

Complaints Resolution Policy



Date Approved by Committee of Management:	03/12/2018
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PURPOSE

Beechworth Montessori School understands that from time to time parents, staff, students and the wider community 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.

The purpose of this policy is to set out the school's approach and implementation of the resolution of complaints. The policy, together with the procedural documents listed, should be read and understood by parents, staff and by those wishing to make a complaint. This policy is available on our website at <https://www.beechworthmontessori.vic.edu.au/> and by request from the School Office.

SCOPE

This policy applies to all families, students, staff, Committee of Management and the wider community.

POLICY STATEMENT

Beechworth Montessori School is 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 and believes that complaints are an opportunity for critical reflection and can drive improvements.

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.

The Complaints policy is intended to be conciliatory, non-adversarial and non-legal and the complainant can be assured their input is valued.

PROCEDURE

1. Roles and Responsibilities

The Committee of Management is responsible for:

- a) Determining this policy and reviewing it on a three yearly 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.

The Principal is responsible for:

- a) Determining the complaints procedures and ensuring that they are implemented in a way that is consistent with this policy.
- b) Ensuring the complaints policy is communicated to parents and the wider school community and via the website with copies also available from the school office.
- c) Responding to a formal complaint brought under this policy.
- d) Retaining a register of formal complaints (listing the date, subject and resolution) for reporting to the Committee of Management on an annual basis and to be available to the VRQA as required.

Staff members are responsible for:

- a) Responding to and resolving concerns and complaints raised informally.
- b) Informing the Principal of complaints raised.

Parents are responsible for:

- a) Raising issues and concerns in a timely manner using the processes outlined in this policy

2. Handling Complaints

- a) At all times a person's right to air a grievance will be respected and no discrimination will be applied to either the family, student, staff member or community member as a result of the complaint.
- b) Where possible, the school encourages concerns to be identified and resolved speedily and informally with the member of staff most directly involved eg. Classroom Teacher/the Principal
- c) Where the concern has not been resolved to the satisfaction of those concerned, a formal complaint may be made to the Principal.
- d) If the complaint concerns the decisions, actions or activities of the Principal, a formal complaint should be made to the President of the Committee of Management.
- e) Any appeals process should be addressed to the President and will be handled by a complaints sub-committee of the Committee of Management.

3. Procedural Documents

- Appendix A: Informal concerns and complaints: Guidelines for parents in raising these and for staff in responding
- Appendix B: Formal complaints procedures
- Appendix C: Complaints Form
- Appendix D: Guidelines for students in raising concerns and guidelines for members of staff in responding to concerns raised by students
- Appendix E: The appeals process

LEGISLATION AND SOURCES

- Education and Care Services National Law Section 174 (2)(b)
- Education and Care Services National Regulations: Regulation 168(2)(0), Regulation 173(2)(b), Regulation 176(2)(b)
- 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)

RELATED POLICIES

- Child Safety Policy
- Privacy and Confidentiality Policy
- Anti-Bullying and Harassment Policy

APPENDIX A: Informal concerns and complaints: guidelines for parents in raising these and for staff in responding

1. Informal concerns and complaints – Guidelines for parents

- a) The Complaints Resolution policy is readily available on the school's website and by request from the school office.
- b) At all times the parent's right to air a grievance will be respected and no discrimination will be applied to either the family or child/ren as a result of the complaint.
- c) Make an appointment to meet with your child's teacher (or staff member). The best way to do this is to email the staff member directly or contact the school office to arrange a mutually convenient time for a meeting.
- d) Staff are committed to resolving any issues that parents might have regarding their children and will discuss with you actions that might be taken in regard to your concerns.
- e) If you do not believe the problem has been resolved, or if your complaint is serious, the Principal will need to be contacted.

2. Informal concerns and complaints – Guidelines for staff

- a) Staff are encouraged to resolve issues as quickly and as simply as possible without resorting to unnecessary process and bureaucracy
- b) Where possible, the member of staff who receives the concern or complaint should deal with it themselves rather than escalate the matter.
- c) 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 Safety Policy*
 - ii. matters that allege misconduct, corruption or illegal behaviour
 - iii. complaints against the principal or the Committee of Management
 - iv. privacy issues that must be dealt with under the school's *Privacy and Confidentiality Policy*
 - v. legal issues and requests for compensation or payments
 - vi. issues that have a wider school or systemic implication.
- d) In principle, all complaints, even at this informal level, should be recorded in a file note and be retained as part of the school's records. For example:
 - complaints that must be recorded might include those concerning:
 - i. the effectiveness of the teaching
 - ii. bullying
 - iii. a child's persistent unhappiness
 - complaints that the school may decide don't need to be recorded might include those concerning:
 - i. one-off communication breakdowns
 - ii. lost belongings (unless, for example, there is a concern it may be theft.

APPENDIX B: Formal Complaint Procedure

1. Making a complaint

Parents are asked to discuss any concerns with the classroom teacher/the principal at an early stage so that the school can work together with parents to resolve these as promptly and efficiently as possible. If the concern or complaint is not resolved to the satisfaction of the parents through the informal process, the formal complaints procedure may be followed as set out below:

- a) The formal complaint should be made in writing using the formal complaints form and should be addressed to the principal.
- b) If the complaint is in relation to the principal, the complaint should be made in writing using the formal complaints form and should be addressed to the President of the Committee of Management.
- c) Parents may 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.
- d) 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.
- e) 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
- f) If parents decide to make the complaint in person or by phone, the school may use the formal complaints form to record the complaint. The parents will be invited to review the completed form to confirm that the complaint has been accurately recorded.
- g) It is helpful if the complaint is clearly identified before contacting the school. 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.
- h) If more than one parent or a set of parents raises the same or a substantially similar problem, each complaint will be managed separately.
- i) Parents are also asked to indicate how, if legal, possible and practicable, they would want the complaint to be resolved.

2. 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.

- a) 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.
- b) 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.
- c) The investigator will be asked to prepare a brief written report outlining their findings. This report is confidential to the school.

3. The complaints meeting

The principal will normally chair the complaints meeting. The meeting will discuss the matter thoroughly, ideally using the following steps:

- a. a clear description and understanding of the issue
- b. the claimed impact and whom it impacts
- c. what is claimed will happen if the issue is not resolved
- d. 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.

4. 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:

- a. a statement confirming that those involved consider the complaint (or an aspect of the complaint) is resolved
- b. how the complaint is resolved
- c. 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.

5. Record keeping

It is important that consistent, well-structured, concise and complete information is on file for current and future use. The parents will be provided with a copy of the record of the complaint.

The following documentation will form the record of the complaint:

- a) the formal complaints form, whether completed by the parents or by the school and confirmed by the parents.
- b) a record of the complaints meeting and the steps followed
- c) a record of the resolution
- d) a record of the follow up meeting.

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 Committee of Management (in the case of a complaint made against the principal) as is appropriate.

6. Appeals

If parents believe that their complaint is not resolved or that the resolution is unsatisfactory, they may appeal the complaint to the Committee of Management. The appeal procedure can be found in Appendix E.

7. Complaints to the Committee of Management

If the complaint is in relation to the principal, the complaint should be made in writing using the formal complaints form and should be addressed to the President of the Committee of Management.

The President will decide if it is appropriate for a meeting to be organised with the Parent, Principal and President to try to resolve the issue.

If the complaint still cannot be resolved the President will constitute a complaints sub-committee to deal with the issue. The composition of the committee will be decided by the President and approved by the full Committee of Management.

The complaints sub-committee, acting on behalf of the Committee of Management as a whole, will decide how to proceed and will make recommendations for any action to resolve the matter to the whole Committee of Management.

When a complaint is made to the Committee of Management, the Committee's decision will be final.

APPENDIX C: Complaints Form

Person raising the complaint: (Parent/Staff/ Student)	Name: Address: Phone number: Email:
Student details (if applicable):	Name: Date of birth: Year level: Class teacher:
Details of the complaint:	Outline specific details, chronology, details of relevant phone conversations/meetings, how has the matter been raised informally? With whom? With what outcome or actions?

Resolution:	How could this matter be resolved?
Date:	
Signature:	

Next steps: You will receive an acknowledgement within 2 working days that your complaint has been lodged.

The acknowledgement will set out the next steps in responding to your complaint.

Office Use Only

Date form received:

Received by and acknowledged by:

APPENDIX D:

1. Guidelines for students in raising concerns

Students need to be clear that they are able to raise concerns with their teachers and that these will be taken seriously and dealt with. The guidelines for students must be written in age-appropriate language.

Some examples:

- a) 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.
- b) 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.
- c) We will do our best to remedy problems promptly and deal with each matter fairly.
- d) You can make a suggestion or complaint orally or in writing. If made orally, it may need to be put in writing later. We are able to assist you to do that if necessary. You can use the form that is available. Its use is optional.

- e) Where possible, you should raise your concern or make your suggestion to your class teacher or the person responsible for the place where the issue arose then it can be made to the Principal.
- f) It is preferable that you give your name and sign your complaint. Anonymous complaints can be acted on only in certain circumstances.
- g) 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 just be unhappy.
- h) 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.

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

- a) The school should make it clear that it encourages students to raise concerns with their teachers at an early stage so that issues can be resolved quickly.
- b) Students should be clear about how they can raise a concern in the first instance: with whom and in what way. This is discussed in each classroom by the class teacher.
- c) 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 include but are not limited to:
 - anything to do with child safe standards that must be dealt with under the school's Child Safety Policy
 - matters that allege misconduct or illegal behaviour

- Issues that have a wider school or systemic implication.
- d) In principle, all complaints, even at this informal level, should be recorded in a file note and be retained as part of the school's records. In practice, the school may decide this is not reasonable or sensible.

For example:

- complaints that must be recorded might include those concerning:
 - the effectiveness of the teaching
 - bullying, racial or sexual harassment
 - a child's persistent unhappiness
 - discrimination.

- complaints that the school may decide don't need to be recorded might include those concerning:
 - school work
 - lost belongings (unless, for example, there is a concern it may be theft)
 - friendships / relationships between students.

APPENDIX E: Appeals within the complaints process

1. Making an appeal

- a) If parents believe that their complaint is not resolved or that the resolution is unsatisfactory, they may appeal the complaint to the Committee of Management.
- b) The appeal must be made in writing within 14 days of finalising the complaint resolution and should be addressed to the President of the Committee of Management.
- c) The grounds for the appeal should be clearly identified and could include the following:
 - the complaints resolution policy and procedures were not followed

- the resolution of the complaint is claimed to be insufficient, unfair, biased, unreasonable and/or disproportionate.
- d) The appeal will use the record of the complaint as agreed and will not normally re-hear the complaint itself.
- e) Parents are also asked to indicate how, if legal, possible and practicable, they would want the appeal to be resolved.

2. **Responding to the appeal**

- a) The President will constitute an appeal sub-committee to deal with the issue. The composition of the Committee will be decided by the President and approved by the full Committee of Management.
- b) The appeal committee, acting on behalf of the Committee of Management as a whole, will decide how to proceed and will make recommendations for any action to resolve the matter.
- c) The appeal committee may approve the appointment of an external consultant to conduct an investigation, mediation and/or arbitration.
- d) The appeal committee has full delegated powers to resolve the issue but can choose to make recommendations to the full Committee of Management as to the actions required to resolve the issue.
- e) The decisions of the appeal committee / Committee of Management are final.

3. **Record keeping**

- a) A full record of the appeal will be made following a similar structure to that outlined in the complaints procedures.
- b) Parents will be provided with a copy of the final decisions of the appeal.
- c) 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 Committee of Management (in the case of a complaint made against the principal) as is appropriate.