

# DISPUTES AND COMPLAINTS POLICY

## (STUDENTS/PARENTS/COMMUNITY)



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### 1. Purpose

This Disputes and Complaints Policy (the Policy) sets out the principles that govern and direct Hale's School's (Hale/the School's) process for receiving and responding to complaints from parents, students, staff, and members of the community. The School recognises that it will receive feedback and complaints from time to time and aims to resolve these in a prompt, professional and just manner and utilise the knowledge gained for continuous improvement in operations and processes in the future.

This Policy is not applicable to complaints made by employees that are employment-related. Staff are referred to the Staff Disputes and Complaints policy for resolution of employment-related matters.

Hale School's *Code of Ethics and Code of Conduct* provide direction on a range of ethical and conduct issues and its *Child Safe Policy* expresses its commitment to the protection of children from all forms of child abuse. The values and direction in these codes inform the School's approach to complaint handling and resolution.

The purpose of this Policy and related procedures is:

- To ensure that the School environment is free from intimidation, harassment and discrimination.
- To promote clear, open, and honest communication.
- Provide a timely and effective mechanism for parents, students, and others to express their concerns or make complaints so that options for a resolution can be identified as soon as possible.
- Ensure that concerns and complaints are handled impartially, justly, confidentially and with appropriate sensitivity.
- Define the roles and responsibilities of complainants and staff in managing and resolving concerns and complaints.

### 2. Definitions

**Complainant:** A student, parent, member of the community, or employee of the School who has a complaint.

**Complaint:** A complaint is defined as an expression of dissatisfaction made to the School by a student, a parent, a member of staff or a member of the public, in relation to the School, a student or a staff member, where a response or resolution is explicitly or implicitly expected. A complaint may be made about the School as a whole, about a specific department in the School, about a particular School activity, a School policy, procedure or

document, about an individual member of staff or about one or more students.

**Enquiry/Concern:** It is the expression of a worry, something that has made a person troubled or anxious about an issue and is expressed initially, i.e., to a classroom teacher and can generally be addressed at the time of being raised without the need for more involved consideration.

**Investigation:** Formal examination of a complaint by an authorised staff member in the School.

**Managing a complaint:** Coordinating all the processes involved in addressing the complaint to its conclusion/resolution.

**Referring a complaint:** Forwarding a complaint to a more appropriate person or level to manage.

**Resolution:** An outcome of a complaint that is satisfactory to all parties.

**Unresolved complaint:** A complaint which has not been resolved to the satisfaction of the complainant.

### 3. Policy Statement/Policy Principles

3.1 Hale School's approach to complaint management and resolution is underpinned by the following principles which are based upon AS-ISO-10002-2006 - Customer Satisfaction—Guidelines for complaints handling:

- a) **Visible:** any information required to lodge a complaint will be easy to access.
- b) **Simple:** the process will be easy to use and understand.
- c) **Timely:** complaints will be acknowledged and addressed promptly.
- d) **Objective:** complaints will be handled in an unbiased and equitable manner.
- e) **Confidential:** the process will remain confidential to the parties directly involved.
- f) **Fair:** procedural fairness will be accorded to all parties to the process.
- g) **Resolution:** the decision or action taken regarding the complaint will be communicated to the complainant as soon as the decision is made. Action will be taken to correct the problem and prevent recurrence of the same.
- h) **Informative:** all information gleaned from a complaint will be analysed and used for

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continuous improvement in the School's operations and procedures.

- 3.2 The School aims to ensure that:
- Every attempt is made to resolve a complaint at the local or most proximal level.
  - Where necessary, complaints will be escalated or referred through the hierarchical structure of the School.
  - A range of processes may be used to resolve a complaint or a dispute.
  - The School retains the right and indeed the responsibility to address a complaint matter, even in a situation where a complaint may be withdrawn, in order to meet its duty of care and all statutory obligations.
- 3.3 Anonymous Complaints are not encouraged. However, the School will accept and investigate an anonymous complaint if it raises a serious matter and there is sufficient information to enable the conduct of an investigation.
- 3.4 Any documents and records created while investigating a complaint will be managed and stored in accordance with the School's *Privacy Policy*.
- 3.5 A complainant may withdraw the complaint at any time during the process. However, the School may continue to consider the matters raised.
- 3.6 The Headmaster or delegate may dismiss a complaint that they determine to be frivolous, vexatious, lacking in substance or unable to be reasonably considered by the School.
- 3.7 Nothing in this Policy precludes a person or the School from reporting an alleged criminal action to the police or other relevant external authority (e.g. Department of Communities; Child Protection and Family Support). A complainant may also seek resolution of a complaint through an external body at any time. The School reserves the right to suspend any internal complaint process where the matter has been referred to an external relevant authority.
- 3.8 Responsibilities under this Policy:
- The Headmaster and the Director of Staff

Development and Human Resources are responsible for establishing and maintaining processes for managing and reviewing enquiries, expressions of concern and complaints.

- All employees are responsible for making every effort to promptly resolve concerns and complaints at an individual, local level where this is appropriate.
- The Headmaster or delegate and the Director of Staff Development and Human Resources are responsible for resolving complaints that cannot be resolved at an individual level.
- A complaints register is maintained in the Headmaster's Office.
- The receipt of a complaint or allegation of child abuse, including but not limited to sexual abuse, committed against a student by a staff member, or another student, or by another person on Hale School premises or during a school-related activity, will result in the submission of a reportable incident to the Director General of Education, as outlined in the schools Emergency and Critical Incident Management Policy.
- 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, they do not have power to intervene in a complaint or override the school's decision.

### **Live Links**

[Lodging a Complaint \(Complaint Form\)](#)  
[Information for Parents](#)  
[Information for Students](#)

### **Related Legislation and resources**

- Equal Opportunity Act 1984
- Racial Discrimination Act 1975 (Cwlth)
- Human Rights and Equal Opportunity Commission Act 1986 (Clwth)
- Education Act 1999
- The Teachers Registration Act 2012
- AS-ISO-10002-2006: Customer Satisfaction—Guidelines for complaints handling

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## Related Policies

- Child Safety Policy
- Code of Ethics Policy
- Code of Conduct Policy for all Staff
- Code of Conduct for all Staff– How to Comply
- Code of Conduct for all Students
- FFPOS Deferment-Suspension-Cancellation
- FFPOS Monitoring Progress and Attendance
- FFPOS Refund
- FFPOS Transfer
- Work Health and Safety Policy
- Child Protection and Mandatory Reporting Policy
- Critical Incident Management Policy
- Managing Misconduct Policy
- Student Behaviour Management Policy
- Student Bullying Policy
- Workplace Sexual Harassment and Sex Discrimination Policy
- Workplace Bullying Policy

<b>Date originally approved:</b> August 2021	<b>Approving authority:</b> Director of Staff Development and Human Resources
<b>Date this version approved:</b> July 2022	<b>Date policy to be reviewed:</b> November 2023
<b>Policy Custodian: (Contact for queries)</b> Director of Staff Development and Human Resources	<b>Policy Category:</b> Facility and General Management

<b>Policy Version</b>
4
<b>Changes Made</b>
Clarity on the role of the Director General.

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## APPENDIX A



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 <b>HALE</b> SCHOOL		<b>Official Complaint Form</b>	
Date:		Time	
Complainant's Name			
Children at School	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
If yes, Student Name		Year Group PCL or House	
If no, Address		Home Phone	
		Work Phone	
		Mobile Phone	
Details of complaint			
Details on how the complaint might be resolved			
Has the complainant discussed the complaint with the staff member concerned			Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, details	Teacher's name		Date Reported
Complaint made in person?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, Complainant's Signature			
If no, name of person recording complaint			

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## APPENDIX B



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## Matters of Concern

### A Leaflet for Parents

Hale School welcomes suggestions and comments from parents and takes seriously complaints and concerns that may be raised. This [leaflet](#) will show you how to use our complaints system.

#### **If you need assistance in resolving a concern or complaint:**

Staff will help you:

- Obtain information about school policies and procedure.
- Make inquiries about student programmes, performance, and behavior.
- Clarify a problem and register a concern with the School.
- Direct letters of enquiry or complaint.

When you have a problem, please identify it clearly before going to the school. If there is more than one issue, then list them to ensure that the extent of the problem is clear to the School. Decide whether the problem is a concern, an enquiry, or a complaint. This will help us to find a solution.

#### **At all stages, staff will work with you to establish an agreed plan of action and timeline.**

A complaint may be made about the provision of education or the conduct of a Hale School employee. Seeking information as early as possible can solve many problems. If you have any questions or concerns about your son's progress, the homework or assessment procedures contact the School office to arrange a mutually convenient time for a telephone conversation or meeting.

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

We wish to ensure that:

- Parents wishing to make a complaint know how to do so.
- We respond to complaints within a reasonable time and in a courteous and efficient way.
- Parents realise that we listen and take complaints seriously.
- We take appropriate action with the full knowledge of the parent concerned.

#### **Making a Complaint**

#### **Complaints can be made:**

- Verbally;
- By letter;
- By email; or

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Help is available at the School to support complainants to formulate, write and lodge a complaint. Complaints can be lodged with the School using any of the contact methods listed above.

When you contact the School, ask to speak to the appropriate staff member and be as clear as possible about what is troubling you. It is usually best to start with the person most closely concerned with the issue, as they may be able to sort things out quickly and with the minimum of fuss. However, you may prefer to take the matter to a more senior member of staff, for example the Director of Curriculum, The Director of Students and Leadership, the Head of Junior/Year 7/Deputy Head of Senior School, Head of Senior School, Deputy Headmaster or the Headmaster.

When outlining your problem please remain calm. Even if you do not feel like it, being calm will help you to get your concerns across more clearly than if you act upset or angry. It may help to take someone with you.

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

You should provide the following information when making a complaint:

- Your name and contact details.
- Copies of any relevant correspondence or documents relating directly to the complaint.
- The nature of the complaint; and
- What you consider is needed to resolve the complaint.

In the case of a verbal complaint, where you do not want to be identified or do not wish to lodge the complaint in writing, we will endeavour to work directly with you to resolve the matter. Please ensure where necessary that you have accurate details specific to your complaint.

### **Management of a Complaint:**

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 do our best to contact you within five working days, to respond to your concerns and explain how we propose to proceed.

In some circumstances, the person you contact will need to discuss the matter further with other staff. If a detailed exploration of the issue is needed you may be invited to come in to discuss the concern with staff members involved. You should be aware that when a complaint is made in writing about the conduct of an individual staff member, that staff member will receive documentation of the substance of the complaint, and in most cases, the name of the complainant. A letter or report will be sent to you following such a meeting. This will tell you of the outcome of your complaint. It will explain the conclusion, the reasons for it, and any action taken or proposed.

### **Rejecting a Complaint:**

Complaints judged to be vexatious, trivial or without substance, or where it is judged to not warrant further action, will not be progressed. You will be advised of this decision in writing.

### **Enquiring on a complaints progress:**

You may enquire as to the progress of your complaint at any time by directly contacting the appropriate person. At the time of lodging a verbal complaint, or in the acknowledgment letter for a written complaint, this person will be identified for you.

### **“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 Headmaster and those directly involved. It is the School’s policy that complaints made by parents will not

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adversely affect their children.

We cannot entirely rule out the need to make third parties outside of the School aware of the complaint and possibly identify 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 the matter to the police. You would be fully informed and involved in such action.

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

Action, which is needed to be taken under staff disciplinary processes because of complaints, would be handled confidentially within the School by the Headmaster.

### **"What if I am not satisfied with the outcome?"**

We hope that you will feel satisfied with the outcome, or at least that your concerns have been fully and fairly considered.

If you are not satisfied, the Headmaster will offer to refer the matter to the Chair of the Board. Alternatively, you may wish to write directly to the Chair. The Chair will call for a full report from the Headmaster and will examine matters thoroughly before responding. This may result in a positive solution, but if it does not, the Chair 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 concern or complain and we hope to work with you in the best interests of the young people in our care and all employees.**



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## Matters of Concern

### A Leaflet for Pupils

#### Any Problems, Complaints or Suggestions?

If so, the School would like to hear.

#### How do I make a complaint?

- By talking about it – or by writing it down if you find that easier.
- You can do it by yourself, or as part of a group, or through your parents.

#### To Whom

- To anyone on staff.
- To a School Prefect.

#### Does it matter what the issue is?

- No, it can be a big problem or a small one. By discussing it, you may come up with positive ideas.

#### What will happen next?

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

#### Do others have to know?

- If you are worried about confidentiality, tell the staff – they will understand.

**Even if you find the issue hurtful or embarrassing, don't worry – it will only be discussed by staff who can help you.**