

Complaints Policy and Procedures

1. Purpose

Inner Sydney Montessori School is committed to providing a work and study environment that is safe, fair and free from discrimination for all members of the School community.

This policy initially deals with how to raise a concern and then a complaint or grievance if other avenues have been exhausted. Raising a complaint or grievance is rarely the first step in the process. Concerns, complaints or grievances may arise from time to time and it is important that they are not ignored. An unexpressed or unresolved concern, complaint and/or grievance can often escalate unnecessarily.

The following procedures are designed to make sure that parents, Directors and staff are supported and informed by the appropriate people when a complaint or grievance arises and that issues are dealt with in a professional manner to the best advantage of the child and School.

The following procedures are designed to provide a transparent and consistent process to achieve an outcome which is procedurally fair for all parties involved in and affected by the complaint.

2. Who is Affected by these Policies?

- Children and others attending the programs and activities of ISMS
- Nominated Supervisor (Principal)
- Staff (including casuals)
- Parents/carers
- Students on teaching placements and observations
- Volunteers
- Outside Tutors and External Providers
- Contractors, Consultants and Visitors

3. What does this Policy and Procedure mean?

This policy and these procedures apply to raising concerns, complaints or grievances in respect of services provided by the School or against staff members, which includes employees, contractors and volunteers. This policy and these procedures do not extend to personal grievances between parents/carers or other members of the School community.

An essential part of developing a cohesive and positive environment is ensuring that students, staff and parents are encouraged to come forward with their matters of concern, complaints or grievances in the knowledge that the responsible staff will take prompt and effective action to address these. Concerns, complaints and grievances that are addressed effectively have the potential to build relationships, clarify understanding, engender trust and confidence and support learning and academic achievement.

The following procedures are designed to make sure that:

- Parents and staff are supported and informed by the appropriate people when an issue arises;

- Issues are dealt with in a professional manner to the best advantage of the child and School;
- Confidentiality is maintained and the integrity of all parties is honoured.

When it states that a summary of the meeting is made, the summary should at least contain the following:

- A brief description of the complaint or grievance;
- The date of the meeting and those attending;
- The decisions that are made at the meeting;
- Any further actions expected to be taken;
- If the complaint or grievance is satisfactorily resolved, the summary should clearly state this;
- If the complaint or grievance was not resolved, an expected time in which to follow-up is set;
- The signatures of the people involved confirming that the summary is a true representation of the meeting.

This summary is then kept in the file of the child or staff member concerned.

Forms for meeting summaries are attached as Appendix A: Educator/Parent Meeting Form, Appendix B: Administration/Parent Meeting Form and Appendix C: Staff/Staff Meeting Form.

| Level of Issue | Definition | Persons Applicable | Meeting Form Required |
|----------------|--|--------------------|-----------------------|
| Concern | A matter that requires informal discussion to clarify and/or resolve | Parents Staff | No |
| Complaint | A concern that has not been resolved to a satisfactory outcome and requires a formal meeting | Parents Staff | Yes |
| Grievance | A clear, formal written statement by an individual staff member about another staff member or a work-related problem | Staff | Yes |

a) Procedural Fairness

Grievance will be handled in an unbiased manner and will consider the principles of Procedural Fairness (see Appendix D).

b) Confidentiality

Confidentiality is an obligation to the provider of information while privacy is an obligation to the subject of the information. In raising a concern or making a complaint, a complainant can feel secure that this will be dealt with respectfully and only shared with necessary or relevant parties. The obligation to maintain confidentiality extends to the complainant and to the respondent.

c) Access and Equity

The complaints handling process needs to be accessible and additional assistance may be available to a complainant/respondent, if they are from a culturally and linguistically diverse background, have a disability or are a young person.

d) No Victimisation

If a complainant makes a complaint in good faith, they will be protected from detrimental action including victimisation or unfair treatment.

e) Vexatious or Malicious Complaints

There is an underlying assumption that complaints are made in good faith (and with good will) and with the intention for resolution as opposed to retribution.

f) Anonymous Complaints

Anonymous complaints do not reflect the principles outlined above. If a complainant makes an anonymous complaint to the School, they will be encouraged to identify themselves in order for the procedures outlined in this policy to be implemented fully. If a complainant chooses to remain anonymous, then in the case of verbal complaints they will be informed that the complaint may not be acted upon.

Concern from a Parent regarding their child's education and/or well-being:

If a parent has a concern about anything to do with their child in relation to their child's education or well-being, they should discuss this informally with their child's Class Director. In the vast majority of cases, the matter will be easily resolved. However, on the rare occasion that this is not achieved, the following steps are to be followed:

1. The parent should request a meeting with the Class Director to specifically discuss their complaint. The Class Director will acknowledge the complaint and request for a meeting within three working, term time days. If the concern involves a Class Assistant, then it may also be appropriate for him/her to attend this meeting as well. The Class Director makes a summary of the meeting (Appendix A – Educator/Parent Meeting Form).
2. If either the parent or the Class Director (or Class Assistant, if relevant) is unhappy with the outcome of the first meeting, the Class Director arranges a second meeting, at a mutually agreeable time and the Stage Coordinator/Deputy Principal will join the meeting. The role of the Stage Coordinator/Deputy Principal will be to try and reach a mutually agreed and acceptable outcome in the child's and the School's best interest. The Stage Coordinator/Deputy Principal will make a summary of the meeting (Appendix A – Educator/Parent Meeting Form).
3. In the event that the parent or staff member is still unhappy with the outcome, they should raise the matter in writing addressed to the Principal. If appropriate, the Principal will respond in writing or organise further discussions. The Principal may seek advice from the School Council President and/or an Association of Independent Schools NSW (AISNSW) representative.
4. At each stage, if the matter is resolved, the report will show that a complaint was addressed and resolved.
5. If the matter is not resolved, the Principal (or parent if they so wish) will bring the matter to the School Council President, who will organise further discussions and the appropriate course of action.
6. The decision of the President/Council is final and the contractual agreements between the parent(s) and the School are honoured.
7. Finally, the matter will be discussed and recorded (Appendix E - Complaints Register) at the next Council Meeting.

If a concern is considered too serious to follow these steps, contact can be made directly with the Principal or delegate. However, if the Principal/delegate considers the matter appropriate, the parent will be asked to follow the steps above. In the same way, if the Principal feels it is appropriate, he/she may intervene at any stage of the process, prior to the matter being brought to Council.

The Parent/Carer Code of Conduct should be referred to for any concerns from a member of staff with a parent.

Concern from a Parent regarding an Administration/Operations matter or Member of Staff:

If a parent has a concern regarding a matter outside of their child's education/well-being e.g. billing, administration, they should discuss this informally with the relevant member of staff in the Administration or Finance Team. In the vast majority of cases, the matter will be easily resolved. However, on the rare occasions that this is not achieved, the following steps are to be followed:

1. The parent should request a meeting with the relevant member of staff to specifically discuss their complaint. The member of staff will acknowledge the complaint and request for a meeting

within three working, term time days. The member of staff makes a summary of the meeting (Appendix B - Administration/Parent Meeting Form).

2. If either the parent or the member of staff is unhappy with the outcome of the first meeting, the member of staff arranges a second meeting, at a mutually agreeable time and the relevant Line Manager will join the meeting. The role of the Line Manager will be to try and reach a mutually agreed and acceptable outcome in the parent, child and the School's best interest. The Line Manager will make a summary of the meeting (Appendix B - Administration/Parent Meeting Form).
3. In the event that the parent is still unhappy with the outcome, they should raise the matter in writing addressed to the Principal. If appropriate, the Principal will respond in writing or organise further discussions. The Principal may seek advice from the School Council President and/or an Association of Independent Schools NSW (AISNSW) representative.
4. At each stage, if the matter is resolved, the report will show that a complaint was addressed and resolved.
5. If the matter is not resolved, the Principal (or parent if they so wish) will bring the matter to the School Council President, who will organise further discussions and the appropriate course of action.
6. The decision of the President/Council is final and the contractual agreements between the parent(s) and the School are honoured.
7. Finally, the matter will be discussed and recorded (Appendix E - Complaints Register) at the next Council Meeting.

If a concern is considered too serious to follow these steps, contact can be made directly with the Principal or delegate. However, if the Principal/delegate considers the matter appropriate, the parent will be asked to follow the steps above. In the same way, if the Principal feels it is appropriate, he/she may intervene at any stage of the process, prior to the matter being brought to Council.

The Parent/Carer Code of Conduct should be referred to for any concerns from a member of staff with a parent.

Concern from a Member of Staff with another Member of Staff

If a member of staff has a concern or issue with another member of staff, they should discuss this informally with the member of staff directly. In the vast majority of cases, the matter will be easily resolved. However, on the rare occasions that this is not achieved, the following steps are to be followed:

1. The staff members should discuss the issue in a meeting held specifically for that purpose. The member of staff receiving the request will acknowledge the complaint and request for a meeting within three working, term time days. The staff member requesting the meeting makes a summary of meeting (Appendix C – Staff/Staff Meeting Form).
2. If either staff member is unhappy with the outcome of the first meeting, they will ask the Payroll & HR Manager/Deputy Principal to sit in on a second meeting. The role of the Payroll & HR Manager/Deputy Principal will be to try to resolve the disagreement in the parties' best interests. The Payroll & HR Manager/Deputy Principal will make a summary of the meeting (Appendix C - Staff/Staff Meeting Form).
3. In the event that a staff member is still unhappy with the outcome, they should raise the matter in writing addressed to the Principal or delegate. If appropriate, the Principal/delegate will respond in writing or organise further discussions. The Principal/delegate may seek advice from the School Council President and/or an Association of Independent Schools NSW (AISNSW) representative.
4. At each stage, if the matter is resolved the report will show that a complaint was addressed and resolved.
5. If the matter is not resolved, the Principal will bring the matter to the School Council President, who will organise further discussions and the appropriate course of action.

6. The decision of the President/Council is final and the contractual agreements between the staff member/s and the School are honoured.
7. Finally, the matter will be discussed and recorded (Appendix E - Complaints Register) at the next Council Meeting.

If a complaint or grievance is considered too serious to follow these steps, contact can be made directly with the Principal/delegate. However, if the Principal/delegate considers the matter appropriate, the member of staff will be asked to follow the steps above. In the same way, if the Principal feels it is appropriate, he/she may intervene at any stage of the process, prior to the matter being brought to Council.

Considerations

All documentation produced in relation to any complaint or grievance will be maintained confidentially by the School and access may be granted, at the discretion of the Principal.

Thorough documentation will be maintained in line with this policy.

What Matters are dealt with under this Policy?

Any concern, complaint or grievance raised by a member of the ISMS community. This procedure applies to handling complaints made in respect of services provided by the School or against staff members, which includes employees, contractors and volunteers. This procedure does not extend to personal grievances between parents or other members of the School community. This policy does not address:

- Child Protection issues (e.g. if the complaint is about alleged inappropriate physical contact, sexual misconduct, neglect, or psychologically harmful conduct by an adult towards any child or young person)
- Whistleblowing Complaints
- Unlawful Discrimination, Harassment and Bullying
- Employment Relations

All of the above complaints have their own policy and procedures. Issues in regards to the above should be directed to the Principal or the School Council President where the complaints are in relation to the Principal.

There may be circumstances where some of the steps outlined above are not appropriate and the School will determine, on a case by case basis, the most appropriate method of handling the complaint or grievance.

A complainant and the relevant parties that the complaint/grievance is about may choose to have an appropriate support person present at any meeting with representatives 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.

Contacts

If you have any queries about this procedure, you should contact the Principal for advice. If a complaint is about the Principal, you should contact the School Council President for advice.

Principal: Email: principal@isms.nsw.edu.au Phone: (02) 9555 7803

School Council President: Email: president@isms.nsw.edu.au Phone: (02) 9555 7803

4. Related Policies and Procedures

Policy to be read in conjunction with:

- 3.2.11 Staff Manual (including Staff Induction)
- 3.6.1 Child Protection Policy and Procedure
- 3.6.2.3 Unlawful Discrimination, Harassment and Bullying
- 3.2.6.4 Staff Code of Conduct
- 3.8.7 Parent/Carer Code of Conduct
- 3.9.6 Whistleblowing Policy

ACECQA policy requirements covered within this policy include:

- Dealing with complaints (168, 2, o)

5. Access to and Communication of Policy

Families have access to the live, electronic version through the Intranet. Staff have access to the live, electronic version through the Staff Intranet page, as well as through Google Drive. Hard copies are available at all campuses.

Families:

- If there are changes to the policy, parents are notified via the School Newsletter or email correspondence and the policy is updated on the ISMS Intranet.

Staff:

- If there are changes to the policy, staff are notified via email and the policy is updated on the Staff Intranet page and Google Drive. Additionally, significant changes are discussed and communicated verbally at Whole Staff Meetings.

The Deputy Principal of Operations is responsible for the upkeep of policies and procedures through Google Drive, Intranet sites and hard copies in central locations.

6. Review Process

Person/s Responsible: Principal, Executive Team, Business Manager, Deputy Principal of Operations, Governance Committee School Council

External Consultation: ACECQA, CELA, AISNSW, NSWDET

School Council Review Required: Yes

7. Consequences of Non-Compliance

PARENTS

It is expected that all parents/carers will comply with the Policy and if not, consequences will be as per the Parent/Carer Code of Conduct.

STAFF

It is expected that all staff will comply with the Policy and if not, consequences will be as per the Staff Code of Conduct.

8. Appendix List

Appendix A – Educator/Parent Meeting Form

Appendix B – Administration/Parent Meeting Form

Appendix C – Staff/Staff Meeting Form

Appendix D – Procedural Fairness Guidelines

Appendix E – Complaints Register

9. Legislative Requirements

Relevant legislation and standards include but are not limited to:

ACECQA

Education and Care Services National Law Act 2010

Education and Care Services National Regulations 2011 (ACECQA):

- Regulation 168 – Education and care service must have policies and procedures
 - (2) Policies and procedures are required in relation to the following -
 - (o) dealing with complaints
- Regulation 173 – Prescribed information to be displayed
 - (2) For the purposes of section 172(f) of the Law, the following matters and information are prescribed
 - (b) the name and telephone number of the person at the education and care service to whom complaints may be addressed

Link to National Quality Standard, Quality Area 7: Governance and Leadership

NSW Education Standards Authority (NESA)

Registered and Accredited Individual Non-Government Schools (NSW) Manual

- Section B8 – Safe and Supportive Environment
- Section B2– School Management and Operation

“The School’s policies which are made from time to time are made pursuant to the requirements set out in section 47 of the Education Act, the NSW Education Standards (NESA) for registration of the School and the Australian Children’s Education and Care Quality Authority (ACECQA).”



Appendix A: Educator/Parent Meeting Form

Confidential

Record of Complaint

Date and Time

Stage of Meeting (i.e. first, second)

Name of Complainant

Contact Telephone Number

Details of Complaint

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(Continue on blank sheet of paper if more space is required)

Any Relevant Dates/Incidents Leading to the Complaint *(if applicable)*

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Witnesses *(if any)*

Name of Person Handling Complaint

Follow up action/s

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Appendix B: Administration/Parent Meeting Form

Confidential

Record of Complaint

Date and Time

Stage of Meeting (i.e. first,second)

Name of Complainant

Contact Telephone Number

Details of Complaint

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(Continue on blank sheet of paper if more space is required)

Any Relevant Dates/Incidents Leading to the Complaint *(if applicable)*

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Witnesses *(if any)*

Name of Person Handling Complaint

Follow up action/s

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Appendix C: Staff/Staff Meeting Form

Confidential

Record of Complaint

Date and Time

Stage of Meeting (i.e. first,second)

Name of Complainant

Contact Telephone Number

Details of Complaint

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(Continue on blank sheet of paper if more space is required)

Any Relevant Dates/Incidents Leading to the Complaint *(if applicable)*

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Witnesses *(if any)*

Name of Person Handling Complaint

Follow up action/s

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Appendix D: Procedural Fairness Guidelines

Procedural fairness must be observed in all aspects of the complaint and grievance handling process. In practice, procedural fairness involves:

- Ensuring that there is proper investigation of the facts;
- Informing relevant parties of any allegations made against them, as appropriate;
- Ensuring that all parties are informed of the procedures under which the complaint or grievance is handled and have access to the relevant policy;
- Ensuring that all parties are heard and those who have had a complaint or grievance made against them are made aware of the details, as appropriate;
- All people who have had a complaint or grievance made against them are given an opportunity to respond;
- Ensuring that all relevant submissions and any mitigating factors are given due and proper consideration;
- Thorough consideration is given before any conclusions are reached or any action is taken;
- Advising all parties, that if the complaint or grievance is of a serious nature, disciplinary action may follow;
- The facts revealed during an investigation into the complaint or grievance may be used in any subsequent disciplinary proceedings;
- Impartiality on the part of the Investigator and/or Decision Maker in the process;
- The Investigator/Decision Maker must exclude themselves if there is any bias or conflict of interest;
- On any occasion when the complaint/grievance is to be discussed, both parties (complainant/grievant and/or respondent) may choose to be accompanied by a support person.



Appendix C: Complaints Register

Register of complaints/grievances

Records of reports and responses from authorities, outcomes of investigations and actions taken by the School.

| Complaint Received (Date) | Risk Assessment/Discussion Conducted (Date) | Acknowledge Complaint (within 3 working days) (Y/N) | Information Gathered | Outcome of Investigation | Actions Taken | Resolved or referred to the School Council President |
|---------------------------|---|---|----------------------|--------------------------|---------------|--|
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