

# Lowther Hall

ANGLICAN GRAMMAR SCHOOL

*All about the girl*

# Complaints Resolution Policy (Parents and community members)

Date of last review:

Review cycle:

Review and approval responsibility:

Category:

VRQA required:

Locations:

2021

Annual

Executive to School Council

Community

Yes

O Drive, LowtherLink, Website, BoardPro



# COMPLAINTS RESOLUTION POLICY – PARENTS & COMMUNITY MEMBERS

## 1. DEFINITIONS

## 2. CONTEXT

2.1 Lowther Hall Anglican Grammar 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.

2.2 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.

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

2.4 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.

2.5 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.

2.6 Legal and Regulatory Context

This Policy is informed by the following legislation and regulations:

- 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)

## 3. PURPOSE OF THIS POLICY

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 the appendices, should be read and understood by all staff and by those wishing to make a complaint.

## 4. SCOPE

4.1 To whom the Policy applies

4.1.1 The Complaints Policy does not apply to concerns that staff may have in relation to their employment. Those concerns are covered in the Complaints Policy (Staff).

- 4.1.2 The Complaints Policy does, however, apply to concerns that a prospective employee might have in relation to the appointment of staff.
- 4.1.3 The Complaints Policy does not generally apply to students. The School has created internal, student friendly processes for students to use when something goes wrong or is difficult for them. Guidelines for students about how to raise a complaint are set out in Appendix B.
- 4.2 Issues that might be considered under the complaints policy could include, for example:
  - 4.2.1 A breach of the obligations by the school in relation to the democratic principles as set out in the Education and Reform Regulations (2017).
  - 4.2.2 Availability of information about the School's performance.
  - 4.2.3 The right of a parent or student to access information about the student's achievement.
  - 4.2.4 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.
  - 4.2.5 Perceived personal concerns that impact school-related interpersonal relationships.

## **5. ROLES AND RESPONSIBILITIES**

- 5.1 The Lowther Hall School Council is responsible for:
  - a. determining this policy and reviewing it on a triennial basis
  - b. responding to any formal complaint raised that relates to the principal
  - c. responding to an appeal if that is lodged in relation to an unresolved formal complaint
- 5.2 The Principal is responsible for:
  - d. determining the complaints procedures and ensuring that they are implemented in a way that is consistent with this policy
  - e. 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
  - f. responding to a formal complaint brought under this policy
  - g. retaining a register of formal complaints (listing the date, subject and resolution) for reporting to the School Council on an annual basis and to be available to the VRQA as required.
- 5.3 Members of staff are responsible for:
  - h. responding to and resolving concerns and complaints raised informally
  - i. responding to concerns raised by students.

## **6. GUIDING PRINCIPLES IN RESPONDING TO COMPLIANTS**

- 6.1 It is not always possible to respond to complaints received from an anonymous source and, by definition, it is not possible for the School to communicate any resolution or response to the person making the complaint. The School will always act when anonymous concerns about child safety are raised.
- 6.2 The complaints policy and procedures are intended to be conciliatory, non-adversarial and non-legal.
- 6.3 In resolving a complaint the school will give priority to the student's wellbeing and educational needs.
- 6.4 The School will respond to all formal complaints in a timely manner. The School will acknowledge the complaint promptly (usually within one week of receiving the complaint) and parents will be kept informed of the progress of their complaint, particularly when the complaint is complex and may take time to resolve. The School will endeavour to conclude investigation of any complaint within three weeks of receiving the complaint.
- 6.5 The School will ensure that the complaint procedure is responsive and flexible. In practice that means that parents are able to make a complaint in person, by phone or in writing. The School will provide support for parents with specific needs for example language translation.
- 6.6 The School is committed to natural justice. The School will ensure that all those involved in the complaints procedure will be able to put forward their point of view and will be treated with dignity and respect.
- 6.7 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.
- 6.8 In dealing with the complaint, the School is committed to acting in a confidential manner and expects that parents involved in the complaint will show similar respect for the process and for others involved by doing likewise.
- 6.9 The complaints procedures will be restricted to dealing with the matter raised by the complaint and not with any other matters.
- 6.10 The School may determine that a complaint is vexatious (where the complaint is designed to harass, annoy or embarrass the School or another parent) or spurious (where the complaint has no real basis in fact or is manifestly groundless). When this is the case, the parent making the complaint will be informed in writing of the decision.
- 6.11 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.
- 6.12 The School will ensure that the handling of complaints does not contravene the School's Privacy Policy. The School will seek actively to prevent the disclosure of personally identifiable information concerning the parents and students involved in the complaint.

## **7. PEOPLE WHO HANDLE COMPLIANTS**

- 7.1 Where possible, the school encourages concerns to be identified and resolved speedily and informally with the member of staff most directly involved, the person in charge of that area of the School or the Principal.

- 7.2 Where the concern has not been resolved to the satisfaction of those concerned, a formal complaint under the auspices of this policy may be made to the Principal.
- 7.3 If the complaint concerns the decisions, actions or activities of the Principal, a formal complaint should be made to the Chair of the School Council.
- 7.4 Any appeals should be addressed to the Chair of the School Council and will be handled by the School Council.

## 8. PROCESSES FOR MAKING COMPLAINTS

### 8.1 Informal complaints from parents

Informal concerns and complaints can be raised by parents or caregivers directly with the staff member concerned or with the person to whom they report, or to the Principal. Guidelines for staff in responding to these concerns are set out in Appendix A.

### 8.2 Complaints from students

The School encourages students to raise concerns with their teachers at an early stage so that issues can be resolved quickly. Any concerns and complaints can be raised by students directly with a member of staff. If a student is unsure how to raise a complaint, they can approach any member of staff for direction.

Guidelines for students about how to raise a complaint are set out in Appendix B.

Guidelines for members of staff in responding to concerns raised by students are set out in Appendix C.

### 8.3 Formal complaints from parents

- 8.3.1 If the concern or complaint is not resolved to the satisfaction of the parents through the informal process set out in section 8.1, the formal complaints procedure may be followed.

The formal complaint should be made in writing and should be addressed to the Principal.

- 8.3.2 If the complaint is in relation to the principal, the complaint should be made in writing and should be addressed to the Chair of the School Council. Such a complaint can be addressed to the Chair of the School Council, marked confidential and posted to the School. Alternatively, it can be emailed to the Principal's Executive Assistant, [rulee@lowtherhall.vic.edu.au](mailto:rulee@lowtherhall.vic.edu.au)

- 8.3.3 Parents may alternatively 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:

- j. 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.
- k. if parents arrange to meet with the Principal in person or by phone, it is important that 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

8.3.4 It is helpful if the complaint is clearly identified before contacting the School:

- l. 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.
- m. if more than one parent or a set of parents raises the same or a substantially similar problem, each complaint will be managed separately.

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

8.3.6 Procedures for investigating a complaint, conducting the complaints meeting and resolving a complaint are set out in Appendix D.

#### 8.4 Appeals

If parents believe that their complaint is not resolved or that the resolution is unsatisfactory, after taking their complaint to the Principal, they may appeal the complaint to the School Council. The process for appealing the outcome of a complaint resolution process is outlined in Appendix E.

When a complaint is made to the School Council, the Council's decision will be final.

### 9. REDRESS

9.1 There are a variety of ways in which redress may be offered following a complaint being resolved. These include:

- Complaint being withdrawn verbally or in writing
- Verbal or written apology from the School or school staff member
- Repair or rectification of the situation being complained about
- Disciplinary action for a student or staff member

9.2 In the event that a complainant is not satisfied with the outcome of a complaint raised with the School, they may contact the Victorian Qualifications and Registration Authority or any other relevant external body with whose laws or regulations the School is required to comply.

### 10. RECORD KEEPING

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

10.2 The following documentation will form the record of the complaint:

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

- 10.3 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 Principal or the governing board (in the case of a complaint made against the Principal) as is appropriate.

## **11. BREACH OF SCHOOL POLICIES**

- 11.1 Any breach of any Lowther Hall policy by a parent will be considered under this policy by the Principal and will be dealt with on a case-by-case basis.
- 11.2 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.

## **12. RELATED DOCUMENTS**

Bulling Prevention and Intervention Policy  
Discipline Policy  
Enrolment Policy  
Enrolment Contract  
Complaints Resolution (Grievance) Policy (staff)  
Keeping Children Safe and Mandatory Reporting Policy  
Privacy Policy  
Record Management Policy  
Student Welfare Policy  
Teaching and Learning Policy  
Whistle blower Policy

## **13. COMMUNICATION OF THE POLICY**

13.1 The School will communicate the Complaints Resolution Policy to:

- Parents and caregivers on enrolment.
- New members of School Council as part of the induction process
- All staff every 3 years through an update process.

13.2 The Policy will be available on the School website and on the staff and parent portal, LowtherLink.

## **14. POLICY REVIEW**

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

### **Responding to informal concerns and complaints from parents – guidelines for staff**

- Staff must be familiar with the Complaints Policy
- Staff should seek to acknowledge a parent concern within 24 hours, even if it then takes longer to arrange a meeting or a phone call to address the complaint.
- 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 are likely to include:
    - i. anything to do with child safe standards that must be dealt with under the school's Child Safe Standards Policy
    - ii. matters that allege misconduct, corruption or illegal behaviour
    - iii. complaints against the principal or the governing board
    - iv. privacy issues that must be dealt with under the school's Privacy Policy
    - v. legal issues and requests for compensation or payments
    - vi. issues that have a wider school or systemic implication.
- All complaints must be written up and be retained as part of the School's records.

### Making a complaint – guidelines for students

Students are able to raise concerns with their teachers and that these will be taken seriously and dealt with.

#### **For a student in Kindergarten to Year 6**

Sometimes things may go wrong at school or you may have a problem that is making you unhappy. Instead of worrying about it, talk to your teacher so they can help you and find an answer.

#### **For a student in Years 7 to 12**

From time to time, you may have a concern, a suggestion or a complaint. It is important for us as a school to hear and understand these matters to enable staff to address your concerns and improve what we do and how we behave. 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 teacher or your Year Level Coordinator. However, if the complaint is about these people, then it can be made to the Deputy Principal, Head of Senior School.

Where possible, we would recommend that you give your name and sign 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 studies
- 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.

### Responding to informal concerns and complaints from students – guidelines for staff

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

- 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:
    - i. anything to do with child safe standards that must be dealt with under the school's Child Safe Standards Policy
    - ii. Matters that allege misconduct or illegal behaviour
    - iii. Issues that have a wider school or systemic implication.
- Most complaints should be written up and be retained as part of the School's records.
  - complaints that must be recorded might include those concerning:
    - i. the effectiveness of the teaching
    - ii. bullying, racial or sexual harassment
    - iii. a child's persistent unhappiness
    - iv. discrimination.
  - complaints that the school may decide don't need to be recorded might include those concerning:
    - i. school work or homework
    - ii. lost belongings (unless, for example, there is a concern it may be theft)
    - iii. friendships relationships between students.

### Formal complaint procedure

#### 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 senior colleague to investigate the issue. The senior colleague will be one who has not previously been involved in the matter.
- 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 as investigator.
- 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

- The Principal 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 Principal 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. If 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:
  - r. a statement confirming that those involved consider the complaint (or an aspect of the complaint) is resolved
  - s. how the complaint is resolved
  - t. 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.

### 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 conduct an investigation, mediation and/or arbitration.
- The appeal committee has full delegated powers to resolve the issue
- The decisions of the appeal committee 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 School Council (in the case of a complaint made against the Principal) as is appropriate.