



YEA PRIMARY SCHOOL

Managing Complaints and Grievances Policy

Registration Requirement 4.1 (a) i

AIM

Yea Primary School will have procedures in place to address concerns and complaints promptly, consistently and fairly.

RATIONALE

The policy supports the Department's objective of strengthening the quality of its service delivery and responsiveness to the community. Yea PS will use the information provided through its concerns and complaints procedures as an opportunity for continuous improvement of its services and performance.

This policy is not applicable where a complainant has employed another party to represent them, such as a solicitor. In these circumstances, the concern or complaint should be referred to the Department's Legal Services Branch for their assessment.

DEFINITIONS

Parents' concerns and complaints most commonly relate to:

- the management of an incident between students at a school
- the educational or other progress of their child
- the development and implementation of school and general education policy.

Parent' in the policy has the same meaning as in the *Education and Training Reform Act 2006*, which is:

'parent', in relation to a child, includes a guardian and every person who has parental responsibility for the child including parental responsibility under the *Family Law Act 1975* of the Commonwealth and any person with whom a child normally or regularly resides.

For the purposes of the policy:

- a **'concern'** is an issue of interest (because of its importance and effect) which is raised informally in order to improve or change a situation. For example:
 - *I believe that the school's physical education policy and program is inadequate. I don't think that it caters for students who have well-developed skills and who need to be involved in competitive sport. I think the school should review its policy in this area.*
- a **'complaint'** is an expression of grievance or resentment where the complainant is seeking redress or justice. For example:

My daughter has been left out of the school's netball team for the third time in a row. She is an accomplished netballer and deserves to be part of the team. It is not fair that she is left out and I want you to do something about it!



YEA PRIMARY SCHOOL

Managing Complaints and Grievances Policy

This policy does not apply to matters where there are existing legislated rights of review or appeal. These matters must be managed in line with the procedures and processes detailed in the *Victorian Government Schools Reference Guide* and on the Department's Human Resources website. These matters include:

- student expulsions
- complaints about staff that if upheld would constitute misconduct
- complaints by the Department's employees related to their employment
- complaints about an employee's conduct or performance grievance or action under Division 9A or Division 10 of the *Education and Training Reform Act 2006*
- student critical incident matters.

Dignity and Respect Statement

Concerns and complaints must be addressed in line with the Department's 2006 *Dignity and Respect Statement*. The statement says that:

The Department is committed to providing safe and supportive work environments where diversity is valued and everyone is treated with respect, fairness and dignity.

Discrimination, sexual and other forms of harassment, bullying, violence and threatening behaviour are unacceptable.

All employees, students, parents and visitors in schools are expected to act accordingly. The Department (which includes schools) and school councils, will act to ensure that the safety, security, health and wellbeing of all employees, students, parents and visitors in schools are protected.

Yea Primary School Expectations

Yea Primary School expects that all parties will, when addressing concerns and complaints:

- maintain the confidentiality of all parties, in line with Departmental policy and legislative requirements
- acknowledge that their common goal is to achieve an outcome acceptable to all parties
- act in good faith and in a calm and courteous manner
- show respect and understanding of each other's point of view and value difference, rather than judge and blame
- recognise that all parties have rights and responsibilities which must be balanced.
- In addition to the expectations outlined above, the school will address complaints:
 - courteously
 - efficiently
 - fairly
 - promptly, within timelines agreed with the person with the concern or complaint
 - (where possible concerns or complaints should be addressed within 14 school days)

A parent can raise a concern or complaint about any aspect of a school's operations. In the first instance, they should take a concern or make a complaint to the school. Any complaint raised with the regional or central office that has not been raised at the school level will be referred to the school for



YEA PRIMARY SCHOOL

Managing Complaints and Grievances Policy

resolution (unless there are special circumstances which prevent the school from managing the complaint).

Concerns and complaints relating to the school are most effectively addressed by the school. The school will make every effort to resolve a concern or complaint related to it before involving other levels of the Department.

After due consideration of the issues raised by the complainant a school principal is to determine the most appropriate way to address a concern or complaint, either by:

- using the school's general concerns and complaints procedures, or
- as outlined under legislated and other complaints processes.

The school feels that neither the child, family nor the schools interest is served by discussing issues outside this school forum. We encourage any issues be brought straight to the principal as the school has the child's best interests at heart and every effort is made to resolve issues confidentially, constructively, positively and proactively to obtain the best possible outcome.

ESCALATING TO CENTRAL OFFICE

If a parent with a concern or complaint is not satisfied with the outcome determined by the school, they can contact the appropriate regional office. Depending on the nature and complexity of the concern or complaint, the regional director may involve the assistant regional director, the community liaison officer or other officers in the resolution of the issue.

Where relevant, the officer will ask the complainant for a complete and factual account in writing of the concern or complaint and the complainant's opinion about why they believe the school did not resolve the issue to their satisfaction. Where the complainant is unable to provide a written account the officer should act on the information provided verbally. Regional office staff will respond promptly to complaints received and, where appropriate, immediately acknowledge, in writing, the receipt of a written complaint. They will, as far as possible, attempt to resolve the issue raised by the complainant and provide a final response within 20 school days.

PARENT CONCERNS AND COMPLAINTS PROCESS

The following lists are types of concerns and complaints covered by the procedures.

- general issues of student behaviour that are contrary to the school's code of conduct
- incidents of bullying or harassment in the classroom or the school yard
- learning programs, assessment and reporting of student learning
- communication with parents
- school fees and payments
- general administrative issues

Yea Primary School Expectations of Parents

The following examples of the responsibilities of a person with a concern or complaint.

The school expects a person raising a concern or complaint to:

- do so promptly, as soon as possible after the issue occurs
- provide complete and factual information about the concern or complaint in writing.
- maintain and respect the privacy and confidentiality of all parties
- acknowledge that a common goal is to achieve an outcome acceptable to all parties



YEA PRIMARY SCHOOL

Managing Complaints and Grievances Policy

- act in good faith, and in a calm and courteous manner
- show respect and understanding of each other's point of view and value difference,
- rather than judge and blame
- recognise that all parties have rights and responsibilities which must be balanced.

Raising Concerns and Complaints

In the first instance, a complaint should be made to the school.

The complainant should telephone, email or write to:

- the student's teacher or home group teacher about learning issues and incidents that happened in their class or group.
- the relevant student manager if students from several classes are involved.

Any issue that falls into the two categories listed below must be submitted in writing to either the assistant principal or principal.

Issues relating to school policy, school management, staff members or very complex student issues.

SCHOOL PROCESS

The school will make every effort to resolve concerns and complaints before involving other levels of the Department.

The school will determine whether a concern or complaint should be managed through the school's concerns and complaints process or through other complaints processes of the Department.

All complaints will be noted and acted on promptly by the staff member who receives the complaint. The school will acknowledge all complaints made in writing. It will provide the complainant with a timeline for investigating the complaint and will provide a written response to the complainant.

Concerns and complaints about general school matters (such as the timing of events, school policies and facilities) will be addressed by the principal or a relevant staff member.

The school will make every attempt to resolve a concern or complaint as quickly as possible. If your complaint involves many students and a range of issues, the school will need more time to investigate and resolve it.

The school will require the following information when a complaint is made by a complainant.

- name and contact details (with permission) of the person with a concern or complaint
- the date the concern was expressed or complaint made.
- the form in which the concern or complaint was received (by telephone, in writing, by email.)
- a brief description of the concern or complaint.
- details of the staff member recording the concern or complaint.
- any recommendations for future improvement in the school's policy or procedures.

CONCERNS AND COMPLAINTS OUTCOMES



YEA PRIMARY SCHOOL

Managing Complaints and Grievances Policy

Complaints Resolved

A complaint is considered to be resolved when the complainant and the school agree on an appropriate response or remedy.

Possible responses and remedies include:

- an explanation.
- an acknowledgement of each other's perspective and agreement on ways to manage differences.
- an apology or expression of regret.
- an admission of fault.
- a change of decision.
- a change of policy, procedure or practice.
- agreement on what constitutes acceptable behaviour.
- an undertaking that unacceptable behaviour will change.
- the waiving of debt related to school fees and payments.
- a refund of parent payments.
- the provision of counselling or other support.

Remedies should be implemented as soon as possible.

Complaint dismissed

A complaint can only be dismissed:

- after it has been investigated
- if an investigation has determined that the complaint cannot be substantiated.

Complaint Unresolved

A complaint is considered to be unresolved if the complainant does not agree on a course of action and/or a remedy, or if the remedy cannot be implemented. In such cases, a school may involve its regional office to assist in resolving the complaint.

If the complaint raises complex issues which are unable to be resolved by the regional office, Group Coordination Division may, on behalf of the Deputy Secretary, Office for Government School Education, determine that an independent investigation is required.

It may not always be possible to fully resolve all complaints to the complainant's satisfaction. This could happen if the complainant has unrealistic expectations about the outcome of their complaint, or if the schools or Department's policies or regulations are contrary to their views.

UNREASONABLE COMPLAINANT CONDUCT

Unreasonable complainant conduct is behaviour that:



YEA PRIMARY SCHOOL

Managing Complaints and Grievances Policy

- is clearly and significantly outside the expectations of confidentiality, cooperation, courtesy and respect.
- calls for staff resources and time unjustified by the nature or significance of the complaint.
- is vexatious (that is, an action or complaint that is brought without merit, often to cause annoyance to another person).
- is oriented towards conflict.

Refer to Unreasonable complainant conduct: interim practice manual at:
www.ombudsman.vic.gov.au

The school principal, assistant principal or staff member can determine if a complainant's conduct is unreasonable. If so determined, they will:

- develop a plan to address the complaint and the complainant's interaction with the school.
- inform the complainant of the plan.
- ensure all staff members within the school adhere to the plan as closely as practicable.

When a complainant uses threatening or violent behaviour all Yea PS employees should follow the Occupational Violence Policy, available from the Human Resources website at:
www.eduweb.vic.gov.au/hrweb/ohs/other/DETPub.htm

Additional information can also be obtained from the Victorian Government Schools Reference Guide, section 6.16.11: Options for dealing with trespassers and violence in schools.

Related Documents.

All concerns and complaints must be addressed in line with the Department's legislative and regulatory framework, which includes the:

- *Education and Training Reform Act 2006*
- *Education and Training Reform Regulations 2007*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Information Privacy Act 2000*
- *Wrongs Act 1958.*
- *DEECD Dignity and Respect Statement.2006*

Date Ratified at School Council:

Principal signature

S.C. President signature _____ Next Review Date _____