

|  |  |  |
|--|--|--|
|  | <b>Managing Complaints and Grievances Policy</b>   | <b>Endorsed by School Council:</b><br><br><b>March 2018</b><br><br>Developed: March 2018 |
| Information: 02 6076 1566<br><br>Manager: Principal                              | DET Schools Reference Guide: Education and Training Reform Act 2006, Education and Training Reform Regulations 2007, Charter of Human Rights and Responsibilities Act 2006, Protected Disclosure Act 2012, Privacy and Data Protection Act 2014, Equal Opportunity Act 2010, Wrongs Act 1958<br>Associated Policies: | Next review: March 2020<br><br><br><br>Issue No: 1.1                                     |

### **Rationale/Aims:**

Corryong College recognises that it is in the best interest of students for there to be a trusting and cooperative relationship between parent and school. Complaints are an important way for the school community to provide information and feedback to a school. Our school considers that every complaint provides a valuable opportunity for reflection and learning.

Corryong College recognises a parent's right to make a complaint and our responsibility to provide a framework within which efforts can be made to resolve complaints.

We believe that parent complaints are best handled at the school level in an environment where parents feel able to speak up about issues concerning the education of their children.

An effective complaint-handling system has a clear process for resolving complaints, treats people fairly, is timely and provides those people involved in a complaint with a fair opportunity to respond to issues and to present their views.

The purpose of this policy is to ensure that:

- Corryong College meets its obligation to respond to parent complaints in a fair, effective and efficient manner.
- Parents are informed of how they can make a complaint at their child's school.

This policy does not apply to matters where rights and processes for review and appeal already exist. These include:

- Student expulsions, see: Expulsions.
- Complaints about staff that if upheld would constitute misconduct, see: Complaints, unsatisfactory performance and misconduct.
- Student critical incident matters, see: Student Critical Incident Advisory Unit.
- Other criminal matters, see: Police – Department Protocols.

### **Implementation:**

The Managing Complaints and Grievances Policy should be made available to the school community via the school website and a hard copy will be made available upon request.

### **Policy and Procedures:**

Parents of students attending a Victorian government school who have a complaint should, in the first instance, make the complaint to the school that their child attends, except when the complaint is about the principal of the school. Complaints about the school principal should be referred to the appropriate region, the North East Region.

The principal is responsible for the efficient and effective organisation, management and administration of the school including the school's complaint-handling processes.

When addressing a complaint it is expected that parents and school personnel will:

- show respect and understanding of each other's point of view

- operate within applicable legislation
- acknowledge that their goal is to achieve an outcome acceptable to all parties
- act in good faith and in a calm and courteous manner
- recognise that all parties have rights and responsibilities which must be balanced.

All Department staff (schools, region, central office) must observe the code of conduct for Victorian public sector employees. [Code of Conduct for Victorian Public Sector Employees](#)

### **RAISING CONCERNS OR COMPLAINTS:**

In the first instance, a complaint should be made to the school. The complainant should telephone, visit, email or write to:

- The student's teacher about learning issues and incidents that happened in their class or group.
- The Principal about issues involving students from several classes, complex student issues, and for issues relating to staff members, school policy and school management
- Queries about who to contact should be directed to the Principal on 02 60761566 or [corryong.p12@edumail.vic.gov.au](mailto:corryong.p12@edumail.vic.gov.au)
- Complainants can seek the services of an advocate when they feel they are unable to express their concern clearly. An advocate can be a friend or someone who is available through an appropriate support organisation who does not receive a fee for service.

### **PROTECTED DISCLOSURES:**

Where a parent has real and substantial concerns that, as a result of raising a complaint, they may suffer a detriment and the allegations relate to corrupt conduct, they may have access to protection under the provisions of the *Protected Disclosure Act 2012*.

See: [Protected Disclosure Act 2012 - Making and Handling Protected Disclosures](#)

### **ANONYMOUS COMPLAINTS:**

All complaints will be considered. However, staff might not be able to fully consider a complaint if they cannot effectively liaise with the parent. Furthermore, anonymous complaints raise natural justice issues for respondents who have a right to know particulars of the allegations made against them.

Department staff responsible for handling parent complaints should determine, in consultation with other relevant personnel from the central office or region, the extent to which an anonymous complaint received by the school, region or central office shall be investigated.

### **STUDENTS WITH A DISABILITY:**

Students with disabilities have rights under the *Disability Discrimination Act 1992* (Commonwealth), the *Disability Standards for Education 2005* (Commonwealth) and the *Equal Opportunity Act 2010* (Victoria) to access their education on the same basis as their peers, including the right to reasonable adjustments.

Parents should raise any concerns or complaints regarding the treatment of a student with a disability with the school in the first instance. The community liaison officer or the regional disabilities coordinator can also provide advice to parents when they are seeking to raise a concern or make a complaint at their school.

The Department also recognises that parents of students with a disability can raise complaints or concerns regarding a student with a disability in a number of forums, including:

- the Australian Human Rights Commission – in relation to complaints regarding compliance with the *Disability Discrimination Act* or the *Disability Standards for Education*
- the Victorian Equal Opportunity and Human Rights Commission – in relation to complaints regarding compliance with the *Equal Opportunity Act*
- in consultation with the principal and any established student support group, to the Wellbeing, Health and Engagement Division of the Department. This may relate to matters arising under the Program for Students with Disabilities, including applications, Years 6-7 reviews, reappraisals and appeal procedures. See: [Program for Students with Disabilities](#)

## **COMPLAINT ESCALATION:**

When a parent is not satisfied with the manner in which their complaint has been treated by the school, or their complaint is about the Principal, the parent can contact North Eastern Victoria Regional Office:

Phone: 1300 333 231

Fax: (03) 8392 9300

Email: [nevr@edumail.vic.gov.au](mailto:nevr@edumail.vic.gov.au)

When a complaint remains unresolved after referral to the region, parents are able to request a review through the Deputy Secretary, Regional Services Group.

When complaints are sent to areas of the Department not identified above, the complaint may be referred to the relevant level as identified in the following process image.

Parents are able to take their complaint to the Victorian Ombudsman if they are dissatisfied with the outcome or response from the Department, or if they feel their complaint is not being handled properly or in a timely manner.

When it is unlikely that a complaint will be resolved using the school's complaint handling procedures, the Principal will consider seeking advice from Regional Office.

## **SCHOOL RESPONSIBILITIES:**

When the school receives a complaint (either written or verbal) from a parent, we will follow the processes outlined below.

- It is the responsibility of the school to respond to and address written (letter and email) and verbal (face-to-face and phone) complaints raised by parents from their school community. All complaints will be taken seriously.
- All complaints will be noted and acted on promptly, either by the staff member who receives the complaint or passed to the most appropriate staff member.
- The school will acknowledge all complaints. It will provide the complainant with a timeline for investigating the complaint. Should the timeline change due to complex issues or the need to consult more widely, the school will inform the complainant of the new timeline and the reason for any delays. In all cases, the school will try to resolve a concern or complaint within 20 school days.
- The school will raise the issues in the complaint with relevant staff and/or members of the school community.
- Consultation will occur, where appropriate, with relevant sections of the Department and/or external agencies for technical or other advice.
- The school's findings will be discussed with the parent in an attempt to reach an agreed resolution.
- The engagement of a mediator will be considered where a complaint has the potential to become intractable.
- The school may seek advice from either the central office or region about the management of complaints, including complex or challenging complaints, the use of mediation/conciliation services or seek specialist or technical advice from external agencies and/or the Department when required. The principal would need to have exhausted the school's parent complaint-handling procedures and be of the belief that the complaint would not be able to be resolved at the school level. The parent should be advised that their complaint will be handled by personnel from the region.

## **RECORDING OF COMPLAINTS:**

Complaints received, both written and verbal, will be recorded and the actions taken to resolve the complaint will be well documented and maintained at the school, including:

- The complainant's name and contact details (with permission) and the details of the staff member responding to the complaint.
- Date the concern or complaint was raised.
- The method used to raise the concern or complaint.
- A brief description.
- Details of actions taken.

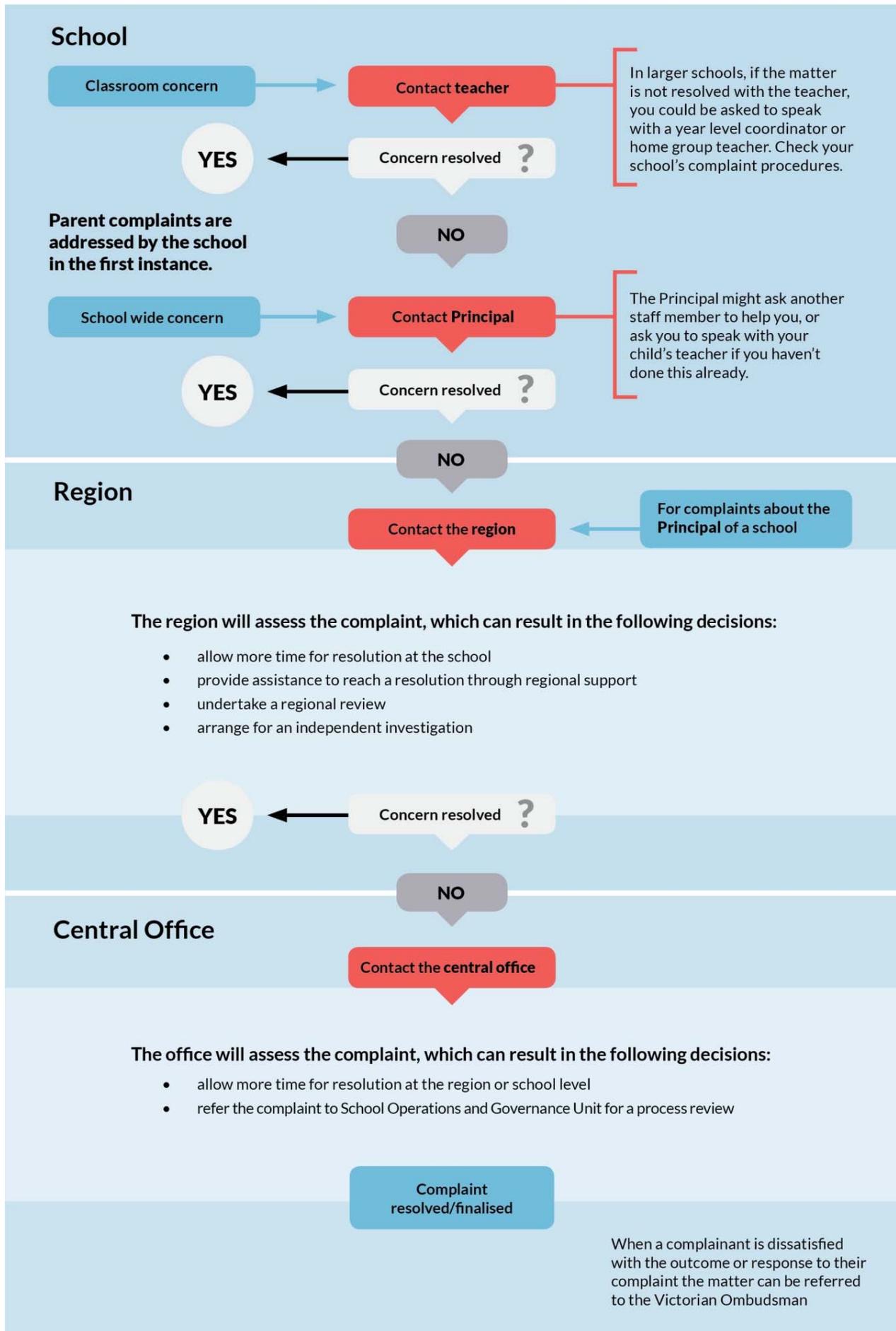
- Details of outcomes and any recommendations for improvement in the school's policy or procedures.

**RESOLVING COMPLAINTS:**

Where a complaint is found to be justified, schools are able to resolve complaints by:

- An apology or expression of regret.
- A change of decision.
- A change of policy, procedure or practice.
- A refund of parent payments
- Offering the opportunity for student counselling or other support.

# PARENT COMPLAINT FLOWCHART



**Definitions:**

For the purpose of this policy the following terms are defined as follows:

- a **'parent'** includes:
  - a person who has parental responsibility for 'major long term issues' as defined in the *Family Law Act 1975* (Commonwealth)
  - a person appointed as 'guardian' pursuant to the *Children Youth and Families Act 2005* (Victoria)
  - an informal carer with whom the child normally or regularly resides, and who has day-to-day care and control of the child
  - a mature minor student
  - an adult student
- a **'complaint'** is an expression of dissatisfaction 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.

**Review Process:**

This policy will be reviewed as part of the school's four year review cycle, or as needed, due to changes in regulations or circumstances.

**References:**

The School Policy and Advisory Guide – Parent Complaints

<http://www.education.vic.gov.au/school/principals/spag/community/pages/parentcomplaints.aspx>

[Department of Education and Training – Parent Complaints](http://www.education.vic.gov.au/school/parents/complaints/Pages/default.aspx)

<http://www.education.vic.gov.au/school/parents/complaints/Pages/default.aspx>

**Related Policies and Documents:**

*Education and Training Reform Act 2006*

Education and Training Reform Regulations 2007

*Charter of Human Rights and Responsibilities Act 2006*

*Protected Disclosure Act 2012*

*Privacy and Data Protection Act 2014*

*Equal Opportunity Act 2010*

*Wrongs Act 1958*