

## Complaints Resolution Policy

### 1. Purpose

Firbank Grammar School recognizes the importance of fostering positive relationships with parents and families and developing strong school community partnerships. However, it also recognises that in all partnerships there will be times when there are disagreements and issues of concern that will need to be resolved.

This policy provides the overarching principles by which complaints from parents, students, members of the School community and external stakeholders will be dealt with.

### 2. Scope

This policy is applicable to:

- Students (ELC – 12)
- Staff
- Parents / Guardians
- Visitors / Volunteers / other members of the school community.

Separate policies apply to instances relating to employee workplace grievances, privacy and the protection of students and staff and does not apply to matters where there are existing rights and processes for review and appeal, such as matters relating to serious employee misconduct, student critical incidents and criminal activities, fraud and corruption, legal claims, expulsions, etc.

### 3. Relevant Legislation

- a. Public Interest Disclosures Act 2012 (Vic)
- b. Charter of Human Rights and Responsibilities Act 2006 (Vic)
- c. Privacy and Data Protection Act 2014 (Vic)
- d. Occupational Health & Safety Act
- e. Education and Training Reform Act 2006 (Vic.)
- f. Wrongs Act 1958 (Vic)
- g. Equal Opportunity Act 2010 (Vic)

### 4. Policy Outline

Firbank is committed to resolving complaints fairly, efficiently, promptly and in accordance with relevant legislation. All complaints and disputes are conducted using the schools Relationship Reparation framework to set the tone for respectful and meaningful resolutions of issues raised.

Firbank will:

- always consider their duty of care to the student or staff involved in the complaint
- ensure staff are advised about the complaint where appropriate

- develop and publish a complaints policy for their school which explains the processes at the school for raising concerns or complaints including:
  - who to contact to raise a concern or complaint at the school
  - actions upon receipt of a complaint
  - timeframes for acknowledgement and resolution of a complaint
  - potential outcomes
  - escalation process if mutually agreed resolution is not reached
- keep a written record of serious, substantial or unusual complaints that require resolution actions and document all steps taken to achieve agreement
- train school staff on the school's complaint-handling procedures and provide development opportunities on complaint management
- Acknowledge receipt of a complaint promptly after receiving the complaint. Contact the complainant to explain the schools policy, and to better understand the issues or problem, and determine the appropriate next steps.

Firbank expects the person raising the concern or complaint to;

- Do so promptly, as soon as possible after the issue occurs
- Provide complete and factual information
- Maintain respect and privacy and confidentiality of all parties
- Act in good faith and in a calm and courteous manner
- Acknowledge the common goal is to achieve an outcome acceptable to all parties recognise that all parties have rights and responsibilities which must be balanced.
- Must not demonstrate unreasonable complainant conduct.
- The complainant is entitled to have a support person to assist at any time in the complaint process.

Outcomes of raising a complaint with the school:

- Complaint resolution outcomes are any actions consistent with FGS values, policies and relevant legislation that are intended to support students, staff, families and school relationship, engagement, and participation in the school community.
- FGS must provide complainants with an explanation as to the steps taken to resolve the matters raised.
- Complaints are resolved following the Complaints Resolution process, in conjunction with the Relationship Reparation Framework.
- Review or appeal of resolved complaints are to be directed to the Principal for final decision.

## 5. Definitions

- Complaint:** A 'complaint' is an expression of dissatisfaction, either written or verbal, with an action taken, decision made or service provided, or the failure to provide a service, take action or make a decision at a school.
- Complainant:** A 'complainant' is the party making the complaint.
- Unreasonable Complainant Conduct**

Unreasonable complainant conduct is behaviour that:

- is vexatious (a complaint brought without merit, often to cause annoyance to another person)
- is oriented towards conflict
- is clearly and significantly outside the expectation of confidentiality, co-operation, courtesy and respect
- Calls for staff resources and time unjustified by the nature or significance of the complaint

**d. Complaint Record:**

Firbank will a record of all complaints made with the following information:

- The date the complaint was made.
- A brief description of the complaint.
- Response details for the complainant.
- Actions taken to resolve the complaint.
- Who dealt with the complaint.
- The date that the complainant was advised of the outcome.

## 6. Roles and Responsibilities

**a. The Principal must:**

- Ensure effective systems are in place to manage complaints consistently, effectively, and to ensure procedural fairness.
- Ensure training is provided to staff to ensure they know and can implement the complaints processes.

**b. All Staff must:**

- Required to understand the complaints process.
- Required to consider the duty of care owed to students involved in a complaint.
- Provide all necessary information to assist in any complaints process.
- Implement the escalation process as relevant to the circumstance.
- Conduct their behavior in line with this policy.

**c. Students and Parents / Guardians:**

- Complaints are to be raised with the school in line with this policy

**d. Support Person**

- Help articulate difficulties the complainant may experience in relation to the complaint.
- Help to maintain a good working relationship between parties.
- Assist the complainant to understand policies and guidelines and the resolution being proposed.

A support person can be a family member, a friend, a community member or a person provided through a support or advocacy agency.

## 7. Related Policies and Procedures

- a.** See Appendices 1, 2 & 3 for Complaints Processes

- b. Duty of Care
- c. Relationship Reparation Framework
- d. Staff and Students Professional boundaries policy
- e. International Students – Standard 10 Complaints and Appeals Policy
- f. Whistleblower Policy

## 8. Feedback / Enquiries

The school community may provide feedback on this document by emailing: [jwilliams@firbank.vic.edu.au](mailto:jwilliams@firbank.vic.edu.au)

## 9. Approvals

- a. **Approved by:** Jenny Williams, Principal.
- b. **Date:** April 2021
- c. **Next Review date:** April 2024

## 10. Appendix

### a. **Raising the concern or complaint**

In the first instance a concern or complaint should be made directly to the school.

- The student's teacher about learning issues and incidents that happen in their class or group
- The Wellbeing Leader if students from several classes are involved
- The Head of Campus or Deputy Head about issues relating to staff members or complex student issues
- The Principal about issue relating to school policy, school management, staff members or very complex student issues
- If a complainant is unsure who to contact in the first instance, contact the Head of Campus or Deputy Head.

Often a complaint will be resolved informally on the first point of contact. If unsuccessful, contact the Head of Campus or Principal. The Principal may refer some complaints to a delegate such as the Deputy Principal, Wellbeing Leader or Chief Commercial Officer.

### b. **Complaint Resolution**

Depending on the nature of the concern or complaint a formal process may be adopted.

If a formal complaint is made, it should be directed in writing to the Head of Campus or Principal. The nature of the complaint should be detailed together with any steps taken to resolve the complaint. The complaint will be investigated, documented and outcomes will be discussed and communicated to the parties involved taking into account their privacy and confidentiality.

All formal complaints received will be noted and acted on promptly by the staff member who receives the complaint. The School will acknowledge the complaint and develop a timeline for investigation. The School will make every effort to resolve a concern or complaint as quickly as possible however, if a complaint involves many students or a range of issues, the School may need more time to investigate and resolve it.

The complaint resolution procedure includes;

- Receiving and clarifying the complaint
- Deciding how to handle the complaint
- Finding out about the complaint
- Making a decision about the complaint
- Review

It is expected that a formal complaint will be resolved when the complainant and the School agree on an appropriate response or remedy. A complaint may be dismissed if after it has been investigated and the investigation has determined that the complaint cannot be substantiated.

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' policies and procedures are contrary to their views.

### **c. Review of a Decision – Escalation Process.**

A request for a decision to be reviewed should be made in writing to the Principal's Office. Upon receipt of the request, the Principal will determine the most appropriate way to review the decision. Once the review is complete, the Principal's decision will be communicated in accordance with privacy and confidentiality principles.