved. Vexatious accusations, or consistently negative reactions, will be identified through the process.

The complaints register as part of this policy will enable a record of concerns to be recorded thus enabling possible patterns and trends to guide corrective practice on the part of the College.

SCOPE.

All College Staff.

POLICY

To provide an effective concerns, complaints and disputes resolution process (here after referred to as ‘complaints’). Complaints will be managed in a fair, equitable and timely manner and will be judged on merit, and within a process driven model, so that truth and justice, efficient, moral practice is maintained and encouraged. For Foundation Christian College such matters have a Biblical framework outlined in Matthew chapter eighteen verses fifteen to nineteen which will be observed at all times. See Appendix 1

This policy aims to enable the College to:

- Provide and enable access to an open and responsive complaints handling process, for all within the school community, including a child friendly process for students, as well as for those outside the community.
- Ensure that complaints are dealt with in an expeditious and fair manner that seeks to keep the matter from escalating unreasonably.

- Enhance its ability to resolve complaints in a consistent, systematic and responsive manner which communicates to all involved that the College seeks to honour justice, fairness and open dialogue with its community.

Definitions

Conflict is a normal part of school life. As people-based organisations, schools will encounter conflict and problems. It is, therefore, important that resolution in relation to complaints is managed effectively. The following terms are used in complaints management:

A *Concern* is the expression of a worry, something that has made a person troubled or anxious about an issue and is usually expressed at a first level. I.e. to a teacher at the classroom door or by a telephone or email directly to the relevant staff member.

A *Complaint* is an expression of dissatisfaction with College policies, procedures, decisions, omissions and or quality of service or staff behaviour.

A *Complainant* is the person who has made a complaint.

A *Dispute* is a pursued unresolved complaint that has been escalated, internally and / or externally to the school.

A *Resolution* occurs when the matter has been resolved to the College's satisfaction.

The *Respondent* is the person responsible for a decision, act or omission about which a complaint is made.

General Principles

An effective Complaints Management Process include:

- Fairness to all parties (natural justice)
- Sufficient resourcing to meet procedural needs
- Visibility and transparency in dealing with complaints within the constraints of confidentiality, governance and privacy laws
- Reasonable responsiveness of the College to complaints
- Changes, where appropriate, are implemented as a result of the complaint
- Data and records are collected on the nature of complaints. This is in the form of a register, the access of which enables all staff to information.
- There is a Child Friendly process which enables children in the College of all ages to register their concerns, complaints in an age appropriate manner that is not limited to a paper and ink process.
- The College accepting that from time to time anonymous complaints may be made. It will be at the Principal's discretion as to how a response is managed. At the very least the matter should be logged on the College Complaints Register.

Strategies

Foundation Christian College staff members are responsible for managing the resolution of disputes and complaints lodged by students, parents, and members of the community. Staff training at staff meetings and professional learning sessions will inform personnel as to the attitudes, skills and procedures appropriate to addressing concerns, complaints and disputes in a professional manner in keeping with the Biblical Christian ethos of the College. Obviously the benefits of handling complaints well and the consequences of handling them badly will reflect of the College as a whole and assisting staff to recognize this is essential. Given the diverse nature of complaints training will cover:

- The contents of this policy
- Knowing how to recognize complaints and be proactive in responding promptly and appropriately to expressions of dissatisfaction.

- Guiding staff members in learning how to respectfully and courteously handle complaints and in developing the necessary negotiation and mediation skills to assist with resolution.
- Developing skills in observing, recording and reporting matters of concern.
- Recognizing complaints that are associated with child protection matters and knowing how to escalate the matter to the appropriate College personnel.
- The various roles and responsibilities of staff members with respect to handling and responding to complaints and disputes.
- The essential nature of maintaining confidentiality. Parents often seek an assurance of confidentiality before expressing their concerns. It is the College's policy that all complaints made by parents will not rebound adversely on their children and similarly that complaints raised by students will not rebound on them or their fellow students.

Line managers will make every effort to promptly resolve disputes and complaints at the local level in accordance with the principles of procedural fairness. Some complaints and disputes are more protracted and/or urgent. Responses will be made according to the level of severity with particular focus on those complaints involving safety, duty of care, and gross breaches of behaviour or morality. The intention should always be to understand that a gentle expression of concern, or a simple query, may grow into a dispute if it is felt that the matter has been brushed aside. Issues that have the potential to become difficult may be diffused if they are handled well at the initial stage.

The Principal is responsible for establishing and maintaining processes for managing and reviewing enquiries, concerns and complaints at the local level. If there is a situation involving the police then the Principal, or their delegate if the Principal is unavailable, must take responsibility for action to be taken within the school and the governing body Chair should be informed as soon as possible. Depending on the circumstances, the College may need to treat the matter as a Critical Incident and follow the requirements of that accordingly.

Where a dispute or complaint is not resolved at the local level, the complainant or Principal can forward a written complaint to the next appropriate agency or governing structure. The process for managing concerns, complaints and disputes is detailed in the flow chart appendix 12

Grievances lodged against other staff, staff complaints relating to equal opportunity, sexual misconduct, and staff complaints of racial discrimination against other staff are lodged under separate grievance policy frameworks.

The Concerns, Complaints and Disputes Management Policy is published on the College website and parents are reminded from time to time via the College newsletter of the suite of policies which can be accessed.

Guidelines Concerning Managing Complaints

Depending on the nature of the concern it can often be resolved at a 'first level' in an informal manner. Please note; however, it would be prudent nonetheless for the staff member involved to make a brief note and record the issue and interaction in case of a further escalation. Notes could go on SEQTA

Beyond the informal 'first level':

- It is appropriate in the first instance for the staff member whose area of responsibility lies within the realm of the concern raised to address the matter.
- Where a staff member is approached about a matter outside their responsibility they should explain that they will refer the matter to the appropriate person. This should be done courteously and with an undertaking that the appropriate person will be in contact (if unavailable at the present time) within a nominated time that is agreed upon.
- Staff members are not to interview parents who are angry without an executive member present.
- Whilst some complainants may wish to go straight to the Principal with their matter it should be politely pointed out that the Principal may not be able to do so until the appropriately responsible person is consulted.
- The Principal may determine that some concerns / complaints brought to their attention either directly by the complainant or through the escalation process should be referred to the Board Chair.
- The complaint is always to be resolved as quickly as possible.
- The complaints Register should record the nature of the complaint, the action taken and the outcome.
- The register will be reviewed at appropriate intervals to identify and respond to any apparent trends / patterns.
- The College will ensure there is a system of review for an aggrieved party. The Principal will determine at the time whether this should be conducted by the College Board Chair or some other external agency agreed upon by both the College and the aggrieved person. See Appendix 1 for the flow chart, a copy of which is placed on the College website.
- Information will be placed on the College website informing parents of the process. See Appendix 2
- Complaints at Board level will receive a response acknowledging receipt of the complaint, but the timeframe for resolution will be more protracted due to the time period between Board meetings.

Maintaining A Register of Concerns, Complaints & Disputes

The Register (see attachment to this policy) is accessible for entry of details of matters beyond the 'First level' by Front Office Administrative Staff and all members of the Executive Team. Since only a select few staff have access to the Register, the process for ensuring a record is made and maintained is as follows:

- The staff member made aware of the concern should contact their Head of School or member of the Executive Team informing them of the matter and what has been done. Entry on the Register and follow-up of the matter then becomes Senior Staff member's responsibility.
- Where further action is required or other staff are consulted these and other relevant details should be recorded on the Register.
- The date of closure of the matter should be recorded.

A Child Friendly Process

The College recognizes the importance of empowering students of all ages to understand their rights when seeking to report a concern or problem. The College takes seriously the importance of this process being age appropriate, flexible and responsive to the ability and needs of the student. In addition, whilst an initial concern being raised may be considered trivial it should be recognized that it may not appear so to the student and or may be a student's way of testing whether a more serious concern will be treated with due respect. The College believes the following points are a necessary part of an appropriate process that will enable students to report their concerns:

- Students may use another student / person on their behalf
- Responses by the College will not trivialize the student's concern nor belittle the student for making it known.
- Posters around the College will communicate to students that they are welcome to report their concerns
- Verbal, written and drawn communications are all acceptable methods of expressing the concern / complaint.

- The College will decide after careful consideration whether the parents should be informed of the concern / complaint. However it must be noted that in circumstances involving an allegation / complaint relating to the staff code of conduct breaches, grooming and child abuse it is required that *“consultation is undertaken with the relevant government authorities to determine when, what and by whom information related to the allegation of child abuse and its investigation may be given, against whom the allegation is made, the complainant and his / her parents / guardians, other affected students and their parents and guardians, and the wider school community.”* (Standard 12.3 Child Abuse Prevention Guide to Registration Standards)
- Where a student under the age of eighteen discloses as a concern / complaint an allegation of sexual abuse the Mandatory Reporting process m

Appendix 3 provides guidance on information to students and parents on how to lodge their concerns

Ensuring a Fair Process

The College recognizes that fairness must be accorded to both the complainant and the person against whom the complaint is made. This requires:

- Each party being given the opportunity to be heard, in person or in writing and to respond to the allegations and or evidence.
- An unbiased, objective member of staff is responsible for the adjudication investigation.
- That the issues / facts presented are investigated in a thorough and objective manner.
- Any complaint outcome is supported by evidence of a substantiated nature.
- The complaint outcome is finalized by the adjudicator.
- The outcome conforms to existing, established College Policy.

References

- Non-government School Registration Standards 2019)
- Disputes and Complaints (AISWA) 2015

Related College Policies

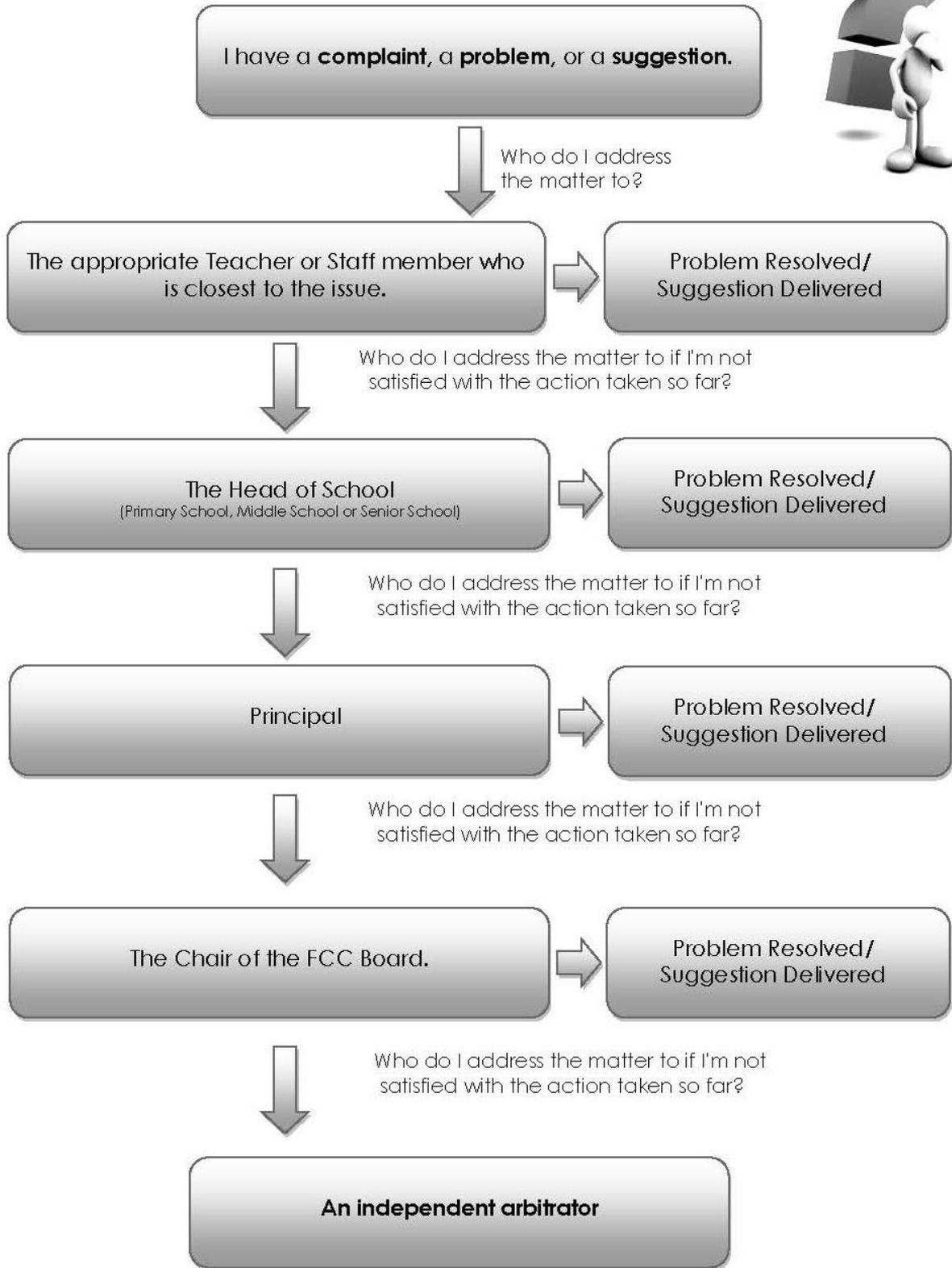
Staff Code of Conduct Policy, Sexual Harassment Policy

Appendix One

If your brother or sister^[a] sins,^[b] go and point out their fault, just between the two of you. If they listen to you, you have won them over. ¹⁶ But if they will not listen, take one or two others along, so that 'every matter may be established by the testimony of two or three witnesses.'^[c]

Appendix Two

What to do if I have a complaint or a suggestion



www.fcc.wa.edu.au

Appendix Three: Leaflet for Parents

Foundation Christian College welcomes suggestions and comments from parents and takes seriously complaints and concerns that may be raised. This leaflet will show you how to use our complaints system.

A complaint will be treated as an expression of genuine dissatisfaction that needs a response.

We wish to ensure that:

- parents wishing to make a complaint know how to do so
- we respond to complaints within a reasonable time and in a courteous and efficient way
- parents realise that we listen and take complaints seriously
- we take action where appropriate.

“How should I complain?”

When you contact the College, ask to speak to the staff member closest to the issue. If required, please contact *the Head of the subschool concerned or the Principal*.

Members of staff will be happy to help. It may be best to start with the person most closely concerned with the issue. They may be able to sort things out quickly, with the minimum of fuss. However, you may prefer to take the matter to a more senior member of staff, for example the Head of a subschool (Primary School, Middle School or Senior School) or the Principal. Be as clear as possible about what is troubling you.

“I don’t want to complain as such, but there is something bothering me” or “I am not sure whether to complain or not”

The College is here for you and your child, and we want to hear your views and your ideas. Contact a member of staff, as described above.

If as parents you have concerns, you are entitled to raise them. If in doubt, you should contact the College, as we are here to help.

“What will happen next?”

If you raise something face-to-face or by telephone, it may be possible to resolve the matter immediately and to your satisfaction.

If you have made a complaint or suggestion in writing, we will contact you within five working days, to respond to your concerns and explain how we propose to proceed.

In many circumstances, the person you contact will need to discuss the matter with a colleague and consider it further before responding. You will be given an indicative date by which time you will receive a response. If a detailed exploration of the issue is needed, a letter or report will be sent to you as quickly as possible. This will tell you of the outcome of your complaint. It will explain the conclusion, the reasons for it, and any action taken or proposed.

“What happens about confidentiality?”

Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Principal and those directly involved. The Chairman of the College Board may also need to be informed. It is the College’s policy that complaints made by parents should not rebound adversely on their children.

We cannot entirely rule out the need to make third parties outside the College aware of the complaint and possibly the identity of those involved. This would only be likely to happen where, for example, a child’s safety was at risk or it becomes necessary to refer matters to the Police. You would be fully informed.

While information relating to specific complaints will be kept confidentially on file, we would point out that anonymous complaints might not be pursued.

Action, which needed to be taken under staff disciplinary procedures as a result of complaints, would be handled confidentially within the College.

“What if I am not satisfied with the outcome?”

We hope that you will feel satisfied with the outcome, or at least that your concerns have been fully and fairly considered.

If you are not satisfied you may wish to write direct to the Chairman. The Chairman will call for a full report from the Principal, and will examine matters thoroughly before responding. This may result in a positive solution, but if it does not, the Chairman will invite you to a meeting. You may wish to be supported by a friend.

The College recognises and acknowledges your entitlement to complain and we hope to work with you in the best interests of the students and young people in our care.

Appendix Four: Leaflet for Students

Any Problems, Complaints, or Suggestions?

If so, the College 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 – they will understand.

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