

# POLICIES AND PROCEDURES

## Complaints, Grievances and Concerns Policy



**Date**                      **July 2022**

**Review**                 **July 2025**

### Introduction:

Lauriston Girls' School seeks to maintain an environment of respect and partnership with the School community. There may be occasions when parents, students or members of the wider community will make complaints about the behaviours of persons, actions or decisions.

Complaints and grievances may be heard informally or formally, and verbally or in writing. Formal avenues for handling complaints and grievances will be fully documented. Complainants will be treated with equality and respect and without intimidation should they choose to follow the Complaints and grievances process.

### Purpose:

The purpose of this policy is to outline the procedures used when the School receives complaints and grievances from parents, staff, students and members of the wider community.

School policies are in place to address matters of specific concern and these should be read in conjunction with this policy.

- Matters of 'Reportable Conduct' will trigger the **Reportable Conduct Policy and Procedures**.

### Definitions:

For the purpose of this policy, the following definitions apply:

Complaint: a statement that something is unsatisfactory or unacceptable

Grievance: a feeling of resentment over something believed to be wrong or unfair, giving cause for complaint

Respondent: refers to the individual against whom a complaint or allegation is made

Investigator: refers to a senior member of staff who may be asked to investigate allegations or details of a complaint or grievance, without personal interest or bias. An investigator who is external to the School may be called in at the discretion of the Principal.

### Privacy:

The School respects the privacy of individuals and will protect personal information provided by a complainant in the complaints and grievance process. Paper documentation will be kept in locked storage and computerised records will be password protected. While investigating a complaint or grievance, the School will collect information that is required for investigation and will not share information without permission from the complainant.

### Who may use this procedure?

- All employees
- Students within the School
- Parents/caregivers of students in the School
- Members of the wider community

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### The Procedure:

#### 1.1 Making a complaint, or expressing a Grievance:

- Complaints of a substantial and serious nature may be referred immediately to the Principal. Matters of 'Reportable Conduct' will trigger the **Reportable Conduct Policy and Procedures**.

#### 1.2 Before making a formal complaint:

- If a complaint or grievance to a classroom teacher or member of staff that arises within the School and is relatively minor and reasonably resolved, than it would normally be raised with an appropriate staff member with a view to discussing the issue and seeking resolution of the complaint or grievance.
- If the complaint or grievance is of a more substantial nature then the classroom teacher should refer the complaint to a more senior member of staff in the appropriate area (Head of Faculty, Year Level Coordinator, and the relevant Head of School)

#### 1.3 Making a formal complaint:

- If the complaint or grievance is of a substantial nature and it cannot be resolved then it should be referred to the Principal.
- In the event that the complaint or grievance involves the Principal, the School Council Chair will be given discretion as to how the matter will be resolved.
- Procedures for a formal Complaint or Grievance will be as follows

#### A. Acknowledgement of the Complaint or Grievance

- A verbal complaint or grievance will be acknowledged and recorded by the School's representative at the time of communication of the complaint or grievance
- A written complaint or grievance will be acknowledged in writing by the School's representative within three working days.

#### B. Receiving the Complaint or Grievance:

- The role of each person at the meeting or investigation will be established
- The complainant will be listened to and supported and their concerns will be acted upon at the earliest opportunity
- A timeline will be agreed upon for investigating and resolving the complaint or grievance
- The complainant may choose to withdraw the complaint or grievance at any time

#### C. Investigating or Assessing the Complaint or Grievance:

- The parties will be informed that any information in the meeting or investigation will be confidential

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- A chronology of events (who, what, why, when, how) will be established with the complainant
- It will be explained that the respondent will be given the right of response
- Both parties will be encouraged to have support persons of their choice at all stages of the investigation. Support persons are there to support the person, not to act as the person's advocate.
- An independent investigator may be appointed if required

### D. Investigation by an external investigator:

- The investigator will be engaged by the Principal
- The investigator will be provided with the written complaint and any other relevant documents
- The investigator may attend the school or otherwise contact the parties or witnesses as nominated by the complainant, respondent and investigator
- All people interviewed will be required to maintain confidentiality
- The external investigator will provide a report of the investigation findings as to whether or not the complaint is substantiated and recommendations
- The report is privileged to the Principal and School Council
- The Principal will decide on the most appropriate outcomes in view of the report findings and will inform the complainant and respondent in writing as to whether or not the complaint has been substantiated.

### E. Resolving the Complaint or Grievance:

- The complainant will be asked for the outcome they are hoping for and the next steps will be discussed, providing a reasonable and agreed timeframe of when to report back or meet again
- It will be explained that the complainant cannot be adversely affected because they have made a complaint or grievance and they will be notified about who to report matters to internally if they feel that they are being adversely affected
- Time will be provided for the complainant to ask questions
- Detailed notes will be taken of the conversation (including dates, people involved), including any supporting documentation
- There is an underlying assumption that complaints are made in good faith and with an intention for resolution as opposed to retribution.

### F. Providing an Outcome:

- The complainant will be provided with a written summary of the meeting and clarification of the next steps to be taken, within a set timeframe
- The investigator will speak to the person about whom the complaint has been made. Any witnesses will also be interviewed. These interviews will be conducted separately and impartially. Written records about the complaint may be requested. The importance of confidentiality will be stressed to all parties
- Where the investigator believes the complaint is malicious, vexatious, or lacks substance, he or she may deem not to investigate or proceed but will document the complaint and inform the complainant.

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- Should the matter remain unresolved then either the complainant or the School may refer to a higher authority

G. Procedural fairness and transparency should be maintained at all times to:

- Protect the rights, interests and expectations of the participants in the investigation
- Enhance the credibility of the investigation process
- Rely on the investigation when making decisions
- Defend decisions in court or tribunal

The investigator should ensure that:

- The respondent is aware of the allegations made against him/her in sufficient detail
- The respondent is allowed a reasonable opportunity and adequate time to respond to each of the allegations
- An investigation is carried out in a reasonable timeframe
- The investigator is independent and has no personal interest or bias in the interviews pertaining to the investigation
- Participants are required to maintain confidentiality and may be asked to sign a confidentiality agreement
- Participants are given the opportunity to respond to any contradictory evidence
- The investigator makes reasonable and diligent enquiries to ensure that there is sufficient evidence before making findings
- The investigator is impartial and does not have a vested interest in the outcome or the investigation

### **Complaints and Grievances related to Subpoenas and/or Court Orders:**

- The School must comply with the law and respond to any subpoenas issued. The School must be informed of any Court Orders pertaining to a child and undertakes to do its best to support those Court Orders.
- The School is not obliged to enforce Court Orders to the detriment of the safety of staff and students. For example, if an attempt was made to remove a child from the school and this is in breach of a Court Order, all reasonable efforts will be made to prevent this. The School will call the Victoria Police to enforce a current Court Order.

### **Consideration for person of culturally or linguistically diverse background, or disability:**

- The School understands that a range of issues may affect a complainant which means the school needs to make allowances for or provide assistance with the process as set out in this policy. For example, an interpreter may be required to ensure that facts are accurate and exchange of information is fairly represented.

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### Possible Outcomes of a Complaint or Grievance:

- A. If the complaint is upheld or sustained, the following are possible outcomes depending on the nature of the complaint:
  - An agreement between the parties
  - If conciliation or mediation is supported by both parties, a mediator, accepted by both parties, will be appointed. Both parties will be requested to accept and act on the agreed outcome and the matter will be monitored at appropriate times
  - A verbal apology
  - A written apology
  - School based discipline in relation to a student
- B. If a complaint is not upheld or not substantiated but some issues come out of the investigation that are required to be addressed then, possible outcomes include:
  - Relevant training for employees and/or students
  - Monitoring of the behaviour of employees and/or students
  - Counselling for the aggrieved person
  - Mediation
- C. If the complaint is proved not to have happened at all, or if there is evidence that the complaint was made with the purpose or intent of causing distress to the other named as the source of the grievance, the following are possible outcomes:
  - Counselling for the person who made the complaint
  - A written apology from the person who made the complaint
  - An official warning
  - Referral for disciplinary action for students and staff
- The Principal will also assess the effectiveness of the outcome from time to time.

### Appeals:

- Should the complainant believe that the complaints procedure has not been followed properly, or believes that the outcome is unacceptable, he or she may:
  - A. Make an appeal at School level:
    - To the Principal if the Principal has not been involved in investigating or examining the complaints, or is not the person named as the source of the grievance
    - To the School Council or another member of the School Executive if the Principal has been involved
  - B. The appeal will consider:
    - The way the complaint was handled and examination of the outcome
    - If he/she believes it was handled properly and in accordance with the steps outlined in this policy and that the outcome was appropriate he/she will take no further action

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- If he/she thinks that the complaint was not handled properly and in accordance with the steps outlines in this policy, or that the outcome was inappropriate, he/she will organise for the complaint to be looked at again by someone other than the person who first handled the complaint

### Record Keeping:

- Records of complaints, interviews and other documentation relating to the complaint are kept at the school in a complaints file. If the complaint is about a person, documents are placed in a restricted access file.

### Receiving and Investigating Complaints and Grievances:

- All members of staff, including teaching and non-teaching staff members, are able to receive complaints in the first instance. If the complaint is able to be resolved immediately, and no further action is deemed necessary, the person resolving the complaint will document it appropriately in their personal file for future reference.
- Once a formal complaint has been lodged either in writing or verbally, an Investigator will be identified according to the nature of the complaint.
- In the Senior School this could be: subject teacher, Head of House, Head of Faculty, Deputy Principal Wellbeing - Head of Senior School, Deputy Principal-Learning and Innovation, Vice Principal- Howqua Campus, Principal.
- In the Junior School this could be: classroom teacher, Prep to Year 4 Teacher Mentor, Year 5 and 6 Teacher Mentor, Director of Curriculum, Vice Principal- Head of Junior School.
- Where a subject teacher or classroom teacher is the initial Investigator, they will co-opt a senior staff member to assist in the investigation. In many cases the senior staff member will become the Investigator.

### Staff:

- The wellbeing of staff is a priority at Lauriston Girls' School. Formal complaints made by staff should be addressed with the Deputy Principal Head of Senior School, Director of Lauriston Institute, Vice Principal - Head of Junior School, Vice Principal- Howqua Campus, or the Principal.
- Non- teaching staff may make a formal complaint to the Director of Lauriston Institute, Business Manager or Property Manager.