



077

Policy Number

Resolution of Parent and Student Complaints and Grievances

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1. The resolution of parent and student grievances and complaints

This document details principles applicable to and procedures to be followed with respect to the resolution of student and parent complaints and grievances.

The College prefers to use a Restorative Practices framework to resolve grievances, disputes and complaints. Restorative practices focus on the quality of relationships between members of the school community. Parents, students and staff have all invested into the LJBC community and long term, significant relationships exist between all members of our community, and are greatly valued. Restorative practices mean that we take a relational approach to solving problems, rather than apportioning blame and taking punitive action. Restorative practices means that everyone involved reflects on the ways in which their attitudes, beliefs and behaviours may have contributed to the problem. Restorative practices provide accountability by encouraging all parties to repair the harm, where appropriate, which provides restoration, builds relationships and encourages us to learn from the experience that led to the problem.

If after following the Level 1 Complaints Process, with its emphasis on restorative practices, the parent or student is dissatisfied with the outcome, the parent or student may move to the Level 2 Complaints Procedure, which involves a formal complaint or grievance and an investigation.

College staff will do their best to resolve grievances and complaints, as we have a commitment to continuous improvement, and we endeavour to provide a service which results in high levels of parent and student satisfaction.

LJBC parents and students are able to make enquiries, raise concerns or lodge complaints and have these dealt with impartially, efficiently and with respect and courtesy. Likewise, when raising concerns and lodging complaints, parents and students are expected to exercise respect and courtesy towards College staff.

The College will endeavour to ensure that complaints are handled promptly, sensitively and in accordance with restorative practices and the principles of natural justice and procedural fairness.

2. Principles for handling complaints

- 2.1. The College is open to the concerns of parents and students.
- 2.2. Complaints will be received in a positive manner and carefully investigated.
- 2.3. The College is committed to the positive resolution of problems preferably using restorative practices.
- 2.4. The student's enrolment will be maintained whilst the internal and external complaints and appeals process is ongoing.
- 2.5. The College undertakes to commence all grievance processes within ten working days of the complaint being lodged in writing.
- 2.6. The resolution of grievances should occur at the lowest possible level in the grievance process
- 2.7. Matters which cannot be resolved at a particular level should be referred to the next stage in the process. Senior Staff will recognise when issues need to go straight to the Principal.
- 2.8. Matters should not normally be brought directly to the Principal or other senior staff until the various stages of the Complaints Process have been followed, or unless the matter is extremely serious.
- 2.9. Students and parents making complaints are able to proceed through the stages in the Complaints Process, and are able to take unresolved concerns to the Principal and then if so desired, to the College Board of Directors and to outside authorities as appropriate.
- 2.10. If the grievance procedure finds in favour of the complainant, the College will immediately implement the decision and any action required, and will advise the complainant of the steps taken to rectify the situation.
- 2.11. Persons who are the subject of a complaint, who make a complaint or provide information in the course of an investigation into a complaint, will not be subject to prejudice, intimidation, harassment or any detriment because of their involvement.
- 2.12. Complaints and concerns may initially be lodged verbally or in writing.
- 2.13. Each party may be accompanied and assisted by a support person at any relevant meetings.
- 2.14. If a complaint is complex or serious the complainant may be required to restate the complaint in writing.



- 2.15. A person lodging a complaint must provide his/her name, address and details of the complaint.
- 2.16. Complaints thought to be vexatious, malicious, trivial or relating to previously finalised issues are referred immediately to the Principal.
- 2.17. Complaints will be monitored and their frequency, nature and management evaluated to reduce the occurrence of systemic and recurring problems.
- 2.18. All persons in the College community, including students, parents, educators and support staff, have a right to be treated with respect and courtesy. If complainants are disrespectful or discourteous towards staff, or attempt to intimidate staff members when making a complaint, the interaction will be terminated and the staff member is required to report the matter to their line manager and to the Principal.
- 2.19. If a staff member is the subject of a complaint they will usually be informed of the substance of the complaint. The text of the complaint will not necessarily be provided. Complaints against employees must be sufficiently detailed to enable the employee to respond to the allegations against them. A detailed description of the incident/s, the alleged time and place when the incident/s allegedly occurred and the names of any possible witnesses to the incident/s must be provided.

3. Complaints process - pastoral care or curriculum matters

The flowchart at the end of this policy provides a summary of the Complaints process and specific information regarding which College staff to contact

3.1. Level 1 Complaints Process

The Restorative Practices approach encourages everyone involved in a complaint or concern to ask several key questions:

- What has happened?
- Who has been affected?
- How can the situation be put right?
- How can we help everyone who has been affected to find a way forward?
- How can everyone do things differently in the future?

Stages in Level 1 Complaints Process

Stage 1

The resolution of grievances should occur at the lowest possible level in the grievance process. Parents or students should meet with the staff member directly involved in the complaint before taking any further action.

Stage 2

If after approaching the staff member directly involved, the concern is not resolved, an appointment should be made with the staff member's line manager or the matter can be put in writing to the line manager:

Please refer to the flowchart for further details.

Stage 3

If the matter is not resolved by meeting with the line manager, the student or parent/guardian may request a meeting with the appropriate senior staff member or the complaint can be put in writing to the line manager.

Please refer to the flowchart for further details.

3.2. Level 2 Formal Investigation

Parents and students who have followed the three stages in the Level 1 Complaints Procedure, but who are not satisfied with the outcome, can request a formal investigation into their concerns. An appointment should be made with the College Principal or the complaint can be put in writing. All written complaints will be acknowledged in writing, setting out a timeline and procedure for investigating the complaint. The process will commence within 10 working days of the formal lodgement of the complaint or appeal. The College will maintain the student's enrolment while an appeal is ongoing.



Level 2 complaints will observe the principles of procedural fairness and natural justice:

- Each party must have the opportunity to present his/her version of the facts
- Each party must be given fair opportunity to respond to information provided by the other party
- All complaints and grievances must be investigated in a fair, professional and impartial manner, with no detriment to the complainant
- The investigation must be appropriate to the circumstances
- Decisions are made on the basis of evidence provided
- The outcome of the investigation will be communicated to all parties as soon as possible, providing reasons for any decisions to action taken. Where an appeal process results in a decision that supports the student, the College will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome
- A statement of outcome and findings, in writing, in relation to each complaint or appeal that demonstrates the reasons behind the decisions made at each stage of the appeal will be provided. The statement will be issued to the complainant/respondent and a copy retained on the student's file

Following an investigation, the College will review policies, procedures and protocols in an endeavour to minimise the likelihood of further occurrences.

3.3. Level 3 Formal Complaint

If parents or students remain dissatisfied after bringing concerns to the College Principal, the matter may be referred in writing to the College Board of Directors:

The Chairman
The Lake Joondalup Baptist College
PO Box 95
JOONDALUP WA 6919

The Board of Directors will investigate the complaint and report back to the complainant. The investigation process will be undertaken at no cost to the student.

Issues unresolved at Board of Director level can be referred to the College nominated consultant (the Director of Ministries, Baptist Churches of WA or his delegate) or to a mutually agreed outside consultant.

4. Unlawful discrimination or harassment - complaints by parents or students

The College is committed to implementing principles, policies and procedures which are best practice in the areas of equal opportunity and to the elimination of any form of unlawful discrimination or harassment. The relevant State laws include the *Equal Opportunity Act 1984* and relevant Federal Laws include *Age Discrimination Act 2004*, *Disability Discrimination Act 1992*, and *Disability Standards for Education 2005*, *Racial Discrimination Act 1975*, *Racial Hatred Act 1984*, *Sex Discrimination Act 1984*. With respect to parents and students; the College will not tolerate unlawful discrimination or harassment on the basis of race (colour, ethnicity, national origin, nationality or descent), sex, pregnancy, marital status, age, sexual orientation, family responsibility, family status, political conviction, religious belief or disability.

Further information about unlawful discrimination can be found on the WA Equal Opportunity Commission website www.eoc.wa.gov.au. If after visiting this site a person believes that they have been discriminated against, a complaint can be lodged directly with the Commission. The College however, would appreciate the opportunity to investigate and redress any alleged unlawful discrimination, in which case the following procedure would be applicable:

Step 1: The student or parent should immediately report the matter to a senior member of College staff. The student may request that a student or staff member they trust attend this meeting and parents are also welcome to attend if practical.

Step 2: The staff member will brief the Principal about the incident as soon as possible and the Principal will instigate an investigation, applying the principles of natural justice and procedural fairness set out in the Section entitled 'Level 2 Formal Investigation' of this policy.

The parents and students will be asked to prepare a written report and/or meet with the Principal.

Step 3: Following an investigation, if the allegation is found to have substance, the Principal will take appropriate action. The outcome of the enquiry and action taken will be communicated to the parents and the student.

Step 4: If the student and/or parents are dissatisfied with the outcome, they may write to the College Board of Directors:

The Chairman
The Lake Joondalup Baptist College
PO Box 95
JOONDALUP WA 6919

Step 5 Issues unresolved at Board of Director level can be referred to the College nominated consultant (the Director of Ministries, Baptist Churches of WA or his delegate) or to a mutually agreed outside consultant. The investigation process will be undertaken at no cost to the student.

5. Serious complaints

If a complaint or concern comes to the attention of College staff and the College Principal, and in their view the matters under consideration fall under the jurisdiction of the *Children and Community Services Act 2004* and the *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008*, a school based investigation will not be carried out and the matter will be reported to the appropriate authorities.

6. Confidentiality

Parents often seek an assurance of confidentiality before expressing their concerns. If, for example, they wish to discuss a particular member of staff, they may fear that their child will suffer in some way because they have complained.

The substance of a complaint needs to be communicated to the person the subject of the complaint. Students and parents will recognise the need for staff to be informed so that they can provide information relevant to the investigation. If involved in, or informed of a grievance or complaint, staff members are aware of their obligation to ensure that such complaints do not rebound adversely on the student involved.

7. Anonymous complaints

When making a complaint, parents and students must be prepared to give their names. Anonymous complaints will not generally be actioned, except at the discretion of the Principal.

8. For International Students International Education Conciliation Service

The Department of Education Services offers a free independent conciliation/mediation service through the International Education Conciliator. Through conciliation, mediation and dispute resolution processes the Conciliator attempts to resolve disputes between international students and their institutions. Contact the International Education Conciliator by telephone on 08 9441 1900 or email conciliation@des.wa.gov.au

9. Overseas Students Ombudsman

The Overseas Students Ombudsman (www.oso.gov.au) investigates complaints about problems that overseas students have with private education and training in Australia. Overseas students already in Australia, and students planning to come soon, can contact the Ombudsman about an action or decision taken by their private registered education provider in Australia. Students can seek advice anytime during the appeals process, however the Ombudsman will only investigate after the complaint has been raised with the College.

Dawn Clements
College Principal

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The Resolution of Parent and Student Complaints and Grievances

Flowchart

PK-12 Concern relates to:

