Complaints Resolution Policy and Procedures

Policy Number	3.6.6
Policy Name	Complaints Resolution Policy and Procedures
Compliance Standard NESA	Section 47 of the Education Act 1990 No 8 (NSW)
Compliance Standard ACECQA	Education and Care Services National Regulations including 170(1), (2) and 171(1), (2).
Date Created	20.1.19
Date Endorsed	20.5.26
Revision Date	20.5.27
Endorsed By	CEO, Management, FMS Staff and community
Related Policies	Child Protection Privacy Code of Conduct
Related Procedures	
Audience	FMS whole school community

RATIONALE

Forestville Montessori School (the School) is committed to providing a work and study environment that is safe, fair and free from discrimination for all members of the School community.

An essential part of developing that environment is ensuring that students, staff and parents are encouraged to come forward with their matters of concern and complaints in the knowledge that the responsible staff will take prompt and effective action to address these concerns. Complaints that are addressed effectively have the potential to build relationships, clarify understanding, engender trust and confidence and support learning and academic achievement.

Complaints may arise from time to time and it is important that they are not ignored. An unexpressed or unresolved complaint can often escalate unnecessarily. The following procedures are designed to make sure that:

- Parents, Directors and Staff are supported and informed by the appropriate people when a complaint arises.
- Issues are dealt with in a professional manner to the best advantage of the child and school.
- Confidentiality is maintained and the integrity of all parties is honoured

POLICY STATEMENT

This policy applies to all students, staff, parents and external parties. A complaint maybe about a student or staff member at the School. In certain circumstances, these procedures may be used to manage a complaint about a person who is not a School employee or student but who is involved in a School related activity.

Complaints include any allegation of serious misconduct including corrupt conduct or improper behaviour. Complaints may relate to any concern about communication, behaviour or activity that has occurred with the child.

These correspond to the Schools policy on Child Protection. In particular Section 3 and 4, which explain what happens when an allegation of reportable conduct is made including the steps taken, and the risk management associated with the complaint.

In relation to child protection the processes for raising and handling a complaint about staff misconduct or reportable conduct mirror processes for general complaints, however there may be some differences including:

- An allegation or complaint of this nature needs to be raised formally and not addressed through informal mechanisms.
- The timeframe for handling the complaint may be substantially longer than that for general complaints if a reportable conduct investigation needs to take place.
- There maybe limitations under the Ombudsman's Act and privacy legislation regarding disclosure of information about an investigation and the outcome of an investigation.

Complaints not covered within the scope of this policy include:

- Any disagreement with a policy or procedure of the School
- An expression of dissatisfaction with the general direction or School strategy.

ACCESS

- Access to this Policy and those referenced herein will be provided to staff, educators, and management staff of the Service via the School website - forestvillemontessori.nsw.edu.au/01-02-governance/
- A short explainer video will be made available for students and staff to watch.

PROCESS

Principles:

1. Complaints will be treated seriously and sensitively, having due regard to procedural fairness, confidentiality and privacy. Requirements relating to confidentiality and privacy extend to the use and storage of any information and records related to a complaint.
2. Complaints should be handled quickly and as close as possible to their source. This may be modified by the nature of the complaint and the complainant's wishes. Complainants should raise concerns as early as possible after the incident/s occurred.
3. Wherever possible, complaints should be resolved by a process of discussion, cooperation and conciliation. The aim is to reach a mutually acceptable outcome that minimises any potential detriment to ongoing relationships.
4. Both the person raising the complaint, and the person against whom the complaint is made will receive appropriate information, support and assistance in resolving the complaint.
5. No person should be victimised because they raise a complaint or are associated with the complaint.
6. No person should instigate complaints that are frivolous or malicious. All persons are expected to participate in the complaint resolution process in good faith.
7. In relation to child protection these procedures are for stakeholders including parents and carers to raise a complaint about staff misconduct or reportable conduct.
8. This process applies specifically to complaints about reportable conduct/ misconduct rather than other types of complaints, which are defined in the Child Protection Policy.

Complaints about Privacy – please refer to the School's Privacy Policy and Procedure for registering a complaint.

PROCEDURES

Complaint about staff members from Students, Parents and members of the FMS Community

Complaints, suggestions and other feedback regarding staff management or operations are welcomed. They help us to meet expectations, remedy problems and improve systems.

Parents and students are always encouraged to speak with the staff member concerned first. The staff member informs the Principal of any complaint allegations and report findings.

If the complaint is unsatisfactorily resolved or the parents feel the nature of the complaint is very serious, the parents and student should approach the Principal. Where the complaint involves the

Principal, the parents should refer the matter directly to the Board Chair. Contact Details for these individuals are noted at the end of this policy.

A complaint, that cannot be resolved with the staff member, may be in writing or made in a formal interview. In any action taken, the Principal should ensure procedural fairness for all parties involved, which would normally include such steps as fully informing the person of the allegations made against them and providing them with an opportunity to respond.

Making and receiving complaints

1. Make a clearly defined complaint to a staff member, either in writing or through a formal meeting.
2. If the matter is a complaint against the Principal, then it is referred to the Board Chair, where appropriate next steps will be assessed and actioned.
3. The School will acknowledge in writing the complaint and what steps will be taken as a follow up procedure and confirm the complainant's point of contact.
4. The School will clearly identify and determine what the complaint is regarding and how the complaint will be responded to.
5. The School will confirm the complainant's point of contact.

Handling the complaint

Throughout the process the person managing the complaint should:

- Maintain confidentiality of all parties with complaints.
- Carefully listen to the complainants concerns and their desired outcomes.
- Explain the complaint procedure and the range of options open to the complainant.
- Periodically update the complainant on the School's progress if the complaint is investigated.
- Monitor the situation during and after the resolution process.
- Attempt to resolves the matter or refer the matter to the Principal if it is unsuitable for resolution at this level.
- Outline steps taken as a follow up procedure.
- Notify the Complainant when the complaint has been finalised.
- Keep the Principal informed at all stages if the complaint is being managed by a staff member.
- Keep the Board Chair informed at all stages if the complaint is being managed by the Principal.

If the matter cannot be resolved internally, independent mediation may be required/offered. All actions taken will be recorded in the Complaints Register

Outcomes

Outcomes will vary from case to case depending on the nature and circumstances of the complaint. Outcomes might include but are not limited to:

- Gaining a better understanding of the situation;
- A verbal or written apology;
- A verbal or written reprimand;
- Some form of counselling or mediation; or
- Disciplinary action where the School policy or rule was found to have been breached and/or where misconduct/serious misconduct or unsatisfactory performance has occurred.

In relation to any child protection issues and disciplinary action the School refer to the Child Protection Policy.

Disciplinary action may also be taken where:

- A complaint is found to have been malicious or vexatious
- A person victimises another person because of their involvement in complaint
- Unnecessary disclosure of information (a breach of confidentiality) occurred.

Contact Details:

- The Principal: ceo@forestvillemontessori.nsw.edu.au
- Board Chair: chairofboard@forestvillemontessori.nsw.edu.au