

## COMPLAINTS HANDLING POLICY

### 1. PURPOSE

The purpose of this **Complaints Handling Policy** is to establish a framework for the handling of matters of concern that relate to the Central Coast Steiner School. It is intended to provide to students, parents/guardians and members of the wider community a process for communicating concerns within a supportive and respectful environment. It provides a clear process so that the concerns raised are met with both confidentiality and a commitment to fairness.

A concern may be raised about any policy or procedure, decision, behaviour, act or omission that is considered to be unsatisfactory, unfair or unreasonable.

The **Complaints Handling Policy** is in place so that, so far as is reasonably practicable, complaints are addressed in a timely and confidential manner in order to prevent minor problems or concerns from escalating.

Complaints may be verbal or written. Written complaints include those sent by letter or email. Anonymous complaints do not allow for this Policy to be implemented fully.

There is an underlying assumption on the part of the School that complaints are not vexatious or malicious, i.e. that they are made in good faith with honest good will and an intention for resolution. The School expects that complaints will be brought forward and processed in a respectful manner recognising the dignity of each person concerned. The Central Coast Steiner School has a firm commitment to seeking the fair resolution of complaints at all levels.

### 2. RELATED POLICIES

The procedures for processing whistleblowing complaints are dealt with in the school's **Whistleblowing Policy**.

In summary, a whistleblowing disclosure is a disclosure which:

- is made by a board member, staff member, a person who supplies goods or services to the school, including a volunteer, an employer of a supplier or a relative of any of these people;
- involves alleged misconduct, an improper state of affairs or circumstances, or illegal activity, and
- is made to a senior staff member, or officer of the school, the school's auditor or a person who the school has authorised to collect such disclosures.

Complaints about reportable conduct will be addressed in accordance with the school's **Child Protection Policy**.

Complaints regarding a grievance between staff members about work matters, including work relationships and decisions made by other staff members which impact on their work, are addressed in accordance with the school's **Staff Grievance Guidelines**.

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### 3. POLICY FRAMEWORK

#### This policy will:

- endeavour to foster healthy relationships between the Central Coast Steiner School, students, parents/guardians and the wider community
- recognise and protect the right to raise matters of concern or complaints
- recognise the rights of a person who is the subject of a complaint (the respondent)
- provide a fair and accessible process for prompt response
- provide for the principles of procedural fairness to apply at all times
- provide, so far as is reasonably practicable, a complaint handling process that is impartial, inclusive and confidential
- provide clear information on the complaints handling process including the right of review

#### 3.1 Who does this Complaints Handling Policy apply to?

This Policy extends to concerns raised by students, parents/guardians, and members of the wider community. The School has specific policies in place for issues relating to Child Protection, harassment, discrimination, and staff grievances.

### 4. PRINCIPLES OF THIS POLICY

#### 4.1 Commitment

This school will investigate all complaints in accordance with this policy. The School will put relevant training of staff in place for the implementation of this Policy. The School will monitor the integrity and effectiveness of this Policy and associated procedures.

#### 4.2 Responsiveness

Complaints will be dealt with promptly. The process and the time needed to resolve an issue will vary depending on the nature, complexity and scope of the matter.

#### 4.3 Visibility

The existence of this [Complaints Handling Policy](#), its purpose, and the method of accessing it will be promoted to the community. It can be accessed on our website, and upon request to the School administration.

#### 4.4 Procedural Fairness

The principles of procedural fairness will be followed in all aspects of complaint handling. Procedural fairness ensures the application of the 'hearing rule' and the right to an unbiased process. This includes:

- enabling the opportunity to raise a concern
- offering reasonable assistance to enable the complaint to be made
- handling the complaint process confidentially, impartially and with sensitivity

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- informing the respondent of the substance of the complaint and providing an opportunity to respond
- providing both the complainant and respondent with information about the complaint handling process
- assessing the facts, evidence and circumstances of the situation objectively and determining the outcome fairly
- processing complaints as expeditiously as reasonably possible and advising the complainant and the respondent of the outcome of the process
- providing the complainant and respondent with details of the determination and reasons for the decision
- informing the complainant and respondent of any avenue for review

### 4.5 Confidentiality

Confidentiality will be respected at all times within the constraints of the need to fully investigate the matters relating to the complaint. The obligation to maintain confidentiality extends to the complainant and to the respondent. It is expected that the parties involved discuss the matter only with the contact person at the School and the support person.

### 4.6 Access and equity

The complaints handling process is accessible and equitable. Additional assistance may be available to you if you are from a culturally and linguistically diverse background, have a disability or are a young person. Where students with special needs are involved in any aspect of the complaint processes, every assistance will be given to them to ensure, so far as is reasonably practicable, that they may fully engage with the procedures detailed in this policy.

### 4.7 No victimisation

If a complaint is made in good faith, all parties will be protected from detrimental action including victimisation, repercussions or unfair treatment.

## 5. PROCEDURES

### 5.1 Raising a Concern- who is the appropriate contact person?

- If you are a parent/guardian raising a concern about a student other than your own child, you should raise it with the Class Teacher or Year Guardian.
- If you are a parent/guardian or a member of the community raising a concern about a member of staff, the issue should first be discussed with the relevant staff member and/or the Principal.
- All allegations of staff misconduct or '**reportable conduct**' must be reported directly to the Principal. If a complaint that concerns the behaviour of a staff member may constitute reportable conduct, the matter will be addressed in accordance with the school's **Child Protection Policy** in accordance with key legislation listed under section 1.2. Please refer to the school's **Child Protection Policy** for information about reportable conduct. This is published on the School's website: <https://ccss.nsw.edu.au> and can be provided by request. Complainants are not required to assess whether their concern meets the threshold of reportable conduct before making a complaint. Any concern about a child's wellbeing may be reported under this policy.

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- If you are a student raising a concern about another student, you should raise the concern with your Class Teacher/Year Guardian or the Deputy Principal or the Principal.
- If you are a student raising a concern about a member of staff, you should raise it first with the relevant staff member and/ or the Deputy Principal or the Principal.
- If you are a student raising a concern about a member of staff, allegations of staff misconduct or 'reportable conduct', this must be reported directly to the Principal.
- If you are a member of the school community raising a concern relating to the School's grounds, buildings and buses, you should raise it first with the Operations Manager: [operations@ccrss.nsw.edu.au](mailto:operations@ccrss.nsw.edu.au) . If the matter remains unresolved, the complaint should be put in writing to the Principal.
- If you are raising a concern about the Principal or allegations of misconduct or 'reportable conduct' relating to the Principal, this should be addressed in writing to the Chair of the Board to: [chair@ccrss.nsw.edu.au](mailto:chair@ccrss.nsw.edu.au).

If you choose to speak directly to the person with whom you have an issue, you are asked to:

- describe clearly the incident, action or behaviour that is of concern
- communicate respectfully
- state the outcome you are seeking.

In all cases where parents/guardians are raising concerns, they must abide by the **Parents and Guardians Code of Conduct**. They are required to refrain from gossip, aggression or any form of negative communication that may involve reputational damage or distress to the respondent.

### 5.2 How we go about responding to concerns you have raised

If you are raising your concern with a teacher, a member of the School administration or senior management or the Principal, the person handling your complaint will record details of the information you provide, ask you what action you would like taken in response to your complaint and explain to you how the complaint handling procedure is undertaken.

A complainant and the relevant parties that the complaint is about may choose to have an appropriate support person present at any meeting with representatives of the School about the complaint. 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. The support person must maintain confidentiality about all matters discussed at any meetings.

The Principal will decide on the most appropriate person to manage the concern raised on a case-by-case basis. The Principal and/or delegate will:

- put the information received from the complainant to the respondent and seek a response
- maintain impartiality
- document the issues raised
- if appropriate, speak to any witnesses involved. This will be done carefully so as not to breach confidentiality or cause reputational damage.
- consider any further information that may be relevant
- upon considering all the information gathered, reach a conclusion and advise both the complainant and the respondent of the outcome of the process.

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### 5.3 What are the possible outcomes?

A complaint may be addressed in a variety of ways. This will depend on whether or not the complaint is substantiated, the seriousness of the matter, the wishes of the complainant and the nature of the relationship of the persons involved.

A complaint is said to be upheld if the person investigating it believes that, on the balance of probabilities and on the basis of the evidence provided, the matters raised did occur. If the complaint is upheld, the following are some possible outcomes (however, the outcomes are not limited to these), depending on the nature of the complaint:

- an explanation and agreement between the complainant to the respondent
- a verbal and/or written apology
- mediation
- targeted professional development or training
- dissemination of information where relevant
- referral to counselling
- directions about further interaction between the complainant to the respondent
- an admission that the matter could have been handled better resulting in a School review of a policy, guideline or procedure
- where a staff member is the subject of the complaint, targeted professional development or disciplinary action or termination of employment contract may follow
- where a student is the subject of the complaint, a range of sanctions as set out in the school **Discipline Policy** may be invoked

If a complaint is not upheld or not substantiated (i.e. the evidence is insufficient on the balance of probabilities) but some issue is required to be addressed, possible outcomes include:

- monitoring of behaviour of students
- counselling for the parties involved
- mediation
- relevant training for staff
- school review of a policy, guideline or procedure

If the complaint is not upheld, is vexatious or if there is evidence that the complaint was made with the main purpose or intent of causing distress and/or reputational damage to the respondent, the following are possible outcomes:

- counselling for one or more of the parties involved
- a verbal or written apology from the complainant
- disciplinary action
- termination of the enrolment contract due to breach of the **Parents and Guardians Code of Conduct**

### 5.4 Right of Review

If you have been involved with a complaint matter and you have concerns regarding the complaints handling process or believe the outcome to be unfair, you may seek a review of the decision. You may

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refer the matter to the Chair of the Board for review. You should contact the Chair of the Board in writing at [chair@ccrss.nsw.edu.au](mailto:chair@ccrss.nsw.edu.au) and explain your grievance. The Chair of the Board will consider the determination that has been made and if there is any need for review.

Depending on the outcome of this investigation, either no further action may follow or there may be further consideration of the matter.

### **6 RECORD KEEPING**

The Principal maintains a secure complaint register that has restricted access. Records of complaints, interviews and other documentation relating to a complaint investigated at the school will be kept at the school in a restricted access file. These records must be kept permanently.

Regular reviews of complaints take place by the Principal and at School Board level in order to see that matters of concern which are raised have been identified and responded to appropriately. The School's Board of Directors receives regular reports with respect to the status of existing complaints, any underlying trends, as well as information with respect to corrective actions that have been put in place.

### **7 EVALUATION**

This policy will be reviewed every two years and/or as required.

Reviewed: 14/02/2019

Reviewed: 15/06/2020

Reviewed: 15/06/2021

Reviewed: 02/07/2021