

# **MINIMBAH PRIMARY SCHOOL**

## **COMPLAINTS POLICY AND PROCEDURES FOR PARENTS AND STUDENTS**



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## POLICY STATEMENT

A resolution to a grievance at Minimbah Primary School from a student, or parent should first be sought through discussions with the appropriate person in order to come to a mutually acceptable solution. If this process is unsuccessful, a **formal** Grievance Procedure will be followed.

## RATIONALE

Minimbah Primary School has a responsibility to ensure that high standards of conduct are maintained by students and parents at all times, and that grievances are managed and resolved fairly, efficiently and in a timely manner.

Grievances occur when a student or parent complains that an action or decision has been taken (or not taken) at the school that he/she believes to be unreasonable.

Minimbah Primary School recognises the rights of its students or parents to register a complaint or grievance about any decision, behaviour, act or omission that they feel is unfair, discriminatory or unjustified.

This Grievance Policy does not apply to complaints alleging criminal or unlawful behaviour, which shall be referred to the appropriate authorities.

**This policy includes** specific reference to processes for raising and responding to matters of concern identified by students and/or parents, including:

“application of the ‘hearing rule’ and the ‘right to unbiased decision’ when implementing policies and procedures where decisions are to be made which affect the rights of others.” (Section 10 of the **Registered and Accredited Individual Non-government Schools (NSW) Manual** January 2016 (incorporating changes from 2004 to 2016))

### 1) Informal Stage

- It is usual that the student or parent/caregiver will communicate directly with the member of staff concerned. This may be by letter, telephone, or in person, by making an appointment.
- Many concerns can be resolved at this stage, and it is anticipated that the vast majority of cases will be resolved.
- In the case of more serious concerns, it may be referred directly to the principal. If reasonable requests to find an informal resolution are declined, the process may be terminated immediately.

### 2) Formal Stage

- If the initial complaint from a student or parent/caregiver is not resolved at the informal stage the student or parent/caregiver must put the complaint in writing and pass this to the principal, who will be responsible for carrying out the investigation. In the case of very young children the parent/caregiver or teacher may scribe for the child.
- The complaint should include details which may assist the investigation, such as names of potential witnesses, dates and times of events and copies of any relevant documents (ie, previous correspondence)
- The principal will collect other evidence if necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, the staff member may choose to bring an IEU representative to the meeting.
- The investigation will begin as soon as possible and when it has been concluded, the complainant and the member of staff concerned will be informed in writing of the outcome.

This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by evidence
- The concern was partly or fully substantiated. Some details may be then be given of action the school may be taking to review procedures, but details of the investigation or disciplinary procedures will not be released
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential
- The student or parent/caregiver will be informed that consideration of their complaint is now concluded
- If the complainant is not satisfied with the manner in which the process has been followed, they may request that the Minimbah School Board review the process undertaken by the Principal in handling the complaint. Any such request must be made in a timely manner after receiving notice of the outcome from the principal.

## PROCEDURES

### Grievance Procedures:

- All grievances including Child Protection issues, will be dealt with in a timely manner at the appropriate level before being taken to a higher level. This includes classroom teachers, AEO's, office staff and the principal.
- All complaints must be recorded on the appropriate form (see Attachment 1) and be submitted to the principal. These reports will be dealt with in a timely manner and filed in the school secure storage room.
- All communication with parents/caregivers and students, which includes phone, email, conferences and informal discussions with students or parents/caregivers must be reported to the principal.
- Caution **MUST** be exercised when reporting back to the complainant as certain details must not be revealed due to confidentiality.
- Any recommendations should also be shared with all parties, unless there is good reason not to do so. Wherever possible, recommendations should be constructive and not punitive.
- The complainant should be advised that he/she may request a review of the process if they are not happy that the process has been undertaken properly.

### 1. Information for Students: how to raise a complaint?

At Minimbah Primary School we believe it is important that everyone feels happy and safe so that the best learning can take place. If you have a problem, a concern or a complaint, we encourage you to speak to someone about it.

Steps:

- Identify the problem that is upsetting you.
- If you feel you can, meet with the person you are having the problem with and if their behaviour is upsetting you, tell them to stop.
- It is a good idea to ask for support or advice from family members when problems arise rather than keeping it all to yourself.
- If your problem is not solved, talk to a staff member about your concerns and ask them to help you deal with it. The staff member will often be able to give you good ideas on how to solve the problem.

- It may help to take a friend with you when speaking to a staff member.
- If you do not believe the problem has been solved, see the principal about your concerns.
- You should not be afraid to make a complaint as you will be supported by the school staff.
- If you want to, you can write out your problem in a letter instead of talking about it, but the person helping you will need to speak to you later.
- Investigation of any complaint or review request will begin as soon as it is received and the investigation will be completed as soon as reasonably practicable.

### **3. Information for Parents and Caregivers:**

Minimbah Primary School recognises that parents/caregivers need to work closely with the school to provide the best educational opportunities and care for their child. We encourage you to discuss your child's progress with staff and to let us know if you have any concerns so that we might work together to resolve these as quickly as possible.

#### **Steps:**

- Have a clear idea what the problem is before contacting the school.
- Make an appointment to meet with your child's class teacher. The best way to do this is to contact the school office to arrange a mutually convenient time for a telephone call or a meeting.
- If you do not feel after your meeting that the problem has been solved, or if you have a complaint about a staff member, make arrangements to meet with the principal.
- If you do not feel that the problem has been resolved, or if the matter involves the principal, send your complaint to the Minimbah School Board stating your concerns in writing. Please make sure you sign and date your letter.

Minimbah Primary School recognises that parents/caregivers and community members may have complaints or allegations of staff misconduct or reportable conduct.

- Parents, carers and community members are encouraged to report any conduct that is in their view inappropriate, reportable or criminal conduct to the Executive Principal or their delegate. If the complaint concerns the Executive principal then all complaints should be directed to the Minimbah School board by email on [board@minimbah.nsw.edu.au](mailto:board@minimbah.nsw.edu.au).
- All such reports will be dealt with in accordance with the school's Complaints Policy and Procedures for Parents and Students. The Complaints Policy and Procedures for Parents and Students is located in the front office and on the school server.

### **KEEPING RECORDS OF COMPLAINTS:**

It is essential that adequate records of complaints are kept for the following reasons:

- So that subsequent enquiries/or concerns can be located and referred to
- So that complaints can be tracked through the stages of action to resolution
- So that patterns of complaints can lead to improvements in our operations
- So that accurate information is available to those directly involved in investigating the issues
- Notes of meetings, interviews, telephone calls, letters, emails etc must be recorded
- All records must be dated and signed

- Oral and written communication gathered in the mediation process are strictly confidential to the parties involved.
- Confidentiality guarantee does **not apply** where there is threats of physical violence or where child abuse is suspected or reported.

### **COMPLAINTS HANDLING PROCEDURES FOR SCHOOL STAFF:**

- Always act promptly to investigate a complaint
- Listen carefully to the complainant. Give them a chance to explain their problem.
- Keep an open mind.
- Give a copy of Minimbah Primary School's Complaints Policy and discuss with the complainant the steps that should be taken.
- Be clear about the appropriateness of your involvement. Ask yourself if this is something that should be handled by the principal.
- Clearly explain to the complainant the actions that you will take to follow up on the complaint.
- Complaints should only be discussed by those responsible for handling them. They should **NEVER** be the subject of casual conversation or gossip.
- Keep a record of all relevant details and ensure the principal is given a copy.
- It is a policy of Minimbah Primary School that anonymous complaints will not be acted upon.

A report regarding complaints from students or parents/caregivers will be tabled at all Minimbah Board meetings by the principal.

**ATTACHMENT 1**

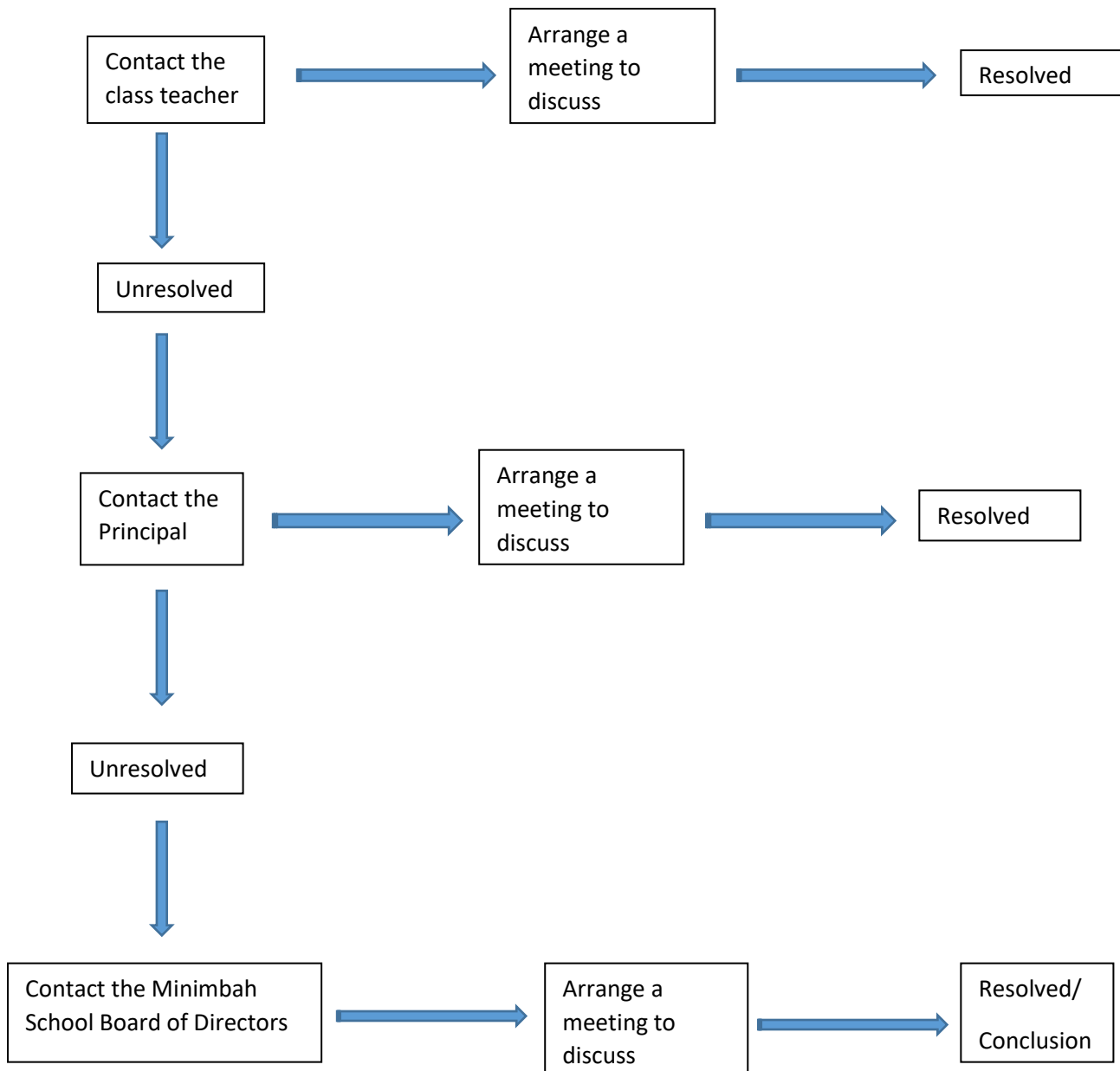
**Minimbah Primary School Complaint form for students and/or parents/caregivers:**

**Please complete and return to the principal who will acknowledge receipt and explain what action will be taken.**

<b>Your Name:</b>	
<b>Student's Name:</b>	
<b>Your relationship to the student (if relevant):</b>	
<b>Address:</b>	
<b>Postcode:</b>	
<b>Daytime telephone number:</b>	
<b>Mobile number:</b>	
<b>Please give details of your complaint:</b>	
<b>What action, if any, have you already taken to try to resolve your complaint? (Who did you speak to, and what was the response?)</b>	
<b>What action/s do you feel might resolve the problem at this stage?</b>	
<b>Are you attaching any paperwork? If so, please give details.</b>	
<b>Signature:</b>	<b>Date:</b>
<b>Office use only:</b>	
<b>Date acknowledgement sent:</b>	<b>By Whom:</b>
<b>Complaint referred to:</b>	<b>Date:</b>

**ATTACHMENT 2**

**FLOW CHART FOR FAMILIES MAKING COMPLAINTS**



If matters still remain unresolved you have the right to seek arbitration through the courts, ombudsman, legal representation and other government commissions such as the Human Rights Commission etc. This might entail some financial cost to you.

Mediation is an option at any stage of the process if the complainant and the person to whom the complaint is directed so agree. Normally, mediation is facilitated by a member of the Board of Directors.