



Concerns and Complaints Policy



Rationale:

Footscray West Primary School's values are Mutual Respect, Attentive Listening, Appreciations / No Put-downs, Team Work, Responsibility and Personal Best. These provide the framework within which high standards of conduct are maintained between staff, parents and students at all times. Within this framework it is the School's responsibility to manage and resolve parent complaints fairly, efficiently and properly and in accordance with the relative legislation.

The school's values are demonstrated by:

- Providing a safe and supportive school culture and learning environment
- Building positive relationships between students, parents and staff
- Providing a safe working environment for staff

It is expected that all parties involved in parent concerns/complaints will act respectfully and in good faith, in a calm and courteous manner, maintaining appropriate confidentiality of the matter and recognising the rights and responsibilities of all parties. The Footscray West community values should be adhered to at all times.

It is school policy that complaints made by parents will in no way adversely affect their children

Aim:

To develop and implement a process by which parents can confidently raise concerns in the knowledge that they will be listened to and their concerns will be professionally managed in a timely, confidential manner.

Explanatory Notes:

- "Parent" , in relation to a child includes a guardian and every 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.

Implementation:

Scope of the Policy:

These procedures cover concerns and complaints about:

- General issues of student behaviour that are contrary to the school's code of conduct
- Incidents of bullying or harassment in the classroom or the school yard
- Learning programs, assessment and reporting of student learning
- Communication with parents
- General administrative issues
- Any other school-related matters except as detailed below.

These procedures **do not** cover matters for which there are existing rights of review or appeal, as detailed in the Department of Education and Training (the Department) Victorian Government Schools Reference Guide. Such matters include:

- Student discipline matters involving expulsion
- Complaints about employee conduct or performance that should be dealt with by performance management, grievance resolution or disciplinary action
- Complaints by the Department's employees related to their employment
- Student critical incident matters
- Other criminal matters

If it becomes apparent that a concern or complaint relates to such matters, relevant procedures will be implemented. The Principal or the Department will provide further guidance in this instance.

This policy is not applicable where a complainant has employed another party to represent them, such as a solicitor. In these circumstances the matter needs to be referred to the Department's Legal Services Branch for their assessment.

How to Raise a Concern or Complaint:

Parents wishing to raise a concern or complaint should contact FWPS in the first instance by telephoning to make an appointment, visiting at an appropriate time, or writing to:

- The student's teacher, if the issue occurred in the student's class or group
- The Team coordinator, if students from several classes are involved
- The Assistant Principal, if the issue relates to staff members or complex student issues
- The Principal, if the issue relates to school policy, school management, staff members, or very complex student issues

In the circumstance the complaint or concern is about the Principal, in the first instance the parent is encouraged to raise the matter with the Principal. If the Parent feels unable to do this, or is unsatisfied with the Principal's response, then the parent should raise the matter with the regional office.

The Regional Office number is: (03) 8397 0300

If the complainant is not sure whom to contact they should contact the Assistant Principal.

Parents may seek the services of an advocate if they feel they are unable to express their concerns clearly. An advocate can be a friend or colleague or someone who is available through an appropriate support organisation that does not receive a fee for service.

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

Expectations:

Parent raising a concern or complaint should:

- Do so promptly, as soon as possible after the issue occurs
- Provide complete and factual information together with evidence where relevant, 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, and in a calm and courteous manner
- Show respect and understanding of each other's point of view and value difference of opinion.
- Recognise that all parties have rights and responsibilities which must be balanced
- Exercise patience and respect for the subsequent process of assessment and reconciliation undertaken

FWPS will address any concerns and complaints received from parents:

- Courteously
- Efficiently
- Fairly
- Promptly, or within the timeline agreed with the person with the concern or complaint
- In accordance with due process, principles of natural justice and the Department's regulatory framework

Addressing Concerns and Complaints:

FWPS will:

- Make every reasonable effort to resolve concerns and complaints as quickly as possible
- Direct complainants to a copy of this policy available on the website.
- Determine whether a concern or complaint should be managed through the school's concerns and complaints process or through other complaints processes of the Department
- Act on all complaints promptly, by the staff member who receives the complaint and by any staff to whom the complaint is referred on to

In all cases, FWPS will try to resolve a concern or complaint within 20 working days. However, if the complaint is complex or if the complaint requires advice from the Department's Regional Office, FWPS may require more time to investigate and resolve it. In these circumstances the school will inform the complainant of the timeframe estimated for the investigation.

Outcomes and Remedies:

Complaint Substantiated

If a concern or complaint is substantiated in whole or part, FWPS will offer an appropriate remedy.

The remedy will be implemented as soon as practicable.

Complaint Dismissed

A complaint can only be dismissed:

- After it has been investigated
- If an investigation has determined that the complaint cannot be substantiated or
- If the complaint is withdrawn

An explanation will be given to the complainant of why the complaint has been dismissed.

Complaint Unresolved

A complaint is considered to be unresolved if the complainant does not agree on a course of action and/or remedy. In such cases, FWPS must involve the Department's Regional Office to assist in resolving the complaint.

It may not be possible to fully resolve all complaints to the complainant's satisfaction. This may happen if the complainant has unreasonable expectations or if the Department's policies or regulations are contrary to their views.

Other Considerations:

Anonymous Complaints

FWPS is required to investigate all complaints. However, staff may not be able to fully investigate a complaint if they cannot effectively liaise with the complainant. Furthermore, anonymous complaints raise issues of natural justice for respondents who have a right to know particular allegations made against them. The Principal should determine the extent to which an anonymous complaint received by the school shall be investigated.

Unreasonable Complainant Conduct

The Principal can determine if a complainant's conduct is unreasonable. Unreasonable complainant conduct 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)
- Is orientated towards conflict. Refer to Unreasonable complaint conduct: interim practice manual at www.ombudsman.vic.gov.au

If the Principal determines a complainant's conduct is unreasonable he/she will:

- Develop a plan to address the complaint and complainant's interaction with staff
- Inform all stakeholders of the plan
- Ensure all staff adhere to the plan as closely as possible

Advice may need to be sought from the DE&T regional director. If the complainant uses threatening and violent behaviour police action will be taken.

Referral of Concerns and Complaints

If a parent with a concern or complaint is not satisfied with the outcome determined by the school, following the investigation and complaints process, they should contact the Department's Regional Office.

Further Information

Further information about the Department's complaints policy and procedures can be found at www.education.vic.gov.au/about/contact/pages/complaints.aspx At this site there are links to Parents Complaints - further resources and information.

Communication:

FWPS will make information about the procedures for addressing concerns and complaints readily available to parents and the school community. This policy will be published on the school website at www.fwps.vic.edu.au

Training:

FWPS will:

- Brief members of staff about its procedures to address concerns and complaints annually and include them in the induction process
- Provide staff with (or provide access to) training and support appropriate to their responsibilities under the procedures
- Ensure staff who manage complaints demonstrate the personal attributes outlined in the Good Practice Guide: Ombudsman Victoria's guide to complaint handling for Victorian public sector agencies

Monitoring:

When the complaint is made verbally and is easily resolved in a telephone call, a brief note in the school officer's diary recording details of the issue and the resolution of the issue may be all that is required.

The Principal will ensure a record is maintained of all written complaints/school's response/outcome in a secure location within the school.

The Principal and School Council, as appropriate to their roles, will review its information about complaints and consider issues raised through the complaints process, and any other relevant information from the parent opinion survey, when undertaking a review of school's policies, procedures and operations.

The school council will review its policy and procedures to effectively address parent concerns and complaints as part of its cyclic policy and procedures review schedule.

Reference:

This policy has been developed using the 2009 DEECD guide Addressing parents' concerns and complaints effectively: policy and guides and in collaboration with the FWPS community.

Evaluation

- This policy will be reviewed as part of the school's four year review cycle.

This policy was last ratified by School Council in....

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