



# COMPLAINTS POLICY

## PURPOSE

Orchard Grove Primary School has both a desire and a responsibility to ensure that high standards of conduct are maintained by staff, parents and students at all times, and that complaints are managed and resolved fairly, efficiently, promptly and in accordance with relative legislation.

The purpose of this policy is to:

- To provide an outline of the complaints process at Orchard Grove Primary School so that parents and members of the community are informed of how they can raise complaints or concerns about issues arising at our school
- To ensure that all complaints regarding Orchard Grove Primary School are managed in a timely, effective, fair and respectful manner.

It is recognised that parent concerns and complaints mostly relate to one of the following areas:

- the management of an incident between students at the school;
- the management of an incident or situation involving staff;
- the educational (or other) progress of a student; or
- the development and implementation of school policy.

## SCOPE

This policy relates to complaints brought by parents, carers, students or members of our school community and applies to all matters relating to our school. In some limited instances, we may need to refer the complainant to another Department of Education and Training process where there are different mechanisms in place to review certain decisions, for example, expulsion appeals.

For the purposes of this policy:

- 'Parent' – refers to a guardian or person who has parental responsibility for the child including parental responsibility under the Family Law Act 1975 of the Commonwealth and any person with whom a child normally or regularly resides;
- A 'concern' is an issue of interest (because of its importance and effect) which is raised informally in order to improve or change a situation;
- A 'complaint' is an expression of grievance or resentment where the complainant is seeking redress or justice.

## **POLICY**

Orchard Grove Primary School's values of valuing diversity, respect, working together, integrity and fostering growth underpin interactions with and between members of the school community. Additionally, the school addresses parent concerns or complaints within a context of:

- providing a safe and supportive learning environment for all our students;
- providing a safe working environment for staff; and
- building positive relationships between all stakeholders: students, parents, staff and the wider community.

Orchard Grove Primary School welcomes feedback, both positive and negative, and is committed to continuous improvement. We value open communication with our families and are committed to understanding complaints and addressing them appropriately. We recognise that the complaints process provides an important opportunity for reflection and learning.

We value and encourage open and positive relationships with our school community. We understand that it is in the best interests of students for there to be a trusting relationship between families and our school.

When addressing a complaint, it is expected that all parties will:

- be considerate of each other's views and respect each other's role
- be focused on resolution of the complaint, with the interests of the student involved at the centre
- act in good faith and cooperation
- behave with respect and courtesy
- respect the privacy and confidentiality of those involved, as appropriate
- operate within and seek reasonable resolutions that comply with any applicable legislation and Department policy.
- recognise that schools and the Department may be subject to legal constraints on their ability to act or disclose information in some circumstances.

### **Preparation for raising a concern or complaint**

Orchard Grove Primary School encourages parents, carers or members of the community who may wish to submit a complaint to:

- carefully consider the issues you would like to discuss
- remember you may not have all the facts relating to the issues that you want to raise
- think about how the matter could be resolved
- be informed by checking the policies and guidelines set by the Department and Orchard Grove Primary School (see "Further Information and Resources" section below).

The following procedures cover concerns and complaints relating to:

- general issues of student misbehaviour that are contrary to the school's code of conduct
- incidents of bullying or harassment in the classroom or school yard
- learning programs, assessment and reporting of student learning
- communication with parents and carers
- school fees and payments
- general administrative issues.

The procedures **do not cover** concerns and issues related to:

- student discipline involving expulsions
- complaints about employee conduct or performance (as these should be dealt with by performance management, grievance resolution or disciplinary action)
- complaints by employees relating to their employment
- student critical incident matters
- criminal matters.

Additionally:

- This policy does not apply to matters for which there are existing rights of, and processes for, review or appeal. If at any stage it becomes apparent that the concern or complaint relates to such matters, the relevant procedures should be implemented immediately.
- This policy is not applicable where a complainant has employed another party to represent them, such as a solicitor. In these circumstances the concern or complaint should be referred to the Department's Legal Services Branch for their assessment.

## Expectations

The school expects a person raising a concern or complaint to:

- do so promptly, as soon as possible after the issue occurs
- provide complete and factual information about the concern or complaint
- maintain and respect the privacy and confidentiality of all parties
- acknowledge that a common goal is to achieve an outcome acceptable to all parties
- act in good faith in a calm and courteous manner
- show respect and understanding of each other's point of view and value differences, rather than to judge and blame
- recognise that all parties have rights and responsibilities which must be balanced.

In accordance with our school values, the school will address any concerns or complaints received by parents in the following manner:

- courteously
- efficiently
- fairly
- as promptly as possible
- in accordance with due process, principles of natural justice and the DET regulatory framework.

## Complaints process

Orchard Grove Primary School is always happy to discuss with parents/carers and community members any concerns that they may have.

In the first instance, a concern or complaint should be made directly to the school. The complainant should telephone, write to or visit:

- the student's classroom teacher about learning or behaviour issues, or issues in their classroom or playground concerning a child or children in their class;
- the level leader if students from several classes are involved;
- the school's staff leadership team about issues relating to complex student issues; or
- the Principal about issues relating to staff members, school policy, school management, or

more complex student issues.

If parents are unsure of whom to contact, please contact the Principal, who will provide advice as to the most suitable staff member to handle the concern or complaint.

Where possible, school staff will work with you to ensure that your concerns are appropriately addressed.

## Support available when raising a concern

Complainants can seek the services of an advocate when they feel they are unable to express their concern clearly. An advocate can be a friend or someone who is available through an appropriate organisation and does not receive a fee or have a legal interest in the outcome or process.

All parties involved in addressing a complaint may seek the services of a mediator when there is difficulty coming to an agreement.

Where concerns cannot be resolved in this way, parents or community members may wish to make a formal complaint to a member of the Principal team.

If you would like to make a formal complaint, in most cases, depending on the nature of the complaint raised, our school will first seek to understand the issues and will then convene a resolution meeting with the aim of resolving the complaint together. The following process will apply:

- 1. Complaint received:** Please either email, telephone or arrange a meeting through the front office with a member of the Principal team, to outline your complaint so that we can fully understand what the issues are. We can discuss your complaint in a way that is convenient for you, whether in writing, in person or over the phone.
- 2. Information gathering:** Depending on the issues raised in the complaint, the Principal Team or nominee may need to gather further information to properly understand the situation. This process may also involve speaking to others to obtain details about the situation or the concerns raised.
- 3. Response:** Where possible, a resolution meeting will be arranged to discuss the complaint with the objective of reaching a resolution satisfactory to all parties. If after the resolution meeting we are unable to resolve the complaint together, we will work with you to produce a written summary of the complaint in the event you would like to take further action about it. In some circumstances, the Principal may determine that a resolution meeting would not be appropriate. In this situation, a response to the complaint will be provided in writing.
- 4. Timelines:** Orchard Grove Primary School will acknowledge receipt of your complaint as soon as possible (usually within two school days) and will seek to resolve complaints in a timely manner. Depending on the complexity of the complaint, Orchard Grove Primary School may need some time to gather enough information to fully understand the circumstances of your complaint. We will endeavour to complete any necessary information gathering and hold a resolution meeting where appropriate within 20 working days of the complaint being raised. In situations where further time is required,

Orchard Grove Primary School will consult with you and discuss any interim solutions to the dispute that can be put in place.

## Managing and addressing complaints and concerns

The school will record the following details of all complaints received:

- the name and contact details (with permission) of the person making a complaint/raising a concern
- the date the concern was expressed
- the form in which the concern was received (e.g. face to face, letter, telephone, email)
- a brief description of the complaint
- the details of the school's response
- the action taken relating to the concern /complaint
- any recommendations for the future.

However, when the complaint is easily resolved in a telephone call, briefer notes will be kept.

The school will determine whether a concern or complaint should be managed through the school's concerns and complaints process or through other complaints processes of DET. The school will make every effort to resolve concerns and complaints before involving other levels of DET.

**Note:** The Department's Parent Complaint Policy requires schools to keep a written record of serious, substantial or unusual complaints that require resolution actions and document all steps taken to achieve agreement.

## Resolution

Where appropriate, if a concern or complaint is substantiated in part or whole, Orchard Grove Primary School may seek to resolve a complaint by offering an appropriate remedy. This may include one of the following:

- an explanation or further information about the issue
- offering the opportunity for mediation, counselling or other support
- an apology, expression of regret or admission of fault
- a change of decision
- a change of policy, procedure or practice
- the cancellation of a debt or a refund
- other actions consistent with school values that are intended to support the student, parent and school relationship, engagement, and participation in the school community.

In some circumstances, Orchard Grove Primary School may also ask you to attend a meeting with an independent third party, or participate in a mediation with an accredited mediator to assist in the resolution of the dispute.

All reasonable efforts will be made to resolve a concern or complaint as quickly as possible. The school will attempt to resolve a concern or complaint within twenty working days. However, the nature of a complaint can affect the time frame needed. The school should not compromise the

opportunity to fully investigate and resolve the complaint due to time pressure. Should the complaint involve complex issues, the school may need to take advice from the DET North Eastern Victoria Regional Office, which may require additional time.

## **Escalation**

If you are not satisfied that your complaint has been resolved by the school, or if your complaint is about the Principal and you do not want to raise it directly with them, then the complaint should be referred to the North Eastern Victoria Regional Office.

Orchard Grove Primary School may also refer a complaint to the North Eastern Victoria Regional Office if we believe that we have done all we can to address the complaint.

The Officer from the Regional Office will ask the complainant for a complete factual account in writing of the concern or complaint and the complainant's opinion about why the school did not resolve it to their satisfaction.

If the complaint cannot be resolved by the complainant, school and Regional Office working together, the Regional Office may refer it to the DET Group Coordination Division (via the Department Secretary, Office for Government School Education).

The Division will ask the complainant for a complete and factual account of the concern and request the complainant's opinion as to why the issue was not resolved and their course of action on how the issue can be resolved.

## **Unreasonable Complainant Conduct**

In some situations, the school may determine there is unreasonable complainant conduct. This is behaviour that:

- is clearly and significantly outside the expectations of confidentiality, cooperation, courtesy and respect;
- calls for staff resources and time unjustified by the nature or significance of the complaint;
- is vexatious (that is, an action or complaint that is brought without merit, often to cause annoyance to another person); or
- is oriented towards conflict.

The school Principal, Regional Director or the general manager, Group Coordination Division can determine if a complainant's conduct is unreasonable. If so determined, further action can be initiated.

## **COMMUNICATION**

The school will make information about procedures for addressing concerns and complaints available to parents and the school community. This policy and procedures will be:

- included with the enrolment package handed to all new arrivals at the school;
- published on the school website; and
- available from the school office.

## **Training and Support for staff**

The school will:

- brief all staff members about its procedures to address complaints and concerns
- provide staff with training and support appropriate to their responsibilities under the procedures.

For more information about the Department's *Parent Complaints* policy, including the role of the Regional Office, please see: [Parent Complaints policy](#).

## **FURTHER INFORMATION AND RESOURCES**

The following school policies are also relevant to this Complaints Policy:

- [Statement of Values & School Philosophy](#)

### **Review Cycle And Evaluation**

last updated on August 2021

scheduled for review on August 2024

## **Appendix 1**

### **Raising a concern or complaint - procedure**

A parent/ guardian can raise concerns or complaints about any aspect of the school's operations.

Your child's school is your first point of contact and concerns are best resolved at the school. A positive relationship between the parent/guardian and school is important.

ABOUT WHAT/ISSUE	WHO TO CONTACT	HOW
Classroom activities Class curriculum Friendship issues Playground issues	Your child's Class Teacher, Appropriate Specialist Teacher or Year Level Coordinator	Telephone School Office 9894 3400 Email- orchard.grove.ps@education.vic.gov.au Arrange a face-to-face meeting
Complex student issues, Student Welfare, School Curriculum, Staff Members	Principal Vice Principal	In writing by hand, email or mail. Telephone Office 9894 3400 to arrange an appointment.
School Policy, School Management	Principal School Council	Telephone Office to arrange an appointment Email or write to Principal with attention to School Council
School Fees & payments General enquiries School Uniform orders	Office Staff	Telephone Office or in person

#### PLEASE:

- Raise your concern as soon as you can after the issue occurs
- Put it in writing, providing detailed factual information
- Maintain and respect everyone's privacy and confidentiality
- Be calm, courteous, honest and sincere

#### PLEASE ALSO:

- Recognise everyone has rights and responsibilities that must be balanced
- Respect and understand each other's point of view; value difference rather than judge and blame
- Realise we need to achieve an outcome acceptable to everyone involved.

#### ADDRESSING COMPLAINTS:

Our response will be prompt, courteous, efficient and fair.

We will follow the process outlined below:

- Acknowledge your complaint by telephone, email or mail and let you know how long it will take to investigate
- (if appropriate) record details in the school's register of complaints
- Give you a copy of the OGPS Parent Concerns & Complaints Policy
- Investigate and provide a response as soon as possible
- Make every effort to resolve your complaint within 20 school days

#### REMEDIES:

When a complaint is justified, the school will work with you to find an appropriate remedy such as:

- An explanation or further information
- Mediation, counselling or other support
- An apology, expression of regret or admission of fault
- Change a decision
- Change policies, procedures or practices



- Cancel a debt (such as for school payments)
- Refund a fee

The school will implement the remedy as soon as it can. If the remedy is ongoing, the school will try and keep you up to date with progress.