



G005	Disputes and Complaints
Purpose	The purpose of this policy is to help address and resolve potential problems, with a focus on restoring and building relationships, a fair and timely resolution of the complaint, and pre-empting and finding improvement, based on the Bible and the Confessions of the Free Reformed Church.
Authority	New King James Bible Heidelberg Catechism School Education Act 1999 Equal Opportunity Act 1984 Human Rights and Equal Opportunity Commission Act 1986 (Cth) Racial Discrimination Act 1974 Working with Children Act 2004 Working with Children Regulations 2005
Policy	All disputes and complaints will be treated seriously and dealt with fairly, in line with the attached procedures.
Delegation	Principal, School Committee
Related Policies	Child Protection (CP001) Staff and Student Code of Conduct (Prof006, R005) Privacy (G001)
Date approved	December 2014, 2017
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Review Authority	Governance
Keywords	Disputes; complaints; conflict; resolution; grievances
Authorised by: Board Chairman	
Date:	
Author/Reviewer:	Pete Witten – April 2019

The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is available on the [Department of Education website](#). While the Director General may consider whether the school has breached the registration standards, she does not have power to intervene in a complaint or override the school's decision.



G005

Disputes and Complaints Procedure

Definitions

Complaint:

An expression of dissatisfaction with any aspect of education or related to a particular staff, part of the school, a policy or decision. Any person may lodge a complaint. A complaint must contain sufficient detail to enable it to be addressed and recorded.

Concern:

An opinion, comment or expression of a concern (because of its importance and effect) which is raised informally in order to improve or change a situation. A concern can generally be addressed at the time of being raised without the need for more involved consideration.

Dispute:

An unresolved complaint.

Resolution:

An outcome of a complaint that has followed policy process and natural justice.

Natural Justice:

The principles of natural justice will apply to all decisions made under this policy and procedure document. As the consequences of any decision for any individual become more severe, so the importance of demonstrably acting fairly increases. The fundamental principle of natural justice are:

- The right to procedural fairness
- The right to be given a fair hearing and the opportunity to present one's case;
- The right to have a decision made by an unbiased decision maker;
- The right to have that decision based on Biblical norms and logically probative evidence.

Principles for Dealing with Disputes and Complaints:

At JCSA complaints are treated seriously and are used to improve standards and prevent cause for further complaint. Even unjustified complaints are viewed as possible indicators of areas requiring improvement.

The principles of natural justice and the application of Biblical norms will be applied to all concerns or complaints. The staff charged with managing the concern or complaint will demonstrate fair and consistent decision-making.

The key principles for the handling of complaints at JCSA are:

- The School is open to the concerns of parents and students;
- Complaints are received in a positive manner;
- Parents and students can expect to be taken seriously and can approach any member of staff about their concerns;
- Information about complaints contains sufficient detail and is clear and readily available;
- Concerns are acknowledged within 48 hours and dealt with speedily and those who have raised them are kept informed about progress;
- Formal written complaints will be acknowledged in writing;



- Those involved in a complaint shall not be subject to prejudice, intimidation, and harassment or any detriment because of their involvement.
- 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 as far as possible;
- Resolution of the matter is sought;
- The Principal may determine that the school will not pursue vexatious, trivial or previously finalised issues after a complaint has been considered.
- An independent arbiter can be engaged as a final level in the process.

Recording:

The school maintains an accurate record of complaints and other concerns. This is required as:

- The complaint may become the cause of future difficulties;
- Patterns in the record of complaints may indicate a need for action; and
- The Principal will check the log regularly for trends and report on complaints to the School Committee.

The log is maintained by the Principal and contains the following:

- Date when the issue was raised;
- Name of parent;
- Name of student;
- Brief statement of the issue;
- Location of detailed file;
- Member of staff handling the issue; and
- Brief statement of the outcome. (See Appendix 3)

Confidential files on all complaints are to be maintained and cross-referenced with other files as necessary. The files contain simple but clear notes of all conversations with parents about any source of dissatisfaction. This includes chats and telephone calls, as misunderstandings easily arise. Records concerning students are kept for seven years after the student reaches 18 years of age.

Confidentiality:

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

It may be possible to deal with a problem without naming individuals. However, if not, the staff and/or student will be identified.

Members of staff have the right to know about complaints that might be damaging to their reputation. Such complaints will be made known to them and those who need to be consulted. The school is aware there is a need to provide support for staff against whom a complaint is made. This would normally be provided by a colleague who is not otherwise involved.

Third parties will be involved if for example, the child's safety is at risk or the police need to be notified or the dispute cannot be resolved.



Lines of Approach:

Concerns and complaints may be made to any member of staff, but parents are encouraged to raise issues regarding their children directly with the teachers, giving heed to the Biblical norms of Christian relationships. In all instances, the staff will ensure that the matter is brought to the attention of the Principal or Deputy Principal.

There may be some parents who wish to go directly to the Principal with their concern or complaint, and this should be complied with. However, it should be explained that the Principal may be delayed in responding to the issue.

If the complaint relates to the actions of the Principal, the complaint should be taken to the Chairman of the School Committee. The Chairman will discuss the matter fully with the Principal and be provided with the relevant documentation. If a briefing is required from a member of staff, this will occur in the presence of the Principal.

Resolution:

Resolution of the complaint may come from any of the following:

- knowing that changes have been made and matters will be different in the 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; or
- an apology if appropriate.

If time has been needed to consider matters, parents will receive a report. This should cover:

- the issues raised;
- how the issues were considered;
- the people consulted;
- the action that is to be taken; and
- an apology, if appropriate.

Disputes:

If a satisfactory outcome cannot be reached the complaint will become a dispute, the Principal will refer the matter to the Chairman of the School Committee and inform the parents that this stage has been reached. Where a parent believes that the complaint has been mishandled by the Principal, the parent may write directly to the Chairman of the School Committee.

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

The Chairman may be able to offer a new approach to the matter, and this may satisfy the parents. The Chairman's response should be clear and detailed, and may offer a meeting with the parents. The Chairman will consider seeking the advice of an independent arbitrator. The Association of Independent Schools of Western Australia (AISWA) will be asked for guidance and advice.



Intractable Complaints:

There may be a small minority of complainants who will never be satisfied. Nevertheless, all complaints will be treated seriously and the school's procedures followed.

Outcomes:

Outcomes will vary from case to case depending on the nature and circumstances of each. Outcomes could include:

- The complainant gaining a better understanding of the situation and no longer feeling wronged.
- The complainant receiving a verbal or written apology
- The respondent receiving a verbal or written reprimand
- One or both parties agreeing to participate in some form of counselling
- Disciplinary action where a school policy or rule were found to have been breached or where misconduct/serious misconduct or unsatisfactory performance has occurred.

Disciplinary action may also be taken where:

- A grievance is found to have been malicious or vexatious
- A person victimises another person because of their involvement in the grievance.
- Unnecessary disclosure of information (breach of confidentiality) has occurred.

Student Complaints

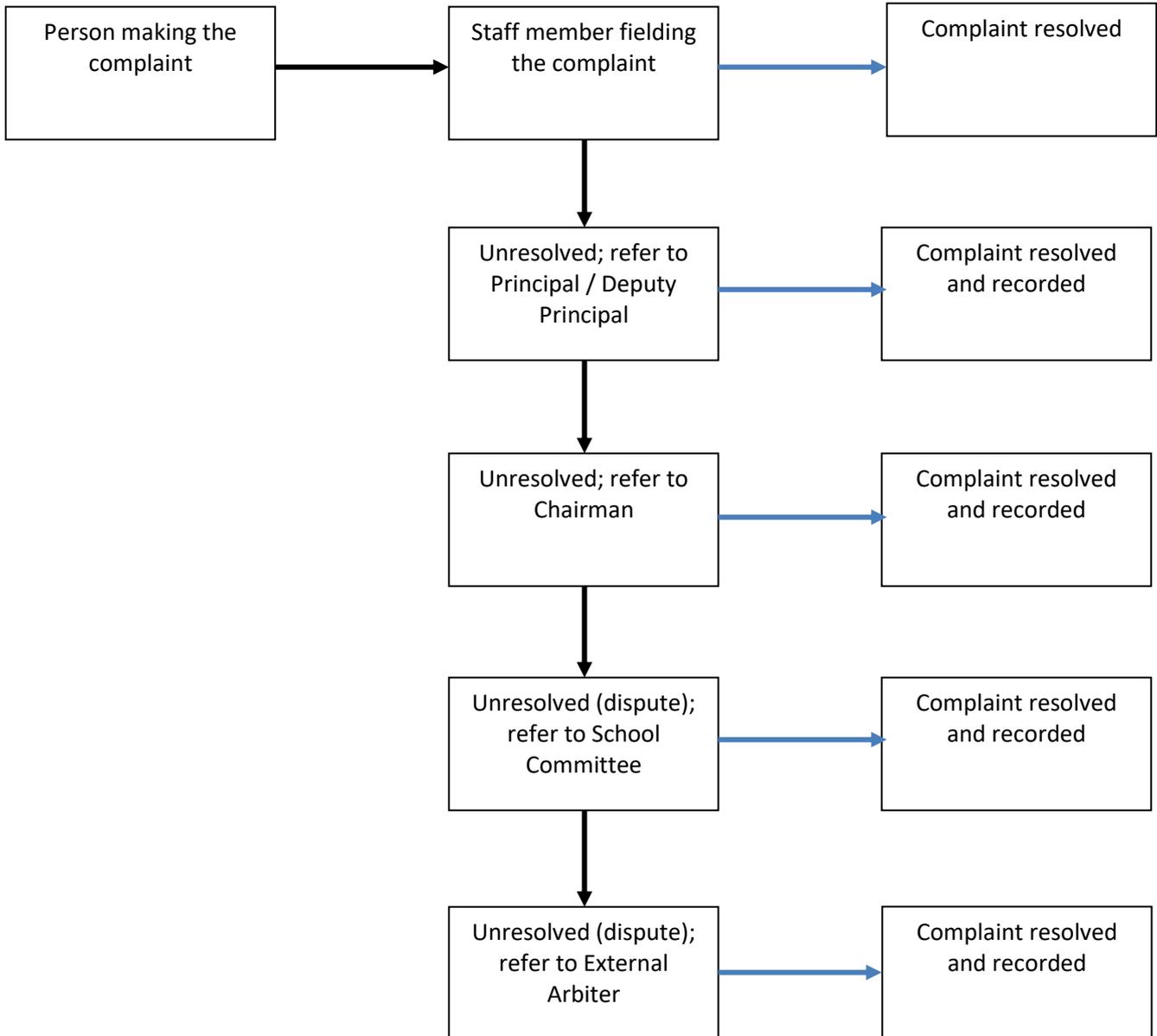
In addition to the procedures and principles outlined above, the following applies:

- Students are made aware of Student Code of Conduct and procedures for reporting breaches of the Student Code of Conduct
- Students will be told who they can talk to if they are feeling unsafe and know what will happen
- The student flow-chart outlining the student complaints procedure is shared with all students and kept in a visible location
- Complaints by students are taken seriously, and responded to promptly and thoroughly
- The safety and well-being of students involved in the complaint will be a priority
- Staff and volunteers will be alert to the ways students express concerns or distress or disclose harm
- Information about all complaints and concerns, including breaches of the relevant policies or the Code of Conduct, will be recorded and analysed, including in relation to process, timeframes and record keeping practices
- Timely feedback is provided to students who raise concerns or complaints. This includes reporting back on incidents, concerns and complaints.



Appendix 1

Flowchart of Parent/Member of Public Complaints Procedure



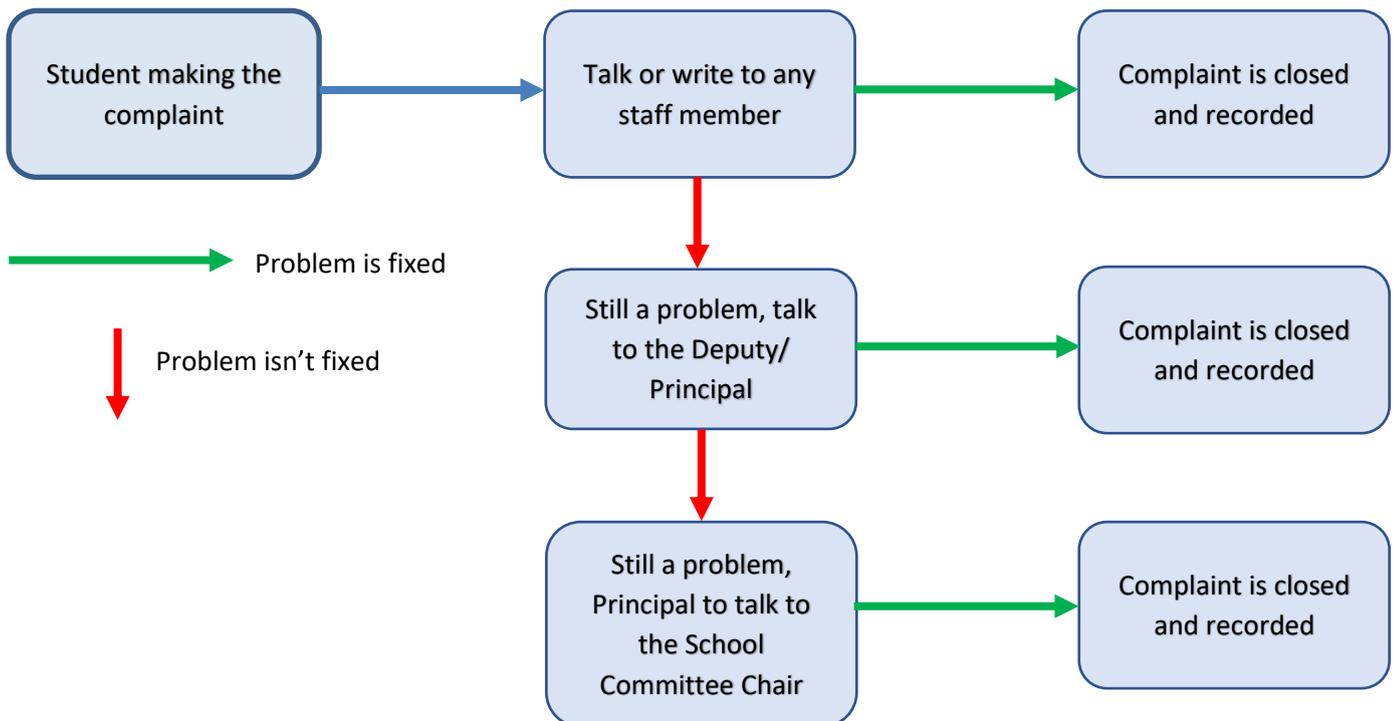
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Appendix 2 Flowchart of Student Complaints Procedure

If something is not right or you are feeling unsafe you can tell any staff member at school and ask for help. You can also ask your parent to tell an adult and ask for help.

- It is the responsibility of all adults at school to protect and care for children. You will be helped.
- The adult will listen to your concerns and help you.
- The information will not be shared with the person who is troubling you or making you feel unsafe.
- The adult might need to share the information with other people who can help to support and protect you.





Appendix 3

Complaints Register

<i>Date of complaint</i>	<i>Complainant</i>	<i>Nature of complaint</i>	<i>External notification required</i>	<i>Status (tick stages completed)</i>	<i>Date actioned</i>	<i>Notes</i>
	Service user		<input type="checkbox"/> No <input type="checkbox"/> Yes Date of notification: .../.../...	Being investigated		
Ref:	Staff member			Resolution proposed		
	Volunteer			Resolved		
	Governance body member			Remains unresolved		
	Member					
	Family/carer					
	Other agency					

Note: increase size for actual use



Appendix 4

Child Friendly Complaints Poster



Student Complaints Procedure

Do you need to make a complaint?

Did we...

- do something wrong to you?
- not do something we should have done?
- act unfairly or inappropriately?

How can you make a complaint?

- Talk to your teacher or parent
- Fill out a complaint form
- Speak to the Principal if it is really serious

What will happen?

- We will take your complaint seriously and investigate it carefully
- We will keep things confidential.
- We will keep you informed as we sort out the problem

What if I feel my complaint is ignored or not dealt with properly?

- Get your parents to talk with the staff member or person involved
- Still not happy? Speak with the Principal