

Effective Date:	1 September 2015
Review Date:	1 February 2017
Procedure Owner:	Principal
Document Number:	GSP0073

Purpose:

It is recognised that, at times, 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, professionally and with sensitivity to all concerned.

The policy and procedures that follow seek to provide the handling of complaints. For the purpose of this policy 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; or
- failed to do something it should have; or
- acted unfairly or inappropriately.

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

Policy and Procedure Detail:

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.

1. Wilderness School is committed to:

- Providing a working and learning environment that is safe and fair.
- Promoting our School values and nurturing Respectful Relationships.
- Minimising the incidence of conflict that might give rise to a serious complaint.
- Supporting the right of every member to have his or her complaint lodged, listened to, addressed fairly and dealt with as soon as practicable.
- Meeting its moral and legal obligations (i.e Mandatory Reporting).
- Maintaining high levels of communication and record keeping.
- Providing adequate training and support for people with responsibility to investigate and mediate on serious complaints.

2. Lodging a Complaint - Principles

The following principles will apply to the lodging of a complaint:

- 2.1. The health, safety and wellbeing of all members of the School community remain the highest priority.
- 2.2 Complaints should be lodged in good faith and without frivolous, malicious or vexatious intent.
- 2.3 Every reasonable effort will be made by the School and its representatives to ensure that a parent who lodges a complaint or anyone dealing with or involved in the complaint will not be treated unfairly, victimised, coerced or intimidated.
- 2.4 Communication and resolution processes should always be based on the parties acting in good faith, exercising good judgement, being honest and open, and focusing on the issue and not the person(s).
- 2.5 Each complaint is to be dealt with on its particular circumstances and merits and any settlements reached or determinations made through the resolution process will not necessarily constitute and binding precedent for future similar cases.
- 2.6 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 parties. 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.

3. Informal resolution of complaints wherever possible

- 3.1 Many complaints may be minor in nature, or readily resolved and often arise from genuine misunderstandings and/or issues relating to communication. In the vast majority of cases, these can be satisfactorily resolved informally.

- 3.2 The School supports complainants, wherever possible and as soon as practicable after a matter becomes of concern, to seek to resolve a complaint in an informal and amicable manner. This is best done through direct communication/discussion by and between the parties themselves (i.e a parent and teacher).
- 3.3 Formal procedures for the resolution of complaints should only be invoked when a matter is of very serious nature and/or cannot be resolved by the parties themselves through informal means.

4. Formal and serious complaints

- 4.1 Complaints that cannot otherwise be resolved pursuant to 3.1 and 3.2 above or are of a serious nature may be referred to or should be lodged formally and in writing to the following staff:
- Head of Department
 - Head of House
 - Head of School
 - Principal
- 4.2 In such instances, a parent may also seek advice or clarification from any of the aforementioned staff about the appropriate person(s) in the School to whom the concern or complaint might best be directed.
- 4.3 As soon as practicable after a formal written complaint has been lodged, a process will be put in place by the School to investigate the complaint.
- 4.4 The investigative process in relation to formal complaint will include but not necessarily be limited to: gathering relevant and material information relating to the complaint, meetings convened of the parties to discuss the complaint and to seek a resolution. If a resolution cannot be found, a determination will be made by the School, based on thorough investigation, as to whether or not to uphold the complaint.
- 4.5 If the complaint is substantiated, the evidence is inconclusive or if the complaint is found to not be substantiated, all parties will be formally advised accordingly, along with any follow-up counselling or other actions as the parties agree and/or the School deems appropriate and necessary in all the circumstances.

5. Referral of a complaint to the Council of Governors

- 5.1 As a general rule the Chairman of the Council of Governors and members of the Council of Governors are not directly involved in the first instance with the receipt, investigation or resolution of a serious complaint other than grievances within the School Council itself.

- 5.2 In instances where a complaint is about the Principal, a person may, if they feel the matter cannot be otherwise be resolved or feels it is appropriate to do so, lodge a formal complaint with the Chair of the Council of Governors. In turn, and in consultation with the complainant, the Chair of the Council of Governors will expeditiously take all reasonable steps to have the complaint fully investigated and to facilitate a resolution.

6. Documentation/Record Keeping

- 6.1 It should be noted that documents that may be created during the course of investigations and handling a complaint might have to be produced in legal proceedings. It is important this be borne in mind at all times.
- 6.2 The record should contain clear and accurate notes of conversations with parents, students and staff, including dates, statements, relevant files and outcomes.
- 6.3 Records will be very useful if further disputation occurs or in the case of future legal action. An appropriate records management system will be established by the School to protect the privacy of the individual(s) concerned and which contains full details of the complaint and subsequent actions taken to resolve the matter.

7. Referral of a complaint to an external authority

- 7.1 Where a serious complaint is not or cannot be resolved within the School, the parties may seek assistance from outside professional agencies to judicial bodies in order that a further attempt can be made to resolve the matter.
- 7.2 The Association of Independent Schools of South Australia (AISSA) will not act as a mediator between parents and schools.
- 7.3 *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.*

8. Confidentiality, Discretion and the School's duty or obligation to notify or report

"We will treat your complaint with respect and sensitivity. However you should not assume that your communications with us, or any documents you may supply to us, will necessarily be kept confidential. Although we endeavour to deal with complaints with appropriate discretion, we reserve our right to disclose details of the matter to other persons who in our opinion need to know them, in order to facilitate the resolution of the complaint."

9. Anonymous complaints

9.1 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.

10. Obligation to notify or report

10.1 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 (i.e Child Abuse Report Line) will be contacted and formally advised.

11. Withdrawal of a complaint

11.1 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 the circumstances, wishes to continue to address a matter raised.

12. Distribution of this Policy

12.1 This Policy, and any changes or updates thereto, is made available to all staff (via the School's network) and Parents of the School (via the Schools website).

Handling Complaints: Flowchart of Stages/Options

