

## COMPLAINT HANDLING POLICY

### RATIONALE

When differences occur, the preferred pathway in solving them is by using the moral and spiritual guidelines given to us in God's Word. We are to live and work together in harmony, giving preference to the other and showing love and consideration towards each other. The Bible exhorts us to "love one another" as demonstrated to us by Jesus (John 13:34-35) and to resolve disagreements by 'living in harmony with one another' whenever possible (Romans 12:14).

### DEFINITION

A complaint or grievance is an expression of dissatisfaction with a real or perceived situation or outcome. The dissatisfaction may be based on a perception that the school has:

- done something wrong.
- failed to do something that it should have done.
- acted unfairly, unreasonably, inappropriately or unprofessionally.

A complaint or grievance may be about the school as a whole, about a specific department in the school or about an individual member of staff or student.

### UNDERLYING PRINCIPLES

Torrens Valley Christian School is committed to:

- In partnership with parents, delivering education and care of the highest quality.
- Ensuring that the School is a safe and fair place in which to work and study.
- Actively promoting the development of positive and respectful relationships and seeking to minimise the incidence of conflict that might otherwise give rise to a complaint.
- Encouraging, wherever possible, the resolution of complaints, if and when they arise, at the school level.
- Supporting the right of parents to have their complaints listened to, taken seriously, in good faith and to be addressed and resolved fairly, reasonably and expeditiously.
- Complying with all relevant statutory and legal requirements. These include for example, but are not limited to: anti-discrimination and vilification laws, child protection laws and Family Court orders.

### SCOPE

It is recognised that, from time to time, complaints may be received by the School from parents (including guardians and any person with whom a student normally or regularly resides) in our community. This policy sets out guidelines and processes by which such matters can be addressed respectfully, fairly, in a non-adversarial manner, expeditiously and with sensitivity to all concerned.

This policy does not address complaints relating to staff employment matters or grievances. These are managed through appropriate statutory provisions and *the TVCS Enterprise Agreement*.

### COMPLAINT HANDLING PROCESS

Students, teachers, parents and community members are entitled, in good faith, to lodge a bona fide complaint with the School.

Every reasonable effort will be made by the School to ensure that the matter is addressed respectfully, fairly, in a non-adversarial manner, expeditiously and with sensitivity to all concerned.

In responding to a complaint, informally or formally, every reasonable effort shall be made to ensure that natural justice and procedural fairness are afforded to all concerned. This means, in practical terms, that:

- all parties are entitled to be treated with respect and to be heard.

- all parties should participate fully in the resolution process to achieve an outcome that is realistic and reasonable.
- a person who is the subject of a complaint should be informed of the substance thereof and given a full opportunity to present their perspective.
- all parties have a right to seek advice and support.
- investigations and proceedings must be conducted fairly, thoroughly and without bias or undue delay.
- parties should provide all relevant, material, complete and factual information, documents or other evidence relating to the complaint.

Issues involving bullying and harassment (verbal and/or physical abuse) will be dealt with in line with TVCS *Behaviour Improvement Policy* and the *TVCS Management of Bullying and Harassment Policy*. A summary of these policies is located in the student diaries.

Under legislation issues involving physical and or sexual abuse needing to be reported in line with Mandated Notification requirements. (see the current *TVCS Child Protection Policy*)

#### **CONFIDENTIALITY, DISCRETION, AND THE SCHOOL'S DUTY OR OBLIGATION TO NOTIFY OR REPORT**

- If a parent chooses to make a complaint without disclosing their identity, this will limit the options for proper and thorough investigation and resolution. It also raises issues in relation to procedural fairness for those who have a complaint made about them as they have a right to know the particulars of the complaint and to respond. The School therefore cannot guarantee that anonymous complaints can or will be dealt with. Complainants are always encouraged to identify themselves.
- As far as possible and appropriate, due discretion will be respected and maintained by all parties throughout the resolution process, save where persons are required to be informed on a 'need to know' basis or where investigative, statutory or legal requirements stipulate that matters be disclosed, reported or discussed. Therefore, there can be no overriding legal obligation or right with respect to confidentiality.
- Where complaints are made in circumstances where an alleged crime may have been committed or the matter falls under the Reporting Abuse and Neglect provisions, the Police or similar outside agencies (e.g. Child Abuse Report Line) will be contacted and formally advised.

#### **WITHDRAWAL OF A COMPLAINT**

- A parent may withdraw a complaint at any stage of the resolution process. If a complaint is withdrawn, the matter will be deemed to be closed, unless the School, at its discretion and in all circumstances, wishes to continue to address a matter raised.

#### **RECORD KEEPING BY THE SCHOOL**

- Accurate, appropriate and secure records will be kept at the School on its Complaints Register by the person(s) responsible for overseeing or managing the resolution process for a particular complaint. The Complaints Register is kept and managed by the Principal's Executive Assistant.

#### **DISTRIBUTION OF THIS POLICY**

- This Policy, and any changes or updates thereto, is made available to all staff and parents of the School

## **COMPLAINT HANDLING PROCEDURE**

### **STAGE 1: INFORMAL RESOLUTION**

1. Many complaints are minor in nature, or readily resolved, and may arise from genuine misunderstandings and/or issues relating to communication. In the vast majority of cases, these can be satisfactorily resolved informally.
2. Wherever possible, the informal and amicable resolution of concerns through direct communication and discussion between those concerned is encouraged.
3. Formal procedures for the resolution of complaints should only be invoked when a matter is of a very serious nature or when the matter cannot be resolved by the parties themselves through informal means.

### **STAGE 2: FORMAL AND SERIOUS COMPLAINTS**

1. If no positive resolution can be found, or the complaint is of a more serious nature, the matter may be referred to the appropriate staff:
  - Coordinator
  - Deputy Principal
  - Principal.
2. As soon as practicable after a formal complaint has been received, a process will be put in place by the School to investigate the complaint.
3. In resolving a formal complaint, the School will gather relevant material and information relating to the situation and convene a meeting of the parties to discuss the concerns.

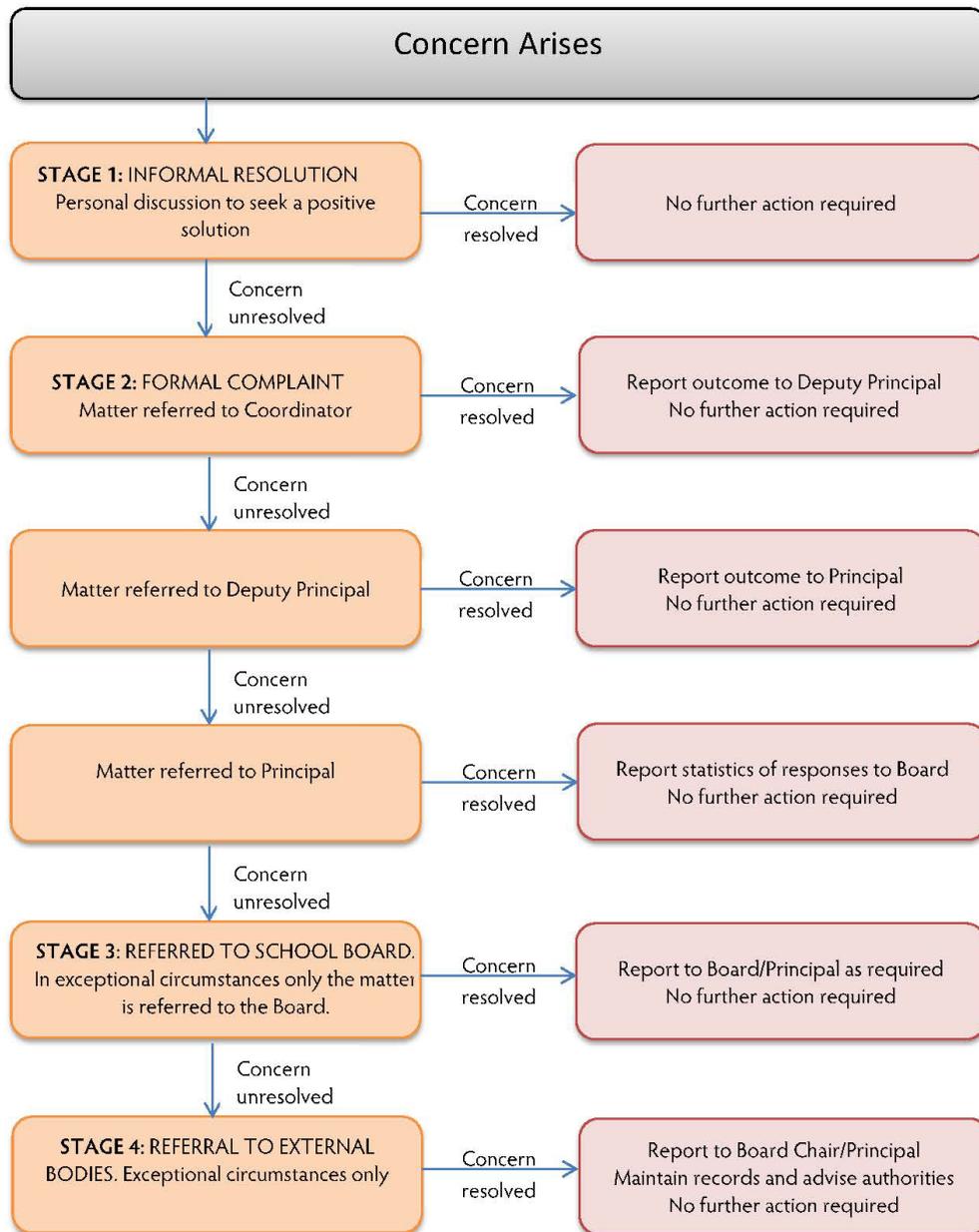
### **STAGE 3: REFERRAL OF A COMPLAINT TO THE SCHOOL BOARD**

1. The Board Chair and members of the School Board are not directly involved in the first instance with the receipt, investigation or resolution of complaints other than complaints arising within or about the School Board itself.
2. In instances where a complaint is about the Principal and the matter cannot otherwise be resolved or the complainant feels it is appropriate to do so, a formal written complaint may be lodged with the Board Chair. In this instance the Board Chair will expeditiously take all reasonable steps to have the complaint fully investigated and to facilitate a resolution.
3. In other exceptional and special circumstances, a direct approach may be made to the Board Chair to formally lodge a complaint or refer a complaint where the resolution processes within the School have failed or are otherwise inappropriate. In this instance, the Board Chair will take advice from appropriate persons and make a determination as to how the complaint should thereafter be effectively dealt with.

### **STAGE 4: REFERRAL OF A COMPLAINT TO AN EXTERNAL AUTHORITY**

1. When a complaint cannot be resolved within the School, the parties may seek the assistance of external professional agencies or other relevant judicial or para-professional bodies in order that a further attempt can be made to resolve the matter. This is subject to the following important provisions:
  - The Association of Independent Schools of South Australia (AISSA) will not act as a mediator between parents and schools but if a matter remains unresolved, or parents feel that the school has failed to take their complaint seriously, AISSA may be able to provide general assistance to help parents understand the School's position.
  - Neither the Minister for Education and Child Development nor the Department for Education and Child Development has any power to directly intervene in any complaints relating to the operations of a non-government school.

**COMPLAINT HANDLING PROCEDURE  
FLOWCHART**



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