

## **Complaints Resolution Policy and Procedure**

Manning Valley Anglican College is committed to ensuring for staff, students and parents, a safe, orderly, healthy, and supportive environment in which to learn, work and contribute to the school. In such an environment staff, students and parents should be mutually supportive and avoid conduct that may undermine mutual trust and support and should also respect the Christian philosophy and values of the school. It is in the interests of all those involved in the community of the school that staff, parents, and students be content and secure, be justly treated within the school, and be free to function effectively within the overall framework and policies of the school community.

However, from time to time, circumstances may arise whereby a parent or a student may find it difficult to function in the school for any one of many reasons. Where a person has a complaint or grievance pertaining to the school, its staff, its policies or procedures, or its physical facilities, that makes it difficult for that person to function effectively within the school community, it is very important that the matter be settled at the earliest possible time. MVAC has a set of procedures to hear and work towards the settlement of grievances. These procedures should be used without prejudice to any party.

The procedures should remain confidential between the parties involved and any action(s) arising from the procedures should, if possible, be the subject of an agreement between the parties involved.

The procedures outlined in this policy and procedures document shall not apply in any instances where the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*, the *Ombudsman Act 1974 (NSW)* or other relevant Acts or Regulations dictate different protocols. Nevertheless, in all instances the principles of procedural fairness shall apply.

## **Complaints Resolution Procedures**

### **GENERAL QUESTIONS, CONCERNS OR COMPLAINTS**

If you have questions or concerns about your child's academic progress, behaviour, homework, or social/emotional development:

- Junior School (K-6) - please contact the class teacher.
- Senior School (Years 7-12) - the subject teacher will be able to deal with these issues as they relate to that subject only. If you have broader concerns, please raise them with the relevant Year Adviser. If you wish to follow up on comments made by your child about what happened in a particular class, you should first speak with the relevant class teacher.

### **Higher-level concerns**

You may have concerns, need a clarification, or wish to make a complaint that will need to be dealt with at a higher level than the class teacher. For that you will need to speak with a person holding a position of special responsibility:

#### ***Junior School***

*Academic:* concerns about your child's overall academic progress should be raised with the Head of Junior School.

*Wellbeing:* concerns about your child's wellbeing, including bullying, should be raised with the Head of Junior School.

If you have complaints about a teacher's behaviour or treatment of your child, or if problems could not be resolved at a lower level, please contact the Head of Junior School.

#### ***Senior School***

*Academic:* concerns about your child's academic progress in a particular subject should be raised with the Faculty Co-ordinator or for wider concerns, with the Director of Teaching & Learning.

*Wellbeing:* concerns about your child's wellbeing, including bullying, or overall academic progress, should be raised with the relevant Year adviser, or for wider concerns, with the Head of Senior School.

If you have complaints about a teacher's behaviour or treatment of your child, or if problems could not be resolved at a lower level, please contact the Head of Senior School.

*School policies and procedures* questions or concerns about school policies or procedures should first be raised with the Head of Junior School or the Head of Senior School.

### **RESOLVING PROBLEMS**

MVAC is a community that consists of students, staff, parents/caregivers, and School Council. A community is based on relationships. For our school community to function well and with a united purpose it is vital that relationships between individuals are healthy. Mutual trust between parents, staff and students is central to this. The section above outlines the structure of responsibilities within the staff of the school so that you may know who to contact in certain circumstances. The following section outlines several steps that are designed to protect the health of the relationships between members of the school community while attempting to resolve problems or concerns. They are based on Christian principles.

#### **Step 1: Talk with the person with whom you have a problem.**

In the first instance any problems or concerns should be addressed informally between the two parties involved. The aim is to find out if the problem you see is a real concern or just a problem of

communication. So, a parent should discuss any concerns or complaints they may have directly with the relevant staff member in private. If this does not resolve the problem the matter may be taken to the next stage.

**Step 2: If you can't resolve the problem, involve another person.**

In this step you would take the matter to the staff member's immediate supervisor. It is best to do this initially in a meeting with the supervisor and following the meeting we ask you to put your complaint in writing and forward it to the supervisor. In our school's structure, for a teacher, this would be the relevant subject co-ordinator in the Senior School and Head of Junior School for K-6. If this does not resolve the problem, it should be referred to the Deputy Principal.

If all these steps fail to resolve the matter, please contact the Principal. The Principal will consider the matter and determine how the complaint will be handled, which may include an investigation. When a complaint is investigated principles of natural justice will be followed. Those involved will be able to state their cases and expect the Principal to consider the evidence impartially. The Principal may seek the advice of others and will decide for resolution of the matter. This will then be communicated in writing to the person who raised the complaint.

If a parent has a complaint or grievance against the Principal which personal discussion has not resolved, or if the parent does not wish to discuss the issue personally with the Principal, the parent may direct the concern to the Chairman of the School Council in writing, via the school.

It is not appropriate for a parent to approach or canvass an individual member of the School Council. Any Council member who is approached directly with a complaint will not enter discussion on the subject but will merely request that the matter be addressed through the appropriate channels as outlined in this policy.

Decisions by school staff are made in good faith after considering the needs of all members of the school community, particularly of the student body, and this sometimes means that an individual's needs or wishes might not be met in the manner they would hope. We ask that if, after the above steps have been taken, parents consider that the matter has not been resolved to their satisfaction, that you accept the situation as it is, in good faith that the decision has been made after considering all relevant factors.

**Maintain confidentiality about any matters discussed.**

To preserve the dignity of all involved please keep confidential any problems discussed. Gossip or rumours will only harm relationships and ultimately the school. If you have complaints, please use the channels described above. It will only harm our school if you discuss them with people who are outside the school community, and it may damage individuals' reputations if you discuss such matters with others within the school community.

**ALLEGATIONS OF MISCONDUCT OR REPORTABLE CONDUCT BY A STAFF MEMBER**

**Allegations of misconduct by a staff member**

Allegations of misconduct by a staff member need to be handled in a different way from less serious issues. Misconduct includes such behaviour as a teacher using offensive or insulting language or crossing professional boundaries. If a parent or carer believes that a staff member has engaged in misconduct, or even if the parent is just not sure, they should speak with either the Head of Junior School or Head of Senior School in the first instance. The allegation must then be put in writing. The relevant Head of school will inform the Principal who will determine if an investigation will be conducted and by whom. Any investigation will follow the principles of procedural fairness. The Principal will then determine the action that will be taken, and the parent or carer will be informed in writing either by the Principal or the relevant Head of School.

### **Allegations of Reportable Conduct against a staff member**

Reportable conduct is defined as:

- a. any sexual offence or sexual misconduct committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material);
- b. any assault, ill-treatment, or neglect of a child.
- c. any behaviour that causes psychological harm to a child whether, in any case, with the consent of the child.

Reportable conduct does not extend to:

- a. conduct that is reasonable for the purposes of the discipline, management, or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards; or
- b. the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures; or
- c. conduct of a class or kind exempted from being reportable conduct by the Ombudsman under section 25CA.

If a student, parent, or carer believes that a staff member has engaged in reportable conduct they should report it to the Principal and put the allegation in writing. It would be preferable and fairer for all concerned that you do not discuss the alleged behaviour with anyone else. The College's Child Protection Handbook outlines the procedure that the Principal must follow when an allegation of reportable conduct is made against a staff member. An investigation of this nature may be undertaken by an external investigator and may take considerably more time than an investigation into a more general complaint. The student, parent or carer will be kept informed of the progress of the investigation. At the conclusion of the investigation the Principal will communicate the outcome to the complainant in writing. However, there may be limitations under the Ombudsman's Act and privacy legislation regarding disclosure of information about an investigation and the outcome of an investigation.

## 1 Policy Governance

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<b>Process Owner</b>	Manning Valley Anglican College
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