Dispute & Complaint Resolution Policy

Policy Name:	Dispute & Complaint Resolution Policy
Id & version	SA: 10
Purpose:	Outlines the process for dealing with disputes and complaints.
Implementers:	Principal
Scope:	All Staff, Students and Parents
Owner:	Christopher Phillips
Current Review:	February 2025
	Authorised by Peter Stone
	Date: 25 February 2025
Next Review:	February 2027

Concurrent Policies: Staff Code of Conduct. Work Place Bullying, Child Safe Framework

All formal complaints, and their associated resolutions, at all levels within the school, are recorded in the Official Complaints Register held by the Principal and Deputies.

Rationale

Hope Christian College welcomes suggestions and comments from parents, students or staff members and takes seriously concerns that may be raised.

Their concern or complaint will be treated as an expression of genuine dissatisfaction that needs a response. This may include issues where a parent, student or staff member thinks the school, a staff member, a student or a parent may have:

- Done something wrong;
- Failed to do something they should have done; or
- Acted unfairly or improperly

This policy ensures that:

- Parents/guardians, students and staff members wishing to make a complaint or raise a concern know how to do so;
- Parents/guardians, students and staff members realise that we listen and take their concerns seriously;
- We respond to issues raised within a reasonable time and in a courteous and efficient way; and
- We take action where appropriate.

The concerns raised by parents, students and staff are treated as constructive criticism and may be used to improve standards where appropriate.

Key Principles

- The school is open to the concerns of parents, students and staff.
- Complaints are received in a positive manner.
- Parents and students can expect to be taken seriously and can approach any member of staff about their concerns.
- Concerns are dealt with as speedily as possible and those who have raised them are kept informed of the progress.
- It is not acceptable for students to receive adverse treatment because they or their parents have raised a complaint;
- Confidentiality is respected and maintained as far as possible.
- Confidential files and a record are kept.
- Resolution of the matter is sought.
- Communication from the school is clear and unambiguous.
- Staff are trained in the complaint's procedure followed by the school;
- As part of the induction, new staff will be made aware of the Complaints Policy and its implementation.

The procedure is written with the understanding and experience that, in most cases, matters are best resolved at the local level. To this end, if you have or receive a complaint or dispute please refer to the attached flow charts.
Parents and students are encouraged to give their names and are 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, will be taken, depending on the nature of the complaint.

Role of the Director General

The Director General of the Department of education is responsible for ensuring that the school observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint *(information is available on the Department of education website)*. While the Director General may consider whether the school has breached the registration standards, he/she does not have the power to intervene in a complaint or override the school's decision.

Parental (Guardian) Complaints

1. Lines of Approach

Hope Christian College has a clear protocol for dealing with a complaint. All members of staff are encouraged to deal with parental (guardian) concerns that lie within their area of responsibility and parents are encouraged to direct their initial concerns to the staff member involved.

If approached about a matter that lies outside their area, staff should refer it to a member of the School Executive (Deputies or Principal).

Matters incapable of resolution at a particular level are referred to the appropriate senior person, with parents being kept informed of the action being taken.

The School Executive recognises when issues need to go straight to the Principal, with whom the ultimate responsibility for complaints lies.

If parents (guardians) wish to go straight to the Principal with their concerns, this should be respected. However, it should be explained that the Principal might not be able to respond until he has consulted appropriate staff. Parents (guardians) may also be encouraged to approach the appropriate staff member, Head of Department or Senior Staff member in the first instance.

Written responses to complaints should always be discussed with and approved by the Principal prior to being sent.

Serious complaints are shared with the Chairman of the School Board by the Principal. There may be certain circumstances, such as complaints about the Principal, when the parents (guardians) need to direct their complaint in writing to

the Chairman. This should be marked “confidential” and addressed to: The Chairman of the Board of Governors, PO Box 12, Brunswick, 6224.

Should there be any complaint about a Board member, this must be addressed in writing and directed to the Chairman of the Board of Governors, marked “confidential” and posted as above to the school address.

2. Procedural fairness

Procedural fairness is concerned with the procedures used by the decision maker rather than the actual outcome reached. It requires a fair and proper procedure to be used when making a decision.

The rules for procedural fairness require:

- a hearing appropriate to the circumstances.
- lack of bias.
- evidence to support a decision.
- inquiry into matters of dispute

(Reference: Ombudsman Western Australia – Guidelines on Complaints handling – Revised 2016)

3. Recording

The school keeps an effective record of complaints and other significant parental concerns because:

- It may become the cause of future legal action.
- Patterns in the record may indicate a need for action.
- The principal should be able to check the record if necessary.

The record should contain the following information:

- Date the issue was raised.
- Name of parent/guardian.
- Name of student.
- Brief statement of issue.
- Member of staff handling the issue; and
- Brief statement of the outcome, including closure date and date of last correspondence.

4. Confidentiality

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

The school’s policy requires 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 other students.

The question of confidentiality should be discussed sensitively and on an individual basis with the parents.

If there is a situation involving the police, the Principal or next most senior staff member (if the Principal is unavailable), will take responsibility for action in the school and the Chairman of the School Board will be informed as soon as possible. If this is a Critical Incident, the Principal will follow the Critical Incident Protocol.

5. Resolution

Sometimes the very acknowledgement of an issue by the school brings relief and resolution for parents (guardians). Satisfaction from a complaint may come from any one of the following:

- Knowing that changes have been made, and that matters will be different in future;
- Knowing that the school is now alerted 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.

If time is needed to investigate/consider the complaint then the complainant should be kept informed of its progress, in writing, giving assurance that the issue has been understood and the matter is being dealt with.

Following an appropriate investigation, the school will offer a response to the complainant advising them of the outcome of their complaint. However, the school is not obliged to give complainants explicit information on what action is being taken, but rather provide an assurance that action has been taken. This is especially important when the matter involves a staff member. Outlining the resolution, to the degree considered appropriate by the school and in the interests of satisfying the complainant, should help prevent misinformation being circulated in the school community.

6. Disputes

There may be a small minority of persistent or aggressive complaints which will never be satisfied, whatever the school does. The school may even discover on investigation that the complaint was without foundation or motivated by malice. Nevertheless, it is wise to treat all complaints seriously and to follow the procedures.

Most complaints can be resolved if approached positively. If a complaint becomes unresolved, it may be due to its nature or the way in which it was handled, or possibly because the parent perceives the school to have ‘closed ranks’ against them.

Pursued, unresolved complaints/disputes will be referred to the school’s governing body Chairman and/or, as a last resort and if both parties agree, an independent arbiter.

Referral to the Chairman of the School Board
The Principal will refer the matter to the Chairman of the School Board and inform the parents that this stage has been reached. However, a situation may arise where the complaint seems to the parent to have been mishandled by the Principal. In those circumstances, the parent should write directly to the Chairman.

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

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

Meeting with the Chairman of the School Board
If a meeting is requested, the Chairman will offer to meet the parents at a time convenient to them. If the complaint is about the Principal. The Principal **will not** be present at the meeting.
Those involved will be:

- The Chair of the school governing body; and
- The Complainant.

Parents are permitted to bring with them a supportive friend who is not involved with the complaint.

The Chairman will listen to and question the parents in the hope that a solution can be found. If this is not possible, and the complainant wishes to take the matter further, the Chair will consider engaging an independent arbiter.

Referral to an Arbiter
As a final step in the disputes and complaints procedure, **if appropriate**, the school would use an independent arbiter to review the process that has been implemented to that stage and to assist in the facilitation of a resolution. 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 should 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.
See Appendix A and C

Students' complaints

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 class or homeroom teacher, the chaplain, a member of the senior staff, or the Principal.

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

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.

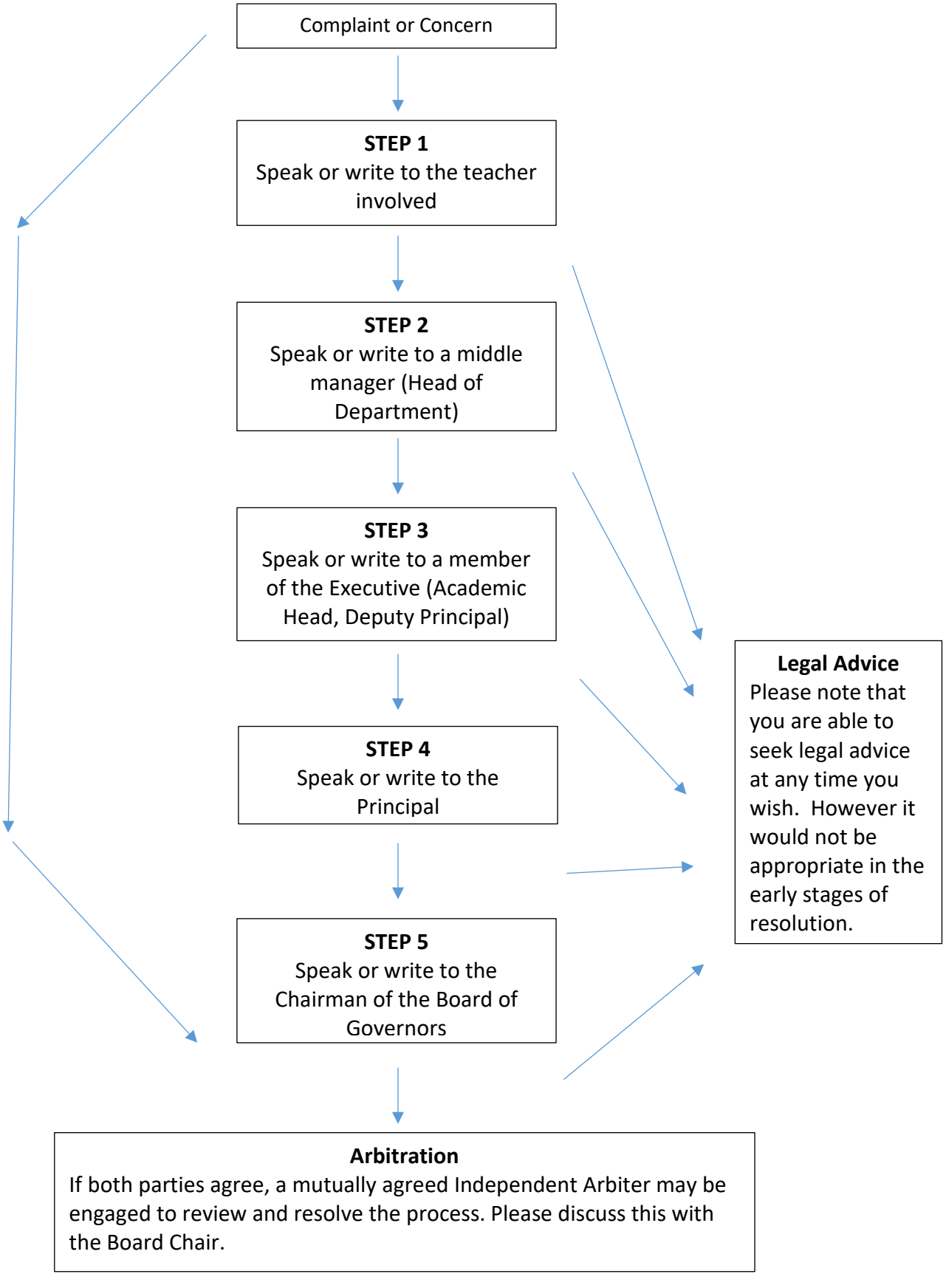
If the issue is a painful one, or if the exploration of it is taking time, a student may need the support from another student or from an adult. Students are encouraged to choose a person with whom they feel comfortable to provide support.

Complaints, and ways of dealing with them, also need to be explained to students. This is covered in the homeroom class both formally and informally and by the display of age appropriate complaints process in the classrooms.

See Appendix B, C, D and E

APPENDIX A

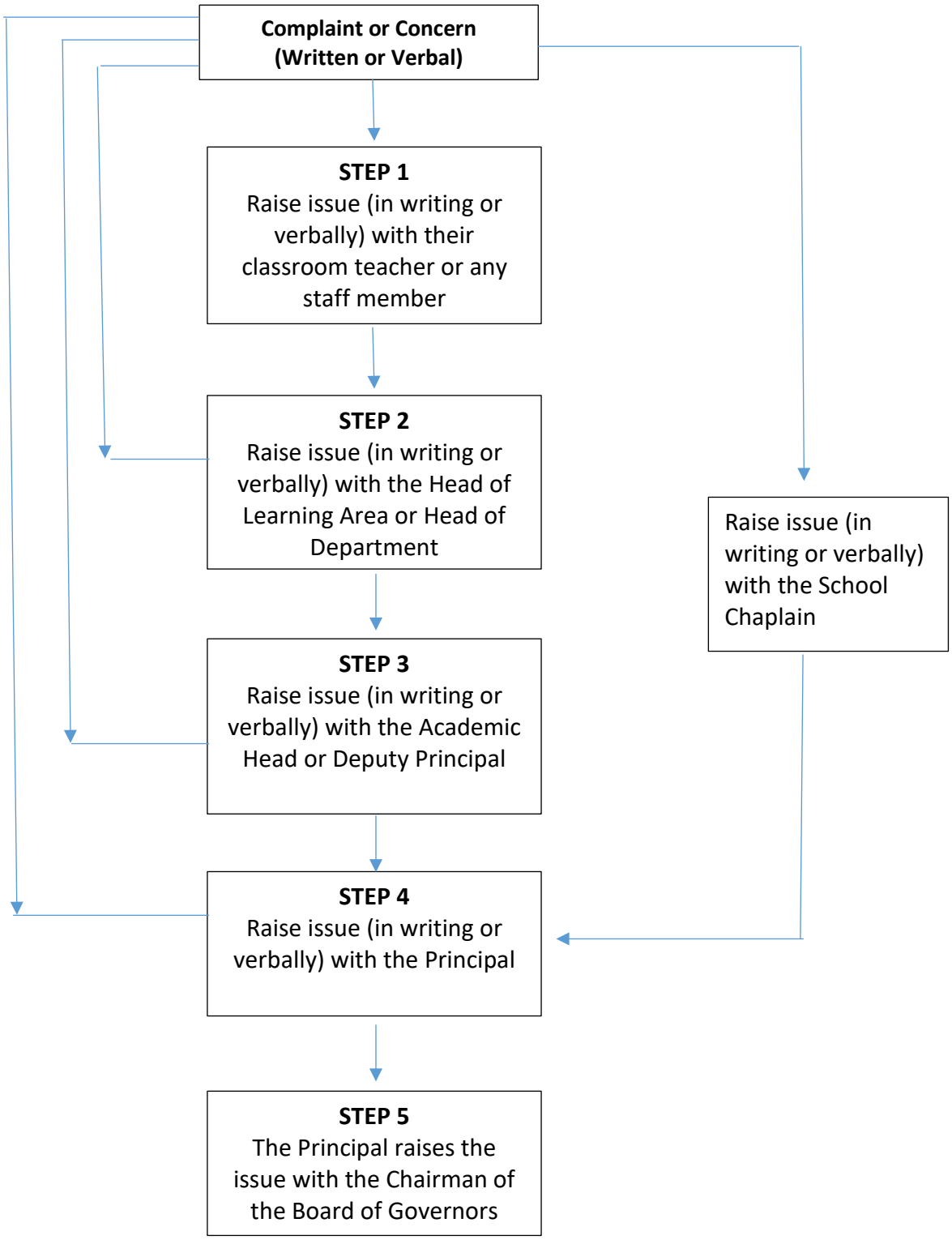
STEPS IN MAKING A COMPLAINT – Parent



APPENDIX B

STEPS IN MAKING A COMPLAINT – Student

Usually, students speak with their classroom teacher if they have a concern or complaint, however, students can also raise a concern or complaint in writing. If the concern or complaint is not resolved by the classroom teacher, then it is most likely that a parent accompanies their child to go through the following steps.



Staff complaints

A work environment that is free from conflict, harassment and discrimination is the hope and preference for Hope Christian College. The school does not condone behaviour or actions that breach this goal. Where conflict arises between employees, a staff dispute and complaints policy is set out to help resolve the situation.

1. When differences of opinion or differences in behaviour cause offence in the workplace it is expected that individuals or groups will resolve issues between themselves through open and honest dialogue. Aggrieved parties should avoid gossiping, dealing with grievances through emails and bullying or harassing to achieve an outcome. Parties are encouraged to speak openly and honestly about their issues, engage in dialogue face to face with the other party, keep issues confidential where possible and be prepared to contribute to a resolution.

2. There may be occasions when the grievance is so serious that the aggrieved party is unable to solve the grievance face to face with the other party who has caused the grievance. In such instances, the aggrieved party may need to seek assistance from a member of the Executive or Principal in the first instance.

3. The aggrieved staff member may have a support person throughout each step in the process, as may the person about whom the complaint has been made. The support person is not permitted to attend as an advocate for either party.

4. An employee who wishes to withdraw a complaint should do so in writing. However, complaints that are serious in nature shall be followed up by the Principal.

5. Complaints management documents are kept in a confidential file by the Principal.

Principles for resolving a grievance that has been raised by staff

- Staff have the right to a process for expression of their concerns or grievances.
- The principles of procedural fairness apply to the resolution of grievances.
- Confidentiality will be respected at all times within the constraints of the need to fully investigate the grievance.
- Individuals raising a grievance must participate in the process in good faith.
- It is important that the grievance be raised as soon as practicable from when the complaint arose.
- Unless otherwise required by the Principal, the grievance must be in writing.
- The school will take all reasonable steps to ensure that an individual who raises a grievance in good faith will be protected from detrimental action, including victimization or unfair treatment.
- Grievances will be dealt with as promptly as possible.
- Whenever possible, the wishes of the individual raising the grievance, in relation to the resolution process, will be taken into account. However, this may not be possible in some circumstances where the grievance is of such a serious nature that formal action is required beyond the wishes of the aggrieved party, for example when an individual raising grievance alleges a behaviour that is potentially unlawful.
- The role of a support person, a person accompanying an employee throughout the grievance procedure, is to provide emotional support to the staff member during the process and is not permitted to be an advocate for the person who is involved.
- Each step of the complaint's procedure may involve meeting with the relevant persons as appropriate and confidentiality will be maintained as far as practicable.
- Appropriate disciplinary action will be taken for any false or vexatious claims made under this procedure.

Types of work-related complaint/grievances

There are fundamentally two:

1. Behaviour which does not contravene any law or statute such as interpersonal conflict, inappropriate behaviour, or inconsistent application of policy or procedure.

2. Potentially unlawful behaviour which includes discrimination, harassment, victimization, bullying, dishonesty or any conduct contrary to any law or statute.

Procedure for resolving complaints and grievances involving staff

STEP 1
The aggrieved staff member is encouraged to begin by trying to resolve any grievance directly with the person/s concerned. The staff member is encouraged to use other staff members e.g. Head of Department, member of the Executive, to assist them in resolving their grievance informally.

STEP 2
If the grievance cannot be resolved directly with the person/s concerned, the aggrieved staff member is to raise the grievance with their immediate supervisor or leader with the view to resolve the matter in question.

STEP 3
If at this point the matter is not resolved, the grievance should be raised with the appropriate member of the Executive with a view to resolving the matter in question. At this stage, a resolution should try to be reached within 7-14 days, or if this does not look likely, an agreed timeframe should be reached with the aggrieved staff member.

STEP 4
If at this point the matter is not resolved, the grievance should be referred to the Principal for further investigation and discussion with the aim of resolution. The Principal may involve some member(s) of the Executive to help resolve the grievance.

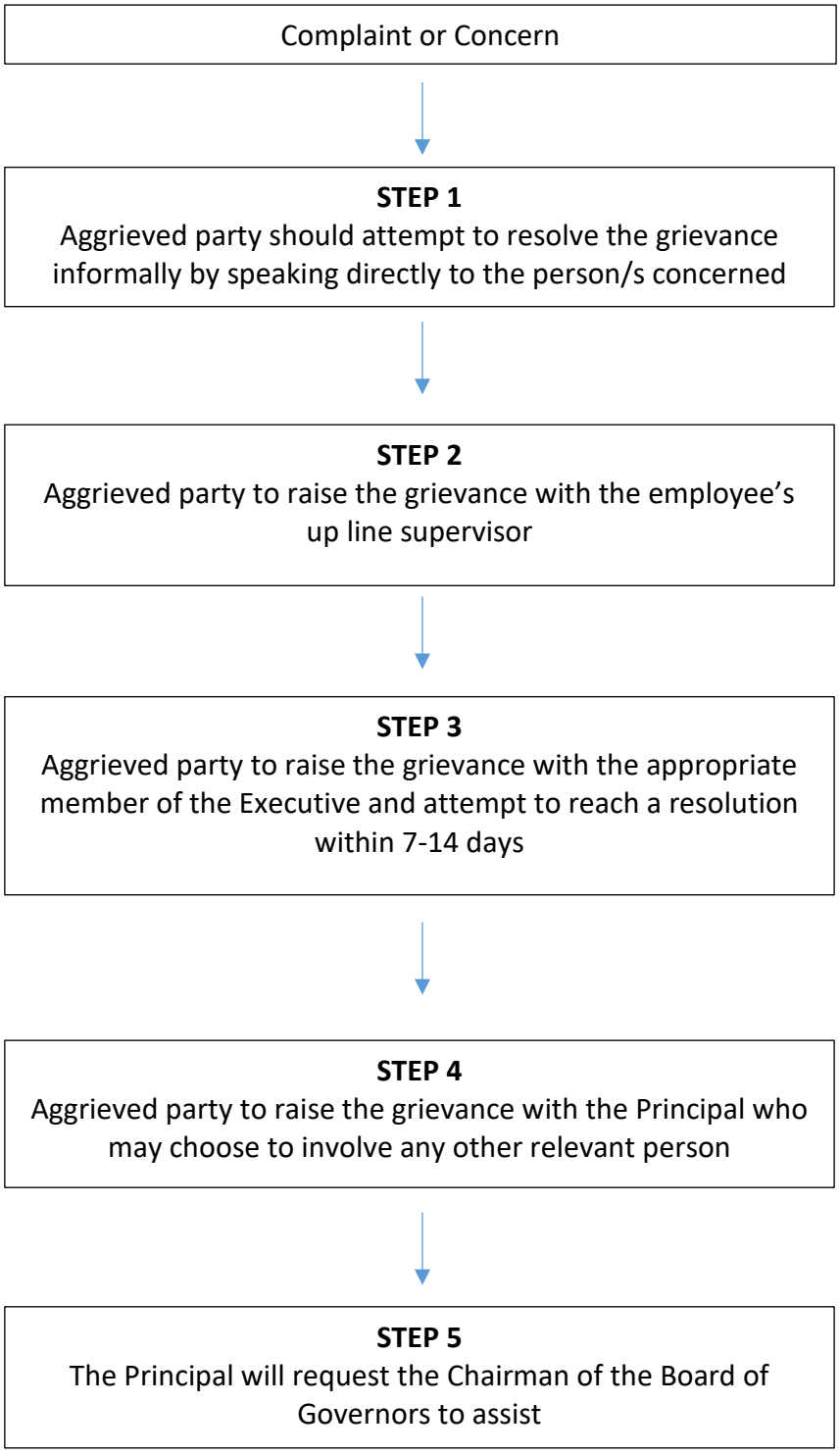
Staff involved with the grievances which reach this stage of the procedure should attempt to reach a resolution within 7-14 days of this step being investigated and if this is unlikely, then an agreed timeframe should be reached.

STEP 5
If at this stage the grievance has not been resolved, the Principal will request the Chairman of the Board of Governors to assist with the resolution.

NOTE
If a staff member has a complaint about the Principal, they will need to direct their complaint in writing to the Chairman of the Board of Governors.

FLOW CHART – Resolving Complaints and Grievances Involving staff

The aggrieved party may have a support person throughout each step in the process.



NOTE: You are able to seek legal advice at any time you wish. However, it may not be appropriate in the early stages of attempting to the resolve the issue(s).

APPENDIX C: Notes for parents (guardians) regarding the College's complaint procedure

ISSUES OF CONCERN
Information for Parents

Hope Christian College welcomes suggestions and comments from parents and takes seriously complaints and concerns that may be raised.

A complaint is an expression of dissatisfaction that needs a response.

What constitutes a complaint?
A complaint is an expression of dissatisfaction with a real or perceived problem.

A complaint may be made if a parent thinks that the school has, for example:

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

A complaint may be made about the school as a whole, a specific department in the school, an individual member of staff, or another member of the school community.

All complaints will be handled seriously.

We wish to ensure that
- Parents wishing to make a complaint know how to do so;
- Parents realise that we listen to and take complaints seriously;
- We respond to complaints within a reasonable time and in a courteous and efficient way;
- We take action where appropriate.

"How should I complain?"
Members of staff will be happy to help. It may be best to start with the person most closely concerned with the issue – for example, matters referring to the Year 6 class should be raised with the Year 6 teacher, academic concerns with the Head of learning area or Head of Academics. They may be able to sort things out quickly, with the minimum of fuss. However, you may prefer to take the matter to a more senior member of staff, for example a Deputy Principal, or the Principal.

"I don't want to complain as such, but there is something bothering me"
The school is here for you and your child, and we want to hear your views and your ideas. Contact a member of staff, as described above.

"I am not sure whether to complain or not"
If as parents you have concerns, you are entitled to raise them. If in doubt, you should contact the school, as we are here to help.

"What will happen next?"
If you raise something face-to-face or by telephone, it may be possible to resolve the matter immediately and to your satisfaction.

If you have made a complaint or suggestion in writing, we will contact you within a week, to respond to your concerns and explain how we propose to proceed.

In many circumstances, the person you contact will need to discuss the matter with a colleague and consider it further before responding. You will be given a date by which time you will receive a response. If a detailed exploration of the issue is needed, a further meeting will be required to explain the conclusion, the reasoning for it, and any action taken or proposed.

"What happens about confidentiality?"
Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Principal and those directly involved. The Chairman of the School Board may also need to be informed. It is the school's policy that complaints made by parents should not rebound adversely on their child/ren.

We cannot entirely rule out the need to make third parties outside the school aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child's safety was at risk or it became necessary to refer matters to the police. You would be fully informed.

While information relating to specific complaints will be kept confidentially on file, we would point out that anonymous complaints might not be pursued.

Action, which may need to be taken under staff disciplinary procedures as a result of a complaint, would be handled confidentially within the school.

"What if I am not satisfied with the outcome?"
We trust that you will feel satisfied with the outcome, however, should this not be the case, the Principal will offer to refer the matter to the Chairman of the School Board. Alternatively, you may wish to write directly to the Chairman via the school. This should be marked "Confidential" and addressed to: The Chairman of the Board of Governors, Hope Christian College, PO Box 12, Brunswick, WA 6224.

The Chairman will call for a full report from the Principal, and will examine matters thoroughly before responding. A positive solution will hopefully be achieved, but if it does not, the Chairman will invite you to a meeting. You may wish to be supported by a friend, but legal representation would not be appropriate at this stage.

The school recognises and acknowledges your entitlement to express your concern and we hope to work with you in the best interests of the young people in our care.

APPENDIX D: Notes for students regarding the College's complaint procedure

ISSUES OF CONCERN
Information for Students

Any Problems, Complaints, or Suggestions?
If so, the School would like to hear from you.

How do I make a complaint?

- By talking about it or by writing it down.
- You can do it by yourself, or as part of a group, or through your parents.

To Whom?

- To anyone on staff. Some students may wish to discuss the issue with a teacher, others with the school Chaplain, Head of Learning area, the Deputy Principal or the Principal.
- By discussing it, you may come up with some positive ideas.

Does it matter what the issue is?

- No, it can be a big problem or a small one.

What will happen next?

- If possible, the staff member will deal with it in person.
- If not, he or she will go on your behalf to someone who can help.

Do others have to know?

- You need to trust that your complaint will be dealt with discretely and in the best interests of those involved.

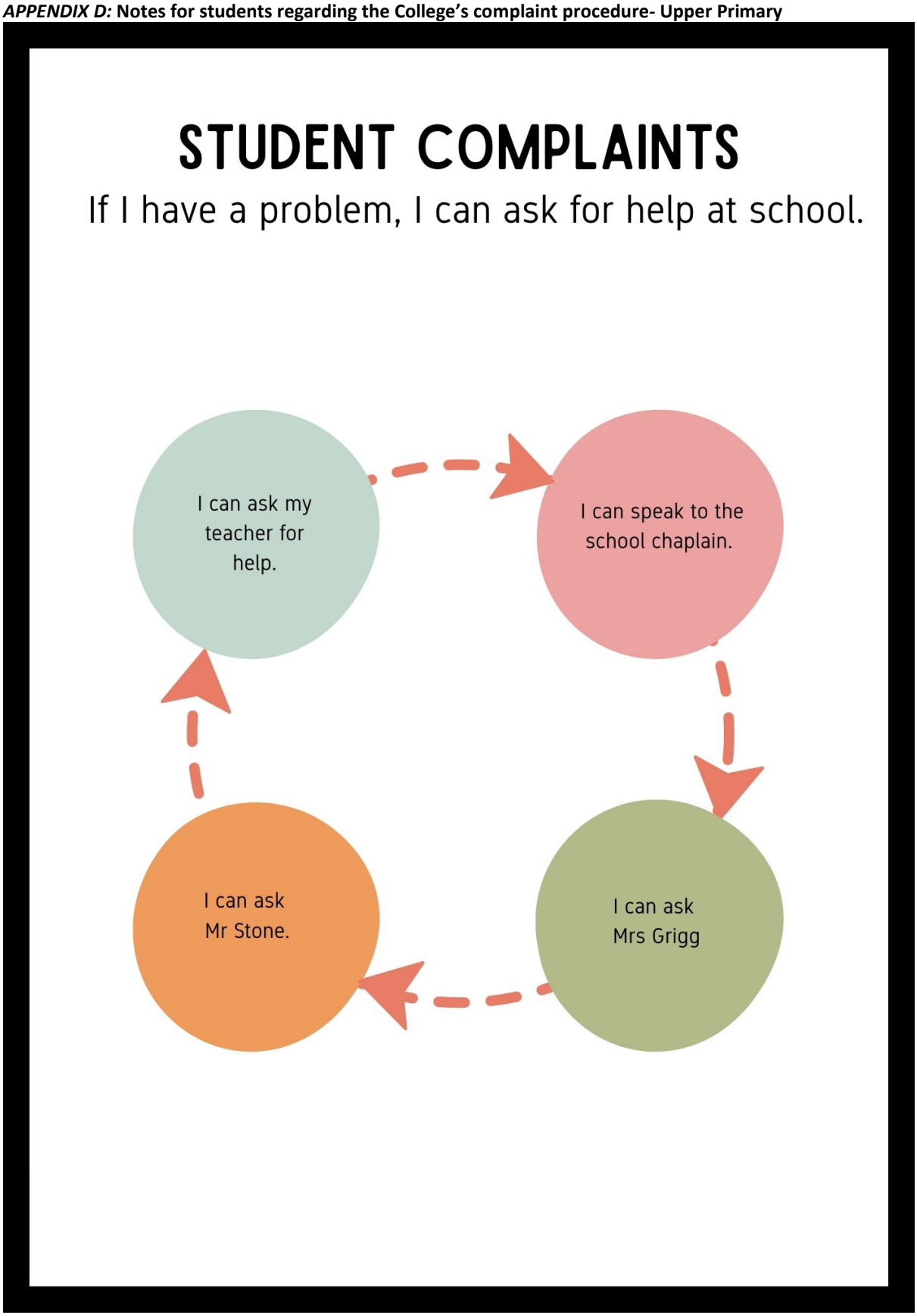
APPENDIX D: **Notes for students regarding the College's complaint procedure- Early Childhood**

STUDENT COMPLAINTS

If I have a problem, I can ask for help at school.

I can tell a duty teacher.

I can tell my teacher.

I can tell Mr Stone/Mrs Grigg

APPENDIX D: **Notes for students regarding the College's complaint procedure- Upper Primary**