



G005	Disputes and Complaints Policy
<b>Purpose</b>	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.
<b>Authority</b>	New King James Bible; Heidelberg Catechism; School Education Act 1999; Equal Opportunity Act 1984. Racial Discrimination Act 1974. Working with Children Act 2004; Working with Children Regulations 2005; Human Rights and Equal Opportunity Commission Act 1986 (Cth);
<b>National Principles for Child Safe Organisations</b>	Principles: 1. Child safety and wellbeing is embedded in organisational leadership, governance, and culture. 2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously. 4. Equity is upheld, and diverse needs respected in policy and practice. 6. Processes to respond to complaints and concerns are child focused. 9. Implementation of the national child safe principles is regularly reviewed and improved.
<b>Policy</b>	All disputes and complaints will be treated seriously and dealt with fairly, in line with the attached procedures.
<b>Delegation</b>	Principal, School Committee
<b>Related Policies</b>	Child Protection (CP001); Staff and Student Code of Conduct (Prof006, R005) Privacy (G001); Grievance Framework (HR015)
<b>Date approved</b>	July 2024
<b>Next Review Due</b>	April 2026
<b>Review Authority</b>	Governance
<b>Keywords</b>	Disputes; complaints; conflict; resolution; grievances
<b>Authorised by: Board Chairman</b>	
<b>Date:</b>	
<b>Author/Reviewer:</b>	C Brearley – July 2024



G005

## Disputes and Complaints Policy

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.



**VERSION MANAGEMENT**

<b>Version</b>	<b>Date Published</b>	<b>Changes Made</b>	<b>Author of Changes</b>
1	Dec 2014		
2	Dec 2017		
3	July 2024	Add version management table, table of contents, NPCSO, Biblical references. Updates from January 2024 guidelines to registration standards: anonymous complaints, conflict of interest, review of complaints & processes, recording & reporting requirements, format of complaints register. Update child friendly principles, Add student complaint forms as appendices 5,6,7.	C Brearley



## Table of Contents

1.1	Scope.....	5
1	Definitions .....	5
2	Principles for Dealing with Disputes and Complaints: .....	6
2.1	Recording of Complaints: .....	7
2.2	Confidentiality: .....	8
3	Lines of Approach.....	8
3.1	Anonymous Complaints.....	8
4	Investigation.....	9
5	Conflict of Interest.....	9
6	Resolution.....	9
7	Disputes.....	10
8	Intractable Complaints .....	10
9	Outcomes .....	10
10	Review of Complaints and Complaints Procedures .....	10
11	External Reporting.....	11
12	Child Friendly Complaint Processes .....	12
Appendix 1	.....	13
	Flowchart of Parent/Member of Public Complaints Procedure .....	13
Appendix 2	.....	14
	Flowchart of Student Complaints Procedure.....	14
Appendix 3	.....	15
	Complaints Register .....	15
Appendix 4	.....	16
	Child Friendly Complaints Poster .....	16
Appendix 5	.....	17
	K - Yr. 2 Complaint Form & Procedure .....	17
Appendix 6	.....	17
	Yr. 3-6 Complaint Form .....	17
Appendix 7	.....	17
	Yr. 7 – 10 Complaint Form.....	17



## G005

# Disputes and Complaints Procedure

### 1.1 Scope

To satisfy the National Principles for Child Safe Organisations, John Calvin School Albany (JCSA) has developed the following complaints procedures. JCSA implements child friendly principles to promote and maintain a safe environment for children and young people. Complaint investigation and resolution will be carried out in conjunction with the [Complaint Handling Guide: Upholding the rights of children and young people | National Office for Child Safety](#)

This policy and procedure apply to all staff, students, parents, volunteers, association members, and the wider community. JCSA is founded on biblical principles; hence, the Reformed Christian ethos of the school is upheld throughout the following documented procedures and their practical application.

**Matthew 22:39** – ‘You shall love your neighbour as yourself’.

**Exodus 20:16** - ‘You shall not bear false witness against your neighbour’.

**Romans 13:1** - ‘Let every soul be subject to the governing authorities. For there is no authority except from God, and the authorities that exist are appointed by God’.

**Matthew 5:23-24** – ‘Therefore if you bring your gift to the altar, and there remember that your brother has something against you, leave your gift there before the altar, and go your way. First be reconciled to your brother, and then come and offer your gift’.

## 1 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 principles 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.

## **2 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 and complaints are acknowledged within two (2) school days of being received. Informal or minor concerns may be dealt with quickly. If the complaint is more serious in nature the planned next steps will be advised as part of the acknowledgement.
- The outcome of any investigation will be advised to the complainant within ten (10) school days. In cases where the complaint is complex, additional time may be required to complete the investigation. This will be communicated to the complainant.
- 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 complaints register 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.



***'How should I complain?'***

You can contact the school in person Mr Andrew van der Heide or Ms. J. Mulder, by telephone **08 9841 3840**, at [avanderheide@jcsa.wa.edu.au](mailto:avanderheide@jcsa.wa.edu.au) or [jmulder@jcsa.wa.edu.au](mailto:jmulder@jcsa.wa.edu.au), by submitting a message on the school's website [jcsa.wa.edu.au](http://jcsa.wa.edu.au) or by letter, address: John Calvin School, 9 Beaufort Rd. Albany 6330. Please ask if you require some assistance in expressing your concern.

When you contact the school, please ask to speak to the Principal, Mr A van der Heide or Deputy Principal Ms. J Mulder. Be as clear as possible about what is troubling you.

Members of staff will be happy to help. It may be best to start with the person most closely concerned with the issue – e.g. the classroom teacher, or subject teacher. 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 Deputy Principal, or the Principal.

***'I don't want to complain as such, but there is something bothering me.'***

The school is here for you and your child, and we want to hear your views and your ideas. You can start by contacting a member of staff, as described above.

***'I am not sure whether to complain or not.'***

If as parents you have concerns, you are entitled to raise them. If in doubt, you should contact the school, 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 two (2) school days to acknowledge the complaint, and explain how we propose to proceed.

**2.1 Recording of Complaints:**

The school maintains an accurate record of complaints and other concerns. This is required as the complaint may become the cause of future difficulties; and patterns in the record of complaints may indicate a need for action.

All staff will ensure concerns and complaints received are brought to the attention of the Principal or Deputy Principal. The Principal will make the decision to record the matter in the complaints register depending on its nature and circumstances. Informal concerns may still be included in the register to assist identification of patterns and trends.

The complaints register (sample appendix 3) is maintained by the Principal and contains the following:

- Date of complaint.
- Name of complainant and relationship to school (e.g. Parent)
- Subject of complaint including any person complained about and their relationship to the school.
- Member of staff handling the complaint.
- Date investigation completed.
- Brief statement of the outcome, whether complaint upheld, or resolution agreed.
- If review is required; date of referral for review, reviewer relationship to the school (e.g. Committee chair), date review finalised, outcome of review.



- Location of detailed files relating to complaint.

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 relating to child protection (including complaints, allegations, and findings in relation to grooming and child abuse) are stored confidentiality and retained permanently. For non-child protection complaints involving students, records are kept permanently for indigenous and out of home care students, and for 25 years from birth for all other students. Refer to CP001 - Child Protection Policy for further details on mandatory reporting, and G006 – Records Management Policy.

## **2.2 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.

## **3 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. Informal concerns or issues of a minor nature may be resolved directly with a staff member without a formal complaint being made.

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.

### **3.1 Anonymous Complaints**

Anonymous complaints will be recorded in the complaints register to contribute to identifying patterns over time. The school encourages complaints to be reported formally, either in written form or verbally. What action will be taken regarding an anonymous complaint is at the discretion of the Principal depending on the nature and circumstances of the complaint. A complaint being made anonymously may impact the amount of information available for an investigation and limit the support that can be provided to various parties involved.





#### 4 Investigation

The investigation of a formal complaint will be proportional to the seriousness of the complaint. It will allow for procedural fairness and will respect complainant confidentiality and relevant privacy laws at all times. To eliminate bias and uphold the integrity of the complaints process the following persons will be responsible for investigating formal complaints.

Complaint against	Responsible investigator
Student or parent	Principal / Deputy
Staff member	Principal / Deputy
Principal	Chair of School Committee
Chair	Vice Chair and Board Member
Board member	Chair and another Board Member

The purpose of the investigation is to ascertain the circumstances and facts that have caused the complaint to arise and to determine if the complaint can be upheld. The complainant (and family or guardian if applicable) will be kept regularly informed throughout the investigation.

#### 5 Conflict of Interest

If an investigator has a conflict of interest, they will remove themselves from the investigation/resolution process and refer the matter to another person in an equal or more senior position. Personal interests can influence or have the potential to influence a person's decision making and in turn compromise their integrity and that of the school. Conflicts of interests can arise from a staff members family or other relative, friends, business associates or work colleagues being involved in a complaint.

The Principal may refer the investigation of a complaint to the deputy or vice versa when a conflict of interest is identified.

#### 6 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.

## **7 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.

## **8 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.

## **9 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.

## **10 Review of Complaints and Complaints Procedures**

The complaints procedures and recording register are regularly reviewed to maintain a focus on continuous improvement, identify patterns and trends, and allow the school to put risk mitigating strategies in place to prevent future occurrences:

- Review of the complaints register is a standing item on the school committee annual agenda. The principal will submit a summary of the complaints register to the school committee biannually. Personal details are removed from the summary to protect privacy of people involved and to not



jeopardise ongoing complaints.

- The committee reviews the complaints data to identify trends or patterns including patterns in anonymous complaints.
- In the event a complainant is not satisfied with the outcome they have the ability to request a review. A review can be undertaken to further examine either the outcome of a complaint or the process followed of the complaint process. Refer to section 8 Disputes and flowchart at Appendix 1.
- Students, parents and other school community members are encouraged to give feedback on the effectiveness of complaint processes to identify areas that can be improved.
- Learnings and improvements that result from complaints are communicated to the school community via newsletters and information evenings.

## **11 External Reporting**

In addition to the schools internal complaints handling procedures there are several regulatory reporting requirements that will be actioned if applicable to the complaint. JCSA will make these reports where required and may do so without consultation with the complainant or their parent/guardian. JCSA will work collaboratively with police and child protection authorities where required and will ensure that the procedure for investigating complaints internally will not jeopardise an external investigation.

### **Mandatory Reporting:**

Refer to CP001 – Child Protection Policy. Mandatory Reporting refers to the legal obligations of “mandatory reporters” when they form a belief, on reasonable grounds, that a child has been sexually abused, or is the subject of ongoing sexual abuse.

### **Reportable Incidents:**

Refer to PC005 – Emergency, Crisis, and Critical Incidents Policy. The school is required to report certain incidents within 48 hours to the Director General of Non-Government schools. These incidents include:

- The receipt of a complaint or allegation of child abuse, including but not limited to sexual abuse, committed against a student:
  - a. by a staff member or another student; or
  - b. by another person on the school premises or during a school-related activity.

### **Code of Conduct breaches:**

Staff are to report breaches or suspected breaches of the code of conduct to the Principal or Deputy principal. Refer PROF006 – Staff Code of Conduct.

Breaches must also be reported to the Teachers Registration Board of Western Australia. Refer to PROF004 – TRBWA registration policy.

Students are to report breaches of the student code of conduct. Refer to CP007 – Student code of Conduct.

**Reportable Conduct Scheme:** The school is required to notify the WA ombudsman of allegations, or convictions for, child abuse by employees and investigate allegations. Refer to CP001 - Child Protection Policy.



## 12 Child Friendly Complaint Processes

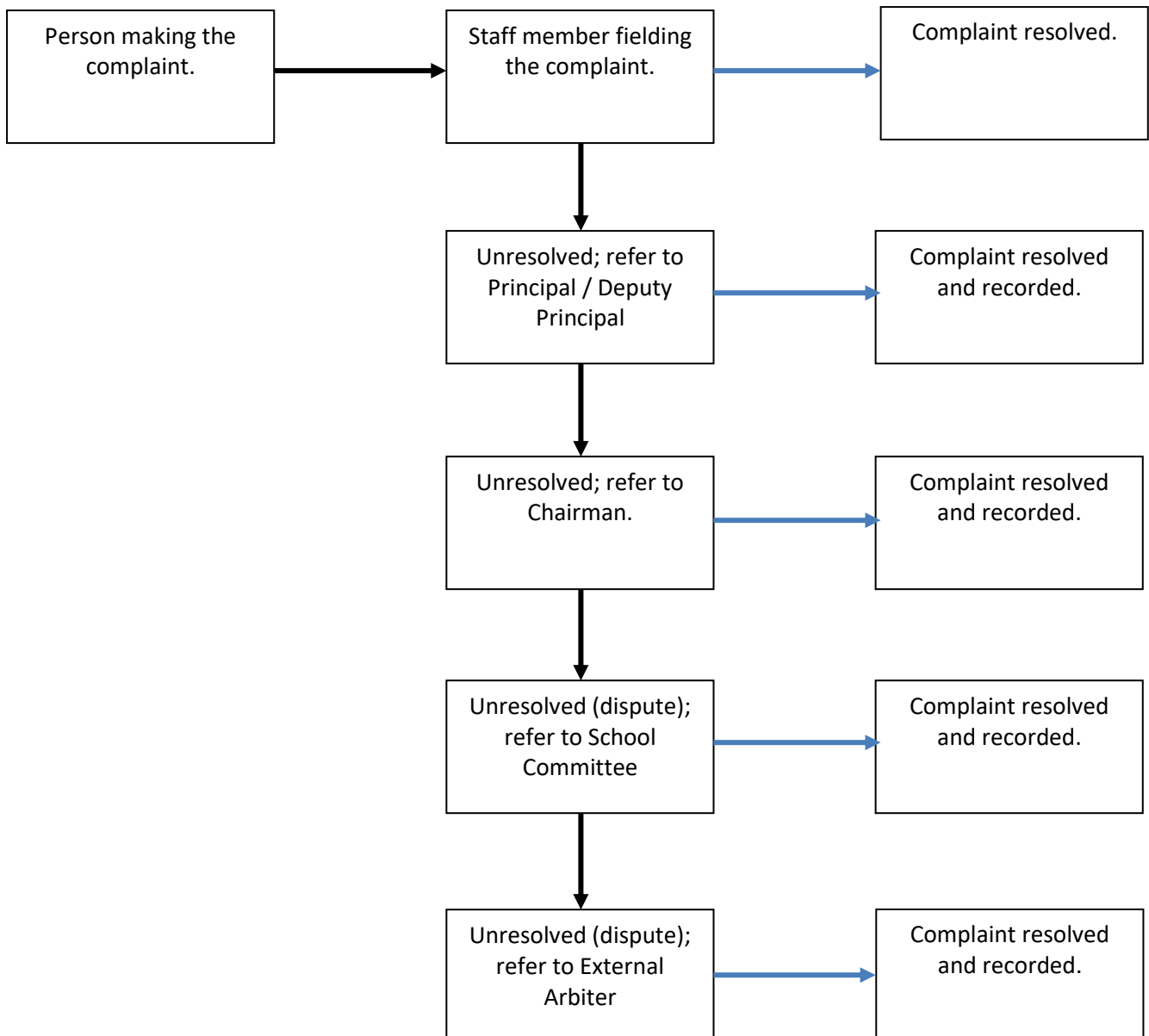
In addition to the procedures and principles outlined above, the following applies:

- 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 (Appendix 4).
- Child friendly processes for making complaints are adopted that are developmentally suitable for the age of the student; making use of illustrations and visual material designed to appeal to students:
  - Appendix 5: Kindergarten to year 2 Complaints Form and Procedure.
  - Appendix 6: Years 3 – 6 Complaints Form
  - Appendix 7: years 7 – 10 Complaints Form
- 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



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.

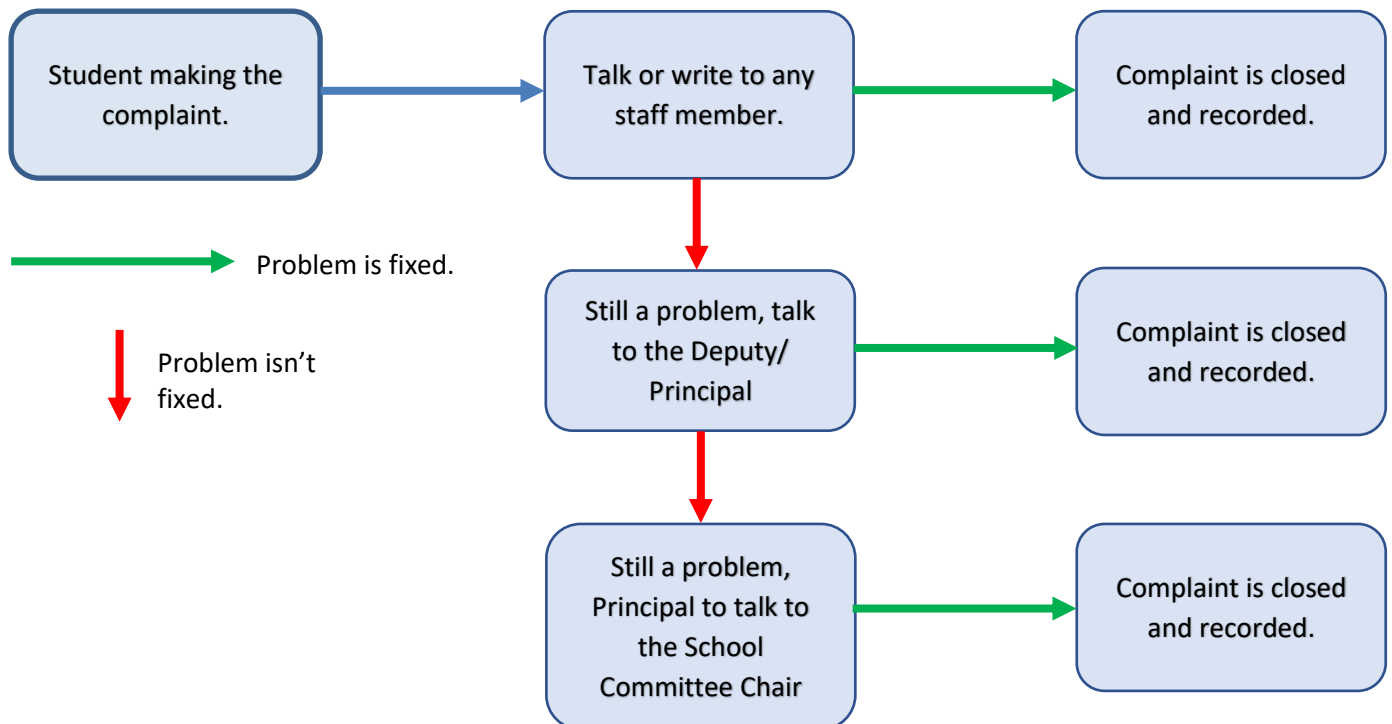


## Appendix 2

## 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

Date of complaint	Name of Complainant & relation to school	Subject of complaint – incl. name of persons complained about	Complaint investigator & position	Complaint Status (tick stages completed)	Date Investigation Complete	Brief Statement of Outcome	Location of detailed any file notes	Date referred on for review	Reviewer name and relation to school	Date review finalised	Outcome of review
	Student			Being investigated		Complaint Upheld		Complete only if review is conducted	School Committee Chair		
	Staff member			Resolution proposed		Resolution agreed			School Committee		
	Volunteer			Resolved		Apology issued			AISWA		
	Governance body member			Remains unresolved							
	Member										
	Parent										
	Anonymous										
	Another 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





**Appendix 5**

**K - Yr. 2 Complaint Form & Procedure**

Document saved separately.

**Appendix 6**

**Yr. 3-6 Complaint Form**

Document saved separately.

**Appendix 7**

**Yr. 7 – 10 Complaint Form**

Document saved separately.