



Muslim Girls Grammar School

Complaints and Grievance

Policy & Procedures

Version 2, 2021

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1. Introduction

MUSLIM GIRLS GRAMMAR SCHOOL (MGGS) is committed to providing a safe and supportive working and learning environment for all members of the school community. To achieve this the school fosters trusting and cooperative relationships where regular, open and constructive communication between all stakeholders is encouraged. The school acknowledges that misunderstandings and differences of opinion may occur from time to time and that these need to be resolved in a satisfactory manner for all parties.

MGGS has developed a framework for resolving parent, guardian (parent) or student complaints and grievance (complaints) in a dignified and respectful manner.

MUSLIM GIRLS GRAMMAR SCHOOLS' approach to handling complaints is based on the school's intention:

- To provide a safe and supportive learning environment.
- To build positive and genuine relationships between students, parents, and staff.
- To provide a safe working environment for all staff.
- To resolve complaints fairly, efficiently, promptly and in accordance with NESAs guidelines.

MGGS is committed to resolving all complaints promptly at a school level, in a non-judgmental manner where parents and students are treated fairly and given ample opportunity to present their views.

2. Purpose

The purpose of the school's Complaints & Grievances Policy is to

establish clear guidelines for responding to and resolving concerns raised by parents, caregivers, or students. The policy ensures that:

The school meets its obligation to respond to parent, caregiver, or students' complaints in a fair, effective, and efficient manner.

Parents, caregivers, and students are informed of how they may raise their concerns or complaint with the school.

A formal and transparent process for resolving complaints is maintained and communicated to all members of the school community. This policy does not apply to critical incidents, emergency management, criminal offences.

3. Scope

The policy applies to any member of the school community who has concerns or feels dissatisfied with the treatment of their child, educational outcomes or pastoral care provided by MGGs at any time.

This policy does not apply to allegations of Reportable Conduct which are dealt with by the "Child Protection Policy".

4. Key Definitions:

Complaint: An expression of dissatisfaction with action taken, decisions made, services provided, or failure to provide a service, take action or make a decision.

Complainant: Parent or caregiver who formally expresses dissatisfaction with the school over action taken, decisions made, or services provided, or failure to provide a service, take action or make a decision.

Grievance: A real or believed complaint over something believed to be wrong or unfair.

Expressions of Concern: A concern refers to the inquiry or opinion expressed by the stakeholders for the interests of themselves, their children or the school, with a view to changing or improving the existing situation.

Parent: A 'parent' includes:

- Any person who has parental responsibility for 'major long-term issues' as defined in the Family Law Act 1975 (Commonwealth).
- Any person appointed as 'guardian' pursuant to the *Guardianship Act 1987 No257*
- An informal carer with whom the child normally or regularly resides, and who has day-to-day care and control of the child.

Resolved: A complaint is considered to be 'resolved' when the complaint and the school agree on an appropriate response or course of action.

Unresolved: A complaint is considered 'unresolved' when an agreement cannot be reached on an appropriate response or course of action to be taken.

5. Guiding Principles

Visibility / Accessibility:

Information about how and where to make a complaint, as well as how they will be handled, will be regularly communicated to the school community. This policy will be made publicly available via the school website. The complaint-handling process is flexible and includes the ability to make a complaint in person, via email, by phone or in writing. Support will also be provided to parents with special needs, including translations, interpreters and enabling a parent to seek the services of an advocate.

Responsiveness:

Receipt of a written complaint or email will be promptly acknowledged by a member of the school. Dependent on the grievance or complaint this may be by a member of staff the Leadership Team or the Principal. Complaints will be addressed promptly with parents kept informed on the progress of their complaint.

Objectivity:

Each complaint will be treated in an equitable, objective, and unbiased manner.

Cost:

There will be no cost to the parent for access to the complaint-handling process at the School.

Protection of Privacy:

Personally, identifiable information concerning the parent will be actively protected from disclosure except where needed in relation to the complaint. This means that the complaint will only be discussed with those directly involved in the complaint- handling process.

Student Focused:

The School will remain open to feedback including complaints and will demonstrate a commitment to resolving complaints with the educational wellbeing of students as the first priority.

Accountability:

Schools are accountable, both internally and externally, for their decision making and complaint management performance. The school will provide explanations and reasons for decisions made and provide these to relevant stakeholders as required.

6. Policy

This policy applies to concerns, complaints and grievances made by a student or parent/caregiver excluding complaints and/or grievances among employees which are addressed by the Workplace Complaints Policy.

6.1 Complaints and grievances are to be resolved preferably informally at the most immediate, personal level possible, that is, directly between the individuals who are party to the grievance. Any complaint about the conduct of a staff member should be raised directly with the Principal in the first instance.

6.2 When a grievance is labeled a formal complaint or

communicated initially to the Principal, in ordinary circumstances it will be referred to an appropriate member of staff to facilitate an investigation and resolution in the spirit of the above policy and procedures.

6.2.1 The School will acknowledge receipt of a formal complaint in writings soon as practicable.

6.3 The Principal and/or delegate generally will assess the complaint and determine:

- whether the complaint is one to be addressed under this policy or is a staff grievance or reportable conduct matter which are dealt with by other relevant policies; and
- the priority of the complaint in accordance with the urgency and/or seriousness of the matter raised; and
- whether the school may be required to report the matter to the Ombudsman, Police, Family and Community Services or other relevant authorities should the complaint relate to possible unlawful conduct or other reportable matters.

6.4 The Principal and/or delegate generally will manage a formal complaint by:

- a) Advising the complainant of the likely steps that will be undertaken by the School in relation to the complaint.
- b) If appropriate, advising the relevant parties of the complaint at the relevant time and providing them with an opportunity to respond.
- c) Collecting any additional information the School considers necessary to assess the complaint;
- d) Making a decision about how the complaint will be resolved; and
- e) Advising the complainant in writing, and any other relevant parties as appropriate, of the resolution decision and if appropriate, any proposed action, and the appeals process.

6.5 Typically, the Principal will delegate the initial investigation of any complaint/grievance.

6.6 A complainant and the relevant parties that the complaint is about are to be advised that they may have an appropriate support person at any meeting with any representative of the School about the complaint/grievance. However, the School maintains the right to determine whether the person's preferred support person is appropriate and may not approve the attendance of a support person where they are determined by the School to be inappropriate.

- 6.7 There may be some circumstances where some steps outlined in this policy and procedure are not appropriate and the School will determine, on a case by case basis, the most appropriate method of handling each complaint/ grievance.
- 6.8 The following are the steps for raising a concern, complaint and/or grievances, ('grievances') and the investigation, resolution and appeals process. For more detail, please refer to Appendices 1-4.
- 6.8.1 The aggrieved person should speak to the party who is the subject of the grievance, for example if a parent has a grievance with a teacher, the parent should first seek to speak to the teacher privately; likewise, if it is a student who has a grievance against a teacher, it would be appropriate for the student's parents to speak on the student's behalf.
- 6.8.2 If the grievance cannot be resolved privately or if the aggrieved person is uncomfortable acting on their own, another appropriate person (e.g., staff member, parent) should be invited to assist in presenting the grievance. The School Counsellor may be invited to act as a support person or mediator.
- 6.8.3 If the grievance cannot be resolved in this manner, a member of the School Executive Team should be approached for their assistance and a meeting should be set up, with the member of the School Executive Team acting as mediator.
- 6.8.4 If the grievance cannot be resolved at this level, the Principal should be informed in writing and the Principal will establish an appropriate person(s) to work with the

complainant and investigate the grievance seeking a satisfactory resolution for all parties.

6.8.5 If a grievance is against the Principal and if it cannot be resolved at the local level, the aggrieved person should contact the Chair of the School Board.

- 6.9 In relation to managing grievances regarding discrimination, harassment or bullying, the School in assessing the grievance will refer to the School Bullying and Harassment Policy, and Staff Code of Conduct Policy.
- 6.10 If a parent or student has a concern about the conduct of a staff member, they should raise the concern with the School in accordance with Section 6 of this policy. If a complaint that concerns the behaviour of a staff member constitutes reportable conduct, the matter will be addressed in accordance with the School's Child Protection Policy. Any concern about a student wellbeing may be reported to the appropriate authorities under this policy as governed by State and Commonwealth Law.
- 6.11 This policy is not applicable to the handling of the following types of grievances:
- Complaints related to ongoing legal proceedings or under the jurisdiction of other organisations/government departments or governed by other statutory regulations such as complaints against corruption, fraud or theft.
 - Anonymous complaints or complaints not made by the person concerned unless when there is sufficient evidence or when the case is serious or urgent or having obtained the persons written consent.
 - Complaints involving incidents that happened more than one year ago or complaints with insufficient information.

6.12 The School is aware that complaints/grievances may be a cause of anxiety and will offer support to those involved such as the School Counselling and is committed to resolving concerns, complaints and grievances in a manner that values and respects the dignity of the individual.

7. Lodging a Complaint or Grievance

Complaints & grievances can be made via the School's *Formal Complaints Form* which can be accessed from the school office on request or online via the school's website. See Appendix 4

MGGs will not tolerate parents who approach children from other families with a school related complaint. In the interests of safety and respect for all within the school community, parents must bring their concerns or complaints to the relevant Staff Member, or the Principal to ensure that an appropriate resolution can be achieved.

Initial Response to Complaints:

The School will make all reasonable efforts to promptly respond and resolve complaints made by any member of the school community.

Upon receipt of a complaint of a serious nature (those that require intervention or investigation), the school will:

- Promptly acknowledge receipt of the concern or complaint either in writing or via email.
- Establish a clear timeline for investigating and responding to the complaint and commit to adhering to this timeline.
- Provide the complainant with a copy of the school's Complaints & Grievances Policy in order to establish clear expectations.

This may also be accessed via the school's website.

Upon receipt of a concern or complaint of a less serious nature (those anticipated not to require intervention or investigation) the school will:

- Acknowledge receipt of the concern or complaint verbally and will commit to providing a prompt response to the complainant with possible resolutions.

Addressing Complaints:

The School may choose to consider either an informal or more formal approach to addressing complaints. The school will generally, in the first instance, choose an informal approach as it may prevent the escalation of a minor dispute to a more serious complaint.

Informal Options:

The following informal options could be considered:

- **Self-resolution** – The parties themselves may resolve concerns in open discussion with the provision of relevant information or the clarification of issues. This option involves reflection and conversations respectful of each person's needs in the school.
- **Supported self-resolution** – The parties may be assisted to resolve a possible misunderstanding, miscommunication, or lack of clarity about the issue in question by a support person such as the Principal, a member of the Leadership Team, a colleague, or counsellor providing professional advice or support.

Formal Options:

In circumstances where no mutually acceptable resolution to the matter is reached through informal resolution, or in cases where the matter is considered to be serious, formal procedures can include:

- Intervention – The principal may meet with the party, or parties separately or jointly. If this does not resolve the issue, then the principal makes a decision and notifies the parties of that decision.
- Facilitated mediation – The parties may be assisted by a facilitator who is trained in mediation to identify issues, explore options, and consider alternatives to find a resolution. The facilitator may be an external mediator, the principal, a member of the Leadership Team or a counsellor.
- Investigation – A complaint about a person concerning an alleged serious breach of legislation, school policy or procedure (e.g., student bullying, student drug and alcohol issues) may require an investigation.

Complaint Escalation:

If a matter cannot be resolved at the school level through formal or informal options, or if the complaint is about the principal of the school, the complainant may be referred to the School Board.

Compliant Resolution:

Where a concern or complaint is substantiated in whole or part and a resolution has been agreed upon, the school will offer an appropriate response. This may include, but not be limited the following:

- An explanation or further information about the issue;
- Mediation, counselling or other support;
- An apology, expression of regret or admission of fault;
- To change its decision;
- To change its policies, procedures or practices;
- To cancel a debt (such as for school payments);
- A fee refund.

Complaints Against Teachers & Staff Members:

The nature of the complaint will determine who is the most appropriate person or body to manage a complainant's concerns.

Misconduct:

All complaints of alleged misconduct or serious misconduct by a teacher or staff member should be reported to the Principal of the school. In some cases, certain actions which involve physical or emotional misconduct, such as unlawful assault or threats to the person, may constitute a criminal offence. These types of offences should be reported to and investigated by the police. Initial consultation with the principal of the school may help to determine the appropriate course of action in these circumstances.

Child Abuse (Including Sexual Offences)

There are legal obligations on all adults to report child abuse to police once a 'reasonable belief' is formed that a sexual offence has been committed against a child. Failure to disclose a sexual offence against a child is a criminal offence and applies to all adults (18 years and over) in NSW.

The school also has a statutory duty to inform the Ombudsman, under *Ombudsman Act 1998, Children and Young Persons (care and Protection) Act 1998*, of any alleged misconduct committed by a staff member or volunteer.

Complaints involving communication with children under 16 years by teachers, staff, or any other person to prepare or 'groom' a child for future sexual activity is a criminal offence under Acts noted above and must be reported to the police. The offence of grooming applies to any person aged 18 years or over and does not apply to communication between people who are both under 18 years of age.

Complaints Against the School Principal:

In the case of complaints involving the principal, the School Board Chairperson should be informed immediately.

8. Student Complaints and Grievances

From time to time, students may raise concerns, complaints or grievances about matters or issues relating to their experiences. When there is a concern made by a student regarding a staff member, the school will endeavour to ensure that the complaint is managed and resolved fairly and efficiently.

The student grievance resolution procedures of the school are based on the following principles:

- That the procedures used to review and resolve complaints or grievances are fair and must be seen to be fair.
- Confidentiality will be respected for all parties, unless the use of the information is authorised by law.
- That staff involved in resolving complaints or grievances will act fairly at all times and ensure that conclusions will be based on a fair hearing of each point of view.
- There will be no reprisals or any disadvantage arising as a result of a student making a complaint or grievance in good faith.
- That complaints or grievances are handled in a timely manner with achievable deadlines specified for each stage in the resolution process.
- Any student who makes a complaint or grievance and any staff member or student on whom the complaint or grievance has a direct impact, is regularly informed of the progress of the matter.
- Where the complainant is not satisfied with the outcome proposed by the decision-maker, the student is entitled to seek a review, either on procedural or substantive grounds, from the School Board.

Handling and resolution of complaints and grievances - Informal approach

When a student has a complaint about any of the matter, he or she should first discuss the matter with the person concerned.

If the student has concerns about raising the matter with this person, then he or she should discuss it with the subject Coordinator or with the Principal.

The appropriate adult will act as a facilitator between staff member and student. An informal meeting will be held so that the student can talk about her issue. Any misunderstanding can be rectified at this point.

Formal Process for Resolution

If the informal approach to dealing with the student's concerns does not lead to an acceptable resolution, then the student should pursue the more formal process for resolution of the matter as set out below.

A student who believes that his or her complaint has not been adequately addressed is strongly advised to seek information and advice from the School Principal.

Having taken this advice, the student may then decide to:

- Take no further action, or;
- Lodge a formal grievance form

If the student wishes to pursue a formal complaint, the flow chart in Appendix 4 will be used to move towards an appropriate resolution.

Withdrawal of complaints or grievances

A student may withdraw a complaint or grievance at any time during the grievance resolution process and in this case the matter will be concluded and deemed to be resolved. If the original complaint or grievance was made in writing, then the withdrawal must also be in writing.

9. Procedures

Appendix I: Concerns, Complaints and Grievances and Principles for Handling Concerns, Complaints and Grievances

1. Expressions of Concern

- a) A concern refers to the inquiry or opinion expressed by the stakeholders for the interests of themselves, their children, or the school, with a view to changing or improving the existing situation.
- b) An expression of concern relates to relatively minor matters and may be expressed orally or in writing and may or may not be formally investigated and reported. If an investigation is made, a full and adequate file will be kept, and a record made of action taken.
- c) Expressions of concern may be made to any staff member, or the Director Curriculum, Welfare Coordinator, the Principal or (in cases involving the Principal) to a member of the Board, specifically the Board Chairperson.
- d) The Principal will be informed of any expressions of concern.
- e) The Principal, having been informed of an expression of concern, shall decide if the matter warrants investigation as a complaint.
- f) If the Principal determines the concerns warrants an investigation, the people involved will be interviewed and the staff member handling will report back to the complainant. There will be occasions when the person handling the expression of concern will be able to advise the complainant of the facts at the outset.
- g) If a concern is expressed to a Board member in the first instance, the person with the concern should be strongly encouraged to take the

concern to the Principal or appropriate member of staff. When the concern is more serious, the Board member will record it in writing, date and sign it and hand it to the Principal.

h) A full and adequate file shall be kept on action taken about an expression of concern, where that concern has resulted in an investigation. Such file should be kept on the student, staff, or other relevant file and no records relating to the concern should be kept in any other place.

2. Complaints and Grievances

- a) A complaint is an expression of disappointment, dissatisfaction or grievance expressed by the complainant. They may demand the school to rectify its mistakes, take disciplinary action against the suspected offenders, or resolve the issue(s) raised in the complaint. Complaints can be further classified into informal complaints and formal complaints.
- b) A complaint relates to more serious matters and **must** be put in writing.
- c) Where the person raising the issue refers, in writing, to it as a **complaint**, then the matter shall be treated as a complaint.
- d) Complaints should be made in writing to **the Principal** or (in cases involving the Principal) to the **Board Chairperson**.
- e) The Principal will establish a committee formed of the Deputy Principal and an Assistant Principal and/or any other appropriate staff or expert if necessary. The committee will investigate the complaint and report to the Principal who will report to the original complainant. The complaint, investigation and actions/resolutions are to be filed in a 'Complaints' file with the Principal.
- f) If the complainant is not satisfied with the handling of a complaint, the complainant(s) should put the matter in writing to the Chairperson of the Board.
- g) All complaints will be investigated as speedily as possible.
- h) A full and adequate file shall be kept on the investigation of a complaint. Such a file should be kept on the student or staff concerned and/or on the complaint itself. Complaint documents will be filed in the

Complaints file and a copy in the staff and/or student file.

i) All people referred to in the file shall know where such files are kept and that access to the file is in accord with the School Privacy Policy.

j) Where appropriate, outside mediation may be sought.

k) In dealing with any complaint involving an employee the School will act in accordance with the relevant conditions of the current employment contract(s), and relevant MEA (Employment Award).

3. Principles for Handling Concerns, Complaints and Grievances

Principle 1: Handling of complaints by the appropriate party/parties.

The School will handle those grievances relating to their daily operations and internal affairs.

Principle 2: Timely and efficient handling.

The School will handle and respond to all verbal or written grievances as soon as possible to prevent escalation. Upon receipt of a grievance the aggrieved person should speak to the party who is the subject of the grievance and then if unresolved, referred as appropriate to more senior staff.

Principle 3: Clear and transparent mechanism.

The School will follow a clear and effective mechanism as well as procedures for speedy and proper handling of grievances. This Policy, guideline and procedures identifies the process and staff responsible for handling grievances.

Principle 4: Fair and impartial handling

The School approaches grievances positively and treats the grievances and respondents of the grievance fairly. The School ensures that sufficient appeal channels are provided and may consider inviting independent persons to participate in the grievance/appeal handling process. Before an investigation begins or where appropriate, the designated staff and related individuals should declare interests. If there is any conflict of interest, the persons concerned should not be involved in handling the case or have access to information relating to it. To avoid conflict of interest, any staff member who is the respondent of the grievance should not be involved in handling the case, supervising the investigation, or signing and issuing letters to the complainant.

Muslim Girls Grammar School recognises the rights of the complainants or other persons involved in the grievance and assures that future communication and contact with the School would not be affected.

Appendix 2: Handling Anonymous Complaints/Grievances

Muslim Girls Grammar School will not consider seriously any anonymous complaint/ grievance. Under special circumstances, when the complaint seems real or the situation it presents is serious, then the complaint will be investigated.

Whether the complaint/grievance is made in written form or in person, the complainant should provide his/her name, correspondence/e-mail address and/or contact phone number. If in doubt, the school may request the complainant to show his/her identity documents. Should the complainant fail or refuse to provide these personal details, thus rendering it impossible for the school to investigate the grievance and reply in writing, the grievance will be deemed anonymous, and the school may not handle it.

However, under special circumstances (e.g., when there is sufficient evidence or when the case is serious or urgent), the senior management of the school may decide whether to follow up with an anonymous grievance, such as treating it as an internal reference, informing the respondent about the grievance or taking appropriate remedial and improvement measures. If follow-up actions are considered unnecessary, the school will briefly state the reasons and put on file for record.

Appendix 2: Formal Complaints/Grievances Procedures

1.1 Identifying the area under which the Complaint/Grievance applies

Area	Examples
Management and Organisation	<ul style="list-style-type: none"> • School accounts (e.g., accounting records) • Other charges (e.g., extra-curricular activities charges and registration fees) • School policies (e.g., system of reward and penalty, arrangements regarding students' suspension from school) • Standards of contractors' services (e.g., school bus services, supply of meal boxes) • Service contracts (e.g., tendering procedures) • School environment and hygiene (e.g., noise pollution, mosquitoes problems)
Teaching and Learning	<ul style="list-style-type: none"> • School-based curriculum (e.g., subject lesson time) • Selection of subjects and class allocation (e.g., arrangements for students' choice of subjects) • Homework (e.g., amount of homework, school-based assessment criteria) • Students' assessment (e.g., assessment criteria) • Staff performance (e.g., behaviour/attitudes of teaching staff, job performance)
School Ethos and Student Support	<ul style="list-style-type: none"> • School ethos (e.g., uniform and other aspects of appearance) • Home-school cooperation (e.g., consultation mechanism, communication channels) • Student support (e.g., support for students with special educational needs) • Extra-curricular activities (e.g., arrangements for interest groups and other student activities)
Student Performance	<ul style="list-style-type: none"> • Students' overall performance (e.g., academic results, conduct) • Student discipline (e.g., foul and abusive language, smoking, fighting, bullying)

1.2 Designated Staff for Handling Formal Complaints/Grievances Including Appeals

Taking into account the nature of the complaint, its scope and the people involved, the Principal may assign a designated staff or set up a task force to handle the complaint with reference to the following arrangements:

- 1.2.1** Staff members who are responsible for the appeal stage should be different from those responsible for the investigation stage. In principle, the staff dealing with the appeal should be of a higher rank than those responsible for the investigation. If this is not practicable, the school would make other arrangements, such as appointing staff from another department, to ensure fair handling.
- 1.2.2** Where necessary, the school may establish a committee to handle special complaint cases. To enhance credibility of the committee, the school may invite independent persons such as social workers, lawyers, and parents or teacher not involved in the case to join the committee to provide professional advice and support.
- 1.2.3** The appointed staff should be proactive in communicating with the inquiries/complainants, and prompt in providing responses as well as the information they need. The school will also ensure that frontline/ designated staff have proper authorization and clearly understand their roles and responsibilities.

1.3 Investigation Stage

Any formal complaints should be handled according to the following procedures:

- 1.3.1** The **Principal** will be responsible for assigning appropriate staff to investigate the grievance and reply to the complainant in accordance with the situation and after declaration of interest.
- 1.3.2** Acknowledge receipt of the grievance, seek the complainant's consent to obtain his/her personal data and information relating to the grievance,

and inform him/her of the name, post title and phone number of the staff responsible for handling the case for contact purposes. Sample Acknowledgement Letter is provided in Appendix 6.

- 1.3.3 If necessary, contact the complainant and other persons involved or arrange meetings with them in order to have a better grasp of the situation or request them to provide relevant information.
- 1.3.4 Handle the grievance as quickly as possible (It is suggested that the investigation should be completed within two working weeks after receiving the grievance) and send a written reply to inform the complainant of the investigation result.
- 1.3.5 If the complainant accepts the investigation result, conclude the case officially in writing; and
- 1.3.6 If the complainant does not accept the investigation result or the way the school handled the grievance and is able to provide new evidence or sufficient justification, he/she may lodge an appeal in writing against the school's decision **within 14 working days from the date of its reply** addressed to the Principal or the Chairperson of the Board, depending on the designation.
- 1.3.7 All documentation is to be kept on the staff, student and School Concerns, Complaints Grievances File.

1.4 Responding to Complaints/Grievance and Appeals

If the complaint or appeal is in written form, the school will respond with a written reply. If the complaint is made verbally, the responsible staff will respond orally and follow up in writing. If the case is referred by other organisation(s), a copy of the written reply should be forwarded to them for reference.

Generally speaking, the time limit for replying to a complaint/appeal should start from the date on which it is received or when the complainant agrees to let the school have access to his/her personal data. If the information submitted is incomplete, the time limit should start from the date on which

the school receives from the complainant the necessary information. If a reply cannot be given within the specified period, the school will explain to the complainant in writing why a longer handling time is needed.

1.5 Complaint handling response time

1. The School will acknowledge all complaints received in writing within **48-hours or two (2) school day** of receiving the complaint.
2. Where the grievance or complaint requires an investigation, the school will endeavour to inform the complainant of its findings **within 14 days** of receiving the grievance/complaint.
3. Where the complaint is serious in nature as to require further investigation or as a result of the absence of key individuals or material central to the investigation, the School may require an **additional 14 days** to complete its findings. The school will advise the complainant of any delays to its response to the complaint or grievance.

1.6 Appeal Stage

Procedures for appeals are as follows:

- 1.6.1** The Principal will be responsible for assigning appropriate staff of higher rank than those responsible for the investigation stage, or staff from a different section, to handle the appeal and reply to the complainant in accordance with the situation and after declaration of interest.
- 1.6.2** Handle and resolve the appeal as quickly as possible (**within 14 days after receiving the request for appeal**) and send a written reply to inform the complainant of the appeal result.
- 1.6.3** If the complainant accepts the appeal result, conclude the case officially in writing.
- 1.6.4** If the complainant does not accept the appeal result or the way the school handled the appeal, the school should cautiously review the appeal process to ensure that proper procedures have been followed.

1.6.5 If the complainant raises other new allegations, the school will handle them separately in order to avoid mixing up the old complaints with the new ones.

1.6.6 All documentation is to be kept on the staff, student and SchoolConcerns, Complaints Grievances File.

1.7 *Complaint/Grievance and Appeal Records*

The school will keep a clear record of complaint/grievance investigation procedures. A sample complaint record is given in Appendix 7. The School will establish a complaint record management system to store relevant information (including correspondences, investigation reports and interview records), and keep statistics of concerns, complaints and grievances and appeals lodged through either the informal or formal handling procedures for future reference.

1.8 *Appropriate Follow-up at the End of an Investigation/Appeal*

At the end of the investigation/appeal stage, there should be a review concerning whether the complaint/grievance handling policies and procedures are appropriate and suggest proper measures to improve the method of handling and to prevent similar incidents from recurring. The staff in charge should inform the person(s) concerned of the school's follow-up actions and outcome of the review.

1.9 *Confidentiality*

1.9.1 All content and information of complaints should be kept strictly confidential and restricted to internal reference or reference by relevant persons only.

1.9.2 When personal data are to be collected or requests for disclosure of data/records are received during the handling process in respect of the complainant's case, the regulations and recommendations laid down in the Privacy Policy are to be observed. This includes clearly stating the purpose and the form of collection of personal data, and that the data

will only be used for handling the complaint/grievance or appeal.

- 1.9.3** Appropriate security measures are to be adopted to protect personal data and privacy in accordance with the School Privacy Policy and Information Security Policy, such as keeping the data in safe places (e.g., cabinets under lock and key) and computer data protected by passwords and access rights.
- 1.9.4** Only authorised persons are allowed access to information relating to the case. The responsible persons should not disclose or discuss in public any contents or information relating to the case without authorisation.
- 1.9.5** To avoid misunderstanding, the following measures are to be applied:
- 1.9.5.1 State clearly whether the person(s) concerned can be accompanied by others (e.g., relatives, legal representatives) during the interview/meeting and reiterate this stance before the interview/meeting starts; and
 - 1.9.5.2 Indicate before the interview/meeting starts whether audio/video recording is prohibited or whether the consent of all attendees must be obtained if the session is to be audio/video recorded. This stance is to be reiterated before the end of the interview/meeting.

1.10 Complainants who may behave Unreasonably

Appropriate communication and mediation are conducive to removing misunderstanding and enhancing mutual trust. Under general circumstances, there should not be any restrictions to stop complainants from contacting the school. However, sometimes certain unreasonable behaviour of complainants may have a negative impact on the school, e.g., draining a considerable amount of the school's human resources, interrupting the school's operations or services, as well as threatening the safety of staff and other stakeholders.

1.10.1 Definition of Unreasonable Behaviour

Complainants' unreasonable behaviour can generally be classified into the following three types:

1.10.1.1 Unreasonable attitude or behaviour, such as:

- Acts of violence or intimidation
- Making complaints with abusive language or in an insulting and discriminatory tone
- Providing false data or deliberately concealing facts

1.10.1.2 Unreasonable demands, such as:

- Requesting a huge amount of information or demanding special treatment.
- Making telephone calls incessantly to ask for a dialogue or an interview, or to command a certain staff member to reply.
- Commanding a certain staff member to meet at a specific time and place.

1.10.1.3 Unreasonable persistent complaints, such as:

- Insisting on rejecting the explanations and findings of the school, and/or requiring the school to discipline certain person(s), even after appropriate investigation procedures have been taken.
- In respect of the same case, repeatedly making the same complaints or presenting similar justifications as before without providing any new evidence.
- In respect of the same case, persistently bringing in new allegations or new complaint targets, but failing to present concrete evidence.
- Interpreting things in an unreasonable or irrational manner, or wrangling over trivial details

1.10.2 Strategies for Handling Unreasonable Behaviour of Complainants

1.10.2.1 Unreasonable Attitude or Behaviour

- Any unreasonable attitude or behaviour, including acts of violence, intimidation, and abusive/offensive conduct or language, whether performed face-to-face, by phone, or in writing are unacceptable. The staff member handling the complaint should convey this message clearly to the complainant and demand that he/she stop acting in such a way. If the complainant refuses to comply after the warning, the staff member may terminate the meeting or conversation with him/her.
- The staff responsible for handling complaints should stay alert and take suitable action to protect their own safety. They are empowered to make decision, depending on the situation, on whether to terminate the interview or dialogue with the complainant and ask the complainant to leave, if his/her behaviour poses an immediate threat to the staff's personal safety or damages their personal interests. In an emergency or if it is deemed necessary, the school should take appropriate and decisive action, such as reporting to the police or taking legal action.

1.10.2.2 Unreasonable Demands

- If a complainant makes unreasonable demands which have an adverse impact on the school, e.g., interrupting its operation/services or other stakeholders are affected by the unreasonable behaviour of the complainant, the school may consider putting restrictions on the complainant's contacts with the school. Including specifying the time, frequency, date,

duration and modes of communication (for example, requiring the complainant to make an appointment before visiting the school, submit his/her views in writing, or contact only with the staff designated by the school). The school must notify the complainant in writing of such arrangements and handling procedures.

- If the complainant's behaviour improves, the school may consider whether the restrictions should be lifted. If the school decides to keep the restrictions, it should regularly review the conditions for imposing them.

1.10.2.3 Unreasonable Persistent Complaints

- Faced with these complaints, the school may decide whether to restrict or stop contacts with the complainant, and cease handling the case altogether.
- To avoid any unrealistic expectations on the part of the complainant, the school should communicate to him/her in a firm manner that a final decision has been made regarding the case and that the decision is irreversible.
- In response to these complaints, the school may send a "Case Closure Letter" to the complainant, referring him/her to the replies previously given, and reiterate that the school will neither respond to the same complaint nor contact him/her again. Please see Appendix 7 for a sample "Case Closure Letter".

1.9.3 Designated Staff to Deal with Complainants Involving Unreasonable Behaviour

When a complainant stages unreasonable behaviour as described above, the staff member responsible for handling the case should report it to a staff member of higher rank.

Generally speaking, the Principal is responsible for making decisions on how to deal

with a grievance involving complainants' unreasonable behaviour.

However, if the complaint is lodged against the Principal, such decisions should be made by the Chair of the Board.

Appendix 3: Complaints and Allegations of Staff Misconduct or Reportable Conduct

Complaints and allegations of staff misconduct and/or reportable conduct are managed by the School in a different manner to other complaints. This is because the School has legal obligations to report certain staff conduct to external authorities. Staff misconduct is a broad term that could include breaches of professional boundaries, codes of conduct or standards of behaviour, whereas reportable conduct under Section 25A of the Ombudsman Act is defined reportable in law as including:

- any sexual offence or sexual misconduct, committed against, with or in the presence of a child (including child pornography offences, sexual touching or an offence involving child abuse material) including grooming behaviours.
- any assault, ill-treatment, or neglect of a child
- any behaviour that causes psychological harm to a child (whether or not, in any case, with the consent of the child).

1. Making a Complaint or Allegation of Staff Misconduct or Reportable Conduct – procedure

If you would like to make a formal complaint or allegation of staff misconduct or reportable conduct, you can do so by:

1. Sending an email to the Principal.
2. Writing a letter to the School addressed to the Principal.
3. Telephoning the School and asking to speak to the Principal.

If the Principal is the subject of your complaint or allegation of misconduct or reportable conduct, please contact the School Deputy Principal who will immediately report to the Chair of the School Board.

2. Investigating and Managing Staff Misconduct and Reportable Conduct

The School initially investigates all complaints and allegations to determine whether the conduct in question amounts to staff misconduct, as defined in the school's Child Protection Policy 2021, or reportable conduct that must be further investigated and reported to the Office of Children's Guardian. All investigations uphold the principles of procedural fairness and confidentiality – information is only shared with those who need to know. The School closely follows the Office of the Children's Guardian guidance on this issue provided in the [Recognising and managing conflicts of interest fact sheet](#).

3. Staff Misconduct

When a complaint or allegation does not include conduct that is defined as reportable conduct following the School's initial investigation, and it is determined through the School's investigation that staff misconduct has occurred, the School will notify the complainant of the finding and corrective actions that will be taken.

4. Reportable Conduct

When a complaint or allegation does include conduct that is defined as reportable conduct following the School's initial investigation, the School is required by law to report the allegation to the Office of the Children's Guardian within seven (7) business days after becoming aware of the allegation or conviction. The School also will conduct an initial risk assessment before notifying the Office of the Children's Guardian to provide information about how risks are being managed.

The School will conduct an internal investigation, led by the Principal or an accredited investigator and provide a finalised report or an interim report on the status of the investigation to the Office of the Children's Guardian within 30 calendar days. When conducting an internal investigation, the School follows the NSW Reportable Conduct Scheme's [Practice Guide: Planning and Conducting an Investigation](#).

In cases where a child is at immediate risk of serious harm, the School has a duty to take prompt and decisive action to manage those risks. That may mean taking

immediate steps to cease and prevent further contact between the staff member and the child who is the alleged victim of reportable conduct or any other children. It may also involve securing forensic evidence.

If a reportable allegation requires a report to Police, this will be the first step taken after addressing any significant risk to children or the investigation. If Police are conducting inquiries, the School will consult with the police officer in charge about any proposed action, including risk management action.

If a mandatory reporter has reasonable grounds to suspect that a child or children are at risk of significant harm, the School must immediately make a mandatory report to the Child Protection Helpline of the Department of Communities and Justice (DCJ).

After making any mandatory reports to Police and DCJ, if the allegation constitutes a reportable allegation, the School is required to notify the Office of the Children's Guardian within 7 business days of becoming aware of the reportable allegation.

5. Risk management following a reportable allegation

The School is responsible for ensuring that any risk a to a child(ren) is assessed and managed while responding to reportable allegations. This process includes:

- an initial risk assessment on receipt of a reportable allegation based on all relevant information known at that time;
- the risk assessment will be revisited and where appropriate adjusted during the investigation, as new information becomes known; and
- a final risk assessment will be undertaken at the end of the investigation.

When conducting the risk management, the School follows the NSW Reportable Conduct Scheme's guidance provided in the [Risk management following a reportable allegation fact sheet](#).

6. Making a Finding of Reportable Conduct

The investigation process aims to gather and examine information to establish facts and make findings in relation to reportable allegations. Regardless of the findings about the reportable allegation, the School is required to advise the Office of the Children's Guardian of the final actions it has taken, or will take, as a result of the investigation and the reasons for taking that action (or taking no action). To this end, the School will clearly document the analysis of how the evidence supports

the findings and how the evidence has informed the final risk assessment and decision-making around action. When making a finding, the School must have regard to certain mandatory considerations outlined in the Act and the principles of procedural fairness.

Once the final decision is made, the staff member will be informed in writing. They will also be informed of any relevant consequences and of any internal review or appeal options available to them.

When making a finding, the School follows the NSW Reportable Conduct Scheme's guidance provided in the [Making a finding of reportable conduct fact sheet](#).

7. Disclosing Information to the School Community

A parent or carer has a legitimate interest in being told of the process that is being followed to investigate an allegation that their child was a victim of staff misconduct or reportable conduct.

Information can often be provided to the parent, carer, or child without the need to consider legal impediments to disclosure. However, legal impediments – real or feared – may discourage the timely and appropriate release of information, particularly in the case of reportable conduct allegations.

The School closely follows the Office of the Children's Guardian guidance on this issue provided in the [Disclosing information to children' parents and carers fact sheet](#).

Under section 57 of the Act, the School must disclose relevant information to:

- a child to whom the information relates,
- any parent of the child,
- if the child is in out-of-home care, any authorised carer of the child.

There are times when it may be appropriate to disclose information about the

internal investigation to one of these involved parties but not another, for example, to disclose information to the child's parent, but not the child.

The School is permitted to disclose the following information to involved parties:

- information about the progress of an investigation,
- the findings of the investigation,
- any action taken in response to those findings,

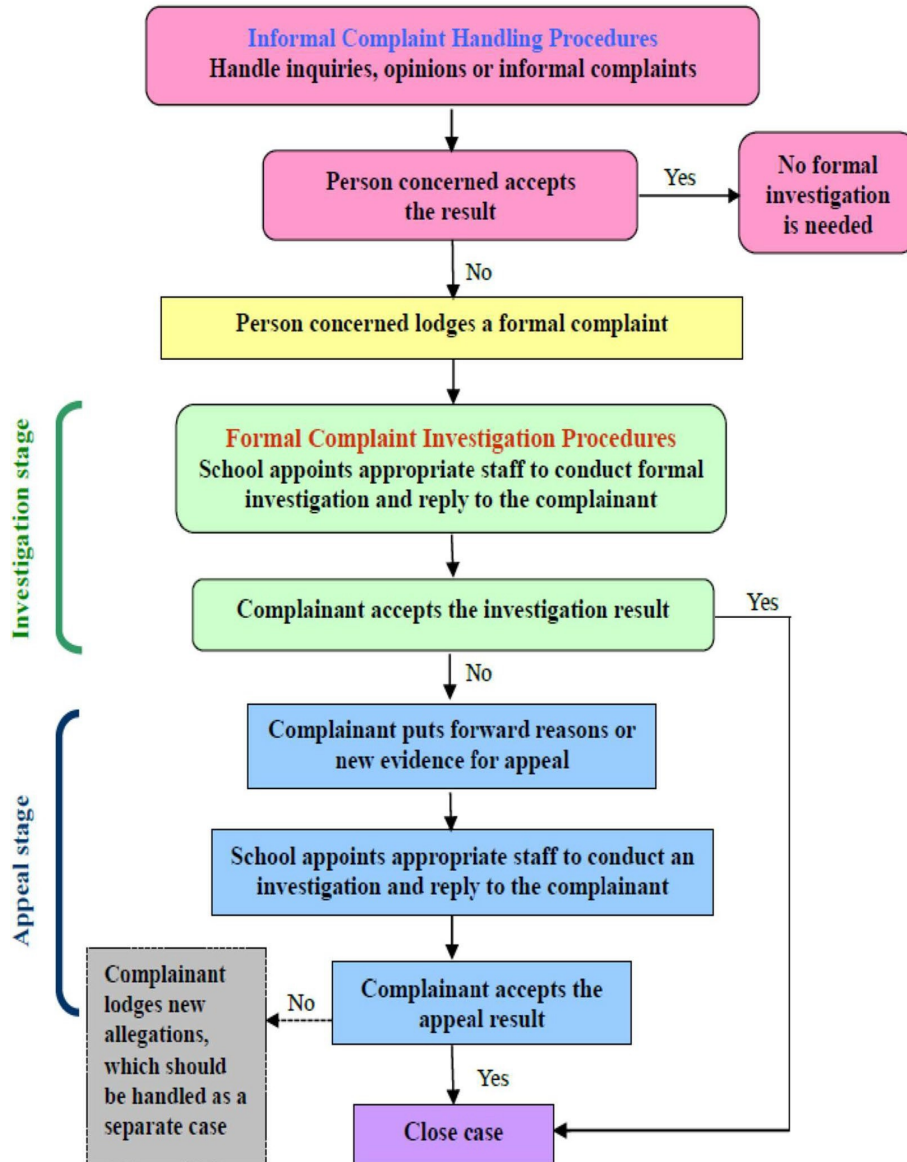
however, the School considers all the circumstances of the complaint/allegation and investigation when determining if information should be disclosed.

Reference

1. Recognising and managing conflicts of interest fact sheet. Retrieved from: https://www.kidsguardian.nsw.gov.au/ArticleDocuments/1021/Recognising_managing_conflicts_of_interest.pdf.aspx?Embed=Y
2. Practice Guide: Planning and Conducting an Investigation. Retrieved from: https://www.kidsguardian.nsw.gov.au/ArticleDocuments/1021/Planning_conducting_investigation.pdf.aspx?Embed=Y
3. Risk management following a reportable allegation fact sheet. Retrieved from https://www.kidsguardian.nsw.gov.au/ArticleDocuments/1021/Risk_management_following_allegation.pdf.aspx?Embed=Y
4. Making a finding of reportable conduct fact sheet. Retrieved from: https://www.kidsguardian.nsw.gov.au/ArticleDocuments/1021/Making_Finding_Reportable_Conduct.pdf.aspx?Embed=Y
5. Disclosing information to children's parents and carers fact sheet. Retrieved from: https://www.kidsguardian.nsw.gov.au/ArticleDocuments/1021/Disclosing_information_children_parents_carers.pdf.aspx?Embed=Y

Appendix 4: Flowchart - School Complaint Handling Procedures

Diagram 1: Flowchart of School Complaint Handling Procedures



Appendix 5: Formal Complaints Form

Formal Complaints Form

COMPLAINANT DETAILS				
Given Name:		Family Name:		
Address:				
Contact Number:		Email:		
Subject of the Complaint				
<input type="checkbox"/> School <input type="checkbox"/>	<input type="checkbox"/> Staff Member	<input type="checkbox"/> Student	<input type="checkbox"/> Policy / Procedure	
Other (please specify)				
Details of The Complaint				
(Please attached additional pages if space is insufficient.)				
Details of The Outcome You Are Seeking				
(Please attached additional pages if space is insufficient.)				
Have You Previously Raised This Concern with a Staff Member?				
<input type="radio"/> Yes If	<input type="radio"/> No	Yes, When?		
Who dealt with the matter?				
What was the result?				
Signature:		Date		
SCHOOL OFFICE USE: RECORD OF OUTCOMES				
<input type="checkbox"/> Self-Resolution	<input type="checkbox"/> Supported Self-Resolution	<input type="checkbox"/> Facilitated Mediation	<input type="checkbox"/> Intervention	<input type="checkbox"/> Investigation
Actions Taken to Resolve the Complaint				
Date the matter was finalised:				
Name of Staff Member:		Signature		

Appendix 6: Acknowledgement Letter from a Complainant

Acknowledgement Letter

Date:

Name of Complainant:

Address of Complainant:

Dear Mr./Ms. _____,

The School received your written/verbal* complaint on (date) . The case is being investigated and a reply will be sent to you within days/as soon as possible .

Any information provided including personal information will only be used for investigating the complaint by relevant parties as per the School complaint handling policy and procedures.

If you have any inquiries, please contact (_____ *) at (telephone number).

(Signature) _____ Name and post of the designated staff*

Appendix 7: Acknowledgement Letter from an Anonymous Complainant

Acknowledgement Letter

(date)

(Name of the complainant)

Dear Mr./Ms. _____,

The School received your written/verbal* complaint on _____ (date) _____. To facilitate our investigation and follow-up, please fill in the reply form attached and send it to us before _____ (date) _____.

It is School policy that a complainant should provide his/her name, correspondence/e-mail address and/or contact phone number to the school for an investigation to be processed. Should the complainant fail or refuse to provide these personal details, thus rendering it impossible for the school to investigate the complaint and reply in writing, the complaint will be deemed anonymous, and the school may not proceed.

You can trust that we will keep all the information provided by the complainants confidential as appropriate within the investigation team and there will be no harmful effect to you and the students involved. If you have any inquiries, please contact (_____ *) _____ at (telephone number) _____.

(Signature) _____ Name and post of the designated staff*

Appendix 8: Case Closure Letter to Complainant

(date)

(Name of the complainant)

Dear Mr./Ms. _____,

Dear Mr./Ms. _____,

The School received your letter dated _____ (date) _____.

The outcome on the relevant issue has been detailed in our reply/replies dated _____ (dates)

(and dates of other replies [if applicable]) and wish to inform you that the School _____
now formally brings to a close the issue raised.

We trust in your on-going support and wish you well. Sincerely,

(Signature)

Name and post of the School officer