



Complaints and Grievances Policy

Preamble

Korowa Anglican Girls' School (the School) recognises that it is in the best interest of students and parents or guardians for there to be a trusting and co-operative relationship between members of the community and the School. Complaints and grievances are an important way for the School community to provide information and feedback to the School. Korowa considers that every complaint provides a valuable opportunity for reflection and learning.

Korowa recognises a person's right to make a complaint and its responsibility to provide a framework within which efforts can be made to resolve complaints.

Korowa believes that complaints are best handled in an environment where people feel able to speak up about issues concerning the education and wellbeing of their children.

An effective complaint-handling system has a clear process for resolving complaints, treats people fairly, is timely and provides those people involved in a complaint with a fair opportunity to respond to issues and to present their views.

Note

This policy does not apply to matters about which there are existing rights (and processes for) review and appeal, such as matters relating to student critical incidents and criminal activities.

When addressing parent/guardian concerns or complaints, Korowa must:

- abide by relevant regulatory and legislative frameworks
- maintain confidentiality
- balance the rights and responsibilities of all parties
- ensure all parties are aware of their right to advocacy
- act in a manner that seeks to achieve an outcome acceptable to all parties.

All international students are required to comply with student visa conditions and Korowa has a duty to comply with all appropriate student welfare support arrangements until the relevant complaints or appeals process is resolved. (see Complaints and Grievances Policy (International Students))



Scope

This policy applies to all students, parents and members of the Korowa community. (see also the Korowa Staff Grievances Policy).

Purpose of this policy

The purpose of this policy is to ensure that:

- Korowa meets its obligation to respond to complaints and grievances in a fair, effective and efficient manner
- Members of the community are informed of how they can make a complaint and the process to resolve the matter

Definitions

For the purpose of this policy the following terms are defined as follows:

- a 'parent' includes:
 - a person who has parental responsibility for 'major long-term issues' as defined in the Family Law Act 1975 (Commonwealth) or
 - a person appointed as 'guardian' pursuant to the Children Youth and Families Act 2005 (Victoria) or
 - an informal carer with whom the child normally or regularly resides, and who has day-to-day care and control of the child or
 - a mature minor student or
 - an adult student
- a complaint is considered to be 'unresolved' when agreement cannot be reached on a course of action and/or a remedy, or if the remedy cannot be implemented.
- a "complaint" and/or "grievance" is an expression of dissatisfaction with an action taken, decision made or service provided, or the failure to provide a service, take action or make a decision at the School.
- a complaint is considered to be 'resolved' when an acceptable outcome to both parties has been reached.
- a complaint is considered to be 'finalised' when the Principal has made a final determination on the matter after exhausting the processes set out in this policy
- a complaint is considered to be 'unresolved' when agreement cannot be reached on a course of action and/or a remedy, or if the remedy cannot be implemented



Guiding principles

Korowa's complaint-handling process reflects the following guiding principles, which are informed by the *Australian/New Zealand Standard – Guidelines for complaint management in organizations (AS/NZS 10002:2014)*.

Visibility	<p>Information about how and where to make a complaint, as well as how a complaint will be handled, should be regularly publicised within the School community.</p> <p>The actions taken to respond to a complaint should be well documented and include the reasons underpinning any decisions made.</p>
Accessibility	<p>Information about how to make a complaint and the School's procedures when responding to a complaint should be easily accessible. The complaint-handling process should be flexible and include the ability to make a complaint in person, by phone and in writing. Support should also be given to parents with special needs, including translations, interpreters and enabling a parent to seek the services of an advocate.</p>
Responsiveness	<p>Receipt of written complaints should be acknowledged by communicating with the complainant as soon as possible. Complaints should be addressed promptly and the complainant kept informed of the progress of their complaint when the matter is complex and will take time to bring to resolution.</p>
Objectivity	<p>Each complaint must be treated in an equitable, objective and unbiased manner.</p>
Cost	<p>There should be no cost to the complainant for access to the complaint-handling process at the School.</p>

Protection of Privacy	<p>Personally identifiable information concerning the complainant should be actively protected from disclosure except where needed in relation to the complaint. This means that the complaint should only be discussed with those directly involved in the complaint-handling process.</p>
Student-focused	<p>The School should be open to feedback including complaints and should show a commitment to resolving complaints with the educational wellbeing of students as the first priority.</p>
Accountability	<p>Schools are required to have a fair, effective and efficient complaint handling process. Schools are accountable, both internally and externally, for their decision making and complaint-handling performance. Schools need to be able to provide explanations and reasons for their decisions.</p>
Continual Improvement	<p>Complaint-handling procedures should be regularly reviewed for improvement. Complaint data and feedback should be used to identify recurrent themes and to implement improvement measures where a need is identified.</p>

General information about handling complaints and grievances

Korowa maintains and publicises a fair, effective and efficient complaint-handling process, so that complaints and grievances about events or decisions at the School can be addressed.

The Principal is responsible for the efficient and effective organisation, management and administration of the school including the school's complaint-handling processes.



Members of the community who have a complaint should, in the first instance, make the complaint to the appropriate staff member. This may be the class teacher Crew/Community teacher, Head of Year, Head of School and/or other member of the School staff. Complaints may also be referred to the School Executive or Principal. Complaints about the School Principal should be referred to chair of the School Council.

When addressing a complaint, it is expected that community members and School staff will:

- show respect and understanding of each other's point of view
- operate within applicable legislation
- acknowledge that their goal is to achieve an outcome acceptable to all parties
- act in good faith and in a calm and courteous manner
- recognise that all parties have rights and responsibilities which must be balanced.

Protected disclosures and Whistleblower Protection

Where a parent has real and substantial concerns that, as a result of raising a complaint, they may suffer a detriment and the allegations relate to corrupt conduct, they may have access to protection under the provisions of the Protected Disclosure Act 2012 (PD Act). The PD Act defines the types of complaints that may be accepted as complaints under this Act.

Please refer also to our Whistleblower Protection Policy which is available on our website <https://www.korowa.vic.edu.au/wp-content/uploads/2020/10/WHISTLEBLOWER-PROTECTION-POLICY.pdf>

Unreasonable complainant conduct

All complaints should be considered in accordance with the School's complaint-handling procedures, outlined in this document, including when the complaining party's behaviour is thought to be unreasonable.

The Principal considers a range of factors and views, however she may at any point in the process outlined in this policy consider a complaining party's behaviour to be unreasonable. In these circumstances, it is appropriate for the Principal to communicate the basis on which the conclusion was made to the complainant in writing. The Principal may also indicate an acceptable procedure for future communication with the complainant about their complaint.

Korowa considers behaviour to be unreasonable when:

- it is clearly and significantly outside the expectations of co-operation, courtesy and respect
- it calls for staff resources and time unjustified by the nature or significance of the complaint



- an action or complaint is brought without merit, often to cause annoyance to another person
- it is oriented towards conflict
- it has an unreasonable cost impact to the School.

Role of the School

Complaints and grievances are addressed in an environment where parties feel able to speak up about issues concerning the education and welfare of their children. This is reflected in open, two-way communication within the School, clear roles and responsibilities for all members of the School community, realistic expectations about what can be achieved by the School and an effective, published complaints and grievances handling procedure.

The School's initial response to an incident or issue at the School is critical. It is appropriate to acknowledge what has occurred with those involved and offer an apology or expression of regret for any upset or distress they may have experienced. Those involved in the matter should be assured that the complaint will be explored and, where possible, a full explanation will be provided once the facts are known. The School should also indicate the steps it intends to take to prevent a similar incident or issue from occurring again.

When the School receives a complaint (either written or verbal), the School must follow the processes outlined next.

School responsibilities

It is the responsibility of the School to respond to and address written (letter and email) and verbal (face-to-face and phone) complaints raised.

Korowa:

- maintains fair procedures for complaint-handling. As a minimum the procedures include:
 - who to contact when making a complaint
 - a description of the actions the School could take once a complaint is received
 - a time frame for acknowledging written complaints and an expected time frame for complaint resolution
 - the types of outcomes that the complainant could expect
 - information about what the School will do if the complaint is not able to be resolved by the School and the options the complainant has to take their complaint further
- considers all complaints by:
 - raising the issues in the complaint with relevant staff and/or members of the School community
 - consulting, where appropriate, with relevant external stakeholders for technical or other advice



- discussing the School's findings with the complainant in an attempt to reach an agreed resolution
- considering the engagement of a mediator where a complaint has the potential to become intractable
- publicises the School's complaint-handling procedures within the School community and makes them readily available
- reviews the School's complaint-handling procedures regularly
- ensures that formal complaints and grievances received are recorded and actions taken to resolve the complaint are well documented
- ensures a School record of all formal complaints, both written and verbal, is maintained in the School's Synergetic database
- ensures all School staff are aware of the School's complaint-handling procedures
- actively assists community members with the complaint process, informing them that at any point of the complaint process they are able to be supported by a support person. The complainant should inform the Principal if they want to include a support person in the complaint process and provide the name, contact details and the relationship to the complainant. A support person's role may include:
 - assistance for the complainant to clarify the issues in the complain
 - discussion of difficulties being experienced by the complainant
 - assistance in the development of a co-operative and collaborative working relationship between the complainant and the School community
 - assistance for the complainant to understand the Schools' policy and guidelines and the resolution being proposed for the complaint.

Resolving complaints

The Principal may enlist the services of external bodies to help resolve a complaint. Where a complaint is found to be justified, Korowa is able to resolve the complaint by:

- an apology or expression of regret
- a change of decision
- a change of policy, procedure or practice
- a refund of payments
- offering the opportunity for student counselling or other support



Procedure for Handling Complaints

Investigating a complaint

There are two different ways of handling complaints: through an informal process or a formal process.

Informal process

Most complaints, concerns and disputes raised with a staff member are of a minor nature, or the complaint is a result of misunderstanding or lack of communication. These kinds of complaints are better resolved through an informal process. Informal procedures can take three distinct forms:

- an informal discussion between the Principal or appropriate School Leader and the complainant often leads to resolution (sometimes, the complainant may just want the Principal or appropriate School leader to talk to the School staff member on their behalf)
- the Principal or appropriate School leader talks to both the complainant and the respondent separately and then reaches a resolution
- the Principal or appropriate School leader can bring the complainant and respondent together for conciliation

Conciliation

Conciliation is not mandatory however, bringing the complainant and respondent together to discuss their different perspectives on the issue encourages quick and simple resolution.

If, however, the informal process does not resolve the complaint, then formal procedures should be implemented. Note that an informal process may be formalised at any time by the Principal, complainant or respondent.

Formal process – Dismissal of complaint

There are three steps to the formal procedure: investigating the complaint; making a finding; and determining appropriate action. Formal procedures begin with requesting the complaint be put in writing, if it has not already been done. To investigate the complaint, the Principal or investigator must:

- establish the precise nature of the complaint
- investigate the complaint for substance
- notify the respondent in writing of the complaints against them
- advise both the complainant and respondent of their right to have a support person with them at all interviews and discussions
- interview the complainant and respondent separately
- keep written accounts of all interviews and discussions

To make a finding, the Principal or investigator must consider all the evidence. If it is established that the complaint has no substance and evidence is vague or ill-defined, then the complaint can be



dismissed. A letter outlining the outcome of the investigation must be sent to both the complainant and the respondent.

Formal Process – Unsatisfactory performance procedures

If the evidence is clear and the Principal or investigator can substantiate the complaint, appropriate action must then be determined by the Principal.

A written response outlining the issues, the decision made and the outcome of the complaint should be sent to both the complainant and the respondent.

It may not always be possible to resolve all complaints to the parent's satisfaction. This could happen when the nature of the issues raised in the complaint is governed Korowa policies or procedures or if the parent has unrealistic expectations about the outcome of their complaint.

Vexatious complaints

Vexatious Complaints are seen as serious misconduct. If a complaint is found in due course to be vexatious or malicious in nature, then the Principal or investigator can dismiss the complaint with no further action. In these instances, counselling may be offered to both the complainant and the respondent.

Confidentiality and documentation

Complaint handling procedures must be confidential in nature

It is the Principal's responsibility to ensure that all complaints are handled with absolute confidentiality and that all documents are confidentially and securely stored.

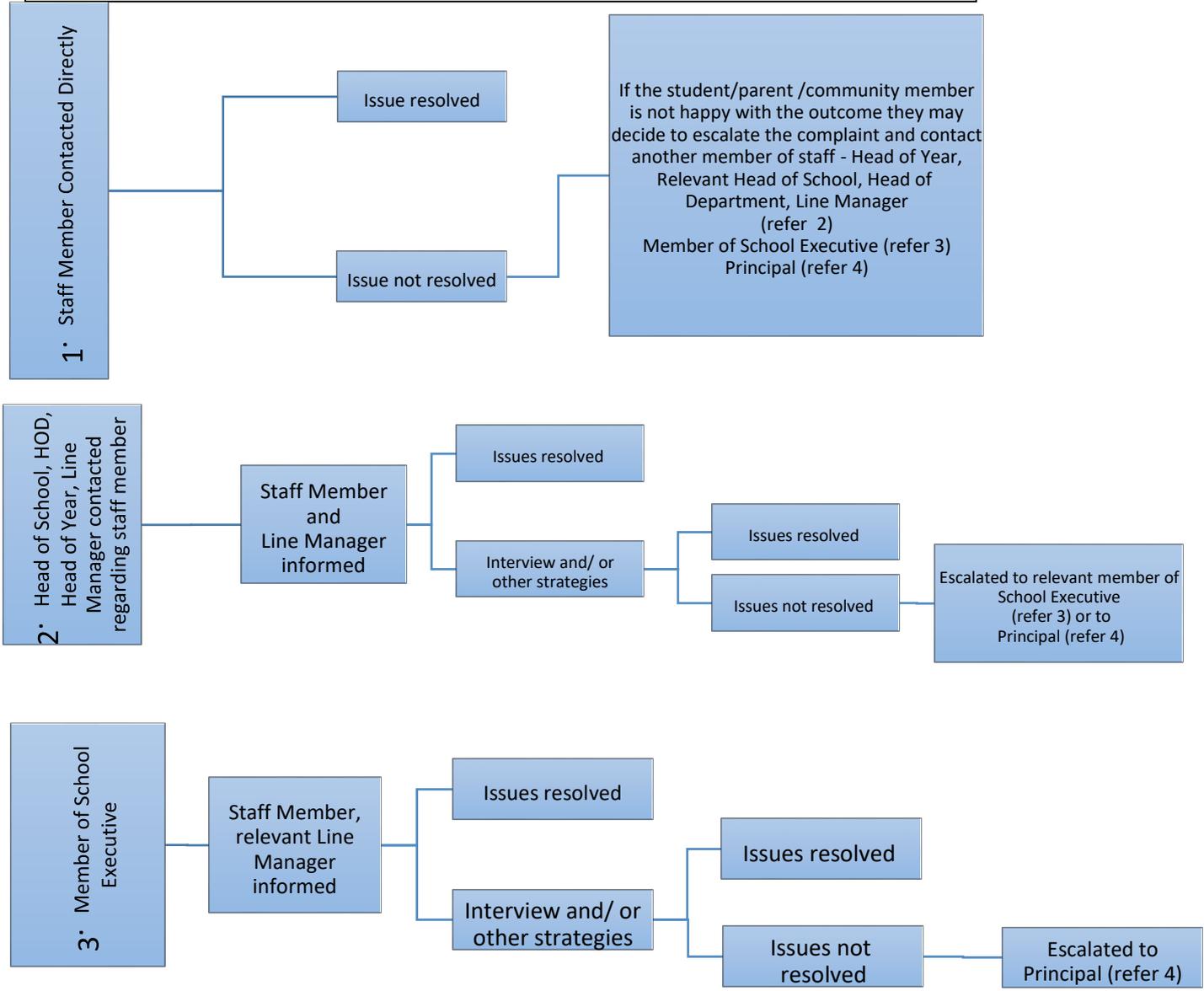
Students with a disability

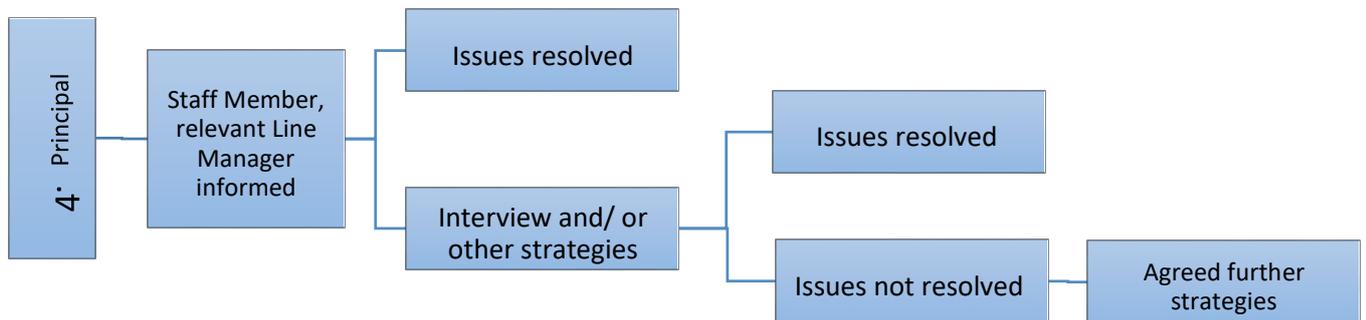
Students with disabilities have rights under the Disability Discrimination Act 1992 (Commonwealth), the Disability Standards for Education 2005 (Commonwealth) and the Equal Opportunity Act 2010 (Victoria) to access their education on the same basis as their peers, including the right to reasonable adjustments.

As with all complaints to which this policy applies, parents should raise any concerns or complaints regarding the treatment of a student with a disability with the school in the first instance. Korowa also recognises that parents of students with a disability can raise complaints or concerns regarding a student with a disability in a number of forums, including:

- the Australian Human Rights Commission – in relation to complaints regarding compliance with the Disability Discrimination Act or the Disability Standards for Education
- the Victorian Equal Opportunity and Human Rights Commission – in relation to complaints regarding compliance with the Equal Opportunity Act

Guidelines on pathways of Communication for Complaints by a student, parent / guardian or other community member





Related legislation

- *Education and Training Reform Act 2006*
- *Education and Training Reform Regulations 2007*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Protected Disclosure Act 2012*
- *Equal Opportunity Act 2010*
- *Wrongs Act 1958*
- *Disability Discrimination Act 1992 (Cth.)*
- *Equal Opportunity Act 1995 (Vic.)*
- *Health Act 2001 (Vic.)*
- *Commonwealth Privacy Act 1988.*
- *Racial and Religious Tolerance Act 2001 (Vic.)*
- *Sex Discrimination Act 1984 (Cth.)*
- *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Whistleblower Protections Act)*

Related Korowa Policies

- *Privacy Policy*
- *Whistleblower Protection Policy*
- *Korowa Staff Code of Conduct*
- *Korowa Staff Grievances Policy*

Policy Owner

This Policy is owned by the Principal

Review date

This Policy will be reviewed every two years with the next review due in August 2023.

Korowa Complaints and Grievances Policy-August 2021

Approved Korowa Leadership 19 August 2021

Review date: August 2023