

GRIEVANCES AND COMPLAINTS POLICY V.2

Purpose	<p>The purpose of this policy is to provide students, parents and volunteers with a framework to act upon a grievance by lodging a formal complaint.</p> <p>The policy provides clear steps for handling complaints ensuring they are dealt with in a responsive, efficient, effective and fair way.</p>	
Scope	<p>This policy applies to students, parents/carers/, employees, members of the public, as well as contractors, volunteers and people undertaking work experience or vocational placements.</p>	
Responsibility	<p>School Principal</p>	
References	<ul style="list-style-type: none"> • Education (Accreditation of Non-State Schools) Regulations 2017 • Australian Education Regulations 2013 • Fair Work Act 2009 • Work Health and Safety Act 2011 (Qld) • Privacy Act 1988 (Cth) • Anti-Discrimination Act 1991 (Qld) • Australian Human Rights Commission Act 1986 (Cth) • Sex Discrimination Act 1984 (Cth) • Age Discrimination Act 2004 (Cth) • Disability Discrimination Act 1992 (Cth) • Racial Discrimination Act 1975 (Cth) • The River School Child Protection Policy • The River School Workplace Health and Safety Policy • The River School Anti-Discrimination Policy • The River School Student Behaviour Management Policy • The River School Disabilities Policy • The River School Bullying Prevention Policy 	
Status	<p>Approved by AC and Board</p>	<p>Supersedes Complaints Policy 2014 Grievance Resolution Policy 2017</p>
Last review date	<p>April 2018</p>	<p>Next Review Date: 2019 April</p>
Review Cycle	<p>Annually or as necessary</p>	<p>Version ID: GCP2018.1</p>
Authorised by:	<p>Board Chair</p>	<p>Date of Authorisation: April 2018</p>
Policy Owner	<p>AME Ltd Board</p>	

1. DEFINITIONS

Grievance: *A real or imagined cause for complaint, especially unfair treatment* (Oxford University Press 2018). Grievance is an emotional state when a person has been negatively affected.

Complaint: *A statement that something is unsatisfactory or unacceptable. It is the expression of dissatisfaction* (Oxford University Press 2018). A complaint is the action taken when reporting a grievance.

2. RATIONALE

Problems are more likely to occur if it is felt that the school is not open to dealing with concerns. It is better to make a direct complaint to a member of staff than to have people sharing their dissatisfaction with other members of the community. Everyone likes to feel valued and involved with the school and they should be encouraged to voice their concerns. This is more likely to occur where the culture of the school is open and complaints are received in a positive manner.

An expression of concern, or a simple query, may develop into an aggravated situation if people feel they have been not been heard. Equally, issues with the potential to become acutely difficult may be resolved satisfactorily if they are handled well at the initial stage.

3. TYPES OF DISPUTES THAT MAY BE RESOLVED UNDER THIS POLICY

The River School encourages the prompt lodging of concerns regarding sexual harassment, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- The school, its employees or students have done something wrong
- The school, its employees or students have failed to do something that they should have done
- Disagreement between teacher/s and parent/s
- The school, its employees or students have acted unfairly or impolitely
- Issues of student, parent or employee behaviour that are contrary to the school's *Code of Conduct Policy*
- Learning programs, assessment and reporting of student learning
- Communication with students or parents or between employees
- School fees and payments
- General administrative issues.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

3.1. OTHER ISSUES/DISPUTES

The following matters fall under the scope of other policies and should be managed as follows:

- Student bullying complaints should be dealt with under the *Bullying Prevention Policy*.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the *Student Behaviour Management Policy*.

3.2. ISSUES OUTSIDE OF THIS POLICY

The following matters are outside of the scope of this policy and should be managed as follows:

- Child protection concerns or risks of harm to children should be dealt with in accordance with the law *The Child Protection Act 1999* and the school's *Child Protection Policy*.

- Employee complaints related to their employment should be directed to the Principal, Deputy or Senior Teacher.
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate.

4. KEY PRINCIPLES FOR HANDLING A COMPLAINT

- Complaints are received in a positive manner
- Complaints will be taken seriously
- Information about complaints is clear and readily available
- Concerns are dealt within a timely manner and those who have raised them are kept informed about progress
- Confidentiality is respected and maintained so far as is possible
- All parties to the complaint will be appropriately supported
- *Restorative Practice* principles will be applied as the first step in dispute management
- Appropriate remedies will be offered and implemented
- Complainants, respondents and people associated with them will not be victimised as a result of lodging the complaints and they will not suffer any other reprisals
- The school will keep records of complaints
- The AME Board will be informed immediately of any claim for legal redress
- The River School will determine the appropriate person to deal with the complaint in the first instance. Complaints should be resolved with as little formality and disputation as possible
- All processes for handling complaints will align with the school's Neohumanist philosophy

The school will ensure that relevant employees (especially senior staff) have appropriate training in handling complaints. Training will cover:

- The complaints procedure
- *Restorative Practice* skills
- 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.

5. RESPONSIBILITIES

5.1. THE SCHOOL

The school has the following role and responsibilities:

- Develop, implement, promote and act in accordance with the school's *Grievances & Complaints Policy*
- Appropriately communicate the school's *Grievances & Complaints Policy* and procedures to students, parents and employees
- Upon receipt of a complaint, manage the complaint in accordance with the model prescribed in the *Disputes Procedure*
- Ensure that appropriate support is available to all parties involved in a dispute
- Take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them
- Appropriately implement resolutions
- Appropriately train relevant employees
- Keep appropriate records
- Monitor and report on intractable complaints to the AME Board.

5.2. ALL PARTIES TO A DISPUTE

The complainant and respondent both have the following role and responsibilities:

- Apply and comply with the school's *Grievances & Complaints Policy*
- Lodge complaints promptly, as soon as possible after the issue occurs
- Expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that natural justice principles will be observed wherever practicable; that confidentiality and privacy will be maintained as much as possible
- Provide complete and factual information in a timely manner
- Not provide deliberately false or misleading information
- Not make frivolous or vexatious complaints
- Act in good faith, and in a calm and courteous manner
- Show respect and understanding of each other's point of view and value difference, rather than judge and blame
- Act in a non-threatening manner
- To be appropriately supported
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties
- Recognise that all parties have rights and responsibilities which must be balanced
- Maintain and respect the privacy and confidentiality of all parties
- Not victimise or act in reprisal against any party to the dispute or any person associated with them.

5.3. EMPLOYEES RECEIVING COMPLAINTS

Employees receiving complaints have the following role and responsibilities:

- Act in accordance with the school's *Grievances & Complaints Policy*
- Inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required
- Provide the complainant with information about any support or assistance available
- Provide the complainant with a copy of the school's *Grievances & Complaints Policy*
- Maintain confidentiality
- Keep appropriate records
- Forward complaints to more senior employees, including the Principal
- Seek support for handling the complaint if required
- Not victimise or act in reprisal against the complainant, respondent or any person associated with them.

6. PARENTAL / VOLUNTEER COMPLAINTS

If a parent or volunteer makes a complaint to a member of staff, it should be dealt with quickly and honestly by the staff member if they feel confident to do so.

If the staff member does not feel confident about handling the complaint, they should consult the Principal or Deputy.

If the complaint is about an area that lies outside a staff member's responsibility they should report it to the Principal and/or Deputy immediately.

Matters incapable of resolution at a particular level should be referred to the appropriate senior person, with parents kept informed of the action being taken.

Senior staff will recognise when issues need to go straight to the Principal, with whom the responsibility for most complaints lie.

Certain parents will wish to go straight to the Principal with their concerns, and this should be respected. However, it should be explained that the Principal might not be able to respond until they have consulted the staff members who can help.

The Principal will share serious complaints with the Chairperson of the Board. If a serious complaint is made about the Principal, parents are encouraged to write directly to the Chairperson of the Board chair@amriverschool.org

In the case of written responses to a complaint, the Principal should be consulted before the response is sent. The Principal is to be forwarded and cc'ed into all correspondence involving complaints. Copies of all emails should be printed and given to the Principal.

The person handling the complaint must be clear about the nature of the complaint before responding. If it is not immediately obvious:

- The parents may need more time to explain
- They could be asked to put their complaint in writing
- It may be helpful to discuss the process and possible outcomes.

6.1. COMPLAINTS will BE HANDLED SERIOUSLY

It is the policy of the school that all complaints will be acknowledged immediately, or within five working days if the matter is complex. Parents will be kept informed about what is happening to their concern or complaint, and, if a more detailed response is needed, by what date it will be received. The issue should be dealt with as quickly as possible.

7. EMPLOYEE COMPLAINTS

Complaints related to school matters or concerns between employees may be dealt with under this policy following the *Disputes Procedure*.

An employee making a complaint against another staff member must lodge it with the Principal, Deputy or Senior Teacher.

Employee complaints involving, e.g. school policies, compliance, administrative procedures, supervision and assessment must be made in writing and lodged with the Principal. The Principal will follow the *Disputes Procedure* to deal with the complaint.

8. MANAGING COMPLAINTS

When a complaint is lodged with the school, the following processes will be implemented.

- Promptly acknowledge receipt of the complaint
- A record of the complaint will be made
- The complaint may be shared with teachers, staff and/or the Advisory Committee
- Confidentiality and privacy will be maintained as much as possible
- Complaints will be addressed in a timely manner

9. RECORDING

A folder for recording complaints and the process is kept in the Principal's office. It is important that details of the complaint be recorded accurately as:

- It may become the cause of legal action in the future;
- Patterns in the record may indicate a need for action; and
- 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 complainant
- Clear statement of what is concerning the complainant/s
- Member/s of staff handling the issue
- Written & dated records of all meetings, emails and phone conversations
- Statement of outcome / resolution.

All 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. The notes can be agreed with by complainant/s for accuracy.

10. DISPUTES PROCEDURE

10.1. LODGING A CONCERN/COMPLAINT

All concerns or complaints should be raised with the school in the first instance. This supports the creation and maintenance of a healthy school culture free from gossip and behaviours that negatively affect our loving and supportive school community. Further, raising concerns with the school in the first instance allows complaints and concerns to be dealt with effectively and efficiently.

Complaints can be lodged in the following ways:

1. By phone
2. In person
3. In writing

It is preferable in all circumstances, for any written complaint or concern to be followed by discussion, in person or by phone. This allows for greater clarity regarding the concern and the action to be taken.

When lodging a concern or complaint it is important to:

- Provide complete and factual information in a timely manner
- Deliver complaints in a calm and reasoned manner
- Avoid making frivolous or vexatious complaints
- Approach complaints from a position of compassion, community and restoration

It is important to be aware that when making a complaint or expressing a concern about a member of staff, in most instances, the staff member will be informed of the complaint as part of the process in addressing the concern.

At any time throughout the process of lodging a complaint or concern, the complainant is welcome to have a support person present.

The following procedure is in place to assist parents, carers and staff reach an outcome that is in the best interests of the school and all its stakeholders:

10.2. DISCUSSING YOUR COMPLAINT WITH A CLASSROOM TEACHER

If the complaint is with the child's teacher or relates to an issue concerning a child's experience at school, make a time to see the class teacher as soon as possible. Discuss the concern with the teacher and work together to come to a solution. The teacher will make a record of the concern and report on the meeting to the Principal.

10.3. DISCUSSING YOUR COMPLAINT WITH THE PRINCIPAL

If after approaching your child's teacher your complaint remains unresolved, make an appointment to see the Principal to discuss the issue further. Using a restorative approach, the Principal may facilitate a meeting between the class teacher and the complainant to seek a resolution.

If the complaint relates to more general school matters such as issues relating to school policy or school compliance, the complainant should approach the Principal directly. The Principal may refer the complaint to a delegate such as the Deputy, Principal or Business Manager, depending on the nature of the complaint.

10.4. LODGING YOUR COMPLAINT WITH THE AME ADVISORY COMMITTEE

If you have discussed your complaint or concern with the Principal, and still feel that you have not reached a resolution, you have the right to contact the School's Advisory Committee who act on behalf of the School Board. Complaints to the Advisory Committee must:

- Be lodged in writing
- Specifically outline the nature of your complaint
- Detail the steps you have taken to resolve the issue
- Include your name, address, phone number and email address so the complaint can be followed up.

The Advisory Committee will work with the Principal and yourself to reach a resolution. The Advisory Committee can be contacted at chair@amriverschool.org.

11. RESOLUTION

A number of processes may be put in place to ensure that any complaints are resolved in a timely manner that is acceptable to all school community members involved.

At The River School we follow the principles of *Restorative Practice* and all processes and procedures regarding complaints align with our school's Neohumanist philosophy. Thus when resolving disputes, we approach all complaints from a position of compassion, understanding that all situations and concerns must be managed individually with love and respect for all parties.

Complainants may be satisfied a situation has been resolved by any of the following:

- Knowing that changes have been made, and that matters will be different in future
- Knowing that the school is now alert to a possible problem
- Feeling that their concern has been considered seriously
- An outcome which may be different from the one they sought, but which they perceive to be well-considered
- A considered letter
- An apology.

In all cases where time has been needed to investigate a complaint, complainants will receive a report in writing which covers:

- The issues raised
- How the issues were considered
- The people consulted
- The action that is to be taken
- An apology, if appropriate.

12. CONFIDENTIALITY

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

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 complainant/s and the school's policy should be carefully explained.

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 staff member, against whom the complaint has been made, can choose a colleague, who is not involved, to be their support person.

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

13. ANONYMOUS COMPLAINTS

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

Complaints from the public about the behaviour of a group of students will be dealt with on a general basis, with reminders to all about the school's expectations. The school's *Behaviour Management Policy* and *Bully Prevention Policy* will be consulted as required.

It may be possible to deal with a complaint without naming individuals. However, even if names are not given, the source of the complaint must 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 or staff member to do so.

A complainant may request their name be withheld when making a complaint involving a staff member. In resolution discussions with the staff member concerned, the Principal may honour this request if the complainant name is not required to reach a satisfactory outcome.

Complainants 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.

Anonymous allegations about child abuse should be dealt with as outlined in the school's *Child Protection Policy*.

14. INTRACTABLE COMPLAINTS

There may be a small minority of persistent or aggressive complainants who will never be satisfied, whatever the school does. The school may even discover on investigation that the complaint was without foundation or motivated by malice. Nevertheless, it is wise to treat all complaints seriously and to follow the procedures.

Most complaints can be resolved if approached positively. If a complaint becomes intractable, it may be due to its nature or to the way in which it was handled.

There are different stages of action to be taken with intractable complaints:

14.1. REFERRAL TO THE CHAIRPERSON OF THE SCHOOL BOARD

In most cases, the procedure will be that the Principal refers the matter to the Chairperson of the School Board and informs the complainant that this stage has been reached. However, a situation may arise where the complainant feels their complainant been mishandled by the Principal. In those circumstances, the complainant should be able to write directly to the Chairperson of the Board chair@amriverschool.org.

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, this will occur in the presence of the Principal.

The Chairperson will respond to the complaint notifying them that he/she is reviewing the matter, asking them if they wish to add anything further and providing a date by which they may expect a response.

The Chairperson may be able to offer a new approach to the matter, and this may satisfy the complainant. The Chairperson's response will be clear and detailed, and will offer a meeting if issues remain unresolved.

14.2. MEETING WITH THE CHAIRPERSON OF THE ADVISORY COMMITTEE / BOARD

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

- The Chairperson of the Advisory Committee/Board
- The Principal and, at the most, one other member of staff
- The complainant and a *support person

*Complainants are encouraged to bring with them a supportive friend who is not involved with the complaint. Legal representation is not appropriate at this stage.

The Chairperson, after questioning and listening to the complainant and the Principal, may be able to find a solution. If this is not possible, and the complainant wishes to take the matter further, the Chairperson could consider seeking the advice of an independent arbitrator.

14.3. REFERRAL TO A CONCILIATION COMMITTEE

The school may establish a Conciliation Committee, using a Restorative Practice approach, if resolution by the Principal and the Chairperson of the Advisory Committee / Board has failed. The Conciliation Committee is composed of a facilitator, independent of the school, and up to four other members, two of whom will be members of the Advisory Committee (excluding the Chair).

The Chairperson of the Board, in consultation with the Principal, decides when to refer a complaint to the Conciliation Committee, and invites the facilitator to call a meeting.

The Chairman has no further involvement until the facilitator reports back at the end of the committee's deliberations.

14.4. MEETING WITH THE CONCILIATION COMMITTEE

Those involved in the meeting are:

- Up to five Committee members, including the facilitator
- The Principal, and possibly a key member of staff; and
- The complainant/s, who are invited to bring a supportive friend,

A sufficient amount of time is committed to the meeting, in case it is needed.

The complainant and the Principal are asked in advance whether there are any papers they would like to have considered at the meeting, bearing in mind the need for all to keep the proceedings confidential. The papers are copied and distributed before the meeting.

The facilitator will emphasise that the aim is to reach a positive conclusion and will invite first the complainant, then the Principal to speak. After this, the facilitator encourages questions and general discussion.

The facilitator may find it helpful at some point to invite the Principal, the complainant and their support person to withdraw from the discussion for a time, leaving the Committee alone.

If more time is required, it may be necessary to convene a second meeting. If so, Committee members must commit themselves to attend, as continuity is essential.

If a positive solution is reached, the facilitator will summarise the outcome and confirm the nature of the agreement before the meeting disperses. The agreement will be recorded, copied and circulated as soon as possible.

At the end of the Committee's deliberations, the facilitator will make a full report to the Advisory Committee / Board Chairperson and inform the complainant that this is being done. The Chairperson would be expected to endorse the Committee's decision.

15. THE ROLE OF OUR PARENTS AND FRIENDS ASSOCIATION (P&F)

Each class has a P&F representative. One of the roles of the P&F representative is to bring general parent concerns, questions and ideas that affect a whole class or the school to the Parent Committee meeting which is attended by the Principal.

The P&F is not an avenue for individual complaints concerning students, staff or parents.

ADDITIONAL RESOURCES

- Bill Hansberry, 2009, Inyahead Press, VIC Australia, **Working Restoratively In Schools – A Guidebook for Developing Safe and Connected Learning Communities**
- Margaet Thorsborne & David Vinegrad, 2008, Inyahead Press, VIC Australia, **Restorative Practices in Schools**: Chapter 3 to 6: - Conference Preparation, Management and Follow-up