

Complaints Handling Policy

Purpose:	The purpose of this policy and procedures is to ensure that student, parent and employee complaints and disputes are dealt with in a responsive, efficient, effective and fair way.		
Scope:	Students, parents and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.		
Status:	Approved	Supersedes:	Nil
Authorised by:	Board Chair or delegate e.g. CEO	Date of Authorisation:	28/10/2020
References:	<ul style="list-style-type: none"> • National Principles for Child Safe Organisations 2019 (Cth) • Education (Accreditation of Non-State Schools) Regulations 2017 • Australian Education Regulations 2013 • Fair Work Act 2009 • Work Health and Safety Act 2011 (Qld) • Privacy Act 1988 (Cth) • Anti-Discrimination Act 1991 (Qld) • Australian Human Rights Commission Act 1986 (Cth) • Sex Discrimination Act 1984 (Cth) • Age Discrimination Act 2004 (Cth) • Disability Discrimination Act 1992 (Cth) • Racial Discrimination Act 1975 (Cth) • The BUSY School Complaints Handling Procedure • The BUSY School Work Health and Safety Policy • The BUSY School Anti-Discrimination Policy • The BUSY School Sexual Harassment Policy • The BUSY School Disability Policy • The BUSY School Workplace Bullying Policy • The BUSY School Privacy Policy 		
Review Date:	Annually	Next Review Date:	28/10/2021
Policy owner:	The BUSY School Ltd		

Policy Statement

The BUSY School Ltd is committed to ensuring that students', parents' and employees' complaints are dealt with in a responsive, efficient, and effective and fair way.

The BUSY School Ltd views complaints as part of an important feedback and accountability process.

The BUSY School Ltd acknowledges the right of students, parents and employees to complain when dissatisfied with an action, inaction or decision of the school. The school encourages constructive criticism and complaints.

The BUSY School Ltd recognises that time spent on handling complaints can be an investment in better service to students, parents and employees.

Complaints that may be resolved under this Policy

The BUSY School encourages students, parents and employees to lodge promptly any concerns regarding sexual harassment, child protection, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- the school, its employees or students having done something wrong
- the school, its employees or students having failed to do something they should have done
- the school, its employees or students having acted unfairly or impolitely
- issues of student or employee behaviour that are contrary to the Code of Conduct for Staff and Students
- issues related to learning programs, assessment and reporting of student learning
- issues related to communication with students or parents or between employees
- issues related to school fees and payments
- general administrative issues.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

Issues outside this Policy

The following matters are outside the scope of this policy and should be managed as follows:

- Child protection concerns or risks of harm to children should be dealt with in accordance with the law and the school's Child Protection Policy.
- Student bullying complaints should be dealt with under the Student Bullying Policy.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Discipline Policy.
- Employee complaints related to their employment should be directed to their supervisor.
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate.
- Formal legal proceedings.

Complaints Handling Principles

The BUSY School is committed to managing complaints according to the following principles:

- complaints will be resolved with as little formality and disruption as possible
- complaints will be taken seriously
- anonymous complaints will be treated on their merits complaints will be dealt with fairly and objectively and in a timely manner
- The BUSY School will determine the appropriate person to deal with the complaint in the first instance. Complaints should be resolved with as little formality and disputation as possible
- mediation, negotiation and informal resolution are optional alternatives
- procedural fairness will be ensured wherever practicable, including the right of interested parties to the complaint to be heard
- confidentiality and privacy will be maintained as much as possible
- all parties to the complaints will be appropriately supported
- The BUSY School will give reasonable progress updates
- appropriate remedies will be offered and implemented
- provide a review pathway for parties to the complaint if warranted
- complainants, respondents and people associated with them will not be victimised as a result of lodging the complaints and they will not suffer any other reprisals

- the school will keep records of complaints
- the school's insurer will be informed if a complaint could be connected to an insured risk.

Responsibilities

The BUSY School

The school has the following role and responsibilities:

- develop, implement, promote and act in accordance with the school's Complaints Handling Policy and procedures
- appropriately communicate the school's Complaints Handling Policy and procedures to students, parents and employees
- ensure that the Complaints Handling procedures are readily accessible by staff, students and parents
- upon receipt of a complaint, manage the complaint in accordance with the Complaints Handling procedures
- ensure that appropriate support is provided to all parties to a complaint
- take appropriate action to prevent victimisation or action in reprisal against the complainant, respondent or any person associated with them
- appropriately implement remedies
- appropriately train relevant employees
- keep records
- conduct a review/audit of the Complaints Register from time to time
- monitor and report to the governing body on complaints
- report to the school's insurer when that is relevant
- refer to the school's governing body immediately any claim for legal redress.

All parties to a Dispute

The complainant and respondent both have the following role and responsibilities:

- apply and comply with the school's Complaints Handling Policy and procedures
- lodge the complaint as soon as possible after the issue arises
- expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that confidentiality and privacy will be maintained as much as possible
- provide complete and factual information in a timely manner
- not provide deliberately false or misleading information
- not make frivolous or vexatious complaints
- act in good faith, and in a calm and courteous manner
- act in a non-threatening manner
- to be appropriately supported
- acknowledge that a common goal is to achieve an outcome acceptable to all parties
- recognise that all parties have rights and responsibilities which must be balanced
- maintain and respect the privacy and confidentiality of all parties
- not victimise or act in reprisal against any party to the dispute or any person associated with them.

Employees receiving complaints

Employees receiving complaints have the following role and responsibilities:

- act in accordance with the school's Complaints Handling Policy and procedures
- inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required
- provide the complainant with information about any support or assistance available to assist them in lodging their complaint
- provide the complainant with a copy of the school's Complaints Handling Policy and procedures
- maintain confidentiality
- keep appropriate records
- to forward complaints to more senior employees, including the Principal, as appropriate
- not victimise or act in reprisal against the complainant, respondent or any person associated with them.

Implementation

The BUSY School is committed to raising awareness of the process for resolving complaints at the school, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

The BUSY School is also committed to appropriately training relevant employees (especially senior staff) on how to resolve complaints in line with this policy and the related procedures.

The BUSY School will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the school Board on complaint handling at the school.

The BUSY School will act to encourage students, parents and employees to contribute to a healthy school culture where complaints are resolved with as little formality and disruption as possible.

Complaints Handling Procedures

All complaints need to be handled seriously.

It is the policy of The BUSY School Ltd that all complaints will be acknowledged immediately; or within five working days if the matter is complex. In more complex cases, parties will be kept informed about what is happening to their concern or complaint, and, if a more detailed response is needed, by what date it will be received. The issue should be dealt with as quickly as possible.

Recording

The BUSY School Ltd will keep a complaint register on a secure server. The details of each complaint will be recorded accurately as:

- it may become the cause of legal action in the future
- patterns in the record may indicate a need for action, and
- the Principal will report on it regularly to The BUSY School Ltd CEO, who will in turn report to the Board.

The log should contain the following information:

- date when the issue was raised
- name of parent
- name of pupil
- brief statement of issue
- location of detailed file
- member of staff handling the issue
- brief statement of outcome.

These files are confidential and will only be accessed by members of the school staff in the presence of senior management. The files will contain simple but clear notes of all conversations with parents about any source of dissatisfaction. This applies to friendly chats and to telephone conversations, as misunderstandings can easily arise. The record will contain a clear statement of what is concerning the complainant/s. The notes can be agreed with parents.

Confidentiality

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

Parents often seek an assurance of confidentiality before expressing their concerns. If, for example, they wish to discuss a particular member of staff, they may fear that their child will suffer in some way because they have complained.

It will be made clear to all concerned that it is The BUSY School Ltd policy that complaints made by parents will not rebound adversely on their children and similarly that complaints raised by students will not rebound on them or on other students.

The question of confidentiality will be discussed sensitively and on an individual basis with the parents and the school's policy will be carefully explained.

It may be possible to deal with a problem without naming individuals. However, even if no names are given, the source of the complaint may be clear. Depending on the nature of the complaint and on the circumstances, it may be impractical to investigate without identifying the member of staff or the child – it may also be in the interest of the child to do so.

Members of staff are rightly concerned that they should know about complaints that might be damaging to their reputations. Such complaints will be known only to themselves and to those who have to be consulted. The BUSY School Ltd will provide support for staff against whom a complaint is made, upon request; this will usually be provided by a colleague who is not otherwise involved.

If there is a situation involving the police, the Principal will take responsibility for action and The BUSY School Ltd CEO and Chairperson will be informed as soon as possible.

Anonymous complaints

Anonymous complaints may be where there is no indication of either name or address, or where the complainants say that they do not wish to be identified. They may come from members of the public, from parents or from students.

Complaints from the public about the behaviour of a group of students will be dealt with on a general basis, with reminders to all about the school's expectations.

Parents and students will be encouraged to give their names and will 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 will be recorded.

Anonymous allegations about child abuse should be dealt with as outlined in The BUSY School Child Protection Policy.

Parents, students, staff and community members may be satisfied the situation has been resolved by any of the following:

- knowing that changes have been made, and that matters will be different in 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
- an apology.

In all cases where time has been needed to investigate a complaint, complainants will receive a report in writing which covers:

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

Lodging a complaint

A formal complaint must be lodged in writing or via email and can be discussed by contacting the school or arranging an appointment with the Principal. Detailed information relating to the complaint will be sought so that further investigation can be carried out. Information requested will include, names, times, location, people involved, specific concerns and also how the complaint may be resolved.

Complaint referral

The first point of contact for complaints handling will be the Principal, after which the complaint will be relayed to the appropriate staff such as the Senior Teacher.

If the complaint relates to one of the above parties, it will be discussed in the initial contact and the complaint will then be addressed by the next relevant senior officer not involved in the complaint.

Referral to the Chief Executive Officer (CEO)

In most serious cases, the procedure will be that the Principal refers the matter to the CEO and informs the parents that this stage has been reached. A situation may arise, however, where the complaint seems to the parent to have been mishandled by a senior manager. In those circumstances, the parent will be able to write directly to the CEO who will discuss the matter with the Principal and be provided with relevant documentation. If a briefing is required from a member of staff, this will occur in the presence of the Principal.

The CEO will respond to the parents, 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 CEO may be able to offer a new approach to the matter, and this may satisfy the parents. The CEO's response will be clear and detailed, and will offer a meeting if the parents remain troubled.

Meeting with the CEO

If a meeting is requested, the CEO will offer to meet the parents at a time convenient to them. Those involved are:

- the CEO
- the Principal and, at the most, one other member of staff
- the complainants

Complainants are encouraged to bring with them a supportive friend who is not involved with the complaint. Legal representation is not appropriate at this stage. The CEO, after questioning and listening to the complainants and the Principal, may be able to find a solution. If this is not possible, and the parents wish to take the matter further, the CEO could consider seeking the advice of the Board and/or an independent arbitrator.

Referral to a Conciliation Committee

The BUSY School Ltd may establish a Conciliation Committee if resolution by the Principal and the CEO has failed. The Conciliation Committee will be composed of a convener, independent of the school, and up to four other members, two of whom will be members of the Board (excluding the CEO). The CEO, in consultation with the Principal, will decide when to refer a complaint to the Conciliation Committee, and will invite the convener to call a meeting.

The CEO will have no further involvement until the convener reports back at the end of the committee's deliberations. Those involved in the meeting of the Conciliation Committee are:

- up to five Committee members, including the convener
- the Principal, and possibly a key member of staff, and
- the complainants, who are invited to bring a supportive friend.

A sufficient amount of time will be allotted to the meeting. The complainants and the Principal will 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 will be copied and distributed before the meeting.

The convener will emphasise that he or she is concerned to reach a positive conclusion and will invite first the complainants, then the Principal to speak. After this, the convener will encourage questions and general discussion.

If a positive solution is reached, the convener will summarise the outcome and confirm the nature of the agreement before the meeting disperses. The agreement will be recorded, copied and circulated as soon as possible. At the end of the Committee's deliberations, the convener will make a full report to the CEO and inform the complainants that this is being done. The CEO would be expected to endorse the Committee's decision.