



PARENT AND STUDENT COMPLAINT POLICY

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1 INTRODUCTION

All Non-Government schools in Western Australia are legally required to have in place and implement a policy and procedures for complaints management. *(Please see section 2 'Legislation and other requirements' in this document for more information on the requirements).*

The [Guide to the Registration Standards and Other Requirements for Non-Government Schools January 2020](#) defines a **complaint** as an 'expression of dissatisfaction made to the school about its services, decisions, actions or those of its staff, or about the complaint management process itself.' *(The Guide p.31).*

Non-Government School Regulation (NGSR) considers that, in the spirit of the provision of a safe school environment, the expression of a concern or a complaint equates to an expression of dissatisfaction and both should be managed and recorded in the same manner.

It is recognised that very often people may not approach a topic from the perspective of 'I want to complain' but rather from the perspective of 'I am concerned ...' Advice from the Australian Human Rights Commission suggest that it is more common for a student to express a concern rather than 'make a complaint'. Irrespective of the nature of the 'concern' raised, it should be treated with the same respect and attention as for a matter that is described as a 'complaint'. For this reason, throughout this guideline, the use of the terms concern and complaint are considered to be 'expressions of dissatisfaction' as required by NGSR.

The expression of a concern/complaint may be made about the school as a whole, about a specific department in the school, about a particular school activity, about an individual member of staff, about another person working in the school, or about one or more students.

A school is required to enable and accept the expression of a concern / complaint in any form, e.g. in person, by telephone, in writing (in any form) and anonymously.

The schools' regulator – the Director General of the Department of Education (through NGSR) draws a very close connection between a school's complaint handling system and its provision of a child safe environment. In making this connection the regulator requires

that a school's complaints handling system satisfies each of the key action areas of two of the ten [National Principles for Child Safe Organisations](#) – Principle 6 (*Processes to respond to complaints and concerns are child focused*) and Principle 9 (*Implementation of the national child safe principles is regularly reviewed and improved*). A school's complaints handling system is also closely linked to its Code of Conduct, including the obligation on staff to report breaches of the Code of Conduct.

Because of its consistency with the National Principles for Child Safe Organisations, the regulator recommends the use of the [Complaint Handling Guide: Upholding the rights of children and young people in the development of a school's complaint handling system](#).

A **dispute** is a pursued unresolved complaint that has been escalated, either internally and/or externally to the school. Please see section 5 of this document for information on the handling of a dispute.

This guideline does not cover complaints from members of staff about aspects of their work. A policy and procedure for internal complaints has been developed and agreed by the governing body, Principal and staff and is called the Grievance Policy.

2 LEGISTRATION AND OTHER REQUIREMENTS

2.1 School Registration Standard – Complaints

The Western Australian *School Education Act (1999)* includes a Non-Government school registration standard that relates to '*the response to, and recording of, complaints and disputes at schools.*' s.159(1)(k). The requirements of this standard are reflected in the [Guide to the Registration Standards and Other Requirements for Non-Government Schools January 2020](#), (*The Guide*) as described below:

Standard 9: Complaints

9.1 *The school has and implements a complaint handling system which satisfies each of the key action areas of Principles 6 and 9 of the National Child Safe Organisation Principles.*

9.2 *The school's complaint handling system conforms to the rules of procedural fairness and includes a system for review.*

9.3 *The school publishes information to the school community about the **role of the Director General** in monitoring the school’s compliance with these standards including, but not limited to, standards 9.1 and 9.2, and her authority to respond to instances of non-compliance (The Guide, p.31). Please see page 8 of this policy for more information.*

Please see below for information on National Principles 6 and 9 and their respective key action areas:

Child Safe National Principle 6 – Processes to respond to complaints and concerns are child focused. This Principle provides guidance on how human resource management policies and practices and effective complaints management processes should be accessible, responsive to and understood by children and young people, families, staff and volunteers. Complaint management processes will be linked to the Code of Conduct and provide details about where breaches of the Code have occurred (in the past). Training will help staff and volunteers to recognise and respond to neglect, grooming and other forms of harm, provide appropriate support to children and young people in these instances and meet legal requirements. This includes training to assist in responding to different types of complaints, the different ways children and young people may express a concern, distress or disclose harm, confidentiality and privacy considerations, listening skills, disclosures of harm and reporting obligations.’

National Principle 6 key action areas:

6.1 The organisation has an accessible, child focused complaint handling policy which clearly outlines the roles and responsibilities of leadership, staff and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct and obligations to act and report.

6.2 Effective complaint handling processes are understood by children and young people, staff, families and volunteers, and are culturally safe.

6.3 Complaints are taken seriously, and responded to promptly and thoroughly.

6.4 The organisation has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement.

6.5 Reporting, record keeping, privacy and employment law obligations are met.

A culturally safe complaints handling process:

The Royal Commission into Institutional Response to Child Sexual Abuse adopted the following definition of a culturally safe environment:

‘An environment ‘where there is no assault, challenge or denial of [a person’s] identity, of who they are and what they need’ and refers specifically to Aboriginal and Torres Strait Islander peoples. This encompasses Aboriginal and Torres Strait Islander individuals’ own assessment of their safety and capacity to engage meaningfully, on their own terms with a non-Indigenous person or institution. This requires action from the non-Indigenous person or institution to listen, enable and support these environments, with accountability to Aboriginal and Torres Strait Islander colleagues or service users [Final Report, Volume 1, page 322].

The Royal Commission’s reports and other papers indicate that a culturally safe complaint handling process will be one which overcomes cultural barriers and taboos to disclosure, provides culturally appropriate means of making complaints, is managed by people who are aware of and sensitive to potential complainant’s culture and cultural attitudes, including those arising from historical trauma and mistrust of authorities, and which facilitates access to culturally-appropriate therapeutic and other services as required.’ (The Guide, p.33)

While the above definition specifically refers to Aboriginal and Torres Strait Islander peoples, it should be noted that the *National Principles for Child Safe Organisations* highlight that organisations should consider the particular needs of children from diverse backgrounds and circumstances, including Aboriginal and Torres Strait Islander children, as required under *Principles 3, 4 and 7*.

Child Safe National Principle 9 – Implementation of the national child safe principles is regularly reviewed and improved. This National Principle emphasises the need for organisations to regularly review their delivery of child safe services and their operations.

National Principle 9 key action areas:

- 9.1 The organisation regularly reviews, evaluates and improves child safe practices.
- 9.2 Complaints, concerns and safety incidents are analysed to identify causes and systemic failures to inform continuous improvement.
- 9.3 The organisation reports on the findings of relevant reviews to staff and volunteers, community and families and children and young people.

Rules of procedural fairness, as referenced in Standard 9.2, require:

- (a) a hearing appropriate to the circumstances;
- (b) lack of bias;
- (c) evidence to support a decision; and
- (d) inquiry into matters in dispute.

Role of the Director General:

It is the responsibility of the school to publish to the school community about the role of the Director General, as referenced in Registration standard 9.3:

‘The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the school has breached the registration standards, she does not have power to intervene in a complaint or override the school’s decision.’

3 POLICY STATEMENT

CAPS Coolgardie believes in establishing and maintaining a work environment that is safe and free from all forms of conflict, harassment and discrimination. Therefore the school will endeavour to maintain an environment that refuses to participate in, or condone, behaviour that breaches these criteria. Where conflict arises or code of conduct has been breached between parents and staff, parents and school, students and students and staff and students, a dispute policy will be used to reach a resolution.

4 WHO IT APPLIES TO

The policy applies to parents, students and staff members at CAPS Coolgardie as the Western Australian School Education Act 1999 includes a standard, applicable to Non-Government Schools that relates to ‘the response to, and recording of, complaints and disputes at schools.’ Sec 159(1)(k). This standard is reflected in The Non-Government Schools’ Registration Standards and Requirements along with advisory information in relation to its satisfaction.

5 PROCEDURES

The guidelines cover complaints about the school as a whole, about a specific department in the school, about a particular school activity, about an individual member of staff or about one or more students. The policy is to allow an open and responsive complaints’ handling process that is consistent and clear, to ensure that complaints are dealt with as quickly and as fair as possible to provide the school with helpful information to assist in the identification of trends and eliminate causes of future complaints.

The resolution to a complaint should follow the steps below:

If the source of the complaint is a parent or guardian

Step 1 – Make a complaint or concern by filling out the complaint form where possible.

Step 2 An appointment will be made to see the Principal or the Deputy to discuss the concern or complaint - issue resolved or if not proceed to step 3.

Step 3 – If the matter cannot be resolved, a written letter addressed to The Board of the complaint is submitted via the Principal.

Step 4 - The letter will be submitted along with a report from the Principal as a CAPS Board item of discussion at the next available meeting.

Step 5 – The School Board will meet and make a recommendation as per its normal meeting schedule.

Step 6 – The CAPS board makes a decision on the matter and the decision is put in writing. While a complaint or concern is being heard at the school level, all parties must work according to the current situation. The complaint however, must be addressed within 5 to 10 working days

If the complaint is about the Principal, the parent is entitled to contact the Board Chair.

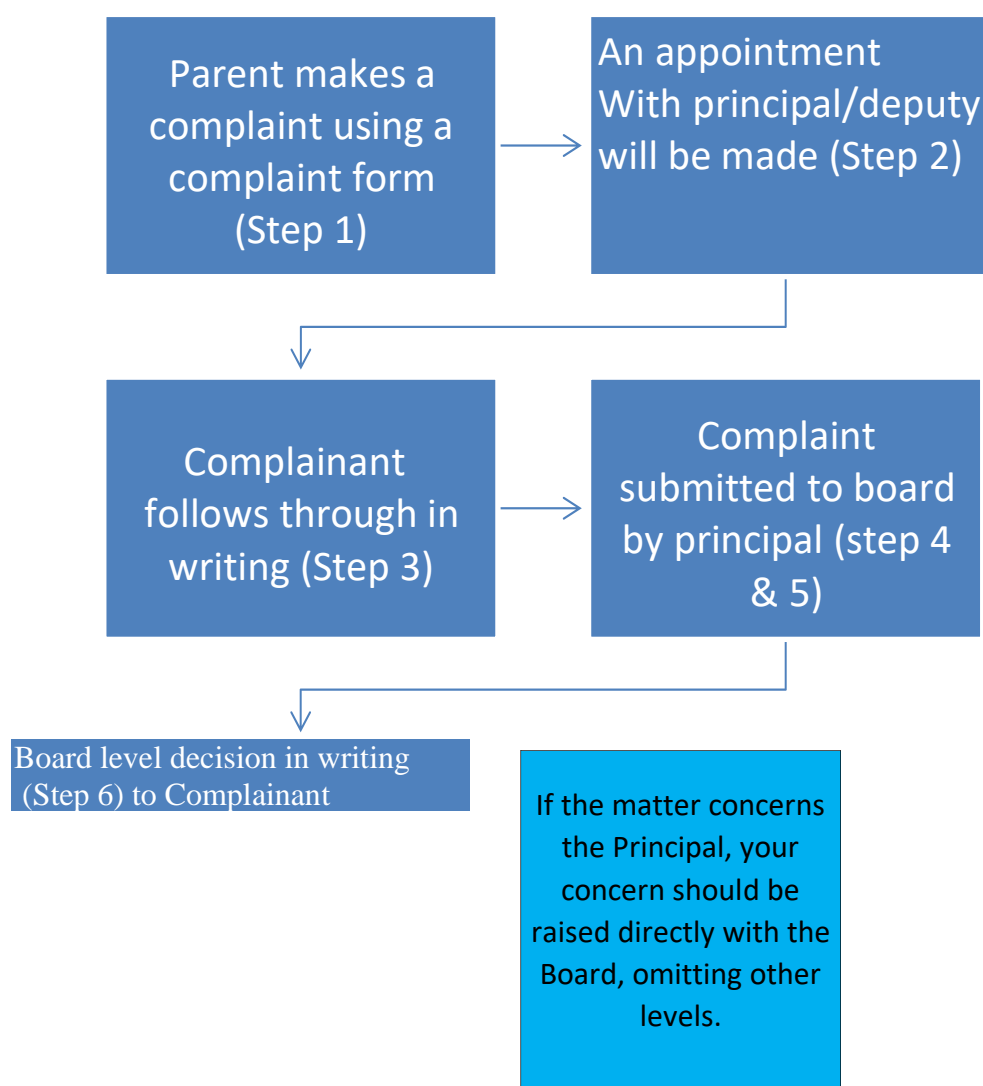
If the complaint is about the Board, the parent should refer the matter to the Board Chair who may determine if the mediation is required from AISWA or similar.

For issues that cannot be resolved within the local level procedures (Steps 1-6) the Board arbitrates the final resolution.

While the School Board is considering the dispute, all parties must continue to work according to the current situation and maintain confidentiality. The dispute however, must be in the process of being resolved within 30 working days of the scheduled board meeting.

The central principle in complaints resolution is to resolve the complaint at the local level. Refer to flow chart.

PARENT COMPLAINT PROCEDURE FLOW CHART



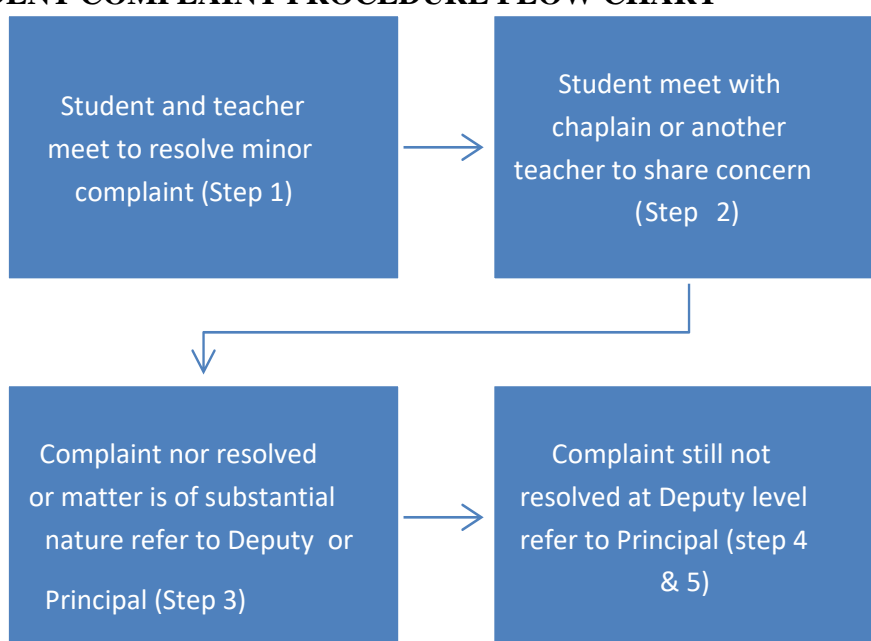
If the source of the complaint is a student

Step 1 – The teacher and student should act to resolve a minor complaint to the satisfaction of both parties or if the student feels she/he cannot raise the matter directly with the staff member concerned, she/he may approach another staff member or the School Chaplains

Step 2 – If a satisfactory resolution is not achieved, or if the matter is of a substantial nature, the matter should be referred to the Deputy Principal or Principal.

Step 3 – Failing a resolution at that level, the matter should be referred to the Principal for appropriate action.

STUDENT COMPLAINT PROCEDURE FLOW CHART



6 Types of Communication Methods for raising a complaint

Multiple ways such as in person (face to face), by phone, via a complaint form or email, verbal or written, or through an advocate to complain on behalf of student

7 Communication of complaints or concern policy

- The policy can be found on the school's website
- The line of approach for student is clearly outlined in the school diary

8 CAPS Coolgardie Leadership and staff will:

- Ensure that students and parents are aware of the complaints procedure.
- Manage the complaint process in a timely, fair and equitable manner.
- Consider all complaints from parents or students as serious and not make assumptions or judgements about complaints.
- Work towards a professional approach to listening to the parties involved.
- Ensure confidentiality.
- Ensure that documentation of the complaints procedure is managed and recorded through a register of complaints (See Section 13 for more information)
- Provide available support to parties involved when the need arises this can include another student or adult present during a meeting.
- Ensure complaints made by parents or students will not adversely affect the students.
- Ensure staff are informed about complaints that might be damaging to their reputation.
- Provide training to help staff to with complaints that are made to them, but complaints that are also made about them.
- Provide support to staff against whom a complaint is made. This can involve a colleague who is not involved in the complaint.
- In the case of a situation involving the Police, The Principal or if unavailable, The Deputy Principal must take responsibility for action to be taken within the school and the Governing Body Chair should be informed as soon as possible and external authority such as the Department of Child Protection (DCP) (if required). If required a Critical Incident Report should be submitted to the Department of Education Services (DES).
- In the case of a child protection matter staff should follow the child protection policy.

9 Mandatory Reporting

Any submissions of complaints which fall within the area of child protection should follow the requirements of the School's Child Protection and Grooming Policy.

10 Anonymous Complaints

Anonymous complaints may be where there is no name or address supplied, or where the complainants say that they do not wish to be identified. Complainants should be

encouraged to give their names and should be given reassurance on the issue of confidentiality. If they persist in wishing to remain anonymous, it is at the Principal's discretion as to what action, if any, should be taken, depending on the nature of the complaint.

Anonymous complaints should be recorded in the complaints register. Complainants should know that feedback would not be provided due to the complaint being anonymous.

11 SEQTA

Matters of concern and complaints relating to student conduct, conversations with parents and student management strategies are recorded on the students' profiles in SEQTA. The Executive Team regularly check student profiles and respond appropriately to patterns/trends.

12 School Complaints Management Register

The School will maintain a Complaints Management Register.

- Complaints or allegations raised at a Deputy, Principal or Board level will be recorded on SEQTA and the register.
- The Register will be reviewed regularly by the Principal and Deputy Principal - a minimum of once per term to identify any patterns or identify any areas of concern.

The Register should contain the following information:

- Register number;
- Date when the complaint or allegation was raised;
- Name of person raising the complaint;
- Category of the complaint to assist in identifying patterns.
- Brief description of complaint;
- Member of staff handling the complaint;
- Date a resolution reached;
- SEQTA entry where applicable.

13 Meeting Procedure

When a meeting takes place around a complaint the meeting will go as follows:

- a) Allow both sides to discuss the alleged incident and the issues around it.
- b) Attempt to resolve the complaint.
- c) Educate both sides about their rights and responsibilities
- d) Advise respondents on how to prevent further incidents in the future.

14 Policy and Process Review

The school's complaint policy and procedure will be reviewed around the scope, clarity and effectiveness of communication by the school. The School will review the process during an actual situation at the point of resolution and any required follow up. This will include the process, the ease and usefulness of the process, from the user's perspective.

It would further include reviewing the effectiveness of staff induction, training and communication of updates in this area.

Related Policies and Information:

Behaviour Management Policy

Anti-Bullying Policy

Child Protection Policy

Student Diary

FAQs for parents

CAPS Coolgardie welcomes suggestions and comments from parents and takes seriously complaints and/or concerns that may be raised.

A complaint will be treated as an expression of genuine dissatisfaction that needs a response.

We wish to ensure that:

- Parents wishing to make a complaint know how to do so.
- We respond to complaints within a reasonable time and in a courteous and efficient way.
- Parents realise that we listen and take complaints seriously.
- We take action where appropriate.

“How should I complain?”

When you contact the school, lodge a complaint form and then ask to speak to *the principal*. Be as clear as possible about what is troubling you. Members of staff will be happy to help.

“I don’t want to complain as such, but there is something bothering me”

The school is here for you and your child and we want to hear your views and your ideas. Follow the complaints procedure or how should I complain question.

“I am not sure whether to complain or not”

If as parents you have concerns, you are entitled to raise them. If in doubt, you should contact the school as we are here to help.

“What will happen next?”

If you raise something by telephone or face to face with the principal, it may be possible to resolve the matter immediately and to your satisfaction.

If you have made a complaint or suggestion in writing, we will contact you within 5 to 10 working days to respond to your concerns and explain how we propose to proceed.

In many circumstances, once the complaint process is initiated the matter will need to be discussed with a colleague and consider it further before responding.

You will be given a date by which time you will receive a response. If a detailed exploration of the issue is needed, a letter or report will be sent to you as quickly as possible. This will tell you of the outcome of your complaint. It will explain the conclusion, the reasons for it, and any action taken or proposed.

Parents need to be aware that in some cases the school will not be able to discuss the details of action taken as it would be inappropriate e.g. if the action involved staff discipline.

“What happens about confidentiality?”

Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Principal and those directly involved. The Chair of the School Governing Body may also need to be informed. It is the school’s policy that complaints made by parents should not adversely affect their children.

We cannot entirely rule out the need to make third parties outside the school aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where for example, a child’s safety was at risk or it became necessary to refer matters to the Police or another external authority. If information is passed to a third party you will be informed, unless this is prevented by legal obligation.

While information relating to specific complaints will be kept confidentially on file, we would point out that anonymous complaints might not be pursued.

“What if I am not satisfied with the outcome?”

We hope that you will feel satisfied with the outcome, or at least that your concerns have been fully and fairly considered.

If you are not satisfied, the Principal will offer to refer the matter to the Chair of the School Governing Body. Alternatively, you may wish to write directly to the Chair. The Chair will call for a full report from the Principal and will examine matters thoroughly before responding to ensure that the complaint has been handled in accordance with the school’s policy and procedure as well as to give further consideration.

When notified of the outcome of the Chair’s review and consideration, the opportunity of a meeting with the Chair will be offered if you remain concerned. You may wish to be supported by a friend, but legal representation would not be appropriate at this stage. If the meeting does not bring about a resolution, the matter will be arbitrated by the board.

The school recognises and acknowledges your entitlement to complain and we hope to work with you in the best interests of the children and young people in our care.

FAQ for Students

How do I make a complaint?

By talking about it – or by writing it down if you find that easier
You can do it by yourself, or as part of a group, or through your parents.

To Whom?

Anyone on staff.

Does it matter what the issue is?

No, it can be a big problem or a small one. By discussing it, you may come up with some positive ideas.

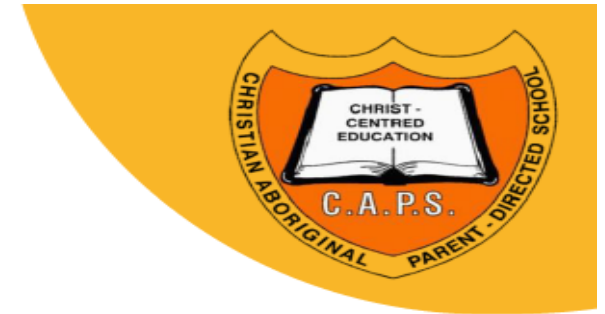
What will happen next?

If possible, the staff member will deal with it in person. If not, he or she will go on your behalf to someone who can help.

Do others have to know?

The teacher or the person you talk to will not talk to anyone else about your issue unless they have to, for your safety and well-being.

Even if you find the issue hurtful or embarrassing, we encourage you to talk to us as we want to make sure you feel safe and happy at our school.



CAPS Coolgardie welcomes suggestions and comments from parents and takes seriously complaints and/or concerns that may be raised.

ADDRESS

85/93 Lindsay St,
Coolgardie, 6429

CONTACT US

Phone: 08 9093 8000|

Fax: 08 9093 8020

Email: studentservices@caps.wa.edu.au

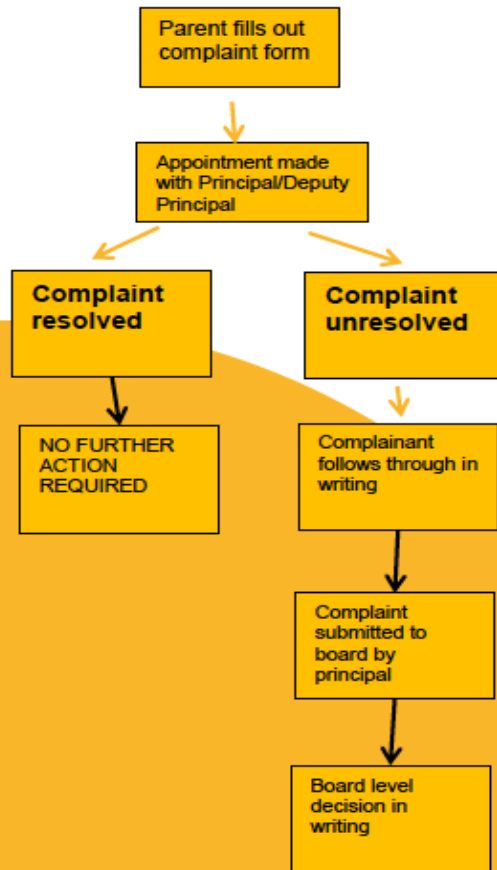
CAPS COOLGARDIE COMPLAINTS FAQ

**PARENTS & STUDENT
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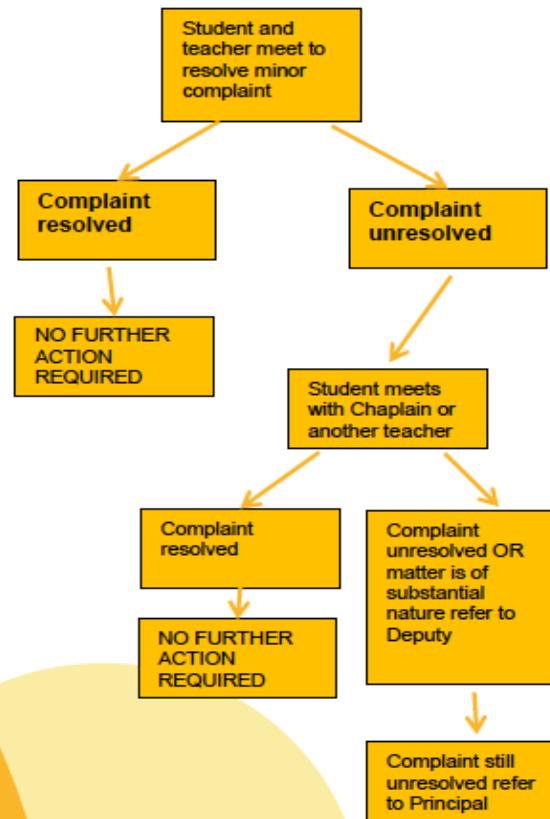
A complaint will be treated as an expression of genuine dissatisfaction that needs a response.

WHAT IS THE PROCEDURE INVOLVED?

PARENT COMPLAINT



STUDENT COMPLAINT



FAQ

'I don't want to complain as such, but there is something bothering me.'

The school is here for you and your child and we want to hear your views and your ideas. Follow the complaints procedure.

'I am not sure whether to complain or not.'

If, as parents you have concerns, you are entitled to raise them. If in doubt, you should contact the school as we are here to help.

'What will happen next?'

If you raise something by telephone or face to face with the Principal, it may be possible to resolve the matter immediately.

If it is a written complaint or idea, we will contact you within five to ten working days.

If a detailed exploration is required, a letter or report will be sent to you as quickly as possible.

Parents need to be aware in some cases the school may not be able to discuss details of action taken as it would be inappropriate..