



Topic	Complaints and Disputes
Registration Standard	2.9 Complaints
Originally Released	2014
Date for Review	2019

## Information for parents and students

### Objective

To ensure a complaint lodged by a member of the Court Grammar School community will be resolved in a prompt and professional manner.

### Policy

Should the School receive a complaint; staff will make every effort to resolve the issue quickly and fairly. If the issue is unable to be resolved, the complainant may forward a written complaint to the Principal.

The Chair of the Board will handle a complaint lodged against the Principal.

An Independent Arbitrator will handle a complaint lodged against the Chair of the Board.

A complaint will be referred, where required to an external authority such as the Department for Child Protection (CPFS), Department of Education Services or the Western Australian police for advice or immediate action.

### Definitions

A **concern** is the expression of a worry, something that has made a person troubled or anxious about an issue and is expressed at a 'first level' ie to a class teacher at the classroom door or by telephone or email directly to the relevant staff member. Depending on the nature of the concern, it can often be resolved at this 'first level' in a more informal manner. NB: It would be prudent nonetheless for the teacher or staff member concerned to make and file a brief note regarding the issue and interaction in case of future escalation on SEQTA.

A **complaint** is an expression, in writing, of protest, objection, dissatisfaction with a real or perceived problem, accusation, or criticism and is usually dealt with in a formal manner.

Members of the Senior Leadership Team and Principal will determine which issues are to be registered as complaints to be dealt with according to this policy.

Irrespective of whether the complaint was first expressed as a concern, it would be expected to be in the form of a written communication, a letter or email, addressed directly to the relevant staff member, their superior, the Principal, or the Chair of the School Board.

A complaint may be made if a parent, guardian or member of the community thinks that the School has:

- done something wrong
- failed to do something it should have done
- acted unfairly or impolitely.

A complaint may be made about the School as a whole, about a specific area in the School or about an individual member of staff.

A **dispute** would usually be viewed as an argument or disagreement and may be the result of a pursued unresolved complaint.

These guidelines do not cover complaints from members of staff about aspects of their work, staff should refer to the Staff Dispute and Grievance Resolution Policy.

### **Key Principles for the Handling of Complaints**

A complaint will be handled with:

- **Commitment**  
Court Grammar School recognizes the right to complain and to have a complaint dealt with seriously and in a positive manner.
- **Fairness**  
The School understands the need to be fair in its complaints handling processes and will act with a lack of bias. People whose interests will be affected by the decision will be given a chance to respond before a decision is made; once all important information has been gathered.
- **Resources**  
The School will provide adequate resources for effective handling of complaints. An authorized person will conduct a formal examination and investigation of the complaint and/or areas of dispute.
- **Costs**  
There will be no charge to the complainant for the raising of the complaint.
- **Openness**  
The School is open to all concerns, especially those of parents and students.
- **Confidentiality**  
The School will treat all complaints in a confidential manner and with respect. Complaints made by parents must not rebound adversely on their children and similarly, complaints raised by students should not rebound on them or on other students.

Members of staff should be told about complaints that might be damaging to their reputation

**If there is a situation involving the Police the Principal, or if unavailable, the next most senior staff member must take responsibility for action to be taken within the school and the governing body Chair should be informed as soon as possible. At this stage, depending on the circumstances, the school's requirement to submit a Critical Incident Report to the Department of Education Services is to be fulfilled.**

### **Anonymous Complaints**

Anonymous complaints may be where there is no name or address supplied, or where the complainants say that they do not wish to be identified.

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 are to be recorded in the complaints log as, over time, they may contribute to an identifiable pattern.

### **Training**

Given the diverse nature of complaints, SJGS will ensure that through training, all staff, including support staff, know how to carry out their responsibility to support and implement the school's policy. Training will cover:

- the complaints' procedure;
- communication skills, such as listening, questioning and calming;
- handling complaints, negotiation and mediation skills;
- skills in observing, recording and reporting; and
- the benefits of handling complaints well and the consequences of handling them badly.

## **Lines of Approach**

All members of staff are encouraged to deal with parental concerns in the first instance, that lie within their area of responsibility.

If approached about a matter that lies outside their responsibility, staff should refer the person to the policy and advise them of the next step.

Some complainants 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 he/she has consulted the staff that can help and/or are involved.

Serious complaints should be shared with the Chair of the School Board by the Principal. There may be certain circumstances, such as complaints about the Principal, where it will be necessary for the complainant to write directly to the Chair.

Written responses to complaints are to be approved by the Principal prior to being sent.

## **Records**

The School will maintain clear confidential records of the complaint and log of concerns, the actions taken and the outcome because:

- it provides information should there be legal action in the future
- patterns may be identified that indicate a need for action
- it provides information for reporting, by the Principal to the School Board as required.

The register/log should contain the following information:

- date when the issue was raised.
- name of complainant
- brief statement of the issue
- member of Senior Leadership Team handling the issue
- brief statement of the action taken and outcome, including date of resolution/outcome
- location of detailed file (if applicable).

The Complaints Register and all relevant information pertaining to a particular complaint will be kept electronically on the "Executive drive".

The files should contain simple but clear notes of all communication with the complainant. This includes friendly chats and telephone conversations, as misunderstandings easily arise. There should be clear statement of what is concerning the complainant. The notes can be agreed with the complainant.

Records concerning students will be kept for seven (7) years after the student reaches eighteen (18) years of age.

## **Accessibility**

The Complaints and Disputes Policy and Procedures document is to be available on the School website at [www.cgs.wa.edu.au](http://www.cgs.wa.edu.au)

## **Assistance**

The School will provide support for staff against whom a complaint is made.

## **Responsiveness**

Complaints will be dealt with quickly and efficiently and those who have raised them will be kept informed of the progress.

## **Results**

Where a complaint results in the identification of changes that need to be made to School procedures, those changes will be made and notification that action has been taken, communicated in writing to the complainant. The School is not obliged to inform the complainant of the details of any action taken.

## **Financial Complaints**

All complaints relating to finances should be directed to the Business Manager.

## **Minimum information required when making a complaint**

The complainant should provide the following information when making a complaint:

- name and contact details
- the nature of the complaint
- copies of any relevant correspondence or documents relating directly to the complaint
- what is considered necessary to resolve the complaint

## **Response Time**

In the case of a concern, staff will endeavour to work directly with the complainant to resolve the issue as quickly as possible.

The School will acknowledge written complaints within five (5) school days. The School will seek to resolve complaints within 10 school days. In all cases, complainants will be kept informed of the progress of the complaint.

A complainant may enquire as to the progress of their complaint at any time by contacting the appropriate person who will have been identified in the written response to the complaint.

## **Outcome of a complaint**

The School, in writing, will provide the outcome of all written complaints. If the complainant is unhappy with the outcome of the complaint, they may express their concerns to the Principal, in writing. The school contact form on the website also has provision for this.

Written complaints should be addressed:

### **PRIVATE AND CONFIDENTIAL**

The Principal  
Court Grammar School  
Locked Bag 1  
MUNDIJONG WA 6123

Serious complaints will be shared with the Chairman of the School Board by the Principal. There may be certain circumstances, such as complaints about the Principal or a Board Member when the complaint needs to be directed in writing to the Chairman. This should be addressed:

### **PRIVATE AND CONFIDENTIAL**

The Chairman of the School Board  
Court Grammar School  
Locked Bag 1  
MUNDIJONG WA 6123

## **Disputes**

A pursued unresolved complaint may become the subject of a dispute for a variety of reasons including the nature of the original complaint, the way in which it was handled, or possibly because the parent perceives the school to have 'closed ranks' against him or her.

Pursued, unresolved complaints/disputes are usually taken to the School Board Chair and/or as a last resort and if both parties agree, an independent arbiter.

## **Referral to the Chair of the School Board**

In some cases, the Principal may refer a matter to the Chair of the School Board. The Principal is to advise the complainant that this is the next step in the process. However, a situation may arise where the complainant is unhappy with the Principal's response, in which case the complainant is able to write directly to the Chair.

The Chair is to discuss the matter fully with the Principal and be provided with relevant documentation. If a briefing is required from a member of staff, this is to occur in the presence of the Principal.

The Chair is to respond to the complainant, 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 Chair's response should be clear and detailed, and should offer a meeting if the complainant remains troubled.

### **Meeting with the Chair of the School Board**

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

- the Chair of the School Board;
- the Principal and, at the most, one other member of staff; and
- the complainant.

The complainant should be permitted to bring with them a supportive friend who is not involved with the complaint. Legal representation would be discouraged at this stage.

The Chair, 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 Chair could consider the establishment of a Conciliation Committee or engaging an independent arbiter.

### **Referral to a Conciliation Committee**

The School may wish to establish a Conciliation Committee. Protocols for its operation may include:

- the Convenor is a Board Member, other than the Chair;
- there are up to four other members, of whom at least two are Board Members;
- three members, including the Convenor, constitute a quorum for an individual case;
- members are committed to keeping the proceedings of the Committee confidential and to operating in a fair and objective manner – their aim is to conciliate; and
- In accepting appointment, members accept that they may never be called upon to meet.

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

The Chair has no further involvement until the Convenor reports back at the end of the Committee's deliberations.

### **Meeting with the Conciliation Committee**

Those involved in the meeting are:

- the Committee members, including the Convenor;
- the Principal, and possibly a key member of staff; and
- the complainant, who is invited to bring a supportive friend, as for the meeting with the Chair of the School Board.

### **Meeting Procedure**

Sufficient time should be committed to the meeting.

The complainant and the Principal are to be 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 to be copied and distributed before the meeting, allowing due consideration by all parties of any written statement submitted by any party.

The Convenor is to emphasise that he or she is concerned to reach a positive conclusion and invites first the complainant, then the Principal to speak. After this, the Convenor encourages questions and general discussion.

The Convenor may during the course of the meeting invite the Principal, the complainant and their friend 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 Convenor should summarise the outcome and confirm the nature of the agreement before ending the meeting. The agreement should be recorded, copied and circulated as soon as possible.

At the end of the Committee's deliberations, the Convenor makes a full report to the School Board Chair and informs the complainant that this is being done. The Chair would be expected to endorse the Committee's decision.

### **Referral to an Arbiter**

As a final step in the disputes and complaints procedure, **if appropriate**, the School could use an independent arbiter to review the process that has been implemented to that stage and to assist in the facilitation of a resolution. The process around the use of an independent arbiter would be determined by the content of the Disputes and mediation information in the school's constitution. It is usual practice for the arbiter to be:

- Agreed by both parties\*
- Remunerated by both parties (if appropriate)
- Assured both parties will accept the arbiter's decision.

### **Further Action**

At all stages of a complaints' resolution process the complainant is to be reminded that they can seek legal advice if they wish, especially at the point where the School has done all it can to reach a resolution.

### **Students' Complaints**

CGS recognises that *'empowering children and young people to understand their rights, to report problems and concerns and effectively support them to address the issue raised is critical. Taking children and young people seriously if they raise a matter of concern and ensuring that staff and volunteers have appropriate training and processes to ensure that such matters are dealt with effectively' is of paramount importance.*

CGS further accepts that the principles that apply to parental complaints should also be applied to complaints and concerns from students. *There are, however, differences in approaches. One important difference from the handling of parental complaints is that students should be able to raise concerns with any member of staff with whom they feel comfortable, whether it is the Pastoral Care teacher, a member of the support staff, or the School Social Worker.*

Complaints that appear trivial still need to be handled seriously. Young people may test the complaints procedures on relatively minor issues before finding the confidence to raise something painful, such as bullying.

If the issue is a painful one, or if exploration of it is taking time, a student may need support from another student or from an adult. Students should be encouraged to choose a person with whom they feel comfortable to provide support.

The School will decide if the student's parents are to be informed or involved and at what point in the process this should take place.

In more complex situations, once the matter is resolved, the outcome should be discussed with the student by a member of staff. To make sure that it is fully understood, a written record may be shared.

In situations where it is believed that the matter needs to be referred on to an external authority it is essential that, at an appropriate time, the staff member explains this to the student, from the perspective of being in the best interests of the student's welfare and safety. Parents will be

required to give formal written approval if a non-school employee is to be involved with their child. It is very important that this sort of situation is handled sensitively and in a supportive manner and that the staff member follows the school's policy and fulfils all applicable legal obligations.

There are a variety of reasons why children and young people may not report concerns, eg:

- not believing their problem is big enough to warrant an 'official' complaint;
- not understanding they are allowed too, to make a complaint or how to go about it;
- concern about not being believed;
- fear of getting into trouble or getting others into trouble;
- embarrassment or shame;
- worry about confidentiality and privacy;
- fear of repercussions and that things will get worse (especially about bullying).

CGS's students will be given a good understanding that the School is receptive to complaints, how to complain and how complaints are handled. A positive and open culture for disclosure of all concerns, Personal and Social Education programs and the school's Protective Behaviours curriculum are major contributors in not only teaching students how they may support and act as mentors to others, but also in encouraging them to understand that their views matter and to voice concerns.

### **Policy and Process Review**

The policy and process will be reviewed periodically, including monitoring anonymous complaints that may not be able to be addressed but nonetheless can be discretely investigated.

A review would include the scope, clarity and effectiveness of communication, by the School, about the available process, during an actual situation, at the point of resolution and any required follow up as well as the ease and usefulness of the process, from the user's perspective. It would further include reviewing the effectiveness of staff induction, training and communication of updates in this area.

### **References**

School Education Act 1999

Incorporated Associations Act 2015

Non-Government Schools' registration Standards and Requirements

### **Related Documents**

Staff Dispute and Grievance Resolution Policy

### **Review History**

Year of Review	Review/Amendments	Approved By
2017	Inclusion of Disputes	Deputy Principal
2018	Updated flowchart	Deputy Principal
2019	Updated with change of School name	

### **Next Review**

Year	Reviewer
2019	Deputy Principal

APPENDIX A  
Procedure for Communication with the School

**Primary School**

**Secondary School**

