



SOPHIA
MUNDI

The Inner City Steiner School P-12

Disputes and Complaints Policy

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1. Policy

Employees of Sophia Mundi Steiner School are responsible for managing the resolution of enquiries, concerns, complaints and disputes lodged by students, parents and members of the community.

Employees of Sophia Mundi Steiner School will make every effort to promptly resolve enquiries, concerns and complaints, in accordance with the principles of procedural fairness.

The Principal is responsible for establishing and maintaining processes for managing and reviewing enquiries, concerns and complaints.

1.1 Background

Sophia Mundi Steiner School is characterised by a commitment to responding positively to complaints. In particular, the partnership between parents and the school should be a strong and reliable feature of the school. Parents and other school community members must be confident that staff will listen and respond to their needs and concerns.

This policy builds on good practice in our school. The policy has been developed in cooperation with parents, staff members and other interested parties to ensure that enquiries, concerns and complaints are dealt with promptly, fairly and contribute to continuous improvement. It is based on open and proactive school-community relations.

The policy sets out the process for students, parents, members of the community and staff members in their private capacity to have enquiries, concerns and complaints addressed by the school.

The school's mechanisms for the resolution of a range of complaints include:

- grievance procedures as outlined in this policy;
- provisions outlined under other school policies for complaints specifically related to discrimination or harassment; and
- *Equal Opportunity (EO), Anti-Bullying and Anti-Harassment Policy.*

Complaints of various kinds may also be lodged outside the school with agencies such as the Victorian Human Rights and Equal Opportunity Commission (VHREOC) or Victoria Police.

1.2 Definitions

1.2.1 *Alternative Complaint Resolution Processes*

Formal methods of complaint resolution such as mediation that may be utilised in the resolution of complaints.

1.2.2 *Complainant*

A student, parent, member of the community, or employee of the school in his or her private capacity who has a complaint.

1.2.3 *Complaint*

The expression of dissatisfaction with any aspect of the school. It may be general in nature or relate to particular staff members, a part of the school, a policy or a decision. Any person may lodge a complaint, however, staff members employed by the school cannot use this process if they are acting in an official capacity. A complaint must contain sufficient detail to enable it to be addressed and recorded.

1.2.4 *Dispute*

The expression of a pursued unsatisfied complaint against action taken by an employee of the school acting on behalf of the school; it may be general in nature or relate to a particular staff member or part of the school; and it may be lodged by any person other than a staff member employed by the school and acting in their official capacity.

1.2.5 Enquiry/Concern

A request for service that can generally be addressed at the time of being raised without the need for more involved consideration.

1.2.6 Investigation

Formal examination of a complaint by an authorised person.

1.2.7 Managing a Complaint

Coordinating all the processes involved in addressing the complaint to its conclusion/resolution.

1.2.8 Procedural Fairness

The concept of procedural fairness is derived from the principles of natural justice.

A process that demonstrates procedural fairness is one in which:

- decision makers act fairly and provide reasons for decisions;
- the person affected is given a fair hearing;
- all parties to a matter have an opportunity to put their case where an adverse decision or finding is made; and
- all relevant arguments are considered and irrelevant arguments are excluded.

1.2.9 Referring a Complaint

Forwarding the complaint to a more appropriate person or agency to manage.

1.2.10 Resolution

An outcome of a complaint that is satisfactory to both parties.

1.2.11 Unresolved Complaint

A complaint which has not been resolved to the satisfaction of the complainant and may be referred by the complainant to an outside agency.

1.3 Principles

The following principles apply to the management of all complaints:

- the process is accessible to all aggrieved parties and is underpinned by a commitment to cooperation on the part of school staff;
- procedural fairness is afforded to all parties;
- the subject of the complaint is informed of the substance of the complaint;
- vexatious, trivial or previously finalised issues are not pursued;
- warranted investigation will be pursued with or without the active involvement of the complainant;
- confidentiality is maintained, to the extent that it is consistent with legislative requirements and the other principles outlined in this section;
- complaints are monitored and their management evaluated so as to reduce the occurrence of systemic and recurring problems;
- in all matters, the educational wellbeing of students is the first priority;
- all persons in the school community including students, parents, administrators, teachers and support staff, have a right to be treated with respect and courtesy;

- complainants are able to make enquiries, raise concerns or lodge complaints about the provision of education or the conduct of school employees and have these dealt with efficiently, fairly and promptly;
- processes are to be straightforward and align to the school's policies; and
- information about the process for making enquiries, raising concerns or complaints is to be available to parents, students and members of the local community.

1.4 Relevant Legislation

- *AS4269 Australian Standard for Complaints Handling*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Education and Training Reform Act 2006*
- *Education and Training Reform Regulations 2007*
- *Equal Opportunity Act 1995*
- *Information Privacy Act 2000*

2. Procedures

2.1 Who May Complain

Students, parents, members of the community, and employees of the school in their private capacity are entitled to have their complaints addressed by the Principal.

2.2 What May Be Complained About

A complaint may be made about the:

- provision of education; or
- conduct of any school employee.

Employees who are the subject of a complaint are to be informed of the substance of the complaint.

Guidelines

The full text of the complaint is generally not provided to the person who is the subject of the complaint.

Complaints against employees should be sufficiently detailed so as to enable the employee to respond to the allegations against them. A detailed description of the incident/s, the alleged time and place when the incident/s allegedly occurred and the names of any possible witnesses to the incident/s should be provided, wherever possible.

2.3 How the Complaint Will Be Handled

Complaints will be handled promptly, confidentially and in accordance with procedural fairness.

Persons who are the subject of a complaint, who make a complaint or provide information in the course of an investigation into a complaint shall not be subject to prejudice, intimidation, and harassment or be subject to any detriment because of their involvement.

Where disciplinary processes are commenced against an employee as a consequence of a complaint being received complainants will be informed whether the allegation was substantiated or not substantiated. Complainants are not informed of the nature of any disciplinary action taken against an employee in respect to disciplinary matters due to confidentiality requirements.

Appropriate confidentiality is to be observed in any discussion of complaints. This means that at the workplace these matters are to remain confidential between the employee and his or her supervisor and any other parties who have a legitimate interest in the process.

Guideline

Such parties may include support persons, unions or professional associations.

2.4 Lodging a Complaint

A person is able to complain verbally or in writing to the Principal. If a verbal complaint is complex or very serious the complainant may be required to restate the complaint in writing or sign a written summary prepared by the Principal.

A written complaint which contains personal abuse, inflammatory statements or material that is clearly intended to intimidate will not be addressed and the complainant will be informed accordingly.

Similarly, a verbal complaint that contains personal abuse, inflammatory statements or comments of a threatening nature may be terminated at the discretion of the staff member after firstly warning complainants of that intention.

A person making a written complaint must provide his or her name, address and details of the complaint.

2.5 Withdrawal of a Complaint

A person who has made a complaint is able to withdraw the complaint at any time. A written complaint should preferably, be withdrawn in writing. However, a signed and dated notation on the complaint by an employee that it has been withdrawn by the complainant will suffice. A verbal complaint can be withdrawn verbally and a notation made to that effect.

The person who received the complaint must give notice in writing to any parties affected by the complaint that it has been withdrawn. Complaints that warrant investigation must be pursued even though the complaint has been withdrawn.

2.6 Management of Complaints

When a verbal or written complaint is made to the Principal and the nature of the issue raised is such that it is appropriate to resolve it within the school, the Principal will take action to resolve the issue.

- Complaints made about a staff member, where appropriate to do so, will be resolved promptly within the school .
- At any stage following receipt of a complaint, either party is entitled to refer the complaint to another authority for resolution, e.g.: the Victorian Registration and Qualifications Authority (VRQA), Victoria Police, or the Victorian Equal Opportunity and Human Rights Commission (VEOHRC). This will not necessarily prevent the school from pursuing an investigation.

Guidelines

Complaints about the quality of education at a school, including its facilities, curriculum and assessment and how the school handles safety, welfare or discipline issues can be investigated by the Victorian Registration and Qualifications Authority (VRQA), which can be contacted in writing at:

*Complaints Unit
VRQA
GPO Box 2317
MELBOURNE VIC 3001*

Or email vrqa.complaints@edumail.vic.gov.au

The Victorian Equal Opportunity and Human Rights Commission (VEOHRC) can be contacted on (03) 9281 7100 or via email complaints@veohrc.vic.gov.au

- When complaints are made in writing about the conduct of any employee of the school, only the substance of the complaint will be provided to the respondent. The full text of the complaint will not be provided to the subject of the complaint except in extraordinary circumstances. In the majority of cases, the name of the complainant will also be conveyed to the employee, unless a complainant's identity needs to be withheld for safety and/or investigative reasons.
- The Principal can reject a complaint that in their opinion is vexatious, trivial or without substance; or does not warrant further action taking into account the provisions of this policy.

Guideline

Details of these complaints should be recorded in case there is a pattern of complaints that warrant consideration at a later date.

2.7 Responsibilities for Management of Complaints

2.7.1 Teachers

Teachers must:

- maintain confidentiality in dealing with each matter;
- resolve parent concerns and complaints where possible;
- communicate outcomes of parent concerns and complaints to the Principal where appropriate; and
- refer parent enquiries, concerns and complaints to the Principal where appropriate.

2.7.2 Principal

The Principal must:

- maintain confidentiality and impartiality in dealing with each matter;
- ensure, wherever appropriate, that concerns and complaints are resolved;
- develop and implement a process for registering, responding to and managing parent enquiries, concerns and complaints;
- ensure that the process for managing complaints includes recording and monitoring of complaints and their outcomes to enable improvements to be identified and implemented;
- ensure that enquiries, concerns and complaint procedures are communicated clearly to parents and community members;
- ensure that school policies and procedures are modified, where necessary, to address areas of concern;
- ensure that processes are consistent with all relevant school policies; and
- ensure that complainants and respondents are aware that they can have a friend or adviser present during any discussion.

2.8 Verbal Complaints

When the Principal receives a verbal complaint, he/she will implement strategies to resolve the complaint.

Guideline

The Principal may provide advice to the complainant on possible strategies to resolve the matter.

Documenting/recording the substance and process of resolving these complaints must occur.

Guideline

If a verbal complaint is complex or very serious the complainant may be required to restate the complaint in writing or sign a written summary prepared by the Principal.

2.9 Written Complaints

When the Principal receives a written complaint, he/she will implement strategies to resolve the complaint.

Guidelines

All written complaints lodged with the Principal should be acknowledged within five working days.

Alternatively, the Principal may decide to reject a complaint on the grounds that it is vexatious, trivial or without substance, or does not warrant further action.

Every endeavour should be made to resolve the complaint within 14 days. If the circumstances warrant a longer timeframe for management of the complaint the complainant needs to be informed of the reasons for the delay in addressing the matter and of the likely time frame required to conclude the matter.

Documenting/recording of complaints must occur in accordance with normal complaints processes and confidentiality requirements.

2.10 Appointment of Investigator

If a complaint is referred for investigation, the Principal will assign an appropriate person to perform this function.

The investigator will conduct the investigation in line with procedures and guidelines and subject to any direction from the Principal or their delegate and procedural fairness requirements.

2.11 Report by Investigator

The investigator must report regarding his/her findings of factual matters to the Principal or their delegate within a reasonable time, normally within 20 working days. Variations to this timeline will be monitored by the Principal.

The report must include details of the investigative process and findings of fact.

2.12 Outcome of Disciplinary Process

The Principal or their delegate will inform the respondent of the outcome of the disciplinary process. The complainant will be informed when the formal disciplinary process has been concluded and whether the allegation was substantiated or not substantiated. However, because disciplinary proceedings against an employee are strictly confidential between the employer and the employee, complainants will not be informed of the nature of any disciplinary action taken against an employee.

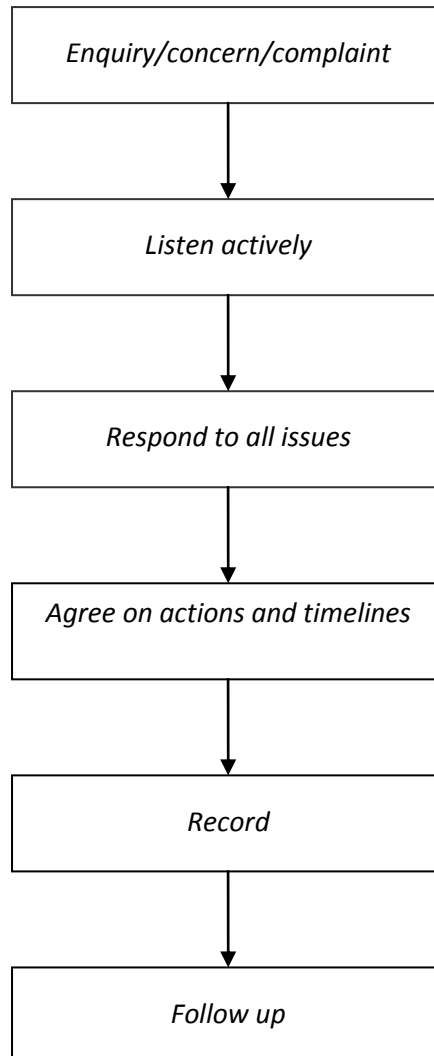
Appendix A Guidelines for Management of Complaints

The following guidelines are to assist with the establishment and implementation of processes for managing and reviewing enquiries, concerns and complaints.

When managing and reviewing enquiries, concerns and complaints:

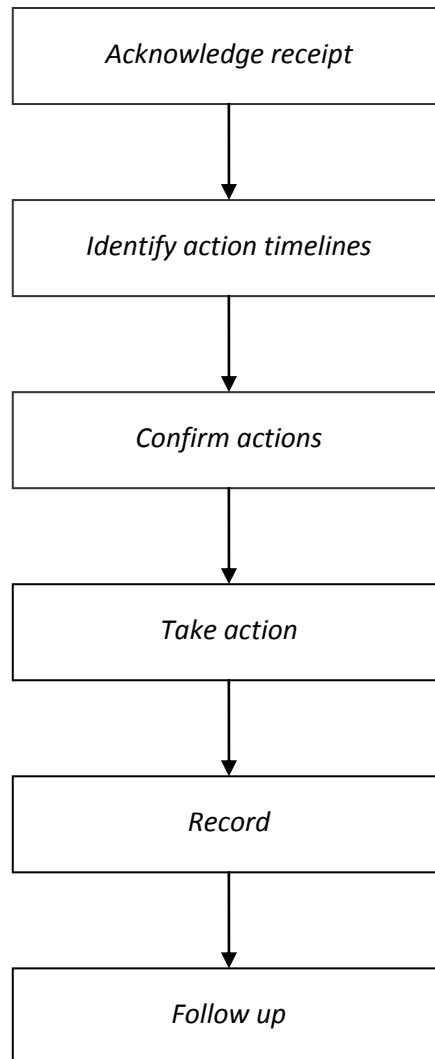
- identify current practice;
- evaluate current practice against:
 - AS 4269 - Australian Standard for Complaints Handling
 - *Disputes and Complaints Policy*
- consult with the School Board, the Parents and Friends' Association and the school community to identify improvements in current practice;
- develop processes and procedures to meet the needs of the school, these could include a code of practice that establishes the standards for all contact with customers and clients;
- the process should take into account:
 - receiving, clarifying and documenting enquiries, concerns and complaints;
 - seeking and documenting further information;
 - deciding how the matter should be dealt with;
 - taking action about the matter;
 - communicating the action to the complainant and ensuring the issue is resolved;
 - documenting the issue, the action and the outcome; and
 - reviewing processes and procedures.
- regularly communicate the processes and procedures to all students, parents and staff members:
 - refer to Appendix B: Useful Information for Staff; Appendix C: Useful Information for Parents; and Appendix D: Useful Information for Students.
- monitor, evaluate and review processes and procedures;
- sample process for responding to verbal enquiries, concerns and complaints:
 - maintain confidentiality at all times;
 - take the matter seriously.;
 - be non-judgemental;
 - listen attentively and courteously;
 - determine whether the matter is an enquiry, a concern, a request or a complaint;
 - if necessary, ensure access to an interpreter;
 - complainants should be provided the opportunity to have a friend or adviser present during any discussion;
 - repeat your understanding of the problem, acknowledging the complainant's feelings and clarifying the problem (it is important to focus on the problem and not on finding fault or blame);
 - respond to all issues raised by the complainant;
 - agree on action and timelines;
 - record the complaint, the action and the outcome;
 - review the situation and confirm with the parent/responsible person that the matter is resolved; and
 - if necessary, review relevant school/office policy or procedures.

Responding to Verbal Enquiries, Concerns and Complaints



- sample process for responding to written enquiries, concerns and complaints:
 - maintain confidentiality at all times;
 - assess the seriousness of a complaint;
 - acknowledge the enquiry, concern or complaint with a prompt written reply within five working days, even if a resolution is not available at this stage;
 - clarify your understanding of the problem as soon as possible;
 - identify action and timelines in writing and include a name and contact number;
 - respond to all issues raised;
 - take action within stated timelines;
 - record the complaint, the action and the outcome;
 - review the situation and confirm with the parent that the matter has been resolved; and
 - if necessary, review relevant school/office policy or procedures.

Responding to Written Enquiries, Concerns and Complaints



Appendix B Useful Information for Staff Members

Positive Outcomes from Handling Complaints Well

Quality management of a complaint goes beyond simply complying with policy. A complaint is a sign that something is wrong even if we think the complainant is mistaken. Although we need to distinguish misunderstandings from valid complaints, both indicate real problems that must be solved.

We should not be afraid of complaints. Complaints are a valuable source of feedback on the service we provide. The fact that a complaint has been made suggests that the complainant trusts us to respond in a positive way.

How well we handle complaints can be critical to the image of our school and relationship with the community. A badly handled complaint can result in both a dissatisfied parent and bad word of mouth or informal publicity.

When we handle a complaint well we not only satisfy the complainant, we improve our relationship with the complainant and increase confidence in the school. Handling a complaint properly shows that we listen, we learn from our mistakes, we are committed to continuous improvement and we care.

Further, processes for handling complaints should provide feedback to school leadership to support improvement in our policy and operations.

Principles for Handling Complaints

Act Promptly

Find out as quickly as possible both the nature of the complaint and the outcome the complainant wants. Determine who is the appropriate person to handle the complaint to ensure there is no conflict of interest or perception of bias.

Listen Carefully, Discuss the Issues Calmly and Maintain Confidentiality

- Treat complainants with respect and courtesy.
- Approach the complaint with an open mind, taking the person seriously and letting them have their say.
- We should welcome complaints and assure complainants that they will be dealt with properly.
- Record all relevant details.
- Maintain confidentiality to protect complainants, their children and the staff members involved.

Focus on Relevant Issues

- Keep the discussion to relevant issues and check the facts.
- It is important to hear all sides of the story and keep everyone involved informed of the progress and outcome of the complaint.
- Be clear about current policy and processes.

Give Personal and Specific Responses

- Give the complainant your name. Let them decide whether the matter is really an enquiry, a concern or a complaint.
- Be clear about what solutions we can actually offer.
- Explain what will happen next and what steps and support are available.
- Make sure written responses address all of the issues, contain correct information and use plain English.

Keep a Record of Complaints, Timeline for Action, Action Taken and Outcomes

- Recording details helps to ensure that we deal with each complaint satisfactorily. In many cases some brief diary points and/or a note on the student's file is all that is required.
- A clear record is helpful where there are subsequent enquiries, concerns, complaints or investigation.
- Tracking complaints will help us improve our policies and operations both in managing complaints and in the areas of operations about which we receive complaints.
- The emphasis should be on learning rather than attributing blame. We need information to plan for improvement.

Strategies That May Be Useful For Dealing with Complaints

Mediation

The primary focus of mediation is to reach a fair and workable agreement between the parties in conflict. It should be a voluntary process with parties agreeing to mediation and taking responsibility for making decisions through the process.

Mediation Process

Pre-Mediation

The process of pre-mediation involves:

- The mediator meeting with each party individually and listening to their perspective on the situation.
- Checking the person's 'emotional readiness' to participate in mediation.
- Discussing and finalising the agenda for the mediation; what are their primary concerns and what requests do they wish to make of the other party? How best might they phrase these concerns and requests to ensure the best possible outcome?
- Anticipating what the other party might raise and how the individual will respond.
- Discussing the ground rules for successful mediation.
- Seeking commitment to the mediation process.

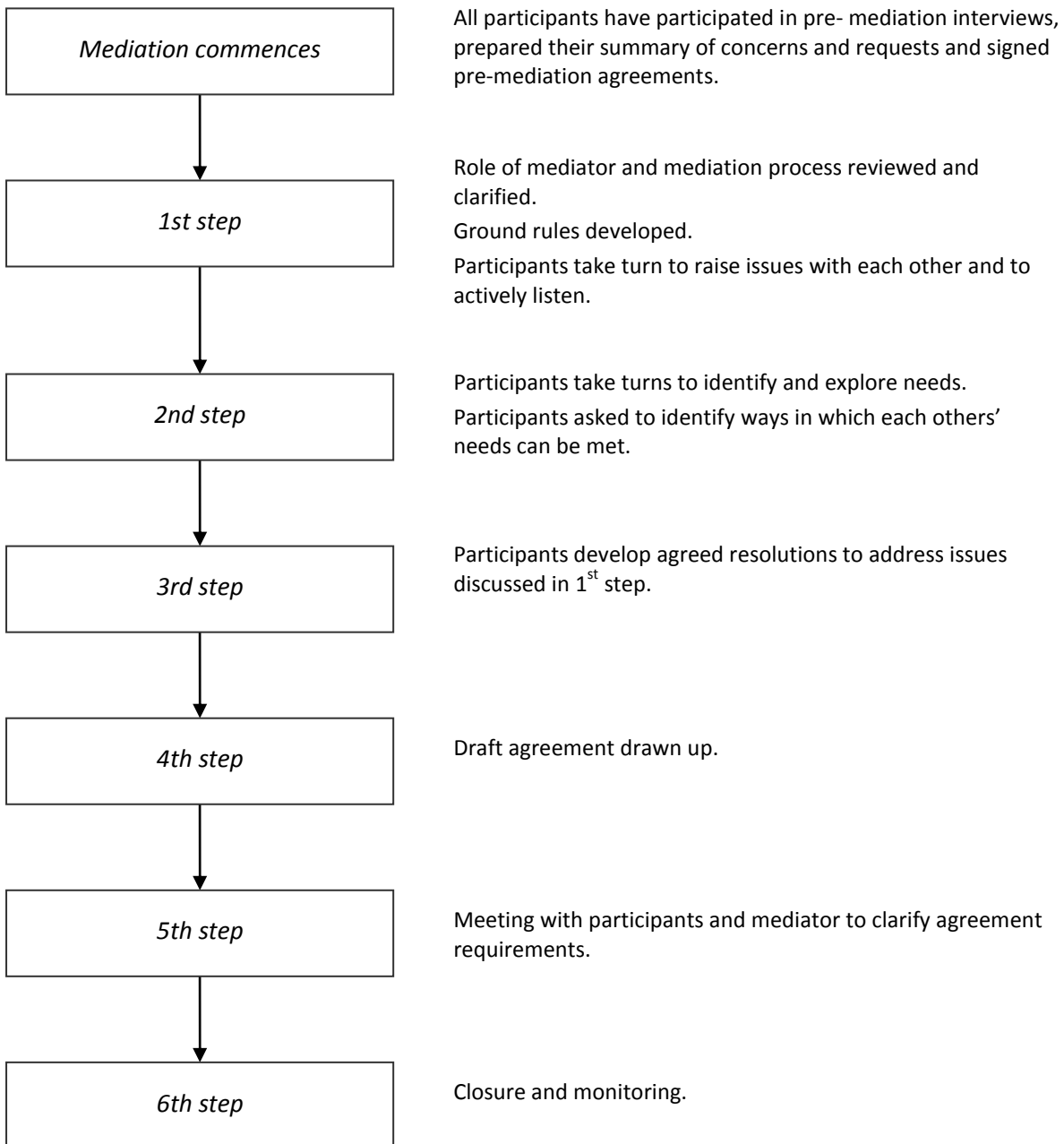
If parties are in agreement, then mediation proceeds. Only two people are generally involved in mediation. Therefore, with three parties, either two or three mediations will be required.

Note that pre-mediation may identify other organisational needs and appropriate interventions will be discussed following pre-mediation.

Mediation

- Brief meetings are held with each party immediately prior to joint meeting to confirm the parties readiness to proceed and that agenda is still appropriate.
- Mediator introduces the process to the parties.
- Ground rules developed and/or reinforced.
- Each party presents a statement or request from their agenda in turn and clarifies as necessary.
- Parties develop options to address/resolve the point being discussed (only move on to next point when some agreement or understanding is demonstrated).
- A written document is developed stating the outcome of mediation, agreement reached between the parties and recommendations for further action.
- A review period is agreed.

Mediation Flowchart



Talking to the School

Introduction

The relationship between the home and the school plays a very important part in a child's education.

We can not overestimate the critical role parents play in successful learning: parents contribute much to their child's development and are among the most important influences on the way in which the child approaches learning.

Teachers are responsible for the more formal aspects of children's learning, and successful teaching builds on the home experiences of the child. This is most effective where there is an active partnership with parents.

Two-way communication is a critical factor in the partnership between parents and the school. Where a partnership exists, it is easier for parents to feel confident about the teaching and learning taking place in the classroom and to solve problems.

What Might You Talk to the School About?

Issues particular to your child:

- attitude;
- academic progress;
- participation;
- behaviour;
- how he/she gets along with teachers and other students socially and emotionally;
- physical development and well-being;
- development of responsibility;
- non-attendance or truancy; and
- learning program issues.

School or class issues:

- quality of teaching;
- homework;
- learning environment;
- general student behaviour;
- pastoral care for students;
- school policies and procedures; and
- conduct of staff.

How the School Communicates with You

The school may communicate to you through the following:

- reports on student progress;
- regular information about the school through newsletters;
- parent-teacher interviews;
- notes;

- surveys;
- displays of children’s work;
- assemblies;
- special events and celebrations;
- specialised learning programs;
- parent information booklets; and
- parent information sessions.

You are welcome to talk to your child’s teachers whenever you need to. However, you should make an appointment to talk with a teacher, to avoid disrupting the learning program.

Information that is Available from the School

The school should provide you with the following information:

- school policies and policy changes;
- what is expected in relation to homework;
- curriculum details;
- information about participation in the School Board, Parents and Friends’ Association and other support groups; and
- school fees and charges.

What Can You Do If You Have a Problem?

- Seeking information as early as possible can solve many problems. If you have any questions or concerns about your child’s progress, the homework set or the assessment procedures, contact the Class Teacher/Guardian. The Class Teacher/Guardian will let you know the best way to contact them to arrange a mutually convenient time for a telephone conversation or meeting.
- Parents have the opportunity for greater involvement in the school through the Parents and Friends’ Association and the School Board. These provide the opportunity for parents to express opinions on policy issues in the school.

When You Have a Problem

- Try to identify the problem clearly before going to the school. If there is more than one problem, list them to ensure that the extent of the problem is clear to the school.
- Decide whether the problem is a concern, an enquiry or a complaint. This will help in finding a solution.
- Make an appointment to talk with the teacher. If your concern is about the conduct of a staff member, you may prefer to discuss the matter with the Principal.
- Try to stay calm. Even if you don’t feel it, being calm will help to get your concerns across more clearly than if you are upset or angry. It may help to take someone with you.

Procedures for Making Complaints

At all stages, staff members will work with you to work out an agreed plan of action and timeline.

If You Need Assistance in Resolving a Concern or Complaint

Staff members will help you:

- obtain information about school policies and procedures
- make enquiries about student programs, performance and behaviour
- clarify a problem and register a concern with the school
- direct letters of enquiry or complaint.

Steps for Parents

Stage 1: Discussion with staff member

Contact the Class Teacher/Guardian or other relevant staff member to discuss your complaint. This is best done by making an appointment with them. Staff members will work with you to resolve the problem.

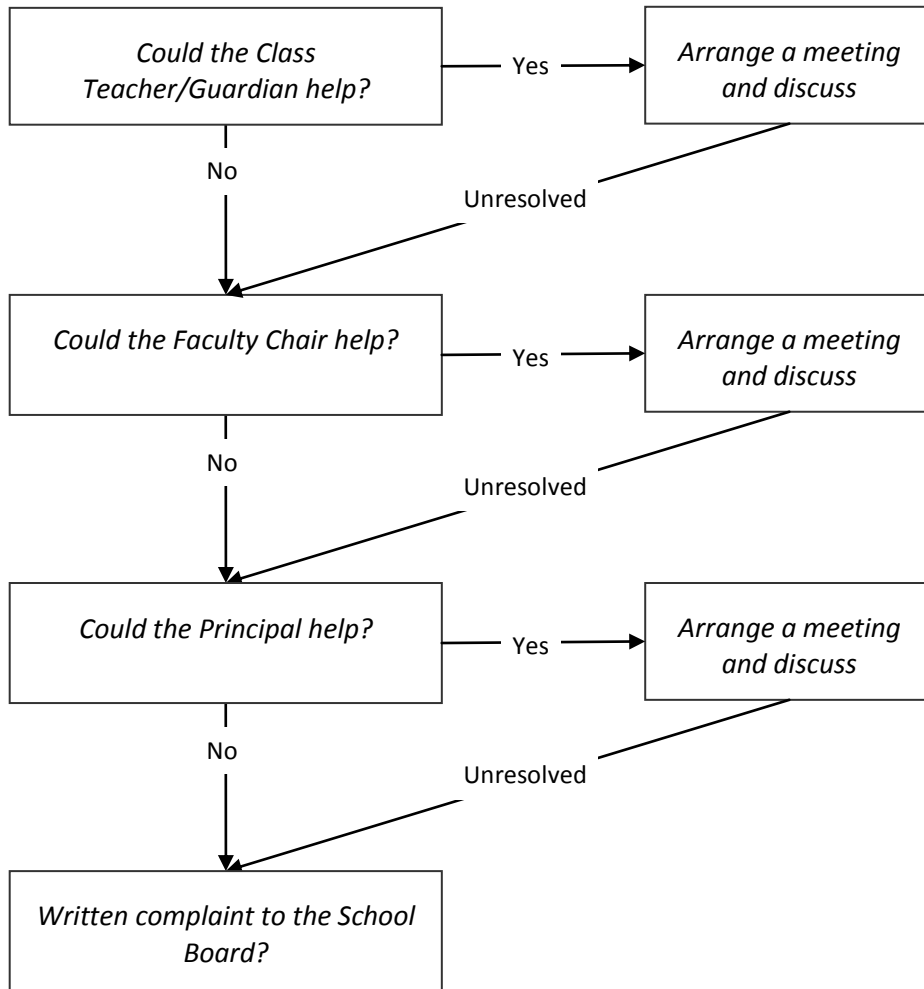
Stage 2: Review or investigation

Contact the Principal who will work with you and the staff member to resolve the problem. You may wish to formalise your complaint. To do this, you may write to the Principal who will acknowledge the complaint with a written reply as soon as possible, even if a resolution is not available at this stage.

The Principal will consider the issue and identify what action is to be taken and by when, and will clarify the process if a formal complaint is to proceed. This action and timeline will be confirmed with you in writing.

You should be aware that when a complaint is made in writing about the conduct of an individual staff member, that staff member will receive documentation of the substance of the complaint and, in most cases, the name of the complainant.

Complaint Resolution Flowchart



Appendix D Useful Information for Students

Complaints Against Other Students

The internal disputes and complaints processes are conciliatory and non-legal and are available to students at no cost. Grievances brought by a student against another student will be dealt with in accordance with the *Student Engagement Policy* and *Behaviour Management Policy*.

Informal Complaints Resolution

In the first instance, students should contact the Class Teacher/Guardian to attempt mediation/informal resolution of the complaint. If the matter cannot be resolved through mediation, the matter will be referred to the Principal and the formal disputes and complaints handling procedure will be followed.

Formal Complaints Handling Procedure

The process of this grievance procedure is confidential and any disputes or complaints are a matter between the parties concerned and those directly involved in the disputes and complaints handling process.

- The student must notify the school in writing of the nature and details of the dispute or complaint and this must be lodged with the Principal.
- Each complainant will have the opportunity to present his/her case to the Principal .
- Students may be accompanied and assisted by a support person at all relevant meetings. (Legal representatives are not acceptable support persons at this stage of the disputes and complaints handling process).
- The formal grievance procedure will commence within 10 school days of the lodgement of the written complaint with the Principal.
- Once the Principal has come to a decision regarding the dispute or complaint, the student will be informed in writing of the outcome and the reasons for the outcome.
- If the grievance procedure finds in favour of the student, the school will immediately implement the decision and any corrective and preventative action required.
- All grievance procedures should be finalised within 20 school days and the student is required to maintain attendance at school as normal for the duration of the grievance procedure (unless otherwise directed by the school).

External Complaints Process

If the grievance procedure does not find in favour of the student or the student is dissatisfied with the result of the procedure, he/she will be informed of the external disputes and complaints process available to them at minimal or no cost.

The external body used for the school's external grievance procedure is the Dispute Settlement Centre of Victoria, which is part of the Department of Justice, Victoria.

Guideline

The Dispute Settlement Centre of Victoria can be contacted on 1800 658 528 or via email dscv@justice.vic.gov.au