



Caloundra City Private School

COMPLAINTS & DISPUTE RESOLUTION POLICY & PROCEDURES

Administration

July 2020

Complaints & Dispute Resolution Policy & Procedures

Purpose:	The purpose of this policy is to ensure that student, parent and employee complaints and disputes are dealt with in a responsive, efficient, effective and fair manner.	
Scope:	Students, parents and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.	
Status:	July 2020 Ver 1.01	Supersedes: New Policy
Authorised by:	Board Chair	Date of Authorisation: August 2020
References:	<ul style="list-style-type: none"> • Education (Accreditation of Non-State Schools) Regulations 2017 • <i>Australian Education Regulations 2013</i> • <i>Fair Work Act 2009</i> • <i>Work Health and Safety Act 2011 (Qld)</i> • <i>Privacy Act 1988 (Cth)</i> • <i>Anti-Discrimination Act 1991 (Qld)</i> • <i>Australian Human Rights Commission Act 1986 (Cth)</i> • <i>Sex Discrimination Act 1984 (Cth)</i> • <i>Age Discrimination Act 2004 (Cth)</i> • <i>Disability Discrimination Act 1992 (Cth)</i> • <i>Racial Discrimination Act 1975 (Cth)</i> • CCPS Enterprise Agreement 2017 • CCPS Complaints and Dispute Resolution Policy and Procedures • CCPS Work Health and Safety Policy • CCPS Anti-Discrimination Policy • CCPS Sexual Harassment Policy • CCPS Disability Discrimination Policy and Procedures • CCPS Workplace Bullying Policy • CCPS Privacy Policy 	
Review Date:	Annually	Next Review Date: August 2021
Policy Owner:	CCPS Board	

Policy Statement

Caloundra City Private School is committed to ensuring that student, parent and employee complaints are dealt with in a responsive, efficient, and effective and fair way.

Caloundra City Private School views complaints as part of an important feedback and accountability process.

Caloundra City Private School acknowledges the right of students, parents and employees to complain when dissatisfied with an action, inaction or decision of the school and the school encourages constructive criticism.

Complaints will be acknowledged in a timely manner and the complainant will be kept informed throughout the process in a manner that does not distract staff from their responsibilities to the students of the School. Complaints will be dealt with in an equitable, objective and unbiased manner, respecting privacy and confidentiality obligations wherever possible.

Caloundra City Private School recognises that time spent on handling complaints can be an investment in better service to students, parents and employees.

Complaints that may be resolved under this policy

Caloundra City Private School encourage students, parents and employees to lodge promptly any concerns regarding sexual harassment, child protection, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- a) the School, its employees or students having done something wrong;
- b) the School, its employees or students having failed to do something they should have done;
- c) the School, its employees or students having acted unfairly or impolitely;
- d) issues of student or employee behaviour that are contrary to their relevant code of conduct;
- e) issues related to learning programs, assessment and reporting of student learning;
- f) issues related to communication with students or parents or between employees;
- g) issues related to school fees and payments; and
- h) general administrative issues.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

Issues outside this policy

The following matters are outside the scope of this policy and should be managed as follows:

- a) Child protection concerns or risks of harm to children should be dealt with in accordance with the law and the CCPS Child Protection Policy.
- b) Student bullying complaints should be dealt with under the CCPS Student Anti-Bullying Policy, Positive Behaviour Management Strategy or CCPS Student Code of Conduct.
- c) Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the CCPS Student Code of Conduct.
- d) Employee complaints related to their employment should be directed to their supervisor.

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- e) Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate.
- f) Formal legal proceedings.

Complaints Handling Principles

Caloundra City Private School is committed to managing complaints according to the following principles:

- a) complaints will be resolved with as little formality and disruption as possible;
- b) complaints will be taken seriously;
- c) anonymous complaints will be treated on their merits;
- d) complaints will be dealt with fairly and objectively and in a timely manner;
- e) Caloundra City Private School will determine the appropriate person to deal with the complaint in the first instance. Complaints should be resolved with as little formality and disputation as possible;
- f) mediation, negotiation and informal resolution are optional alternatives;
- g) procedural fairness will be ensured wherever practicable, including the right of interested parties to the complaint to be heard;
- h) confidentiality and privacy will be maintained as much as possible;
- i) all parties to the complaints will be appropriately supported;
- j) Caloundra City Private School will give reasonable progress updates;
- k) appropriate remedies will be offered and implemented;
- l) provide a review pathway for parties to the complaint if warranted;
- m) complainants, respondents and people associated with them will not be victimised as a result of lodging the complaints and they will not suffer any other reprisals;
- n) the school will keep records of complaints; and
- o) the school's insurer will be informed if a complaint could be connected to an insured risk.

Responsibilities

School

The School has the following role and responsibilities:

- a) develop, implement, promote and act in accordance with the CCPS Complaints & Dispute Resolution Policy & Procedures;
- b) appropriately communicate the CCPS Complaints & Dispute Resolution Policy & Procedures to students, parents and employees;
- c) ensure that the CCPS Complaints & Dispute Resolution Policy & Procedures are readily accessible by staff, students and parents;
- d) upon receipt of a complaint, manage the complaint in accordance with the CCPS Complaints & Dispute Resolution Policy & Procedures;

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- e) ensure that appropriate support is provided to all parties to a complaint;
- f) take appropriate action to prevent victimisation or action in reprisal against the complainant, respondent or any person associated with them;
- g) appropriately implement remedies;
- h) appropriately train relevant employees;
- i) keep records;
- j) conduct a review/audit of the Complaints Register from time to time;
- k) monitor and report to the governing body on complaints;
- l) report to the school's insurer when that is relevant; and
- m) refer to the school's governing body immediately any claim for legal redress.

All parties to a dispute

The complainant and respondent both have the following role and responsibilities:

- a) apply and comply with the CCPS Complaints and Dispute Resolution Policy & Procedures;
- b) lodge the complaint as soon as possible after the issue arises;
- c) expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that confidentiality and privacy will be maintained as much as possible;
- d) provide complete and factual information in a timely manner;
- e) not provide deliberately false or misleading information;
- f) not make frivolous or vexatious complaints;
- g) act in good faith, and in a calm and courteous manner;
- h) show respect and understanding of each other's point of view and value difference, rather than judge and blame;
- i) act in a non-threatening manner;
- j) to be appropriately supported;
- k) acknowledge that a common goal is to achieve an outcome acceptable to all parties;
- l) recognise that all parties have rights and responsibilities which must be balanced;
- m) maintain and respect the privacy and confidentiality of all parties;
- n) not victimise or act in reprisal against any party to the dispute or any person associated with them; and
- o) provide their name to the person receiving the complaint. The complainant may request that the School withholds their name as the matter progresses; however, the School may refuse to process the complaint if it considers it cannot act without revealing the name of the complainant.

Employees receiving complaints

Employees receiving complaints have the following role and responsibilities:

- a) act in accordance with the CCPS Complaints and Dispute Resolution Policy & Procedures;
- b) inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required;
- c) provide the complainant with information about any support or assistance available to assist them in lodging their complaint;
- d) provide the complainant with a copy of the school's Complaints Handling Policy & Procedures;
- e) maintain confidentiality where practicable;
- f) keep appropriate records;
- g) to forward complaints to more senior employees, including the Principal, as appropriate; and
- h) not victimise or act in reprisal against the complainant, respondent or any person associated with them.

Implementation

Caloundra City Private School is committed to raising awareness of the process for resolving complaints at the school, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

Caloundra City Private School is also committed to appropriately training relevant employees (especially senior staff) on how to resolve complaints in line with this policy and the related procedures.

Caloundra City Private School will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the school Board on complaint handling at the school.

Caloundra City Private School will act to encourage students, parents and employees to contribute to a healthy school culture where complaints are resolved with as little formality and disruption as possible. The philosophy of restorative conflict and complaint resolution will underpin the School's approach wherever practicable.

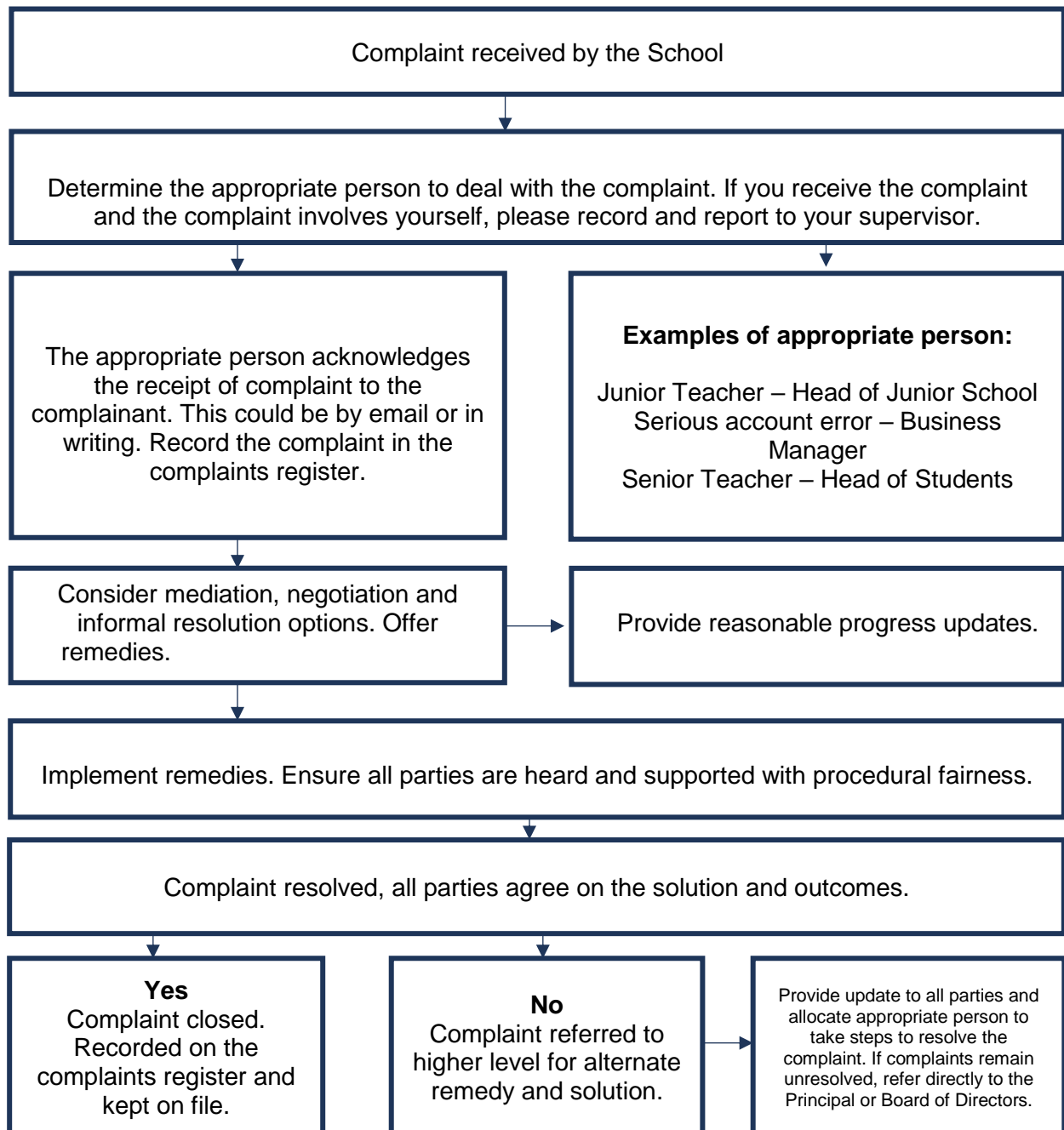
Complaints & Dispute Resolution Procedure

This process is to be read in conjunction with the Complaints & Dispute Resolution Policy & Procedures.

All complaints are to be taken seriously and resolved with as little formality and disruption as possible.

Concerns regarding sexual harassment, child protection, discrimination, workplace bullying, and privacy breaches are to be dealt with under the relevant School Policy.

Upon receipt of feedback, the School will determine whether the nature of that feedback requires treatment through the Complaints and Dispute Resolution Process. Should it be, then the feedback will be dealt with in the following manner:



1. How to Lodge a Complaint

Complaints can be lodged by students, parent, guardians and employees. Complaints can be made in-person, over the phone or via letter or email.

2. Resolving Complaints

The Principal may enlist the services of external bodies to help resolve a complaint. Outcomes for substantiated complaints may include:

- i. an apology or expression of regret;
- ii. a change of decision;
- iii. a change of policy, procedure or practice;
- iv. a refund of payments; or
- v. offering the opportunity for student counselling or other support.

3. Confidentiality and Document Control

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

Members of staff should know about complaints that might be damaging to their reputation. Such complaints will be known only to themselves and to those who have to be consulted. The School will provide support for staff against whom a complaint is made, upon request; this will be a support colleague who is not otherwise involved.

If there is a situation involving the police, the Principal, will take responsibility for action in the School and the Board Chairperson will be informed as soon as possible.

4. Possible Resolution Processes:

Informal Resolution

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.

Local, informal resolution is the preferred method of resolving complaints at Caloundra City Private School. Informal resolution may be appropriate where the aggrieved party is able to approach the other party to discuss the issue. This process may be sufficient to resolve the problem, without the need for recourse to a third party. Conciliation is not mandatory however, bringing the complainant and respondent together to discuss their different perspectives on the issue may encourage quick and simple resolution.

The School shall retain a file note of the complaint and the resolution.

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

Formal Resolution

Formal resolution is managed by the relevant member of staff who does not have a conflict of interest that would compromise the integrity of the process. For example, if the line manager was a party to the complaint it would be inappropriate that they manage the resolution of the dispute.

Recording

A formal complaint is in written form and includes dates, times, places and details of what took place, who was involved and any other relevant information. It is lodged with the staff member's line manager, or a more senior manager.

All formal complaints will be maintained in a confidential complaints register, managed by members of the School management team. The log should contain the following information:

- i. date when the issue was raised;
- ii. name of parent;
- iii. name of student;
- iv. brief statement of issue;
- v. location of detailed file;
- vi. member of staff handling the issue;
- vii. brief statement of outcome.

There are three steps to the formal procedure. Each of these steps is outlined below.

Investigating the Complaint

Formal procedures begin with obtaining the complaint in writing, including the date of the complaint and the complainant's signature (or via email). To investigate the complaint, the Principal or investigator must:

- i. establish the precise nature of the complaint;
- ii. investigate the complaint for substance;
- iii. notify the respondent in writing of the complaints against them;
- iv. notify both parties of the anticipated timeframe to resolution. Some matters may take some time to reach resolution;
- v. advise both the complainant and respondent of their right to have a support person with them at all interviews and discussions;
- vi. interview the complainant and respondent separately; and
- vii. keep written accounts of all interviews and discussions.

Making a Finding

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.

Determining Appropriate Action

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 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 satisfaction of the parties. This could happen when the nature of the issues raised in the complaint is governed by external authorities, other School policies or procedures or if there are unrealistic expectations about the outcome of the complaint.

The Principal will present all formal complaints as one part of the Principals Report to the Board. For complaints made to the Chair or Board, the Company Secretary will maintain the register.

5. Vexatious/Malicious Complaints

Complaints found, in due course, to be of a vexatious or malicious nature may be dismissed with no further action. In these instances, counselling may be offered to both the complainant and the respondent.

6. Complaints about the Principal

Complaints about the Principal are to be submitted, in writing, to the Caloundra City Private School Board Chair.

Complaint Management Procedure

All complaints will be handled seriously

It is the policy of the School that all complaints will be acknowledged as soon as practicable; or within five working days if the matter is complex. Communication will be maintained to inform stakeholders what is happening to their concern or complaint, in a manner that does not distract staff from their responsibilities to the students of the School. If a more detailed response is needed, staff will communicate by what date it will be provided.

Complaint Management Hierarchy

To provide timely and effective response to complaints, parents and students are expected to follow the School hierarchy for complaint resolution listed below (see the attached flow chart).

1. In the first instance students and parents should raise their concerns with the classroom teacher.
2. Should a resolution not be achieved from informal or formal communication with the teacher, the matter will be passed to Head of Junior School or Head of Students in the management team. At this stage, the complaint will be added to the Formal Complaints Log.
3. Should the matter remain unresolved after involvement of members of the management team, the matter will be referred to the Principal.

Confidentiality

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

Members of staff should know about complaints that might be damaging to their reputation. Such complaints will be known only to themselves and to those who have to be consulted. The School will provide support for staff against whom a complaint is made, upon request; this will be a support colleague who is not otherwise involved.

If there is a situation involving the police, the Principal, will take responsibility for action in the School and the School Board Chairperson will be informed as soon as possible.