



11. Complaints & Disputes Policy

1 Rationale

A characteristic of Carey Baptist College is a strong commitment to respond positively to complaints. In particular, the partnership between parents and The College is a strong and reliable feature of Carey. Parents and other school community members must be confident that staff will listen and respond to their needs and concerns.

We have an “Open Door” policy at Carey Baptist College, where parents are valued and involved with the school, as well as encouraged to voice their concerns. It is better to have a direct complaint to a member of staff than to have parents sharing their dissatisfaction with others.

This policy sets out the process for students, parents, members of the community and College staff to have enquiries, concerns and complaints addressed by the staff, the management team and/or the Chairperson of Council.

Resolution of complaints will be addressed at classroom, Management and College Council levels. Complaints of various kinds may also be lodged outside the College with agencies such as the Equal Opportunity Commission, the Western Australian Police Service and the Crime and Corruption Commission.

2 Principles Underlying The Policy

The following principles apply to the management of all complaints:

- The process is accessible to all aggrieved parties and is underpinned by a commitment to cooperate on the part of Carey Baptist College staff.
- Procedural fairness is afforded to all parties.
- The subject of the complaint is informed of the substance of the complaint.
- Vexatious, trivial or previously finalised issues are not pursued.
- Warranted investigation will be pursued with or without the active involvement of the complainant.
- Confidentiality is maintained, to the extent that it is consistent with legislative requirements and the other principles outlined in this section.
- Complaints are monitored and their management evaluated so as to reduce the occurrence of systemic and recurring problems. It is the responsibility of the Executive Team Member (ETM) to ensure that this evaluation occurs, although in certain instances this review and evaluation process can be delegated. Evaluation of the management process of a complaint should occur within a (1) month of final resolution and any recommendation(s) considered for inclusion in policy revision.
- In all matters, the educational well being of students is the first priority.
- All persons in The College community including students, parents, administrators, teachers and support staff, have a right to be treated with respect and courtesy.

- Complainants are able to make enquiries, raise concerns or lodge complaints about the provision of education or the conduct of Carey Baptist College staff and have these dealt with efficiently, fairly and promptly.
- Information about the process for making enquiries, raising concerns or complaints is to be available to parents, students and members of the local community.

3 Procedures

3.1 Who May Complain

Students, parents, members of the community and Carey Baptist College staff are entitled to have their complaints addressed by Teachers, Management, or the College Council.

3.2 What May Be Complained About

A complaint is an expression of dissatisfaction with a real or perceived problem.

A complaint may be made about:

- (a) The provision of education;
- (b) Failure to meet expectations;
- (c) Perceived unfairness or impoliteness; or
- (d) The conduct of any Carey Baptist College employee.

3.3 How The Complaint Will Be Handled

Complaints will be handled promptly, within five (5) business days, confidentially and in accordance with procedural fairness and the principles of natural justice e.g. the right to be heard and the right of response; and the decision maker should not be biased or seen to be biased.

Persons who are the subject of a complaint, who make a complaint or provide information in the course of an investigation into a complaint shall not be subject to prejudice, intimidation, and harassment or be subject to any detriment because of their involvement.

The outcome of formal disciplinary processes commenced against an employee as a consequence of a complaint being received is confidential between the employee and the employee's line manager/s at the time. Complainants will not be informed of the outcome in such matters due to confidentiality requirements.

Appropriate confidentiality is to be observed in any discussion of complaints. This means that at the College, these matters must remain confidential between the employee and his/her line manager and any other parties who have a legitimate interest in the process. Such parties may include support persons, professional associations, College Chairperson and more senior line managers.

3.4 Lodging A Complaint

A person may complain verbally or in writing to a Teacher, Assistant Principal, Principal, Business Manager or in writing to the Chairperson of Council.

A person lodging a complaint may choose to have a friend present.

A person making a written complaint must provide his or her name, address and details of the complaint.

Where the complaint involves possible criminal implications and child protection issues the matter will be referred to the appropriate investigating body (Police, Child Protection Agencies).

3.5 Withdrawal Of A Complaint

A person who has made a complaint may withdraw the complaint at any time. A written complaint should preferably be withdrawn in writing. However, a signed and dated notation on the complaint by an employee advising that it has been withdrawn by the complainant will suffice. A verbal complaint may be withdrawn verbally and a notation made to that effect.

The staff member who received the complaint is to give notice in writing to any parties affected by the complaint that it has been withdrawn. Complaints that warrant investigation must be pursued even though the complaint has been withdrawn.

3.6 Management Of Complaints

When a Teacher, Assistant Principal, or an Executive Team Member receives a complaint, that officer will implement strategies to resolve the complaint, if appropriate to do so.

An Executive Team Member may provide advice to the complainant on possible strategies to resolve the matter.

Employees who are the subject of a complaint are to be informed of the substance of the complaint within three (3) business days. Complaints against employees should be sufficiently detailed so as to enable the employee to respond to the allegations against them. A detailed description of the incident/s, the alleged time and place when the incident/s allegedly occurred and the names of any possible witnesses to the incident/s should be provided, wherever possible.

Documenting/recording the substance and process of resolving these complaints must occur.

If a verbal complaint is complex or very serious the complainant may be required to restate the complaint in writing or sign a written summary prepared by an Executive Team Member.

All written complaints lodged with an Executive Team Member will be acknowledged in writing within five (5) business days and shall include what action is being taken to remedy or resolve the nature of the complaint. Thereafter the complainant will be informed of subsequent actions should this not breach any other policy, law or endanger the welfare of others. A written report will be provided to the complainant signed by the Executive Team Member.

An Executive Team Member can reject a complaint that in their opinion is vexatious, trivial or without substance, or does not warrant further action within the provisions of this policy. Details of these complaints should be recorded in case there is a pattern of complaints that warrant consideration at a later date.

4 RESPONSIBILITIES FOR MANAGEMENT OF COMPLAINTS

4.1 Classroom Teachers

- Maintaining confidentiality in dealing with each matter;
- Maintain records of meetings and agreed outcomes;
- Resolving parent concerns and complaints where possible;
- Communicating outcomes of parent concerns and complaints to a member of the Management Team where appropriate; and
- Referring parent enquiries, concerns and complaints to a member of the Management Team where appropriate.

4.2 College Executive Management (Principals, Assistant Principals, Business Manager, Chairperson of Council)

- Maintaining confidentiality and impartiality in dealing with each matter;
- Ensuring, wherever appropriate, that concerns and complaints are resolved at the school level;
- Developing and implementing a process for registering, responding to and managing parent enquiries, concerns and complaints;
- Ensuring that the process for managing complaints includes recording and monitoring of complaints and their outcomes to enable improvements to be identified and implemented;
- Ensuring that enquiries, concerns and complaint procedures are communicated clearly to parents and community members;
- Ensuring that school policies and procedures are modified, where necessary, to address areas of concern;
- Ensuring that complainants and respondents are aware that they can have a friend or adviser present during any discussion; and
- Referring the complaint, where appropriate, to the Chairperson of the College Council for further resolution or management.

4.3 The College Council

- Providing advice and support to the Executive Team;
- Providing advice and support to Teachers;
- Providing advice and support to parents;
- Maintaining records;
- Referring the matter for external arbitration in consultation with the Executive Team Member; and
- Maintain confidentiality and impartiality in dealing with each matter; and
- Ensure a fair process has been followed.

5 Guidelines For The Management Of Complaints

5.1 Verbal Complaints

- Maintain confidentiality at all times.
- Take the matter seriously. Be non-judgmental. Listen attentively and courteously. Determine whether the matter is an enquiry, a concern, a request or a complaint. Complainants should be provided the opportunity to have a friend or adviser present during any discussion.
- Repeat your understanding of the problem, acknowledging the complainant's feelings to clarify the problem. It is important to focus on the problem rather than finding fault or blame.
- Respond to all issues raised by the complainant.
- Agree on action and timelines.
- Record the complaint, the action and the outcome.
- Review the situation and confirm with the student/parent/staff member that the matter is resolved.

5.2 Written Complaints

- Maintain confidentiality at all times.
- Assess the seriousness of the complaint.
- Acknowledge the enquiry, concern or complaint with a prompt written reply, even if a resolution is not available at this stage. As soon as possible, clarify your understanding of the problem, identify action and timelines in writing and include a name and contact number. Respond to all issues raised.
- Take action within agreed or appropriate timelines.
- Record the complaint, the action and the outcome.
- Review the situation and confirm with the student/parent/staff member that the matter has been resolved.

6 GUIDELINES FOR MEDIATION AND CONCILIATION

The primary focus of mediation is to reach a fair and workable agreement between the parties in conflict. It should be a voluntary process with parties agreeing to mediation and taking responsibility for making decisions through the process.

6.1 Pre-Mediation

The process of pre-mediation involves:

- The mediator meeting with each party individually and listening to their perspective on the situation.
- Checking the person's 'emotional readiness' to participate in mediation.
- Discussing and finalising the agenda for the mediation: What are the primary concerns and what requests do they wish to make of the other party? How best might they phrase these concerns and requests to ensure the best possible outcome?
- Anticipating what the other party might raise and how the individual will respond.
- Discussing the ground rules for successful mediation.
- Seeking commitment to the mediation process.

If parties are in agreement, then mediation proceeds. Only two people are generally involved in mediation. Therefore, with three parties, either two or three mediators will be required.

6.2 Mediation

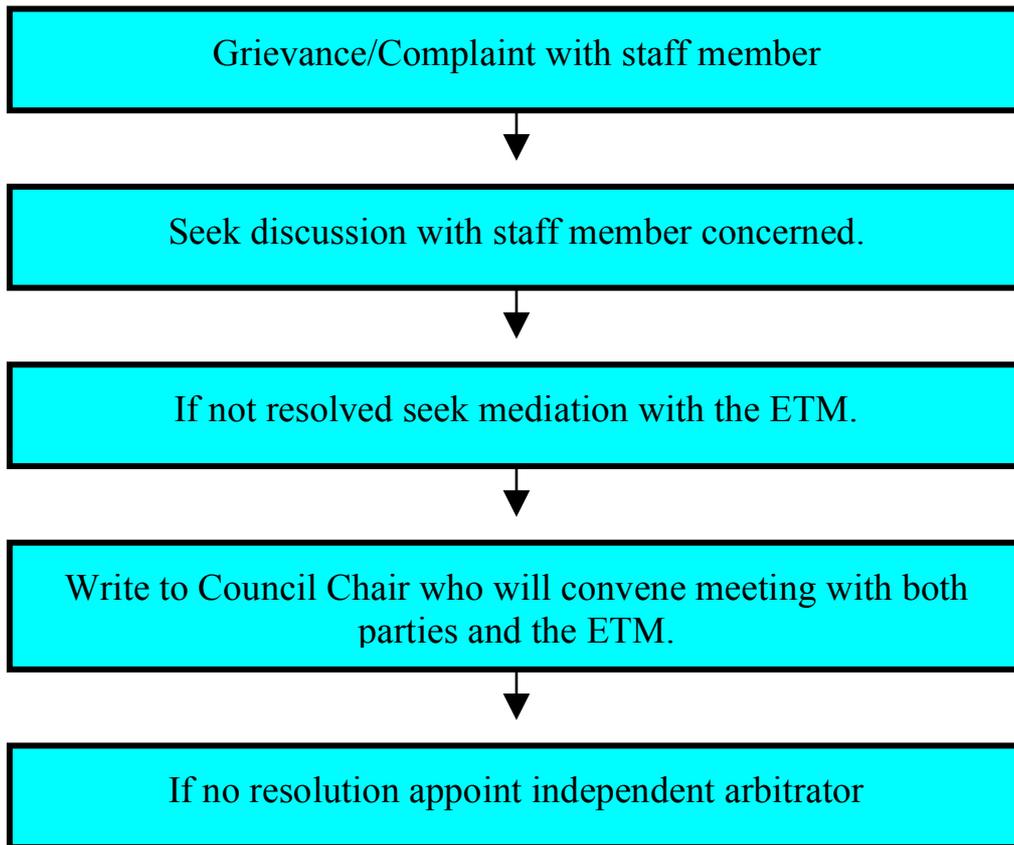
- Brief meetings are held with each party immediately prior to join meeting to
- confirm the parties' readiness to proceed and that agenda is still appropriate.
- Mediator introduces the process to the parties.
- Ground rules developed and/or reinforced.
- Each party presents a statement or request from the agenda in turn and clarifies as necessary.
- Parties develop options to address/resolve the point being discussed (only move onto next point when some agreement or understanding is demonstrated).
- A written document is developed stating the outcome of mediation, agreement reached between the parties and recommendations for further action.
- A review period is agreed.

If appropriate, the line manager can be invited in at the end of the mediation meeting to be advised of the outcome, discuss their role in monitoring the agreement and to clarify any outstanding organisational issues.

6.3 Procedure Involving A Grievance/Complaint With A Staff Member Other Than The Executive Team Member or Delegate (See Figure 1).

- When a grievance arises and involves a staff member, the member should, in the first instance, endeavour to discuss the issue with the staff member.
- If the matter is not resolved, an appointment should then be made to meet the Executive Team Member who will endeavour to resolve the grievance with those directly concerned as quickly as possible.
- The Executive Team Member will confirm the outcome of that meeting and any subsequent meetings in writing to the staff members involved within a period agreed by the parties.
- If the matter still cannot be resolved then a written submission should be made to the Chairperson of the College Council, who will convene a meeting with the Executive Team Member and staff involved (and nominated representatives) within five (5) working days.
- The Chairperson of the College Council will confirm in writing the outcome of that meeting and any subsequent meetings to the principal and staff involved within an agreed period between the parties.
- If no resolution is found an independent arbitrator will be required to resolve the matter.

Figure 1.



6.4 Harassment And Student Bullying

Where harassment or student bullying is involved, the grievance procedures as outlined in The College’s Harassment and Bullying Policy are to be followed.

Appendix 1

1 Useful Information For Teachers

Positive Outcomes From Handling Complaints Well

Quality management of a complaint goes beyond simply complying with policy. When we handle a complaint well, we give expression to the Carey core values of Learning, Excellence, Respect, Honesty and Responsibility.

A complaint is a sign that something is wrong even if we think the complainant is mistaken. Although we need to distinguish misunderstandings from valid complaints, both indicate real problems that must be solved.

We should not be afraid of complaints. Complaints are a valuable source of feedback on the service we provide. The fact that a complaint has been made suggests that the complainant trusts us to respond in a positive way.

How well we handle complaints can be critical to the image of our College and our relationship with the community.

A badly handled complaint can result in a dissatisfied parent, weakened relationships between staff or informal publicity.

When we handle a complaint well we not only satisfy the complainant, we improve our relationship with the complainant and increase confidence in our College. Handling a complaint properly shows that we listen, we learn from our mistakes, we are committed to continuous improvement and we care.

Further, processes for handling complaints should provide feedback to The College or management team to support improvement in our policy and operations.

2 Principles For Handling Complaints

2.1 Act Promptly

Find out as quickly as possible both the nature of the complaint and the outcome the complainant is expecting. Determine the appropriate person to handle the complaint to ensure there is no conflict of interest or perception of bias.

2.2 Listen carefully, discuss the issues calmly and maintain confidentiality

- Treat complainants with respect and courtesy.
- Approach the complaint with an open mind, taking the person seriously and letting them have their say.
- We should welcome complaints and assure complainants that they will be dealt with properly.
- Record all relevant details.
- Maintain confidentiality to protect complainants, their children and the staff involved.

Appendix 2

1 Useful Information For Parents

1.1 Talking To Your School

Introduction

The relationship between the home and the school plays a very important part in a child's education.

We cannot overestimate the critical role parents play in successful learning. Parents contribute much to their child's development and are among the most important influences on the way in which the child approaches learning.

Teachers are responsible for the more formal aspects of children's learning-and successful teaching builds on the home experiences of the child. This is most effective where there is an active partnership with parents.

Two-way communication is a critical factor in the partnership between parents and the school. Where a partnership exists, it is easier for parents to feel confident about the teaching and learning taking place in the classroom and to solve problems.

You are welcome to talk to your child's teacher whenever you need to. However, you should make an appointment to talk with the teacher to avoid disrupting the learning program.

1.2 What can you do if you have a problem?

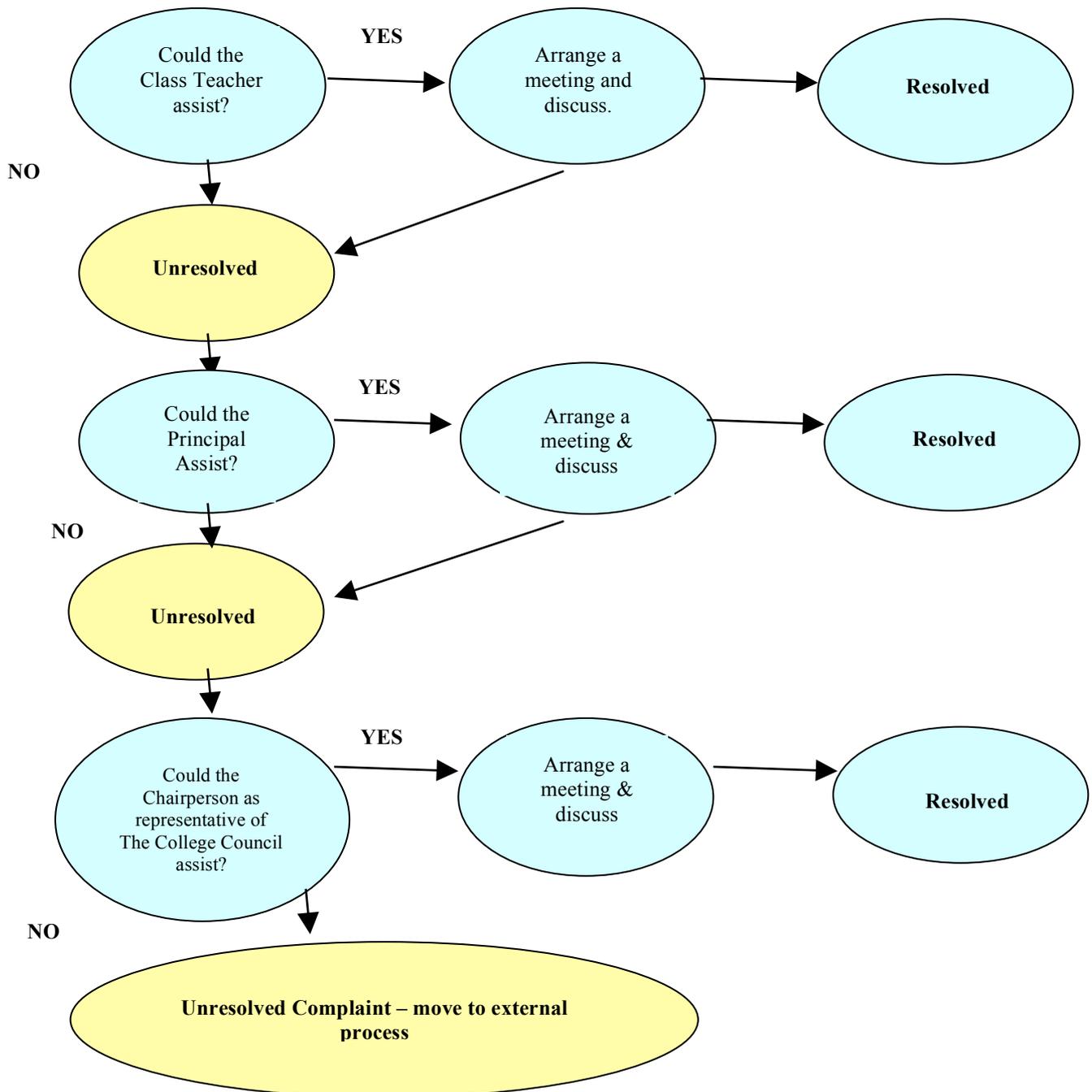
- Seeking information as early as possible can solve many problems. If you have any questions or concerns about your child's progress, the homework set or the assessment procedures, contact the class teacher.
- You can have a friend or adviser present during any discussion.
- You may prefer to take the matter to a more senior member of staff, for example the Assistant Principals or the Principal.
- Parents have the opportunity for greater involvement in The College through the Parents in Partnership Program. This provides the opportunity for parents to express opinions on policy issues in The College.

1.3 When you have a problem.

- Try to identify the problem clearly before coming to The College. If there is more than one problem list them to ensure that the extent of the problem is clear to The College.
- Decide whether the problem is a concern, an enquiry or a complaint. This will help in finding a solution.
- Make an appointment to talk with the teacher. If your concern is about the conduct of a staff member, you may prefer to discuss the matter with a College administrator.
- Try to stay calm. Even if you don't feel it, being calm will help to get your concerns across more clearly than if you are upset or angry. It may help to take someone with you.

Complaint Resolution Flow Chart

Internal Process



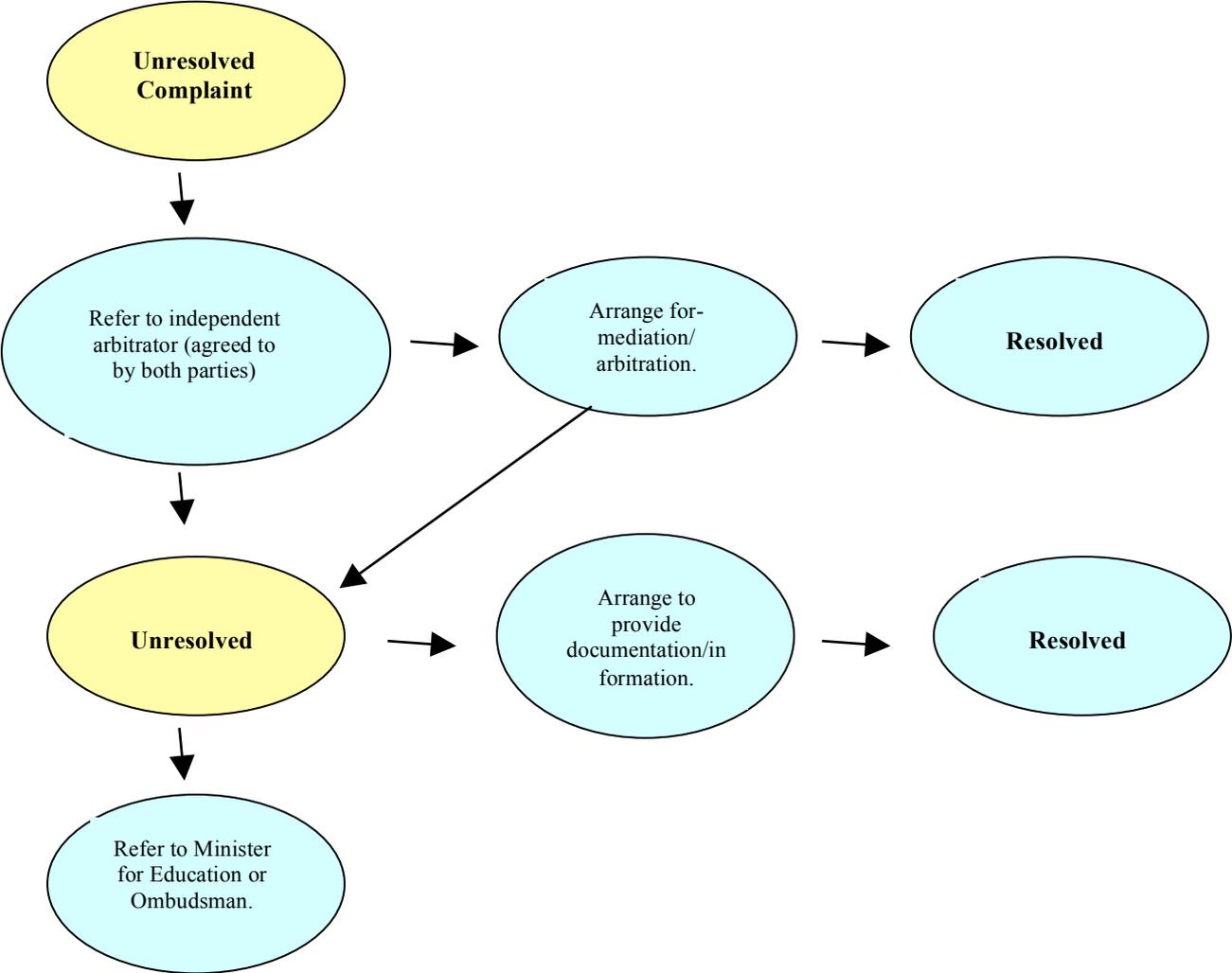
Note:

If the complaint/grievance is between the Assistant Principal and Principal or the complaint involves the Principal, the matter is to be placed in the hands of the Council Chairperson.

At times there may be a decision to refer a matter to the Equal Opportunity Commission, the Western Australian Police Service, Child Protection Agencies and the Crime and Corruption Commission. In such instances the Principal will be part of the decision-making and action taken with expedience.

Complaint Resolution Flow Chart

External Process



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