

# Monbulk College

<b>Policy:</b>	Parent Complaints (Draft / Interim)
<b>Date Ratified:</b>	June 2009
<b>Date of last Review:</b>	September 2017

## **BASIC BELIEFS:**

Monbulk College believes that:

- it is in the best interest of students for there to be trusting and cooperative relationships between parents and the school
- concerns and complaints are best addressed by students, parents, teachers, principals and support staff working in partnership
- parents and guardians have the right to raise concerns and air complaints
- concerns and complaints are best addressed at the school level
- in addressing complaints and concerns, all relevant points of view should be considered and each party has rights and responsibilities that must be balanced
- parents/guardians who wish to raise a concern or complaint, should be respectful and raise their concern through the following means:
  - in writing
  - by phone
  - by appointmentin a timely fashion
- complaints should be raised with principal class and year levels team leaders

## **AIMS:**

Monbulk College aims:

- meet its obligation to respond to parent complaints in a fair, effective and efficient manner
- to resolve complaints fairly, efficiently, impartially, promptly and in accordance with DET and related legislation [Department's legislative and regulatory framework which includes:](#)
  - Education and Training Reform Act 2017
  - [Education and Training Reform Regulations 2007](#)
  - [Charter of Human Rights and Responsibilities Act 2006](#)
  - *Protected Disclosure Act 2012*
  - [Privacy and Data Protection Act 2014](#)
  - *Equal Opportunity Act 2010*
  - [Wrongs Act 1958](#)
  - *DETs Values*
  - Australian/New Zealand Standard – Guidelines for complaint management in organisations (AS/NZS 10002:2014)
- address complaints in line with DET's 2006 Dignity and Respect Statement
- to provide a supportive working environment for staff when dealing with parent concerns and complaints
- that when addressing complaints and concerns, all parties will:
  - maintain confidentiality,
  - acknowledge when complaints and concerns are made
  - acknowledge their common goal is to achieve an outcome acceptable to all parties,
  - deal with all matters respectfully and professionally at all times
  - act in good faith, show respect and understanding of each other's point of view;
  - recognise all parties have rights and responsibilities; and
  - address concerns promptly, within agreed time lines and due process

## IMPLEMENTATION PROCEDURES:

The following definitions are taken from DET 'Parent Complaints policy (interim) - Resolving parent issues and concerns'

- a **'parent'** includes a person who has parental responsibility for 'major long term issues' as defined in the Family Law Act 1957 (Commonwealth); a person appointed as a 'guardian' pursuant to the Children Youth and Families act 2005 (Victoria); and informal carer with whom the child normally or regularly resides, and who has day-to-day care and control of the child; a mature student; an adult student
- a **'complaint'** is an expression of dissatisfaction with an action taken, decision made or service provided, or failure to provide a service, take action or make a decision at a school
- a complaint is considered **'resolved'** when the complainant and the Department (school, region or central office) agree on an appropriate response or remedy
- a complaint is considered **'finalised'** when the Department (Regional Director, or other delegate of the Secretary) has made final determination on the matter after exhausting the processes set out in the policy
- a complaint is considered to be **'unresolved'** when agreement cannot be reached on a course of action and/or remedy, or if the remedy cannot be implemented

Concerns and complaints may include:

- General issues of student behaviour that are contrary to the school's code of conduct
- Incidents of bullying or harassment in the classroom or school grounds
- Learning programs, assessment and reporting of student learning
- Communication with parents
- School fees and payments
- General administrative issues
- Any other school-related matters, except:
  - Where there are Departmental procedures for which there are existing rights of review or appeal as detailed in the Victorian Government Schools Reference Guide; including:
    - Student discipline involving expulsions
    - Complaints about employee conduct or performance and complaints should be dealt with by performance management, grievance resolution and/or disciplinary action
    - Student critical incident matters
    - Other criminal matters

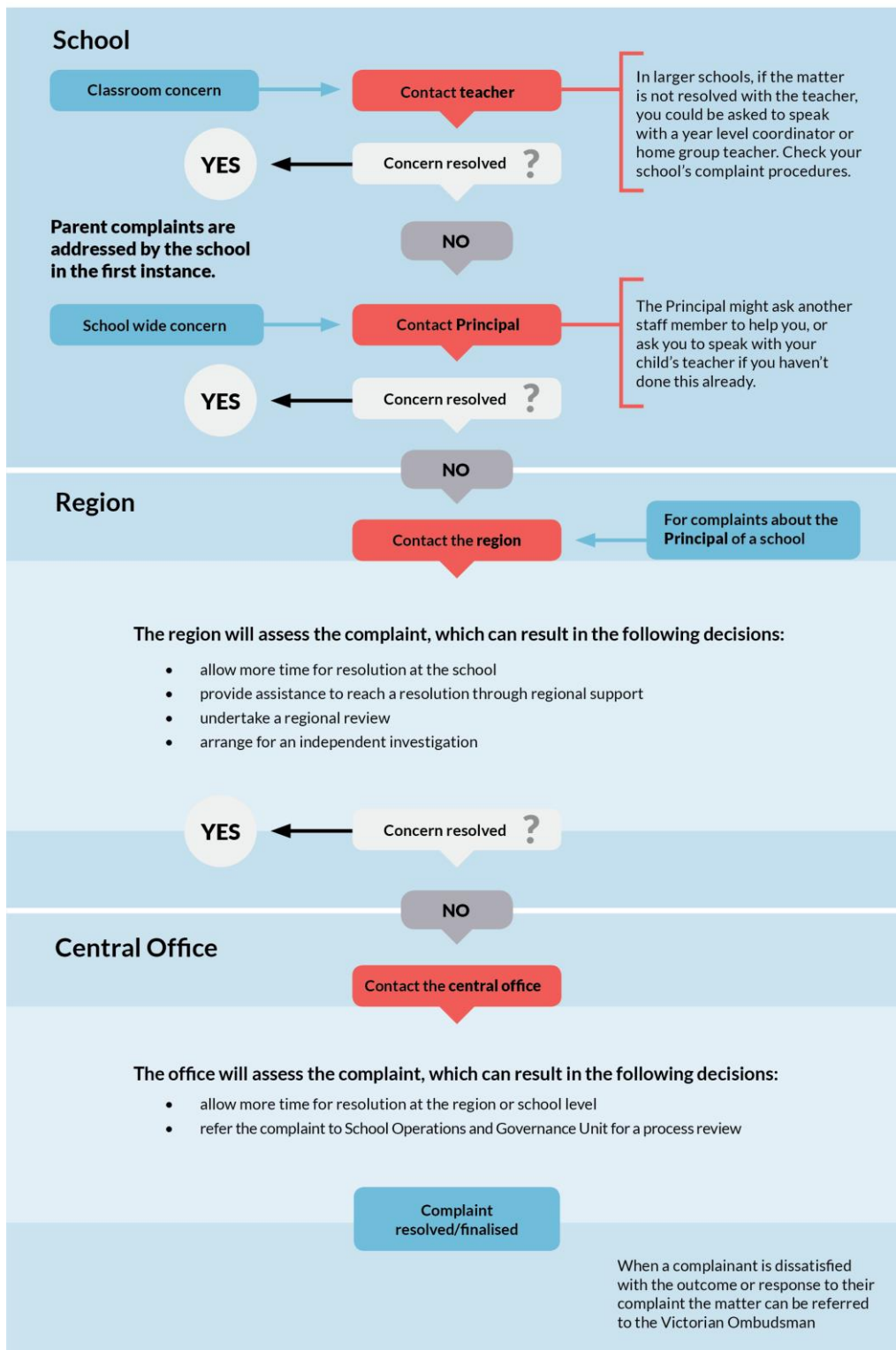
Parents who have a complaint should, in the first instance, raise issues and concerns with Principal class, except when the complaint is about the Principal. Complaints about the Principal should be raised with the region.

- It is the Principal's responsibility to provide a healthy and positive school environment that is free from discrimination and harassment.
- The Principal is:
  - responsible for the efficient and effective organisation, management and administration of the school's complaint handling process
  - required to use local complaints resolution procedures, where appropriate, for resolving complaints in relation to issues that fall within the school's area of responsibility. All cases of serious misconduct – sexual offences, criminal charges, or other serious incidents – must be reported to DET under reportable conduct.

When addressing concerns and complaints, it is expected that Parents and School Personnel will:

- show respect and understanding of each others point of view
- operate within applicable legislation
- acknowledge that their goal is to achieve an outcome acceptable to all parties
- act in good faith and in a calm and courteous manner
- recognise that all parties have rights and responsibilities which must be balanced

# PARENT COMPLAINT FLOWCHART



## **Raising Concerns or Complaints**

The parent should telephone, visit or write to:

- the student's teacher or home group teacher about learning issues and incidents occurred/occurring in their class or group
- the Year Level Team Leader if students from several classes are involved or a member of the principal class about issues relating to staff members or complex student issues
- the Principal about issues relating to school policy, school management, staff members, or very complex student issues.

If unsure the complainant should contact a member of the Principal class.

## **School Responsibilities**

It is the responsibility of the school to respond to and address written (letter and email) and verbal (face-to-face and phone) complaints by parents from their school community.

Schools are required to:

- develop and maintain fair procedures for parent complaint-handling. As a minimum the procedures must include:
  - who to contact when making a complaint
  - a description of the actions the school could take once a complaint is received
  - a time frame for acknowledging written complaints and an expected time frame for complaint resolution
  - the types of outcomes that the parent could expect
  - information about what the school will do if the complaint is not able to be resolved by the school and the options the parent has to take their complaint further
- consider all parent complaints by:
  - raising the issues in the complaint with relevant staff and/or members of the school community
  - consulting, where appropriate, with relevant sections of the Department and/or external agencies for technical or other advice
  - discussing the school's findings with the parent in an attempt to reach an agreed resolution
  - considering the engagement of a mediator where a complaint has the potential to become intractable
- publicise the school's complaint-handling procedures within the school community and make them readily available
- review the school's complaint-handling procedures regularly
- ensure that complaints received are recorded and actions taken to resolve the complaint are well documented
- ensure a school record of all complaints, both written and verbal, is maintained at the school
- seek advice from either the central office or region about the management of complaints, including complex or challenging complaints or complainants and the use of mediation/conciliation services, and seek specialist or technical advice from external agencies and/or the Department when required.
- ensure all school personnel are aware of the school's parent complaint-handling procedures and provide opportunities for staff to attend training/professional development activities with a focus on complaint management.
- actively assist parents with the complaint process, informing them that at any point of the complaint process they are able to be supported by an advocate/support person. The role of the advocate/support person in this process is a supportive and enabling one. An advocate/support person's role may include:
  - assistance for the complainant to clarify the issues in the complaint
  - discussion of difficulties being experienced by the complainant
  - assistance in the development of a co-operative and collaborative working relationship between the complainant and the school community

- assistance for the complainant to understand Department policy and guidelines and the resolution being proposed for the complaint.

### **Resolving complaints**

Where a complaint is found to be justified, schools are able to resolve complaints by:

- an explanation or further information about the issue
- an apology or expression of regret
- mediation, counselling or other support
- a change of decision
- a change of policy, procedure or practice
- a refund of parent payments
- offering the opportunity for student counselling or other support.

The school will implement the remedy as soon as practicable.

A principal may contact the regional director and request the region's intervention to help resolve a complaint. The principal would need to have exhausted the school's parent complaint-handling procedures and be of the belief that the complaint would not be able to be resolved at the school level. The parent should be advised that their complaint will be handled by personnel from the region.

If a parent is not satisfied that their complaint has been resolved by the school, or if their complaint is about the principal of the school, they may refer their complaint to the relevant Regional Office; and following that, may be further escalated to Central Office.

A complainant may at any stage choose to take their complaint directly to an external agency such as the Merit Protection Boards, Victorian Equal Opportunity Commission, the Human Rights and Equal Opportunity Commission, a union of which they are a member, or the Ombudsman.

The principal may choose to respond to a complaint through an **informal process** in cases where the complaint is minor, the complainant wishes the matter to be dealt with informally or the complaint has arisen from lack of or unclear communication. **Formal processes** will be used when informal processes haven't been successful, a complainant seeks a formal process, or the principal believes the complaint warrants formal investigation.

All staff must observe the code of conduct for the Victorian Institute of Teaching profession.

The school will communicate the outcomes of concerns and complaints to all parties involved, taking into account privacy requirements.

If the school is unable to resolve a complaint, the regional office can be contacted for support.

If in the instance, a complainant uses threatening or violent behaviour, the [Occupational Violence Policy](#) should be followed.

### **Communication and training**

The school will make information about procedures for addressing concerns and complaints readily available to parents and the school community, in clear and easy-to-understand language via the college website with references DET resources and advice.

The school will regularly review its Parent Complaints policy and procedures, seeking feedback from the school community. The school will:

- brief all members of staff (including volunteers) about its procedures to address concerns and complaints
- 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*.

## Appendices

1. DET 2006 Dignity & Respect Statement

## References

- DET Dignity and Respect Statement
- Creating Respectful and Safe Communities
- [Code of Conduct for Victorian Public Sector Employees](#)
- [DET Information: Parent Complaints](#)
- [Before Making a Complaint](#)
- [How to Make a Complaint](#)
- [Not Satisfied with the School's Response to Your Complaint?](#)
- Independent Office for School Dispute Resolution  
<http://www.schoolresolution.vic.gov.au/Pages/default.aspx>

<b>Approved By</b>	School Council
<b>Approval Authority (Signature &amp; Date)</b>	<i>M J Uren</i> 25/10/2017
<b>Responsible for Review</b>	Assistant Principal – Policy and Planning Sub-Committee
<b>Next Review Date</b>	April 2020 (4 years)

# Dignity and Respect Statement

The Department of Education is committed to providing safe and supportive work environments where diversity is valued and everyone is treated with respect, fairness and dignity.

Discrimination, sexual and other forms of harassment, bullying, violence and threatening behaviour are unacceptable.

All employees, students, parents and visitors in schools and other DoE workplaces are expected to act accordingly.

The Department (which includes schools) and school councils, will act to ensure that the safety, security, health and wellbeing of all employees, students, parents and visitors in schools and other DoE workplaces are protected.



Prof. Peter Dawkins  
Secretary

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