

## Policies & Procedures

Document:	Developed:	Owner:	Review:	Date of last review:
<b>Complaints &amp; Grievance Policy</b>	<b>May 2003</b>	<b>Board</b>	<b>Three Years</b>	<b>June 2016</b>

### College Mission:

We are an independent, K-12, co-educational school community of the Uniting Church in Australia, located in Baldvis, Western Australia.

Our **purpose** is to be an accessible and inclusive community in which student wellbeing and learning are the responsibilities of all members of our school community.

The values that guide our practices are: Personal mastery; Breadth and depth of learning; Respect: Integrity and Service.

## COMPLAINTS AND GRIEVANCE POLICY

(This policy replaces "Policy on Relationships and Lines of Communication, November 19<sup>th</sup> 1997)

**Related Policies:** *Child Protection Policy; Sexual Harassment Policy*

### Definitions:

- A complaint expresses the concern that a person or group has about the behaviours, actions or decisions of another person or group.
- A grievance is analogous to a complaint, although it is possibly of a more serious nature either due to the nature of the allegations, or the way in which the allegations are being made.
- This policy does not cover complaints, grievances or disputes which should be dealt with under the relevant Tranby College Enterprise Bargaining Agreement or underlying Awards and Employment Contracts (where relevant).

### Beliefs:

- Complaints will occur from time to time in any dynamic organisation, and in a school they may arise from parents, guardians, pupils, staff and the public.
- There are different types of complaints and grievances, ranging from simple matters of concern to formal complaints set out in written signed documents.
- As a school of the Uniting Church in Australia, the grievance procedures within the College should reflect the values and ethos of the Church.
- Procedures for the resolution of complaints and grievances should be fair, equitable, ethical and consistent and should at all times follow the principles of natural justice.
- If the culture of the school is open and committed to the establishment of respectful, learning relationships, all complaints will be taken seriously and received in a positive, caring manner.
- An effective complaints procedure can diffuse problems and provide the school with helpful information.

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### Principles

- The College will be open to the concerns of members of its community.
- Members of the College Community can expect to be taken seriously and can choose to approach the person whom they believe will be the most helpful.
- All grievances or complaints will be treated with respect and in a confidential manner.
- Concerns will be dealt with speedily and those who have raised them will be kept informed about progress.
- Clear confidential files and a log will be kept.
- Confidentiality will be respected and maintained so far as is possible.
- Complaints made by parents will not rebound adversely on their children, and similarly complaints made by pupils or staff will not rebound onto them or onto other pupils or staff.
- All members of staff will be given the opportunity to respond to any complaints that are made against them.
- Procedures will include the courses of action to be taken if the grievance is against the School Principal or the School Council.
- Every reasonable effort will be made to resolve internal grievances before the intervention of outside agencies or mediators.
- There must be an end to the process at some point. That is, it may be necessary for the complainant to accept that their complaint has been heard and that it cannot be resolved as they would wish it to be.

**Note:** If at any time there is a situation involving the Police or a Lawyer the Principal must take responsibility for the actions of the school. The Chairperson of the College Board will be contacted as soon as possible and the procedures outlined in this policy are no longer relevant.

### Practices

#### 1. Lines of Approach

##### 1.1 Complaints from parents (or guardians)

- Parents (or guardians) should feel free to approach whichever member of staff they believe is the most appropriate to deal with the issue. This may be the Principal or Head of School, although in the first instance the most productive approach would normally be to the relevant class or form teacher, or house tutor.
- If the complaint is about a Head of School, the parent would normally go straight to Principal.
- If the complaint is about the Principal, the parent is entitled to contact the Chairperson.
- If the complaint is about the College Board, the parent should contact the Principal.

##### 1.2 Complaints from students

The lines of approach for students are similar to those for parents, although younger students should also feel that they can approach senior students, e.g. prefects, house officials. Senior students will take the complaint to the staff member whom they judge to be appropriate.

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Based on feedback from children and young people and the evidence available, six key elements of a child-friendly complaint system have been identified. These practices should be considered in the context of complaints received from children.

### a) **Focus on children and young people.**

It is important that children and young people in the care of adults who are accessing an agency's services are themselves recognised as service users, either directly or indirectly. Ensure that children and young people in the care of adults are acknowledged as service users in agency policy and procedures.

### b) **Visibility Strategies to publicise complaints systems**

Make sure the child/young person's comments are invited. For example, have publications with big, bold lettering saying 'You are welcome to come and talk to us'. Advise children and young people of their right to complain to your agency by putting a few facts on a card — don't go overboard with too much information. Use relevant technology to engage children and young people, such as, online surveys, online complaints registration forms, SMS functions etc. However, don't rely solely on technology as, like adults, children and young people have a variety of views regarding the use of different technologies. Bear in mind the different age groups and abilities of the children and young people who are using your service. It may be that a range of different approaches will be required to cater for different groups. For example, use different language and graphics for younger children and adolescents.

### c) **Accessibility**

Accessibility involves making sure children and young people know who to make a complaint to, and how, and that a variety of methods exist to make complaints. Ensure that your system has a number of methods for lodging a complaint including the opportunity to talk to someone face-to-face. Create opportunities for children and young people to talk about their experiences with your agency, their rights, how to make a complaint and what will happen if they do. Make a set of child-friendly complaints publications. Make them colourful, use 'comic strip style' to convey key messages and use age-appropriate language. Include an easy diagram of the process they can expect when they lodge a complaint. As most children and young people make complaints through an advocate make sure that your agency has the capacity to accept complaints via an advocate and has appropriate policies and procedures in place to do this. Ensure that the child or young person is provided with opportunities to participate directly in the process if they would like to, where appropriate. Consider allocating specific staff to help children and young people who do not have an advocate to support and assist them to make their complaint and follow it through the process. This person is not necessarily a part of the investigation or resolution process within the agency.

### d) **Responsiveness**

It is important to ensure the system is responsive to children and young people once they have complained, and that staff are trained to respond quickly and listen actively. Respond to the child or young person as soon as possible, even just to acknowledge receipt. Ensure policies are in place to prioritise issues and make sure that any concerns about the safety of a child or young person are dealt with as a matter of urgency. Make sure that the person dealing with the child or young person's complaint has experience in working with children and young people and is helpful, understanding and responsive. Check with the child or young person that they understand any information provided to them and invite them to ask questions. Consider

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procedures such as following up any written information sent to a child or young person with a phone call to discuss any questions they might have and clarify any further steps to be taken. Give the child or young person the option to choose how and when they will be kept informed of the progress of the investigation into their complaint.

### e) Confidentiality

Concerns about confidentiality and privacy are often cited as reasons by children and young people for not making complaints or raising any concerns they have. All complaints systems should treat complainant's information as confidential. Where children and young people are involved confidentiality becomes more complex. Ensure that appropriate policies and procedures are in place for dealing with confidentiality and consent issues when responding to a complaint from a child or young person. Ensure staff are trained in these policies and procedures and that the boundaries of confidentiality are clearly explained to children and young people at appropriate times throughout the complaints process.

### f) Accountability and continuous improvement

It is important that the specific needs of children and young people are recognised in accountability and continuous improvement processes. Ensure that appropriate data is kept to enable reporting and monitoring of complaints involving children and young people.

*(Adopted from the Commissioner for Children and Young People (WA) document "Are you listening? Guidelines for making complaints systems accessible and responsive to children and young people. June-2013)*

## 1.3 Complaints from Staff

Staff are entitled to choose an appropriate avenue of complaint. This might be a trusted colleague, a senior member of staff, the Chairperson of the Staff Association or the Union.

## 1.4 Complaints from the public

These are most likely to come to the Principal, Business Manager or Chairperson. If members of staff or other members of the school community are aware of such complaints, they should forward them to the Principal.

## 2. Procedures

### 2.1 Complaints to staff

In many instances, staff will be the first point of contact for a complaint, especially from parents and students. All staff are encouraged to deal with complaints that lie within their area of responsibility.

In dealing with such complaints, staff should:

- Keep a written record of all complaints and how they are handled;
- Let the complainant know what they will do in response to their complaint, and when they will do it;

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- Maintain confidentiality and respect the concern that many complainants have that their complaint will rebound adversely on themselves or on their children or friends;
- Ensure that a senior member of staff, e.g. a coordinator, the Business Manager, a Head of School or the Principal, is aware of the complaint and of its proposed resolution.
- Keep appropriate written records (see Section 3, below).

If the complaint does not lie within the area of responsibility of the staff member who receives it, they should:

- Refer it to the appropriate person, and
- Let the complainant know that is happening.

### 2.2 Complaints to a Head of School, Business Manager or Principal

Essentially the procedures outlined in 2.1 should be followed.

### 2.3 When complaints become grievances

In the first instance it is hoped that the complaint will be resolved through open and respectful communication.

However, there will be occasions when grievances develop, or the complaints are of such a serious nature that more formal action needs to be taken. There are different stages of action available.

#### 2.3.1 Referral to an Outside Agency

There could be instances in which the Principal, in consultation with the Chairperson of the College Board, refers the complaint to an outside agency e.g. the Police or DCD.

#### 2.3.2 Referral to the Chairperson of the College Board

In most cases, the procedure will be that the Principal refers the matter to the Chairperson and informs the complainant that this stage has been reached. However, the complainant will also be able to write directly to the Chairperson.

The Chairperson will discuss the matter fully with the Principal and be provided with relevant documentation. If a briefing is required from a member of staff, or another person, this will occur in the presence of the Principal.

The Chairperson will respond to the complainant, notifying him/her that the matter is being reviewed, asking him/her if they wish to add anything further and providing a date by which they may expect a written response.

The Chairperson's response will be clear and detailed, and will offer a meeting if the complainant remains troubled.

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### 2.3.3 Meeting with the Chairperson of the College Board

If a meeting is requested, the Chairperson will offer to meet the complainant at a time convenient to them both. Those involved will be:

- the Chairperson;
- the Principal and, at the most, one other member of staff; and
- the complainant.

The complainant will be permitted to bring with him/her a supportive friend who is not involved with the complaint.

If a solution is not found, the Chairperson may consider referring the matter to a Conciliation Committee.

### 2.3.4 Referral to a Conciliation Committee

This committee will be established by the Chairperson. It will be convened by a member of the Board, but not the Chairperson, and it will have up to four other members, at least two of whom are Board Members. The proceedings of the Committee will be confidential and will be fair and objective with the overall aim being that of conciliation.

The Committee is likely to meet at least once with the parties in the disagreement, both individually and together. The complainants will be invited to bring a supportive friend, and the Principal would normally be involved. Any papers or submissions would be available for consideration, preferably by all parties, before the meeting.

The Chairperson has no further involvement until the Convenor reports back at the end of the Committee's meetings and deliberations. The Chairperson would normally endorse the Committee's decision.

If the matter is not resolved at this stage it would be appropriate to refer it to the Moderator of the WA Synod of the Uniting Church in Australia.

### 2.3.5 Referral to the Moderator

It must be noted that referral to the Moderator is a grave situation and should not be resorted to until all internal procedures have been exhausted.

Referral to the Moderator would normally be through the College Board. However, if a complainant believes that their grievance has not been resolved satisfactorily through the internal processes, then they are entitled to contact the Moderator themselves. The Moderator will not make a judgement about the substance of the complaint but will examine the process that has been followed and recommend possible subsequent action to the Chairperson of the Board.

All parties will participate fully and openly in this process and determination made under this process will be final.

### 3. Records

If a complaint is dealt with in the Principal's Office or at Board level, confidential records are kept in that office and copies are placed in the relevant student or staff file.

However, many concerns and complaints are resolved before they come to the Principal. Staff keep records of all communication with parents/carers, especially if it is more than a quick conversation. Such records are stored in the student file either in hard copy or electronically using Seqta.

### 4. Anonymous Complaints

Anonymous complaints may be where there is no indication of either name or address, or where the complainants say they do not wish to be identified. They may come from members of the public, from parents or from pupils.

Parents and pupils should be encouraged to give their names and should be given reassurance on the issue of confidentiality. If they persist in wishing to remain anonymous, it is at the Principal's discretion as to what action, if any, should be taken, depending on the nature of the complaint.

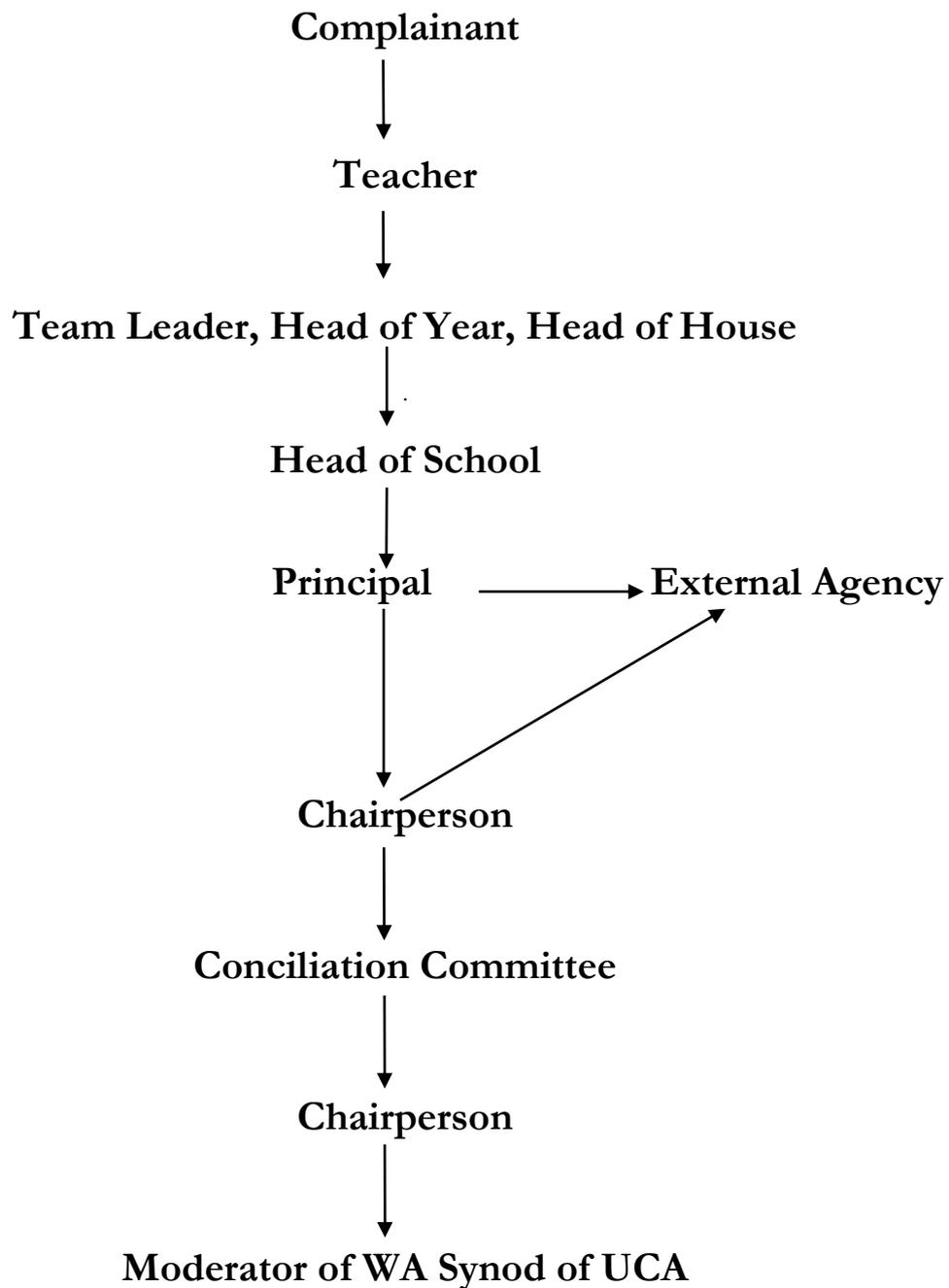
Anonymous complaints will be recorded in the log in the Principal's office.



APPENDIX 1

**COMPLAINTS & GRIEVANCE POLICY**

**FLOW CHART**



**Note:**

1. This process can be entered at any stage depending on who receives the complaint.



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2. If the Police or a Lawyer are involved at any stage the Principal and Chairperson take responsibility for the further actions of the College.