

Northcote Intermediate School

Complaints Policy

Purpose

The School wishes to foster an environment where parents and caregivers are comfortable and confident in discussing the school's activities and curriculum, with classroom teachers, the Principal and the Board of Trustees.

This policy applies to any person associated with the School (e.g. parents, caregivers, staff, Principal, student, trustee) who wishes to make a complaint about a staff member, sports coach, Principal, trustee or any other person for which the School is responsible; or about an issue or event for which the School is responsible.

Relevant Legislation/Regulation

NAG 3

Guidelines

Introduction

The step by step process detailed below is recommended for all complaints (excluding complaints about trustees).

Any person may make a complaint to the Board of Trustees at any time by commencing the complaints procedure at step 4 without undertaking steps 1 – 3 (see below). However, if steps 1 – 3 have not been followed prior to the complaint being referred to the Board of Trustees, the Board may refer the complaint back to be dealt with using the step by step process.

Any complaint concerning a trustee may go directly to and be dealt with by the Board of Trustees.

N.B. The Board of Trustees has complete discretion in determining whether or not the subject of the complaint falls within the responsibility or jurisdiction of the School.

Open lines of communication between all sections of the school community are encouraged.

All people involved in the complaint are to be treated with respect.

The person making a complaint is to be given a fair hearing. The concern is to be given due deliberation. The complainant has the right to attend meetings with a support person.

Complaints will be dealt with promptly.

A record of all meetings and discussions concerning any complaint is to be kept including details of any agreed outcome and timeline.

Complaints should be addressed to the most relevant person, which will vary depending on the circumstances of each complaint. The most relevant person may be:

- A teacher
- A sports or team coach
- The Principal

Natural Justice Guidelines

Natural justice provisions are about *the duty to be fair* and the Principal and Board have a duty to observe them.

Natural justice requires the Principal and Board to:

- Adequately inform the person complained about of the complaint. Complaints (as opposed to concerns) must be specific and in writing.
- Give adequate time for a response to the complaint; this can be in writing if appropriate.
- Advise and suggest the person complained about seeks assistance and representation.
- Approach enquiries with an open mind. Investigation must be fair and objective.
- Give the matter due consideration. Consider the evidence and responses, and weigh allegation against explanation in an objective way.
- An opportunity to speak to a written response should be offered.
- Ensure there is no predetermination of disciplinary or other action before a fair and reasonable enquiry has occurred.
- Avoid bias. The entire process should be free of bias or a preconceived idea/outcome.
- Confidentiality must be upheld at all times. The complaint must not be debated or questioned publicly.

Procedure for Resolution of Complaints

When a person has a complaint about a staff member, sports coach, Principal, trustee or any other person or an issue or event for which the School is responsible.

Step 1

- The Complainant asks for an appointment with the most relevant person. The most relevant person may be the person about whom the complaint is directed. If the complaint is directed against a teacher, the relevant Team Leader, or Deputy Principal has the right to attend. The issue is discussed. The two parties agree on the action required to resolve the complaint.
- If at this point, the complaint is resolved to the satisfaction of both parties, the matter is concluded.

Step 2

- If the complaint remains unresolved or if the problem has resurfaced, the Complainant may discuss the matter with the Principal. The two parties agree on the action required to resolve the complaint within a specified timeframe.
- If, at this point, the complaint is resolved to the satisfaction of both parties, the matter is concluded.

Step 3

- If the matter remains unresolved or if the problem has resurfaced, the Complainant may put the complaint in writing and send the complaint to the Chairperson of the Board of Trustees.
- The Chairperson then follows the Board of Trustees Complaints Procedures (see below).

Board of Trustees Complaints Procedures

The Chairperson has received a letter of complaint.

Step 4

- The Chairperson acknowledges the letter of complaint. The Complainant is advised of the next steps in the Board process.
- The letter of complaint becomes a correspondence item at the next Board meeting and is subsequently referred to relevant parties. The matter may be dealt with by the Board immediately at the Board meeting at which the letter of complaint is tabled, or deferred to a subsequent scheduled or extraordinary meeting.
- The Board will notify its insurer of the complaint, and take appropriate legal advice as required.
- In the event of a complaint about a staff member, the Board will write to the staff member concerned outlining the specifics of the complaint, the date by which the staff member is to respond to the complaint, and the staff member's right to representation and support.

- NB: The public may be excluded from any part of Board meetings at which the complaint is discussed and the Board may go 'into committee'.

Step 5

- At the meeting(s) during which the Board considers the complaint, the complainant and other parties to the complaint may be invited to speak or to answer questions. All parties to the complaint will absent themselves while the Board deliberates on the complaint.
- If a complaint is brought to the Board by a Board member, or if the complaint is about a Board member, then those parties are excluded from Board deliberations on the matter.

Step 6

- The Board's decision on and response to the complaint is communicated to the Complainant and other involved parties. This may be done publicly or confidentially, depending on the case and at the Board's discretion.

Step 7

- Any of the parties may request that the Board reconsider its decision. New information, which would have been relevant to the Board's deliberations, must be produced for the decision to be reconsidered.

Personnel procedure for resolution of complaints

When a staff member has a concern or complaint the procedure is:

Step 1

- Discuss the issue(s) with the most appropriate person, i.e. Team Leader or Deputy Principal.
- If appropriate, the agreed solution to the issue should be documented and signed by both parties.

Step 2

- If the issue is not resolved, the Complainant may discuss it with the Principal. If appropriate, the agreed solution to the issue should be documented and signed by both parties.

Step 3

- If the issue is not resolved, or if either of these steps are deemed inappropriate by the Complainant, the Complainant may discuss the issue with the Board of Trustees Equal Employment Opportunities (EEO) Officer.
- If appropriate, the agreed solution to the issue should be documented and signed by both parties.
- If the issue is not resolved or if the preceding three steps are deemed inappropriate by the Complainant, the Complainant may put the complaint in writing and send the complaint to the Chairperson of the Board.
- At this stage the Board of Trustees Complaints Procedures (see above) will apply.

Notes:

As of right, school staff may call in their Union Representative or a support person at any time during proceedings.

A grievance in relation to equal employment opportunities will first be discussed with the Principal. If the matter remains unresolved, the matter will be reported to and dealt with by the EEO Co-ordinator and the Chairperson of the Board and they will in turn report back to the full Board of Trustees.

If on reasonable grounds, an employee of the school believes they have information that a serious

wrongdoing is occurring or may occur within the school and wish to disclose that information so that it can be investigated, they can make a protected disclosure to the Principal or Chairperson. (See Protected Disclosures Policy.)

Reviewed: May 2013