

# Complaints/ Grievances Policy

## **Rationale:**

Positive, clear and effective processes for resolving complaints between Mt Hira College - the school and community members assists in the building of strong relationships, dispels anxiety, and ultimately provides students with an enhanced learning environment. Mt Hira College has both a desire and a responsibility to ensure that high standards of conduct are maintained by students, staff and parents (including guardians and caregivers) at all times, and that complaints / grievances arising from these parties are managed and resolved fairly, efficiently and promptly.

## **Aims:**

- To provide clear, positive and fair processes that allow complaints and grievances to be aired and resolved in a timely and effectively manner.
- To provide a framework and a set of guidelines to support the raising of a concern and the means of achieving a final resolution.

## **Definition:**

Where an action or decision is considered to be unfair or inappropriate, there is the right to raise a complaint and have it considered seriously – such a complaint is known as a grievance. The grievance policy is intended to encompass any educational, behavioural or College environment issues that may arise. An employee, student, parent or community member can have a complaint about a decision, behaviour, act or omission (whether by the Principal, members of the Executive team, members or the leadership team, or other staff/students or parents) that they feel discriminatory or unreasonable.

A **concern** is an issue of interest (because of its importance and effect) which is raised informally in order to improve or change a situation.

A **complaint** is an expression of **grievance** or resentment where the complainant is seeking redress or justice.

Throughout this policy the term '*complaint*' is used in the understanding that 'grievances' and 'concerns' are more likely to be addressed without the need for a formal complaint. The College recognises that, in particular, a grievance is more likely to be dealt with under the same procedure as a 'complaint'.

### **Implementation:**

- Some complaints, because of the seriousness of their nature, should be referred immediately to the Principal e.g. complaints about behaviour which places others at risk of serious harm. All issues to do with the abuse of children should immediately follow the procedures outlined in the Child Safety Policy.

**Parents are advised *not* to approach the children of other families within the College with a College related complaint. This is often a sensitive area and in order to protect all the parties it is advisable to work through the relevant teacher or members of the College leadership or executive team.**

### **General Guidelines**

The process of raising and resolving a complaint or grievance, through both informal and formal procedures, should embody the following guidelines:

- Potential conflict should be dealt with and discussed as early as possible and people be encouraged to be positive rather than judgmental,
- The focus needs to be on the issue at hand rather than on people;
- Ensure that the appropriate person represents the conflict. It is the responsibility of the College Principal / Executive team to contain issues to the appropriate people and to see that others understand this;
- All input and contributions are to be listened to respectfully and attentively by all parties involved in the process.
- The Principal / Head of College will exercise his / her judgement as to whether or not they will act upon anonymous complaints.

### **Before making a formal complaint**

- If a problem or concern that arises within the College cannot be resolved with the person involved with the issue, then it would normally be raised with an appropriate staff member with a view to discussing the issue and seeking resolution of such problems or concerns.

### **Making a formal complaint**

- If the above process of raising the concern, obtaining the facts and obtaining resolution is not producing a satisfactory outcome, the following procedure can be used.
- The purpose of this procedure is to offer a process by which employees / students / parents (including guardians and caregivers)/ community members can have complaints dealt with.
- All persons submitting a complaint are welcome to use the Complaints / Grievances form in Appendix 1.

### **Key elements of our complaints / grievances handling policy**

#### *Impartiality and procedural fairness*

If you make a complaint, it will be investigated in a fair and impartial manner. No judgments or assumptions will be made and no action will be taken until the investigation is complete. If a complaint is made against you, your rights will be protected and you will be given an opportunity to tell your side of the story. All persons involved will be kept informed of the details as appropriate. If the College obtains legal advice in connection with a complaint however, the advice is privileged.

#### *Confidentiality*

Where possible, a complaint made under this procedure will remain confidential. The only person who will have access to information about the complaint will be the person making the complaint, the person to whom the complaint is made, the person investigating the complaint and any third party who may be involved. The person about whom the complaint is made also has a right to be informed. Where a complainant asks to remain anonymous, the person investigating will decide whether that request can be conceded to and whether it is practical to do so.

Depending on the nature of the complaint however the College reserves the right to disclose details of the matter to any other person who, in our opinion, need to know, in order to facilitate a resolution to the complaint.

### *Time Frame*

It is the obligation of all parties to deal with a concern as promptly and amicably as possible. In most cases, a reasonable time for a resolution may be one month. In some cases where external personnel or factors are involved, resolution may take longer. Complainants will be advised if the matter cannot be finalised within the month.

### *Vexatious or malicious complaints*

There is an underlying assumption that complaints are made in good faith and good will and with an intention for resolution as opposed to retribution.

Where the Principal believes the complaint is malicious, vexatious, frivolous or lacks substance, they may deem not to investigate or proceed but will document the complaint and inform the complainant.

## **What to do if you have a complaint / grievance or concern?**

Good relationships within the College community gives children greater opportunities to succeed. It is natural that parents (including guardians / caregivers) or community members at one time or another may have concerns about what happens at school. To maintain good relationships, grievances or conflicts should be resolved so that all parties achieve satisfactory results.

The welfare of our students at the College is of paramount importance. Open criticism of any parties in a dispute does not support children's education. To this end, fair and open communication conducted within the framework outlined here, ensures that the rights and responsibilities of all parties are respected and consensus is achieved.

### Approach the person involved

In many situations, the most appropriate thing to do first is to tell the person who is the cause of the complaint how you feel. If the complaint is about their behaviour, tell them that it is offensive, hurtful, and not acceptable. If it is about a work decision, tell them why you think it is discriminatory, harassment, unfair, unjust or unreasonable. Informing the person will give them a chance to stop or change what they are doing or explain what they had decided and why. In this way many situations can be resolved before they become formal complaints

### Contact the College

Where you feel that you cannot approach the person directly or you are not happy with their response or reaction, then you can explain the matter to the appropriate person at the College. The front office at the College will be your first point of contact if you have a complaint. You do not

have to tell the office staff the nature of the complaint, but any information you provide will assist them in directing your complaint to the right person.

You will be advised as to the person designated to deal with the nature of the complaint. This person may be the classroom teacher, subject teacher, Domain Head, Head of School (Junior, Middle, and Senior), Assistant Principal (Academic / Administration) or Principal. The designated person will advise you about what your options are and what will happen if you make a formal complaint.

All staff are authorised to receive complaints in the initial stage and act as a 'designated person'. Once the complaint becomes a formal complaint it will be passed on to either the Assistant Principals or Principal who will then investigate the complaint. The Assistant Principal or the Principal may co-opt other staff to assist in any part of the process.

Occasionally some parents contact the College Board directly with a matter of concern. The College Board is not involved in the day to day running of the College and will refer any complaints back to the Principal or Assistant Principals.

### **The Procedure – Parents / Guardians**

#### **1. Make an appointment to speak with the classroom or subject teacher**

Provide an outline of what you would like to discuss as this will facilitate the process and make the most productive use of time available. If parents consider that the issue which they have raised is still unresolved, it is important that they state this to the teacher at the conclusion of the meeting.

- If the issues are not resolved, parents / guardians should make an appointment with the relevant Head of Sub School and let them know what subject they wish to discuss as this will facilitate the process.

#### **2. Parent meeting with the Head of Sub School**

Results of this meeting may include the following:

- The situation is monitored;
- Further discussions with the people involved;
- Outside support for the child or family may be sought.
- If parents are still dissatisfied with the outcome of the meeting, they should telephone or write to the Principal to air their concerns. The Principal will then involve him / herself in resolving the issue. If the College does not receive further information following the Principal's intervention, it is reasonable for the issue to be considered resolved.

#### **3. Ongoing dissatisfaction**

- Once you have made a complaint to the College the designated person will then consider whether there are any reasons why they should proceed to deal with the complaint i.e. conflict of interest.
- The designated person will then provide a report to the relevant sub-school leader/ Assistant Principals / Principal. Together they will decide the most suitable personnel to be involved in the process.
- The designated person will then speak to the person about whom the complaint is made to hear their side of the story. Any witnesses will also be interviewed. These interviews will be conducted separately and impartially. The importance of confidentiality will be stressed to all parties.
- The designated person will then tell you what the other person said and discuss what should be done to resolve the matter. As a parent/guardian/caregiver/community member you should tell the designated person what action you would like take e.g., a written apology. This allows the designated person to understand, from your perspective, what you believe you need from the process. It will not dictate the solution that might ultimately apply.

#### **4. Review**

If the complaint remains unresolved it will be reviewed by either the Principal or a member of the Executive Team. They will make a final decision as to the outcome of the complaint. The review step will only be possible if the Principal or member of the Executive team has not been acting as the designated person.

#### **5. Possible Outcomes**

- If the complaint is upheld or sustained, the following are possible outcomes depending on the nature of the complaint:
  - An agreement between the parties
  - A verbal apology
  - A written apology
  - Suspension
  - Expulsion

Where students are the subject of a complaint, action may be taken as stated in the Student Behaviour Management Policy.

- If the complaint is not upheld or not substantiated (e.g. if there is insufficient evidence) but some issues come out of the investigation that are required to be addressed then, possible outcomes include:
  - Relevant training for the employees and / or students; and/or
  - Monitoring of the behaviour of employees and / or students; and / or
  - Counselling for parties involved;
  - Mediation at College level.
- If the complaint is proved not to have happened at all, or if there is evidence that the complaint was made with the main purpose or intent of causing distress to the other named as the source of the grievance, the following are possible outcomes:
  - Counselling for the person who made the complaint
  - A written apology from the person who made the complaint
  - An official warning
  - Referral for disciplinary action for students and staff.

The relevant designated person will make sure that whatever outcome is decided upon is followed through. The designated person or the College Principal (unless they are the subject of the complaint or grievance) will assess the effectiveness of the outcome from time to time.

## **6. Appeals**

There are avenues of appeal if you feel that the complaints procedure has not been followed properly or that the outcome is unacceptable to you.

- To the Principal if the Principal has not been involved in investigating or examining the complaints, or is not the person named as the source of the grievance.
- To the Executive team if the Principal has been involved.

The appeal will consider the following:

- The way the complaint was handled and examination of the outcome.
- If he / she believes that it was handled properly (and in accordance with the steps outlined in this policy) and that the outcome was appropriate he/she will take no further action.
- If he / she thinks that the complaint was not handled properly (and in accordance with the steps outlined in this policy) or that the outcome was inappropriate, he / she will organise for the complaint to be looked at again.
- Someone other than the person who first handled the complaint will deal with the appeal.

- While we accept our responsibility to consult, and to communicate both clearly and effectively with the community, community members also have an obligation to read notices and newsletters, to attend briefings, and to seek clarification when required.
- There may, however, still be times when members of the community disagree or need further clarification of our procedures/policies or expectations.
- It is essential that the established process, as outlined below, is followed to resolve grievances:

### **7. As a final resort**

Where you feel that you are not happy with the response of the College or you have a good reason not to raise the issue with the College Principal, then you may contact Independent Schools of Victoria (ISV), Victorian Institute of Teaching (VIT) or the Victorian Registration and Qualifications Authority (VRQA). An officer will usually discuss raising your concerns at the school level with you. They can also advise you about your options. These bodies can also assist with advice if you feel the matter with the College has not been resolved.

## **The Procedure – Students**

### **1. Talk with the person concerned (student or teacher)**

Students should say what the problem is, i.e. how they feel. They should say what they would like him / her to do about it. If this is too difficult, they are encouraged to take a friend with them OR speak to a trusted adult such as Head of Student Welfare or Sub-School Leader.

#### **1. Listen**

Students should listen to the other's side of the story

#### **2. Reflection**

Students should think seriously about whether there is any wrong on their side and reflect on their own actions.

#### **3. Agreement**

Students should try and reach an agreement with the other person where they both feel satisfied with the outcome.

#### **4. Further Concerns**

If students still have a concern they should approach the Executive team for assistance (Assistant Principals and / or Principal).



## **5. Mediation**

If the conflict remains unresolved, a neutral mediator shall be involved. The mediator, agreeable to all, shall be appointed in consultation with the College Principal.

### **Helpful tips for students**

- Do not talk about the person to others – talk directly to the person.
- It is better not to talk while you are angry or upset or in public.
- Remember to search for the right words to say, for understanding and for the issue to be resolved.
- All students have a right to question the assessment that the teachers has made of their work in assignments and tests. If they are not satisfied that the assessment was correct and accurate, they should:
  - Approach the teacher and ask for clarification;
  - Ask for a reassessment of the work by the teacher;
  - Ask the teacher to have the Domain Leader or another teacher reassess the work;
  - Accept the decision.

### **The Procedure – Staff**

In any organisation conflict of a personal or professional nature may arise. Procedures to resolve conflict should reflect the values of the College (fairness, excellence, honesty, respect, responsibility). Staff need at all times to seek to resolve conflict and not contribute to it by gossip.

The following guidelines will assist those who have a grievance or complaint:

#### **1. Personal Conflict**

- Identify and clarify the issue, possibly discuss with another person
- Discuss the issue with the person involved, stating the problem and seek a resolution through sharing of concerns. Preparedness to apologise if warranted is important.
- If the problem is not resolved involve a third impartial person, acceptable to both parties.
- If the conflict is unresolved discuss with relevant Sub-School Leader or Assistant Principals to establish a professional working relationship.

#### **2. Professional Conflict**

- Identify and clarify the area of concern.
- Discuss with Assistant Principals
- Be prepared to state the area of concern and offer possible solutions
- If the conflict is not resolved discuss the matter with the Principal who will seek advice and determine further action.

### **3. Mediation**

If the conflict remains unresolved, a neutral mediator shall be involved (in most cases this will be one of the two Assistant Principals). The mediator, agreeable to all, shall be appointed in consultation with the College Principal.

### ***Appendices***

Complaints/Feedback Form

Ratified by the Board on: 31/08/2016

Chairperson: Mr. Ken Yucel

This policy will be communicated to staff, parents, students and the wider community through one or more of the following channels: newsletter, assemblies, staff/student handbook, College website, staff meetings, information sessions.

*This policy will be reviewed as part of the College's 2 year review cycle.*