



COMPLAINTS & GRIEVANCES POLICY

FCS is committed to providing a safe and supportive work and learning environment for all employees and students. We acknowledge that employees, students and parents, or people from the wider community, can sometimes feel aggrieved about something that is happening at the school which appears to be discriminatory, is unfair, unjust or unreasonable, constitute harassment or cause concern.

An employee, student, parent or community member can have a complaint about any decision, behaviour, act or omission (whether by the Principal, members staff students or parents) that they feel is discriminatory or unreasonable.

Sometimes the aggrieved person can address the issue by raising the complaint directly with the person involved with the issue. However, that is not always possible, and sometimes several attempts at local or face-to-face resolution have been attempted or have taken place with little success. Whilst most issues can be resolved through direct discussion with the parties involved, there may be instances in which to take up the issue with the other person on a face-to-face basis is not possible.

The outcome of complaint investigations may be used to inform the policies of the school and risk management strategies.

FCS is committed to the principles of negotiation and mediation in dealing with any complaints or appeals by students or parents and welcomes the open resolution of complaints and concerns.

The process for dealing with complaints relates to:

- Curriculum
- Assessment
- Staffing
- Treatment of students by other students
- Other matters as they arise

Guidelines:



1. Initially a complaint or appeal is to be managed between the parties in order to attempt to resolve the issue.
2. Should a satisfactory outcome not result, the student should then place their complaint or appeal in writing to the Principal. The Principal will arrange a meeting, where further attempts to resolve the issue will be made and at which the complainant can put their case.
3. If resolution is not achieved the Principal will refer the issue to an independent mediator as appropriate to the complaint.
4. The School will attempt to resolve any complaints fairly and equitably within the shortest time frame possible.
5. All outcomes arising from complaints will be reported in writing to the complainant. The report will contain reasons for the decision that has been made.
6. All forms associated with the process will be filed on the student's file
7. Any complaints that are found to be substantiated, will be recorded as such and dealt with by the Principal through the relevant team meetings.

Grievances and complaints management procedure

Parents and students should be given guidance as to whom they should contact in the first instance when they have a concern and the method of contact they should use. This may well vary with the nature of the grievance.

All parties to the dispute should be given guidance as to the next step they can take if the dispute is not settled to their satisfaction in the first instance.

The distinction between an informal process and a formal process to resolve complaints should be made with parents and students being encouraged to attempt to resolve their grievances initially in an informal manner. If this is not possible a more formal procedure needs to be established and parents and students should be aware of this.

In dealing with complaints, the following should be adhered to at all times:

- the equal treatment of all parties to the dispute
- adequate notice to be given of the process
- details of the concern to be given to the respondent
- facts of the case to be substantiated
- the rights of both sides to be heard and treated fairly
- neither party to be victimised or discriminated against as a result of the complaint process



- an unbiased and impartial decision maker to resolve the dispute.

The possible outcomes of the process, including dismissing the complaint or accepting the complaint should be explained. If a complaint is dismissed the school should outline the outcome of the investigation, providing clarification if appropriate. If a complaint is accepted, the school should outline the school's reason for this decision and any action it intends to take.

Complaint handling procedures must be confidential for the protection of all parties involved. All documents pertaining to any dispute should be retained in the student's file as well as any relevant persons against whom the complaint was made.

The following procedure is a step by step example of how grievances and complaints procedures can be facilitated. This is a framework to work to as complaint or grievance will vary in their nature.

Notification:

- Document the grievance or complaint.
- Consider any legal requirements in relation to the complaint.
- Notify regulatory or licensing bodies if required.
- Lines of communication. Who knows of the complaint and why? How will this affect the fairness of procedures? For example, staff may be directed not to disclose information about the complaint to others not directly involved. This supports an individual's right to be heard fairly without bias and prevents other staff from forming an opinion before hearing all the facts.
- Timeframes. Identify the proposed timeframe from notification to resolution.

Investigation:

- How will the investigation take place? For example, observations, scheduled meetings or use of an external investigator.
- How will observations be recorded?
- How will meetings be mediated and with who? For example, will the mediator be known to the individuals? Who chooses the mediator? Are there conflicts of interest between the mediator and other persons taking part in the mediation process?
- Do any external agencies need to be involved during the course of the investigation? How is this process implemented? For example, how does the service accommodate a staff member requesting a union representative after the mediation process has begun? Are there counselling opportunities for individuals involved in the mediation process?

**Resolution:**

- How does the investigation reach a resolution?
- Is there a period of time after the mediation process and before the resolution for an individual's right of reply?
- If there are issues surrounding an individual's employment status, for example, a staff member taking leave without pay, how is this communicated to other staff and the consequence to children and families?
- Is there a timeframe to readdress the resolution decision in the future with the parties involved?

Evaluation:

- Does the service analyse the occurrence, frequency and nature of grievances and complaints?
- Are the outcomes consistent?
- If support agencies were involved, how effective were they?

Nothing in this document replaces procedures developed by the school in respect of the investigation of matters arising under the Child Safe Standards.

Policy Endorsement

This Policy has been endorsed by the FCS Governing Body.

Date: June 2020

Review Date: June 2021

Review Cycle. Every 12 months.

Exceptions: This Policy may be reviewed earlier than the date stated subject to circumstance.

Making a Complaint, or expressing a Grievance or Concern

Some complaints, because of the seriousness of their nature, should be referred immediately to the Principal – e.g. complaints about behaviour which places others at



risk of serious harm. All issues to do with the abuse of children should be immediately reported as per the Child Safe Policy.

Parents are advised *not* to approach the children of other families with a school related complaint. This is often a sensitive area and in order to protect all the parties it is advisable to work through the relevant teacher or the Principal.

Before making a formal complaint.

If a problem or concern that arises within a school, cannot be resolved with the person involved with the issue, then it would normally be raised with an appropriate staff member with a view to discussing the issue and seeking resolution of such problems or concerns.

Making a formal complaint

All persons submitting a formal complaint should use a Complaint Form.

The school recognises that some complaints may not be resolved within the confines of the school and that any complainant is entitled to seek further redress as outlined below.

- Where you feel you cannot approach the person directly or you are not happy with their response or reaction, and you have a good reason not to raise the issue either with the school designated person or the school Principal, then you can contact the VIT or VRQA or any relevant other statutory body. An officer will usually discuss raising your concerns at the school level with you. They can also advise you about your options. These bodies can also assist with advice if you feel the matter with the school has not been resolved.
 - o The Victorian Registration & Qualifications Authority (VRQA)
 - o Independent Schools Victoria (ISV)
 - o Victorian Institute of Teaching (VIT)

What to do if you have a Complaint, Grievance or Concern

Approach the person involved

- In many situations, the most appropriate thing to do first is to tell the person who is the cause of the complaint how you feel. If the complaint is about their behaviour, tell them that it is offensive/hurtful/not acceptable. If it is about a work decision, tell them why you think it is discriminatory, harassment, unfair, unjust or unreasonable. Telling the person will give them a chance to stop or change what they are doing or explain what they had decided and why. In this way many situations can be resolved before they become formal complaints.
- If the complaint is able to be resolved immediately, no further action is deemed necessary.



Contact the School

- Where you feel you cannot approach the person directly or you are not happy with their response or reaction, then you can explain the matter to the appropriate person at the school. An inquiry at the school office may be the first point of contact for people with complaints. You do not have to tell the front office staff the nature of your complaint if you do not wish to, but any information you do give will assist them in directing your complaint to the right person.
- You will be advised as to the person designated to deal with the nature of the complaint. This person may be a teacher or the Principal. The designated person will advise you about what your options are and what will happen if you make a formal complaint.
- All staff are authorised to receive complaints in the initial stage and act as a 'designated person'. Once the complaint becomes a formal complaint it will be passed on to the Principal who will then be deemed the Investigating Officer. Any Investigating Officer may co-opt other staff to assist in any part of the process.

What happens next?

- Once you have made the complaint to the school the dedicated person will then consider whether there are any reasons why they should not proceed to deal with the complaint. If it is inappropriate for the designated person to deal with your complaint, they will, with your consent refer you to another appropriate person.
- The designated person will then decide the most suitable personnel to be involved in the process. They will then interview you or organise another appropriate person to interview you. During this interview a number of things will be explained to you, such as what will happen if the complaint is found to be supported by the evidence, or if it is found to not be supported by the evidence. You will also be told where you can go for assistance if you are not happy with the way the school is dealing with the complaint. The designated person will then take a written record of the complaint.
- The designated person will then speak to the person about whom the complaint is made to hear their side of the story. Any witnesses will also be interviewed. These interviews will be conducted separately and impartially. Written reports about the complaint may be requested. The importance of confidentiality will be stressed to all parties and they will be warned of the consequences if there is a breach of confidentiality (e.g. possible defamation action, initiation of a complaint for harassment etc.).
- The designated person will then tell you what the other people said and discuss what should be done to sort out the matter. You should tell the person what action you would like taken, e.g. a written apology from the person, a written warning, etc. This allows the designated person to



- understand, from your perspective, what you believe you need from the process. It will not dictate the remedy that might ultimately apply.
- The steps to resolve the issue will then be decided based on the individual nature of the case and in consultation with parties affected.
 - The relevant designated person will make sure that whatever outcome is decided upon actually happens. The designated person or the school Principal (unless they are the object of the complaint or grievance) will also assess the effectiveness of the outcome.

Child Protection Procedures

Nothing in this document replaces procedures developed by the school in respect of the investigation of matters arising under the Child Safe Standards.

Record Keeping

Records of complaints, interviews and other documentation relating to a complaint are kept at the school (where dealt with at school level) in a separate complaints file. If the complaint is about a person, documents are placed in a restricted access file. If there are considered to be serious ongoing management or care issues relating to a complaint, there will be a cross-reference to the restricted file on the staff member or student file.

Complaints, Grievances & Concerns: Advice for Students

At FCS, we believe that it is important that everyone feels happy and safe so that the best learning can take place. We believe that everyone, staff and students, need to work closely together to provide the best educational opportunities for you. If you have a problem, a concern or a complaint, we encourage you to speak to someone about it and we have provided some steps that you might work through to help you do this. You may make a complaint about any other person in the school community. You have the right to be listened to, be heard and taken seriously.

What to do if you have a problem:



Try to identify the problem that is upsetting you. If there is more than one problem, list them so that you are clear about what you feel or need.

If you can, talk to the person you are having the problem with and if their behaviour is upsetting you, tell them to stop.

If you do not feel that you could do this or, if your talk with the person does not solve your problem, talk to a teacher or other trusted staff member about your concerns and ask them to help you deal with it. This person will often be able to give you good ideas on how to cope with it and will help you. You can also talk to your parent or caregiver who might help you express your concern. You will need to explain:

Who was involved, what happened, what you did and, what you believe to be unfair or unjust.

Try to stay calm when discussing your problem or concern. Even if you don't feel it, being calm will help you get your concerns across more clearly than if you are upset or angry. It may help to take someone with you. This could be a friend or a parent.

It is important to remember that there is a solution for every problem and you should never think that a situation can't be fixed.

You are not obliged to involve your parent/caregiver in the process but the school recommends this. The school cannot guarantee that your complaint will be kept confidential from your parent/caregiver if we judge that it is in your best interests to let them know what is happening.