

# 11 Complaint Handling Policy and Procedure

## Definitions

A complaint is an expression of dissatisfaction made to the School about a real or perceived problem related to the School's services, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected.

**Procedural fairness** is concerned with the procedures used by a decision-maker, rather than the actual outcome reached. It requires a fair and proper procedure be used when making a decision.

**Natural justice** is technical terminology for the rule against bias and the right to a fair hearing and is associated with procedures used by courts of law. The terms procedural fairness and natural justice are commonly used interchangeably.

## Purpose

The purpose of this policy is to ensure that student, parent, employee or other stakeholder complaints are dealt with in a responsive, efficient, effective, transparent and fair way.

The School will seek to resolve issues quickly and use principles of conflict resolution to ensure that complaints are resolved with the least amount of stress for those involved. Processes for dealing with a complaint may be formal or informal depending on the nature of the complaint. The School recognises the need to treat all parties with fairness. It views formal complaints as serious.

## Scope

This policy is applicable to 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.

## Policy Statement

Ipswich Girls' Grammar School including Ipswich Junior Grammar School (The School) is committed to ensuring that student, parent, employee and other stakeholder complaints are dealt with in a responsive, efficient, effective, transparent and fair way.

The School views complaints as part of an important feedback and accountability process. The School acknowledges the right of students, parents, employees and other stakeholders to complain when dissatisfied with an action, inaction or decision of the School and encourages such feedback. The School recognises that time spent on handling disputes can be an investment in better service to students, parents, employees and other stakeholders.

## Types of Complaints that may be Resolved under this Policy

Ipswich Girls' Grammar School including Ipswich Junior Grammar School encourages students, parents and employees to promptly lodge concerns regarding sexual harassment, child protection, discrimination, workplace bullying, privacy breaches as well as more general complaints that include areas such as:

- the School, its employees or students have done something wrong
- the School, its employees or students have failed to do something that they should have done
- the School, its employees or students have acted unfairly or disrespectfully
- issues of student or employee behaviour that are contrary to their relevant Code of Conduct
- issues concerning learning programs, assessment and reporting of student learning
- issues concerning communication with students or parents or between employees
- issues concerning school fees and payments
- 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 of this Policy

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

- Child protection concerns or risks of harm to children will be dealt with in accordance with the law and the school's Child Protection Policy
- Student bullying complaints will be dealt with under the Student Bullying and Harassment Policy
- Employee complaints of discrimination, sexual harassment or workplace bullying will be dealt with under the Discrimination, Sexual Harassment and Workplace Bullying Prevention Policy
- Student discipline matters, including matters involving suspension or expulsion, will be dealt with under the Code of Conduct for Students
- Employee complaints related to their employment will be directed to their supervisor
- Student or employee violence or criminal matters will be directed to the Principal who will involve the police as appropriate
- Formal legal proceedings.

### **Complaint Handling Principles**

The School is committed to managing complaints according to the following principles:

- Complaints will be resolved with as little formality and disruption as possible
- Complaints will be taken seriously
- Anonymous complaints will be treated on their merits like any other complaint when possible
- Complaints will be dealt with fairly and objectively and in a timely manner
- The 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
- Mediation, negotiation and informal resolution are optional alternatives
- Procedural fairness will be ensured whenever practicable, including the right of interested parties to the complaint to be heard
- Confidentiality and privacy will be maintained as much as possible
- All parties to the complaint will be appropriately supported
- All parties are entitled to reasonable progress updates
- Appropriate remedies will be offered and implemented
- Provide a review pathway for parties to the complaint if warranted
- Complainants, respondents and people associated with them will not be victimised as a result of lodging the complaints nor will they suffer any other reprisals
- The School will keep confidential records of complaints
- The School's insurer will be informed if a complaint could be connected to an insured risk.

### **Note on Confidentiality**

Confidentiality is an important issue for all parties. It is essential that any complaint is treated in a confidential manner as much as possible, and with respect.

Parents often seek an assurance of confidentiality before expressing their concerns. If, for example, they wish to discuss a particular member of staff, they may fear that their child will suffer in some way because they have complained.

The School's policy is that complaints made by parents should not rebound adversely on their children and similarly that complaints raised by students should not rebound on them or on other students.

It may be possible to deal with a problem without naming individuals. However, even if no names are given, the source of the complaint may be clear and thus confidentiality cannot be assured. Depending on the nature of the complaint and on the circumstances, it may be impractical to investigate without identifying the member of staff or the child - it may also be in the interest of the child to do so.

Members of staff have a right, under procedural fairness, to 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 provided by a 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 Chair of the Board of Trustees will be informed as soon as possible.

### ***Note on Anonymous Complaints***

Anonymous complaints may be where there is no indication of either name or address, or where the complainants say that they do not wish to be identified. They may come from members of the public, from parents or from students.

Complaints from the public will be dealt with on a general basis.

Parents and students are encouraged to give their names. If they persist in wishing to remain anonymous, it is at the Principal's discretion as to what action, if any, should be taken, depending on the nature of the complaint.

### **Responsibilities**

#### School

The School has the following role and responsibilities:

- Develop, implement, promote and act in accordance with the school's Complaint Handling Policy and Procedures
- Appropriately communicate the School's Complaint Handling Policy and procedures to students, parents, employees and other stakeholders
- Ensure that the Complaints Handling procedures are readily accessible by staff, students and parents
- Upon receipt of a complaint, manage the complaint in accordance with the Complaint Handling model prescribed in the procedures
- Ensure that appropriate support is provided to all parties
- Take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them
- Appropriately implement remedies
- Appropriately train relevant employees
- Keep records
- Conduct a review/audit of the Complaints Register from time to time
- Monitor and report to the governing body of complaints
- Report to the School's insurer when that is relevant
- Refer to the School's governing body immediately any claim for legal redress.

#### All Parties to a Dispute

The complainant and respondent have the following role and responsibilities:

- Apply and comply with the School's Complaint Handling Policy and Procedures
- Lodge complaints promptly as soon as possible after the issue occurs or as otherwise appropriate
- Expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness; that natural justice principles will be observed; that confidentiality and privacy will be maintained as much as possible
- Provide complete and factual information in a timely manner
- Not provide deliberately false or misleading information
- Not make frivolous or vexatious complaints
- 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
- Act in a non-threatening manner
- To be appropriately supported
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties wherever possible
- Recognise that all parties have rights and responsibilities which must be balanced
- Maintain and respect the privacy and confidentiality of all parties
- Not victimise or act in reprisal against any party to the complaint or any person associated with them.

#### Employees Receiving Complaints

Employees receiving complaints have the following role and responsibilities:

- Act in accordance with the school's Complaint Handling Policy and procedures

- Inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required
- Provide the complainant with information about any support or assistance available to assist them in lodging their complaint
- Provide the complainant with a copy of the School's Complaint Handling Policy and procedures
- Maintain confidentiality
- Keep appropriate records
- Forward complaints to more senior employees, including the Principal, as appropriate
- To be appropriately supported
- Not victimise or act in reprisal against the complainant, respondent or any person associated with them.

### **Implementation**

Ipswich Girls' Grammar School including Ipswich Junior Grammar 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.

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

The 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.

The 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.

Ipswich Girls' Grammar School including Ipswich Junior Grammar School has employees appointed to act as Contact Officers to provide confidential and impartial information about the School's relevant policies and processes.

### **Procedures:**

#### Dealing with a Complaint

All members of the School community are strongly encouraged to maintain respectful and collaborative working relationships and quickly address any misunderstandings should they arise. However, a person may feel aggrieved in the course of his/her engagement with the School and believe that the situation is serious enough to warrant external assistance to remedy the issue. The source of the complaint may be varied, ranging from conflict over professional or academic issues; concern over an employment condition or application of a School policy through to serious discrimination or harassment.

A minor complaint may be remedied by the parties themselves but, if not dealt with, minor complaints can escalate and become issues of a more serious nature. Therefore, if it cannot be remedied quickly, the person should raise issues of complaint as soon as possible.

A complaint may be initially communicated in a phone call, written letter, email or a meeting. Issues should be raised in the first instance as follows:

- Staff with their immediate supervisor, or if a grievance is with a supervisor, the issue should be raised with the Deputy Principal or Chief Financial Officer;
- Students with the class teacher, Head of House or Deputy Head of Junior School;
- Students or parents with academic complaints first with the class teacher, then Head of Department or Deputy Head of Junior School.
- Contractors with the person who has engaged them at the School;
- Parents and volunteers with the relevant member of staff overseeing the area of concern or with the Deputy Principal or Head of Junior School; and
- External stakeholders with the Chief Financial Officer or Principal.

Complaints made without substantiation or accusations made without any basis are unprincipled and this will be viewed by the School as a very serious matter.

### **Support**

It is acknowledged that raising issues of conflict may be difficult for some people. Therefore, the option exists for a support person to be included in any meetings with the person investigating the complaint. The role of a support person is to provide support to the complainant, for example by discussing the issue with him/her or taking notes in the meeting. In this situation, a support person is not an advocate for the complainant and should not become actively involved in the discussions.

A support person could be a colleague or friend and in the case of students, parents or guardians.

### **Process for Complaint**

On the initial receipt of a complaint (written or verbal), the person receiving the complaint will acknowledge receipt of the complaint, assess the nature of the complaint and either deal with the matter themselves or, if appropriate, pass the matter to a person who is suitably independent and competent to manage the matter. It is important that the complainant is advised of the process and provided with a timeframe for dealing with the complaint. Usually action should be initiated within 7 - 10 working days, but the timeframe may vary according to the nature, complexity or timing of the complaint. Complainants should be kept informed of progress in resolving the complaint. Appropriate records should be kept.

If appropriate, the person dealing with the complaint may elect to seek to resolve the issue informally by meeting with the parties singly and/or together, providing advice or strategies for action. Such an approach is not an option for dealing with matters related to Child Protection or formal complaints of harassment, bullying or discrimination which should always progress immediately to the formal policy processes.

Where this informal process is not appropriate or does not lead to resolution, the formal complaint procedure will then apply.

### **Formal Complaints**

The School regards formal complaints as serious matters that have the potential to affect the reputation and career of staff or the prospect of students continuing at the School. Therefore, formal complaints must be made in a formal manner according to the following guidelines:

- Formal complaints must be in writing, signed by the complainant (unless the person receiving the complaint decides that this is not appropriate because of the nature of the complaint or to protect the complainant);
- The written complaint should clearly outline the nature of the complaint and specify individuals involved. It should include all relevant supporting material available to them such as emails and notes of verbal communication including, where appropriate, the names of witnesses; and
- The formal written complaint should be directed to the Deputy Principal, Head of Junior School, the Chief Financial Officer or the Principal.

All complaints will be treated seriously. The School will determine the most appropriate method of dealing with the complaint in accordance with the procedures outlined in the Grievance Policy and Procedure.

Formal complaints will be tracked and recorded in a Complaint Register which is kept in the Principal's office. Details of the issue, dates and names of the parties involved, the investigation process, actions taken, location of file and the outcome will be recorded. A detailed file will be kept in confidential School records.

### **Escalation**

Escalation should only occur if the following circumstances occur:

- The issue has been raised with an employee's immediate supervisor, but action has not been initiated within a seven to ten working day period; or
- If the above process has been followed and the problem has not been satisfactorily resolved, the issue may be escalated to a higher level; or

- If the complaint involves the Principal then it should be raised as a grievance with the Chairman of the School Board via a letter addressed to him/her via the School.
- A complaint may be escalated as follows:
  - Staff to the Deputy Principal or Chief Financial Officer;
  - Students with the Head of Department, Head of House, or Head of Junior School or Deputy Principal and Head of Senior School;
  - Parents and volunteers with the Deputy Principal; and
  - External stakeholders and contractors with the Chief Financial Officer or Principal.

### Review

The School does not offer unlimited opportunities for review if a complainant is unhappy with the resolution of a complaint. Any appeal against the resolution of a complaint should be made in writing to the Principal. An appeal is only likely to be considered if there is evidence that there was a procedural problem with the investigation.

The Principal, at his/her discretion, will consider the application for a review and will either direct that the complaint be re-examined or direct that the matter be closed.

### References

Education (Accreditation of Non-State Schools) Regulations 2017  
 Australian Education Regulations 2013  
 Fair Work Act 2009  
 Work Health and Safety Act 2011 (Qld)  
 Privacy Act 1988 (Cth)  
 Anti-Discrimination Act 1991 (Qld)  
 Australian Human Rights Commission Act 1986 (Cth)  
 Sex Discrimination Act 1984 (Cth)  
 Age Discrimination Act 2004 (Cth)  
 Disability Discrimination Act 1992 (Cth)  
 Racial Discrimination Act 1975 (Cth)  
 IGGS Enterprise Bargaining Agreement  
 IGGS Complaints Handling Procedure  
 IGGS Work Health and Safety Policy  
 IGGS Privacy Policy

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