

Complaints Management Policy & Procedures



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**MOERLINA SCHOOL
COMPLAINTS POLICY AND PROCEDURES**

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The **Moerlina Complaints Policy & Procedures** complies with the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007* and has been considered alongside the *Guidelines Overview for Effective handling of complaints made to your organization*, Ombudsman Western Australia, January 2017.

1. Policy Statement

Moerlina School is an inclusive school for both students and their families/carers. Families work in partnership with the school to provide a safe, secure and supportive learning environment where children feel a strong sense of belonging and have a very clear understanding of rules and responsibilities expected of them, and others around them.

A clear Code of Conduct for all members of the school community enables a shared understanding of these expectations for both adults and children. In order to create and preserve a harmonious and co-operative atmosphere throughout our School community, communication of expectations and procedures for follow up to concerns or issues between the school and families is of the highest priority.

To this end, Moerlina School has adopted the following Complaints Procedures which comply with the requirements of the Education Act 1999.

These Procedures have been reviewed and revised to address the requirements of the *National Code of Practice for Providers of Education to Overseas Students* and in consideration of the guidelines for the productive handling of complaints published by the *Ombudsman of WA, November 2010*.

2. Nature of Complaints

There are four areas of complaints addressed in this document:

- From parents
- From students
- From members of Public
- From staff

While parents often wish to raise issues on behalf of their children, there are other issues that students may choose to raise on their own behalf, and which are best raised by them.

Complaints from members of the public will be handled in an abbreviated procedure by reference directly to the Principal, and barring exceptional circumstances, will be resolved by the Principal in consultation with the Chairperson of the School Council.

This policy only addresses complaints made by a staff member against another member of the school community – eg. student, staff, parent, volunteer. This policy does not address staff complaints about aspects of their work. These complaints are covered by a separate grievance policy contained in the Staff Handbook.

3. The Resolution of Parental Complaints

Promoting Open Culture at Moerlina

In order to develop an open organisation it is essential that the parents feel that the School encourages the expression of their concerns directly to staff members. If the parents do not feel valued and involved in the constant improvement of the School, they will be likely to share their dissatisfaction with others and create a negative atmosphere of unconstructive criticism.

Moerlina staff members will welcome direct contact with parents who need to express comments and concerns about their child's educational experience or any other aspect of their schooling. Each staff member

will make the complaining parent feel comfortable in expressing concerns. Each staff member will work with the complaining parent in a constructive manner.

The school will use the complaint as a way of identifying problem areas at Moerlina and a way to improve standards to the benefit of the whole School Community.

Families are made aware of the procedure for making a complaint through several channels. On enrolment, the Information for Parents and Information for Students provided at Appendix 1 are included in the Enrolment Package. At the commencement of each year a reminder is put in the special edition Just So You Know newsletter. The full policy and procedures, including the flow charts are also provided in hard copy in the Parent Information Area and on the school website.

What is a complaint?

A complaint is an expression of dissatisfaction made to an organization, related to its service, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected. (Ref: Australian Complaint Handling Standard ISO AS 10002 – 2006 @ www.standards.com.au)

A complaint may be made by a parent if a parent thinks that Moerlina has, for example:

- Done something wrong;
- Failed to do something it ought to have done; or
- Acted unfairly or improperly.

A complaint may be made about:

- Moerlina School as a whole;
- A particular element or group within Moerlina;
- An individual member of staff; or
- An individual child.

All concerns that are raised are taken seriously. We recognise that a simple expression of concern can become a graver matter if it is not addressed in the first instance. Complaints which may not given much credence by the person receiving the complaint must be taken seriously, and treated accordingly. Even unjustified complaints can provide a learning experience.

A complaint may be made formally or informally, and will be handled with particular sensitivity if complaints about individual behaviour or actions are involved.

Lines of Approach

For school based complaints, a complaint should be brought at first instance to the relevant class teacher. The class teacher will advise the Principal of the complaint, and whether the issue is capable of resolution without further escalation.

The Principal will involve or consult with other members of staff, such as specialty teachers, students or parents as necessary. Any response given in writing to a parent by a teacher to a complaint must have the prior approval of the Principal.

If a complaint is made to a staff member other than in accordance with this procedure, that person will inform the appropriate staff member that the complaint has been made within 2 working days.

In some cases the Principal may deem it in the best interests of the school to take the complaint to the Chair of Council.

Procedural flow charts for each complaint procedure are attached to the policy. Timelines for response are provided in the procedural flow charts for each complaint procedure, with the maximum times indicated taking into consideration the availability of parents who work, and may work away; the meeting of the School Council on a monthly basis; and, the convening of groups who are not employed at the school. The timeline from response at different points in the process may vary from 1 day to 20 days.

It is recognized that a prompt response is required in recognition of the seriousness with which complaints are taken by the school and in seeking timely resolution for all parties.

Reducing Anxiety

The school recognises that a person making a complaint may feel anxious and that it is in everyone's interest that the complaint process be made as simple and clear as possible to reduce anxiety. We will acknowledge complaints as soon as possible, but within a maximum of 5 days. The acknowledgement should contain a timeline of steps that Moerlina intends to take to resolve the complaint.

If the nature of the complaint is not clear, the complaining party will be given every opportunity to clarify his or her concern.

Every attempt will be made by everyone involved in the resolution of each complaint to treat all parties with respect, courtesy and understanding.

Recording Complaints

A complaint will be recorded where it is lodged as a formal written complaint, or where a complaint is made in a meeting and either the complaining party or the staff member to whom the complaint is addressed believe it should be recorded for action by the principal.

The Principal (or someone instructed by the Principal) shall keep a Complaints Log recording:

- The date of the complaint;
- The names of the parties involved
- A brief statement of the issue
- The location of any relevant materials or documents
- The member of staff handling the issue
- A brief statement of the outcome.

The Principal shall review the log periodically to look for patterns of complaint and shall advise Council of the status of the log at each Council meeting.

Confidential files shall be kept on all complaints, and will include clear and simple notes of all important conversations, and copies of documents relevant to the complaint.

Maintaining Confidentiality

Confidentiality is an important issue for everyone involved in the complaints procedure – it is essential that any complaint is handled as confidentially as the circumstances allow. If possible and effective, complaints will be resolved without naming specific individuals, but Moerlina recognises that in many instances, this does not lead to a satisfactory result.

If a parent complainant asks for confidentiality, they must be advised that while this is not always possible if the complaint is to be resolved, it is the school's policy that complaints made by parents (or anyone) will not

rebound on them or their children. If a parent will not support the Principal in following the Complaints process they must be informed in writing that the process can not be undertaken if they will not participate.

Any complainant and the member of staff involved at first instance will discuss the issue of confidentiality openly and frankly, and review the persons who may need to be advised of the complaint if it is to be resolved. In a small community, it is always possible for the nature of the complaint to be known to students or parents who are not directly involved in the complaint. If necessary, the Principal may be involved to set guidelines on confidentiality issues involved in the complaint.

If the Police are involved in any complaint, the Principal and the Chair of Council will be informed immediately, and will jointly be responsible for further handling of the matter. All other procedures as referred to in relevant policies will be adhered to (eg Critical Incident Policy).

Anonymous Complaints

Moerlina strongly prefers that complaints be made openly, and encourages complainants, but recognises that this is not possible in all cases.

Anonymous complaints will be referred to the Principal for handling, but will likely be dealt with by issuing general warnings about expected standards of behaviour, as appropriate, and may not lead to a satisfactory resolution of the complaint from the point of view of the complainant.

Resolution

Resolution of a complaint can take many forms, but the following may provide satisfaction to the complainant:

- Knowledge that the complaint has been heard
- Being informed of changes that have been made to prevent the subject of the complaint from re-occurring;
- Feeling that the complaint has been respected and acted upon;
- Recognising that while the outcome of the complaint may be different from what they wanted, respecting well-considered action on the part of Moerlina;
- A letter of explanation
- A letter of apology

A brief written response – generally an email, acknowledging the complaint and any action in response to, or resolution, will be issued to logged complaints.

If a letter is issued as a follow-up to a complaint it will contain:

- A summary of the basis of the complaint;
- How the issues were considered
- Who was consulted to arrive at the resolution
- The steps that will be taken by Moerlina as a result of the complaint
- An apology, if appropriate.

Unresolved Complaints – Grievance Procedure

In a very few cases, the procedures outlined above may not lead to a satisfactory resolution of the complaint.

The complaint may be escalated for further action by either:

- The Principal; or
- The complainant; or
- The person against whom the complaint is addressed.

The complaint will be escalated to the Chairperson of the School Council who will take the following steps:

- Inform all relevant parties that the complaint has been escalated and when he or she will be able to respond to the complaint;
- Review any files relating to the complaint
- Ensure that he or she is satisfied that all points of view have been considered, and at his or her discretion, personally discuss the complaint with any or all parties, or ask for further explanations in writing from any or all parties.
- Hold a meeting of the relevant parties, if the Chairperson is of the view that such a meeting would assist in the final resolution of the complaint; and
- Provide a clear and detailed written opinion of the Chairperson's view of the complaint.

If the complaint is still unresolved, the Chairperson has the discretion to commence the Grievance Procedure by referring the matter to a meeting of the School Council, acting as a Conciliation Committee, subject to the following rules:

- The convenor of the Conciliation Committee shall be someone other than the Chairperson of Council;
- At least three other members of Council shall be part of the Conciliation Committee;
- Members of the Conciliation Committee shall act in a fair and objective manner, with the aim of arriving at a resolution of the complaint that will best accommodate the needs of the complainant and the Moerlina Community;
- The proceedings of the Conciliation Committee shall be confidential, provided that any decision or outcome may be reported to the Moerlina Community if it is in the best interests of the community to do so.
- All interested parties will be given adequate notice to prepare for the meeting;
- All interested parties, including the complainant, the person against whom the complaint is addressed and the Principal will be given the opportunity to present their view of the complaint and provide materials and documents in advance of the meeting to be considered by the Conciliation Committee;
- The complainant may be accompanied during the meeting by a supportive friend who is not involved in the complaint.
- The person against whom the complaint is addressed may be accompanied during the meeting by a supportive friend who is not involved in the complaint, or by a Union representative.
- If necessary, the Conciliation Committee may ask the interested parties to withdraw to allow the Conciliation Committee the opportunity to discuss the matter freely, and arrive at a consensus.
- At the end of the meeting, the Convenor will summarise the status of the complaint, and make final recommendations on the resolution of the complaint.

Moerlina School, through the Council and the Principal will endorse the Conciliation Committee's recommendations where the issue has been resolved.

Where the issue remains unresolved, the School Council will engage an independent arbiter to consider the issue and to seek resolution. Should resolution still not be reached the Council will reserve the right to make the final decision based on the recommendation of the arbiter.

A procedural flow chart for the grievance procedure is attached to the policy.

Timelines for response are provided in the procedural flow chart, with the maximum times indicated taking into consideration the availability of parents who work, and may work away; the meeting of the School Council on a monthly basis; and, the convening of groups who are not employed at the school.

Full fee paying Overseas Students

Where the complaint relates to a full fee paying overseas student and the issue has not been resolved, the School will advise the family of the availability of an independent International Student Conciliator, or an Overseas Student Ombudsman, to be part of the grievance process.

Advice on appointing this person may be obtained by contacting AISWA's legal department or the Department of Education Services.

Contact details are provided in the Information for Parents Bulletin, which forms part of the Moerlina School Enrolment Package, and is available in the Parent Information Area, from the Office and at Appendix 1.

4. The Resolution of a Student Complaint

The same policy and procedure will apply to student complaints as for complaints by parents, except that in certain circumstances a student may feel more comfortable approaching a staff member other than their class teacher and this will be respected. Such "parallel" reports should be discussed with the Principal immediately so that the class teacher may be included in a helpful and constructive manner.

As the investigation and resolution of the complaint progresses, care will be taken, in consultation with the parent, to explain the situation to the student.

If the subject of the complaint is particularly difficult or painful, the student may need support from another student or adult, and the Principal, at his or her discretion, may arrange an appropriate support person in consultation with the student.

Learning programs and pedagogical approaches will include social education to assist students in developing skills relating to disputes and positive expression of points of view.

5. The Resolution of a complaint made by a member of the public

The resolution of a complaint made by a member of the public against the school or any person who is a part of the school community, and where the complaint is in regard to a school related matter, will follow the same policy and procedure as for the resolution of a parent complaint, commencing with a written response from the Principal.

6. The Resolution of a complaint made by a staff member

The resolution of a complaint made by a member of staff against the school or any person who is a part of the school community, and where the complaint is in regard to a school related matter, will follow the same policy and procedure as for the resolution of a parent complaint.

7. Complaints against a Principal

The initial complaint may be to either the Principal or the Council Chair.

Where the complaint is to the Principal about the Principal the complainant and the Principal will discuss the problem to plan strategies for a solution. Where a positive outcome is not achieved the complaint is forwarded to the Council Chair. The Council Chair will then direct the complaint following the complaints procedure and grievance procedure if required.

8. Training

All Staff will be trained in this Complaints Policy and Procedure.

This Complaints Policy and Procedure will be made available to all parents at the School on the website.

Summary leaflets explaining the complaints process for students and parents will form part of the Enrolment package.

9. Resources

- A leaflet for Parents
- A leaflet for Students
- Flow Charts of procedures - also available on website

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INFORMATION FOR PARENTS

Moerlina welcomes suggestions and comments from parents and takes parent complaints and concerns very seriously. We recognize your right to complain when you are dissatisfied with some aspect of our School, and we look forward to working with you in the best interest of all children in our care.

This bulletin explains how to use our complaints process.

A complaint will be treated as an expression of genuine dissatisfaction that needs a response.

We wish to ensure that:

- Parents know how to make a complaint if they wish to do so;
- Moerlina School's culture is open and receptive to complaints about your child's educational experience;
- Moerlina School listens to parents and takes complaints seriously;
- Moerlina School responds to complaints within a reasonable time, and in a courteous and efficient way; and
- Decisive and effective action is taken when it is necessary.

“How do I make a complaint?”

When you contact the School to make a complaint, start with your child's class teacher. Be as clear as possible about what is troubling you. Your child's teacher may be able to sort things out quickly, with a minimum of fuss. If in your best judgment, your complaint should not be raised with your child's class teacher, due to the sensitive or troubling nature of the complaint, you may take the matter directly to the Principal.

“I am not sure whether to complain or not, but there is something bothering me.”

If as a parent you have concerns, we would prefer that you raise them with the School. This way issues can be resolved early, before they escalate into a more serious matter. As a community, Moerlina is seeking to constantly improve and learn from our experiences, and as a part of this community, you are an important part of the process when giving us your reactions and comments to what happens at the School. If in doubt, let us know.

“What happens next?”

A face to face discussion can often resolve a matter with no further need for action. Please be clear if you are not satisfied with the response you have received, so we know that you want the matter taken further. If you make a complaint in writing, we will respond within 5 working days. We may set out our response to your complaint, or explain what is happening in the investigation of your complaint and when you can expect a full response. The persons involved in investigating and resolving your complaint may need to speak to other people and this may take time.

“Will my complaint be treated confidentially?”

Your complaint or concern will be treated as a confidential matter and with respect. Knowledge of it will be limited to the class teacher, the Principal and those directly involved. Depending on the seriousness of the matter, the Chairperson of the School Council may be involved in the discussions. It is School policy that complaints made by parents will not adversely affect their children.

We cannot entirely rule out the need to make others either within our School community or from outside the school aware of the complaint and possibly the identity of those involved. This would only be likely to happen where, for example, a child’s safety was at risk, or the School had any apprehension that a criminal offence might have occurred, in which the Police must be involved. You would be kept fully informed of any such referral.

While information relating to specific complaints will be kept confidentially, the School cannot commit to pursuing complaints that are made completely anonymously.

“What if I am not satisfied by the School’s response?”

There are two further steps that you can take to escalate a complaint which you feel has not been resolved.

You can ask that the Chairperson of the School Council become involved and issue a report on the matter. This may be conducted in writing, or in a meeting, if you prefer.

If you are not satisfied with the Chairperson’s report, you can request the School Council to convene a Conciliation Committee (excluding the Chairperson) to consider the matter, and if necessary hold a hearing at which all parties are given an opportunity to express their views.

Further details of these procedures can be found in the full statement of the School’s Complaints Policy and Procedure document which can be obtained from the Office. Copies are available on request at any time during School hours.

“If I am the parent of a full fee paying international student, is the process the same?”

For the families of full fee paying international students, an International Student Conciliator employed by the Department of Education Services, is available to assist you to resolve any issues through mediation and conciliation, complementary to our School’s internal complaints process. FFPOS also have access to the State or Commonwealth Overseas Students Ombudsman.

International Education Conciliation Services Department of Education Services

Level 9, 20 Walters Drive, Osborne Park WA 6017

Opening hours: Monday - Friday, 8.30am - 4.30pm

To make an appointment with a Conciliation Officer, phone or email the Department of Education Services.

Phone: 9441 1900

Email: conciliation@des.wa.gov.au

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INFORMATION FOR STUDENTS

Any Problems, Complaints or Suggestions?

If so, Moerlina would like to hear from you.

How do I make a complaint?

- Talk about it with your teacher, or another teacher in the school if you prefer
- You can write it down if you feel more comfortable with this
- You can do it by yourself, in a group, or by talking with your parents.

Who do I talk to?

- Your teacher, or any other staff member you feel comfortable approaching.

Does it matter what kind of issue it is?

- No, it can be a big problem, or a small one. By discussing it, you may come up with some positive ideas to solve your complaint.
- Even if you find the issue hurtful or embarrassing, don't worry – it will only be discussed by staff who can help you solve the problem.

What happens next?

- If possible, the staff member you contact will deal with the problem in person. If not, he or she will go to someone who can help.

Do others have to know?

- If you are worried about this, let the person you contact know how you feel. Together you can work out the best way to respect your feelings on this issue.