



BUNBURY
BAPTIST COLLEGE

COMPLAINTS POLICY FOR FAMILIES AND STUDENTS

BUNBURY BAPTIST COLLEGE Policy

OVERVIEW

Bunbury Baptist College is a community and as such, there will be times when parents will wish to make suggestions, may have a complaint or raise a concern that needs addressing. Bunbury Baptist College takes these issues seriously and welcomes such feedback. The Complaints System is outlined briefly below to assist families should such a need occur. Please remember it is our policy that we wish to deal with issues sooner rather than later.

A complaint will be treated as an expression of genuine dissatisfaction that needs a response.

Bunbury Baptist College wishes to ensure that:

- Parents have an understanding of how to make a complaint should the need or situation arise
- Bunbury Baptist College responds within a reasonable time frame and in a courteous and efficient manner
- Parents understand that they are listened to and that complaints are viewed seriously
- Action is taken where appropriate

Role of the Director General

The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether a school has breached the registration standards, she does not have the power to intervene in a complaint or override the school's decision.

RATIONALE

The Western Australian *School Education Act 1999* includes a standard, applicable to Non Government Schools that relates to '*the response to, and recording of, complaints and disputes at schools.*' Sec 159(1)(k).

Complaints, where possible, are to be resolved closest to the source of the complaint. Complaints will be addressed professionally, competently, confidentially and in a timely manner.

AIM

The implementation of an effective concerns and complaints policy and procedure would serve to:

- provide access to an open and responsive complaints' handling process;
- ensure that complaints are dealt with in an expeditious and fair manner and do not escalate unreasonably;

- enhance the school's ability to resolve complaints in a consistent, systematic and responsive manner;
- enable and encourage staff to improve their skills in complaints' handling;
- provide the school with helpful information to assist in the identification of trends and eliminate causes of complaints; and
- provide a basis for continual review and analysis of the complaints' handling process, the resolution of complaints and improvement.

DEFINITIONS

A **concern** is the expression of a worry, something that has made a person troubled or anxious about an issue and is expressed at a 'first level' ie to a class teacher at the classroom door or by telephone or email directly to the relevant staff member. Depending on the nature of the concern, it can often be resolved at this 'first level' in a more informal manner. NB: It would be prudent nonetheless for the teacher or staff member concerned to make and file a brief note regarding the issue and interaction in case of future escalation.

A **complaint** is an "expression of dissatisfaction made to an organisation, related to its products, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected" (as defined by the *Australian Complaint Handling Standard ISO AS 10002-2006*). Within a school this would usually equate to an expression, in writing, of protest, objection, dissatisfaction with a real or perceived problem, accusation, or criticism and is usually dealt with in a formal manner. Irrespective of whether the complaint was first expressed as a concern, it would be expected to be in the form of a written communication, a letter or email, addressed directly to the relevant staff member, the Principal/Deputy/Coordinator or the Chair of the school's governing body.

A **dispute** would usually be viewed as an argument or disagreement and may be the result of a pursued unresolved complaint.

1. PROCEDURE

1.1. Lines of Approach

It is up to the school as to the lines of approach, as long as there is a clear procedure, communicated to all and adherence is encouraged. It may be appropriate that all members of staff are encouraged to deal with parental concerns that lie within their area of responsibility.

If approached about a matter that lies outside their responsibility, staff should refer the person to the policy and advise them of the next step.

Some complainants will wish to go straight to the Principal with their concerns, and this should be respected. However, it should be explained that the Principal might not be able to respond until he/she has consulted the staff that can help and/or are involved.

Serious complaints should be shared with the Chair of the school governing body by the Principal.

There may be certain circumstances, such as complaints about the Principal, where it will be necessary for the complainant to write directly to the Chair, whose address should be readily available.

1.2. Procedural Fairness

Procedural fairness is concerned with the procedures used by a decision maker rather than the actual outcome reached. It requires a fair and proper procedure be used when making a decision.

The rules of procedural fairness require:

- a hearing appropriate to the circumstances;
- lack of bias;
- evidence to support a decision;
- inquiry into matters of dispute.

The duty to act fairly requires that:

- the decision maker must have an open mind (free from bias) when reading/listening to what is said by both parties; and
- people whose interests will be affected by the decision must have the chance to give a response before the decision is made, but after all important information has been gathered.

1.3. Resolution

Satisfaction for a complainant may come from any of the following:

- knowing that changes have been made and that matters will be different in future;
- knowing that the school is now alert to a possible problem;
- feeling that their concern has been considered seriously;
- an outcome which may be different from the one they sought, but which they perceive to be well-considered;
- a considered letter;
- an apology.

If time is needed to investigate/consider the complaint then the complainant should be kept informed of its progress, in writing, giving the assurance that the issue has been understood and the matter is being dealt with.

Following an appropriate investigation, the school should offer a response, for example to correct the problem and prevent it happening in the future. However, schools need to be aware that they are not obliged to give complainants explicit information on what action has been taken, but rather provide an assurance that action has been taken. This is especially important when the matter involves a staff member. Outlining the resolution, to the degree considered appropriate by the school and in the interests of satisfying the complainant, should help prevent misinformation being circulated in the school community.

1.4 Reporting

The College may also have an obligation to act and report in response to legislation applicable to an educational institution. The College also has an obligation to report to or work with law enforcement if applicable. There is also a moral duty of care that goes beyond legal reporting requirements that the College will uphold.

In addition to the duty of care owed to all students by the College, the School Education Act 1999 also requires all non-government schools to comply with Standard 10 – Preventing and Responding to Child Abuse.

Relevant Legislation or Authority include:

- Australian Psychological Society Code of Ethics 2007
- Children and Community Services Act 2004 ('The Act')
- Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008
- Corruption and Crime Commission Act 2003
- Criminal Code Act 1913
- Criminal Code Amendment (Sexual Offences) Act 1992
- Criminal Code Amendment (Cyber Predators) Act 2006

1.5 Recording

It is important to maintain an effective **register of complaints** and log of concerns as:

- it provides information should there be legal action in the future;
- patterns may be identified that indicate a need for action;
- it provides information for reporting, by the Principal, to the School governing body as required.

The register/log should contain the following information:

- date when the issue was raised and to whom it was raised;
- name of complainant and relevant parties involved;
- brief statement of issue;
- the action taken
- decision taken/made
- outcome
- record to see if any emerging patterns

Confidential files on all complaints should be maintained and kept together and cross-referenced with other files as necessary. The files should contain simple but clear notes of all communication with the complainant. This includes friendly chats and telephone conversations, as misunderstandings easily arise. There should be a clear statement of what is concerning the complainant. The complainant should agree with the notes.

2. DISPUTES

Most complaints can be resolved if approached positively. However, a pursued unresolved complaint may become the subject of a dispute for a variety of reasons including the nature of the original complaint, the way in which it was handled, or possibly because the parent perceives the school to have 'closed ranks' against him or her.

Pursued, unresolved complaints/disputes are usually taken to the school's governing body Chair, and/or as a last resort and if both parties agree, an independent arbiter.

2.1. Referral to the Chair of the school governing body

In some cases the procedure will be that the Principal refers the matter to the Chair of the school's governing body and advises the complainant that this is the next step in the process. However, a situation may arise where the complainant is unhappy with the Principal's response, in which case the complainant should be able to write directly to the Chair.

The Chair should discuss the matter fully with the Principal and be provided with relevant documentation. If a briefing is required from a member of staff, this should occur in the presence of the Principal.

The Chair should respond to the complainant, notifying them that he/she is reviewing the matter, asking them if they wish to add anything further and providing a date by which they may expect a response.

The Chair's response should be clear and detailed, and should offer a meeting if the complainant remains troubled.

2.2. Meeting with the Chair of the School Governing Body

If a meeting is requested, the Chair would offer to meet the complainant at a time convenient to them. Those involved are:

- the Chair of the school governing body;
- the Principal and, at the most, one other member of staff;
and
- The complainant.

The complainant should be permitted to bring with them a supportive friend who is not involved with the complaint. Legal representation would be discouraged at this stage.

The Chair, after questioning and listening to the complainant and the Principal, may be able to find a solution. If this is not possible, and the complainant wishes to take the matter further, the Chair could consider engaging an independent arbiter.

2.3. Referral to an Independent Arbiter

As a final step in the disputes and complaints procedure, **if appropriate**, schools could use an independent arbiter to review the process that has been implemented to that stage and to assist in the facilitation of a resolution. The process around the use of an independent arbiter would be determined by the content of the Disputes and mediation information in the school's constitution. It is usual practice for the arbiter to be:

- Independent
- Assured both parties will accept the arbiter's decision.

2.4. Further Action

At all stages of a complaints' resolution process the complainant should be reminded that they can seek legal advice if they wish, especially at the point where the school has done all it can to reach a resolution.

3. STUDENTS' COMPLAINTS

It is well recognised that empowering children and young people to understand their rights, to report problems and concerns and effectively support them to address the issue raised is critical. Taking children and young people seriously if they raise a matter of concern and ensuring that staff and volunteers have appropriate training and processes to ensure that such matters are dealt with effectively.

One of the ways in which a school can ensure that their students' views are heard, their rights respected and their safety and wellbeing prioritised is to build a complaints system that is accessible and responsive to the needs of children and young people. The principles that apply to parental complaints should also apply to complaints and concerns from students. There are, however, differences in approaches. One important difference from the handling of parental complaints is that students should be able to raise concerns with any member of staff with whom they feel comfortable, whether it is the form teacher, a member of the support staff, School Chaplain, Coordinator or Principal.

Complaints that appear trivial still need to be handled seriously. Young people may test the complaints procedures on relatively minor issues before finding the confidence to raise something painful, such as bullying.

If the issue is a painful one, or if exploration of it is taking time, a student may need support from another student or from an adult. Students should be encouraged to choose a person with whom they feel comfortable to provide support.

Schools should decide if the student's parents are to be informed or involved and at what point in the process this should take place.

In more complex situations, once the matter is resolved, the outcome should be discussed with the student by a member of staff. To make sure that it is fully understood, a written record may be shared.

In situations where it is believed that the matter needs to be referred on to an external authority it is essential that, at an appropriate time, the staff member explains this to the student, from the perspective of being in the best interests of the student's welfare and safety. Please also note that in most cases, parents will be required to give formal written approval if a non-school employee is to be involved with their child. It is very important that this sort of situation is handled sensitively and in a supportive manner and that the staff member follows the school's policy and fulfils all applicable legal obligations.

There are a variety of reasons why children and young people may not report concerns, eg:

- not believing their problem is big enough to warrant an 'official' complaint;
- not understanding they are allowed to make a complaint or how to go about it;
- concern about not being believed;
- fear of getting into trouble or getting others into trouble;
- embarrassment or shame;
- worry about confidentiality and privacy;
- fear of repercussions and that things will get worse (especially about bullying).

Students need to be given a good understanding that the school is receptive to complaints, how to complain and how complaints are handled. A positive and open culture for disclosure of all concerns, Personal and Social Education programs and the school's Protective Behaviours curriculum are major contributors in not only teaching students how they may support and act as mentors to others, but also in encouraging them to understand that their views matter and to voice concerns.

4. POLICY AND PROCESS REVIEW

As well as ensuring regular review of the school's policy and procedure it is just as important to review how complaints have been handled, at regular intervals, including monitoring anonymous complaints that may not be able to be addressed but nonetheless can be discretely investigated.

A review would include the scope, clarity and effectiveness of communication, by the school, about the available process, during an actual situation, at the point of resolution and any required follow up as well as the ease and usefulness of the process, from the user's perspective. It would further include reviewing the effectiveness of staff induction, training and communication of updates in this area.

Finally a thorough review is only of benefit if there is a response which takes action to improve and enhance the policy and process which will not only leave complainants feeling respected, if not always satisfied, but also position the school and its reputation as being fair and accountable.

The College will make use of the *Child Safe Organisations WA: Self-assessment and review tool*, in order to aid effective review processes. See attached.

5. COMPLAINT PROCEDURE FOR PARENTS

“How should I complain?”

When you contact the College, please be as clear as possible about what is troubling you.

Staff members at Bunbury Baptist College will be happy to help. It may be best to start with the person most closely concerned with the issue – for example, the relevant Coordinator. They may be able to sort things out quickly, with little fuss. A phone call is the quickest means of contact or a letter/email is also appropriate. However you may feel the issue needs to go to a senior staff member such as the Principal.

“I don’t want to complain as such, but there is something bothering me.”

Bunbury Baptist College staff members are working towards the same purpose as yourself – the education and well-being of your child. Staff members want to hear your views and ideas. Contact a staff member, as above.

“I am not sure whether to complain or not.”

If you have a concern, as a parent you are entitled to raise it with the College. If in doubt, remember we are here to help. Sometimes it is reassuring just to talk through your concerns with someone.

“What will happen next?”

If you raise something on the phone or in person, it may be resolved immediately and to your satisfaction. If you forward a complaint or suggestion in writing, the College will contact you within 2 working days to respond to your concerns and explain how the matter will proceed. In many cases the person will need to discuss the matter with a colleague and will consider it further before responding. You will be given a date by which time you will be given a response. If a detailed explanation of the issue is needed, a letter or report will be sent to you as quickly as possible. This letter will inform you of the outcome of the complaint. It will explain the conclusion, the reasons for it and any action taken or proposed.

“What happens about confidentiality?”

Your complaint or concern will be treated as confidential and treated with respect. Knowledge of the issue will remain limited to the Principal and to those directly involved. The Chairman of the College Board may also need to be informed in some situations. It is a College policy that complaints made by parents should not rebound adversely on their children. We cannot entirely rule out the need to make third parties outside the College aware of a complaint and possibly also the identities of those involved. This would only happen in a case where the child’s safety is at risk or where it became necessary to refer a matter to the police or comply with mandatory reporting of sexual abuse. Parents would be advised accordingly to the nature of the incident and the individual circumstances.

“What if I am not satisfied with the outcome?”

We hope that you are satisfied with the outcome, or at least your concerns have been heard and fully considered. If you are not satisfied, the Principal will offer to refer the matter to the Chairperson of the College Board. Alternatively you may wish to write directly to the Chairperson. The Chairperson will call for a full report from the Principal and will examine matters thoroughly within the Board before responding. The decision of the Board will be conveyed to you. If the complaint is about the Principal, you are welcome to ring or write to the Principal. If you find that too difficult you can write directly to the Chairperson of the Board and address the letter as confidential. The Chairperson will acknowledge the letter and seek to resolve the problem through the Board. The Chairperson will then get in touch with you as soon as possible.

If the family is still unhappy with the Board decision, a review will be held by an independent arbiter outside the College community.

6. COMPLAINT PROCEDURE FOR STUDENTS

Any Problems, Complaints or Suggestions? **If so, the College would like to hear.**

How do I make a complaint?

- By talking about it – or by writing it down if you find that easier.
- You can do it by yourself, or as part of a group, or through your parents.

To Whom?

- To anyone on staff.

Does it matter what the issue is?

- No, it can be a big problem or a small one. By discussing it, you may come up with some positive ideas.

What will happen next?

- If possible the staff member will deal with it in person. If not s/he will go on your behalf to someone who can help.

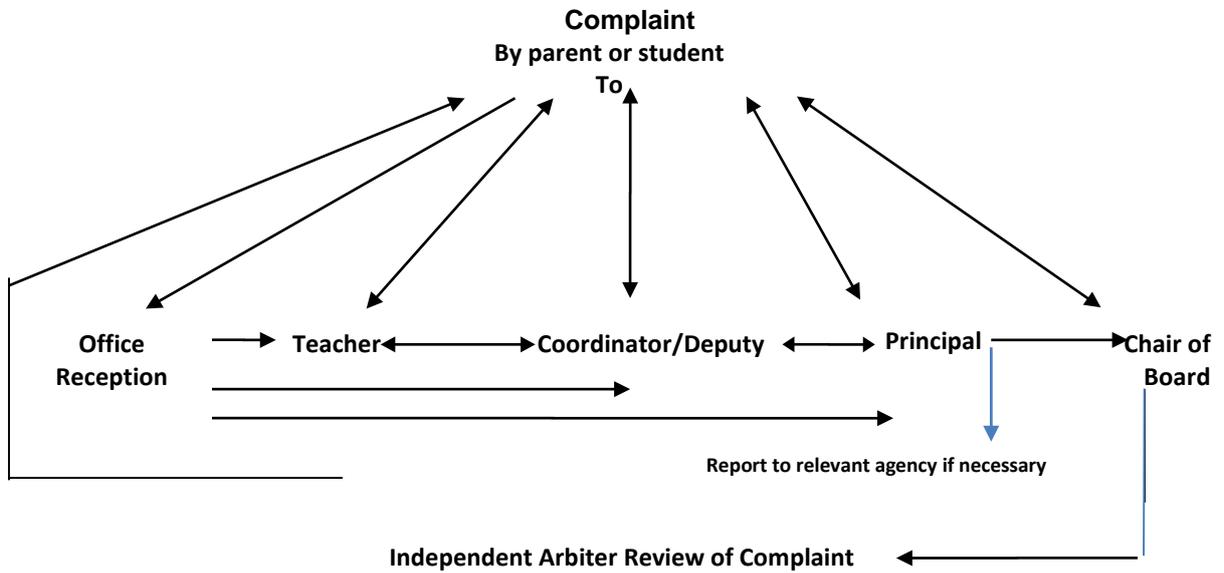
Do others have to know?

- If you are worried about confidentiality, tell the staff member – they will understand.

Even if you find the issue hurtful or embarrassing, don't worry – it will only be discussed by staff who can help you.

The *Commissioner for Children and Young People* “Top Tips for Making a Complaint” will be made available to students. See attached.

Complaint Procedure Flow Chart



Should you wish to discuss any aspect of this Complaints Procedure, please do not hesitate to contact the College.

Students...

Top tips for making a complaint or suggestion



1.
Get Support
Talk to your Teacher,
Parent, Carer or



4.
Be Calm And
Ask Questions



2.
Find Out How
Who do you go to?
What do you do?



3.
Plan What You
Want To Say



5.
Complete the
Complaints
Form



6.
Move On
When Resolved,
forgive and be
friends again.



Adapted from Commissioner for Children and Young People. Western Australia

Domain
Child friendly complaints process and reporting

Agency:
 Work unit:
 Completed by:
 Date of review:
 Date of next review:

Practices	Rating 1 to 5	Evidence of practice in action	Next steps	By whom	By when
<p>There are clear procedures for staff, volunteers, families, children and young people to provide feedback, raise concerns or make formal complaints. These procedures are actively promoted.</p> <p>Examples</p> <ul style="list-style-type: none"> • staff and volunteers discuss and invite complaints/feedback • easily accessible and visible posters/flyers/flowcharts • information on the website 					

Domain Child friendly complaints process and reporting			Agency: Work unit: Completed by: Date of review: Date of next review:		
Practices	Rating 1 to 5	Evidence of practice in action	Next steps	By whom	By when
<p>All concerns from children, staff, volunteers, family and community members are taken seriously and acted upon.</p> <p>Examples</p> <ul style="list-style-type: none"> • there is a clear process for raising complaints and concerns, including a record keeping system that is linked to decision making and disciplinary processes about concerns • processes include approaches to dealing with situations in which a child may cause harm to another child • there are several pathways to escalate concerns • complainants are kept informed of the progress and outcome • feedback and complaints lead to improvement in service planning and/or delivery 					

Domain Child friendly complaints process and reporting			Agency: Work unit: Completed by: Date of review: Date of next review:		
Practices	Rating 1 to 5	Evidence of practice in action	Next steps	By whom	By when
<p>Barriers that may prevent staff, volunteers, families, children and young people from providing feedback, raising concerns or making a formal complaint have been identified and addressed.</p> <p>Examples</p> <ul style="list-style-type: none"> • cultural appropriateness of the processes have been considered • there are ways for people with communication difficulties to raise concerns • there is an anonymous option • complaints from an advocate or someone speaking on behalf of children are accepted • staff/volunteers have multiple colleagues to discuss concerns with; not restricted to line managers 					

Domain Child friendly complaints process and reporting			Agency: Work unit: Completed by: Date of review: Date of next review:		
Practices	Rating 1 to 5	Evidence of practice in action	Next steps	By whom	By when
<p>There are multiple pathways for staff, volunteers, children, young people and parents/carers to provide feedback, raise concerns or complaints.</p> <p>Examples</p> <ul style="list-style-type: none"> • incorporated into activities • anonymous dropbox or online system • regular invitations to talk or 'checking in' with people • designated staff role for promoting child safety (more than one) 					
<p>Upholding equity and meeting diverse needs.</p> <p>Examples</p> <ul style="list-style-type: none"> • provides information in accessible, age-appropriate and meaningful formats to children and families mindful of their diverse characteristics, cultural backgrounds and abilities • uses translation services and bicultural workers with knowledge of child abuse issues, particularly to facilitate disclosure, reporting and complaint handling 					