



School of Languages

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SCHOOL OF LANGUAGES PARENT COMPLAINT POLICY AND PROCEDURE

Introduction

This Policy and Procedure are consistent with the Department for Education and Child Development's (DECD) *Parent Complaint Policy* and *Parent Concerns and Complaints Procedure*. They are based on our school's core values of:

- Respect
- Quality
- Commitment
- Diversity

The purpose of this Policy and Procedure is to provide clear and transparent information to parents/caregivers, the community and staff on how concerns and complaints will be managed and resolutions found. It is also the intent of this Policy and Procedure to ensure that parents/caregivers have access to support and advice when attempting to resolve a concern or complaint.

This Policy and Procedure were developed by the Policy and Planning Committee, endorsed by the staff and School Council in Term 2, 2012; and are available on the school website, together with the DECD brochure '*Parent guide to raising a concern or complaint*'.

To ensure continuous improvement, they will be reviewed each time the DECD Policy and Procedure are reviewed.

Parent Complaint Policy Statement

The School of Languages is committed to ensuring the delivery of high quality education and care to all its' students. Working in partnership with parents/caregivers to resolve any concerns and complaints that they may have about their child's schooling is a key part of how we deliver on this commitment.

Guiding principles

This Policy is based on the following principles:

- The safety and educational wellbeing of children and young people is our first priority.
- Students, parents/caregivers, staff and volunteers have the right to be treated with respect and courtesy.
- Parents/caregivers have the right to raise concerns and complaints about the school and be supported to do so.
- Wherever possible, complaints will be resolved at the school level.
- Complaints will be considered in a confidential, timely and impartial manner and in accordance with due process and principles of natural justice.
- The rights and responsibilities of all parties will be considered in finding a mutually acceptable outcome to complaints.

- Complaints will be monitored and their management evaluated so as to inform and drive school improvement.

Raising a concern or complaint

Parents/caregivers can raise a concern or a complaint about any aspect of the school's operations (for example, the type, level or quality of services; the behaviour and decisions of staff; or policy, procedures and practices) directly with the school as this is where the concern can best be resolved.

A parent/caregiver may raise a concern or complaint verbally or in writing. Parents/caregivers can call the DECD Parent Complaint Unit hotline at any stage on 1800 677 435 for information, advice and support.

Any parent/caregiver concerns or complaints referred to the Regional Office or Parent Complaint Unit that have not first been raised at the local school level will be referred back to the school for resolution, except in circumstances where it is not appropriate or possible for the school to manage the concern or complaint. The Parent Complaint Unit will work with parents/caregivers to ensure that they are supported to raise the complaint with the appropriate person.

In circumstances where it is not appropriate that a school or regional office manages a parent/caregiver concern or complaint (ie, allegations of serious staff misconduct, departmental policy or procedure issue, broader government policy issue) and the matter is to be referred to Central Office then the parent/caregiver is to be advised of where the matter will be referred to and why.

Complaints not covered by this Policy

This Policy does not apply to matters where there are legislated requirements or existing policies and processes of appeal. Examples include:

- appeals about student suspension and expulsion
- complaints that fit within the scope of the Education and Early Childhood Services Registration and Standards Board
- staff disputes and grievances
- mandatory reporting responsibilities
- some health, safety and welfare related issues.

Some complaints may never be resolved to a parent/caregiver's satisfaction. Vexatious or previously finalised complaints will not be pursued unless the parent/caregiver is able to provide new information.

This Policy is not applicable where a parent/caregiver has employed a third party (eg, legal representation) in relation to their complaint. In these circumstances, the complaint must be referred to the department's Legislation and Legal Services Unit for action.

Support

Parties involved in a complaint can expect that they will be supported throughout the complaint management process (from the making of a complaint right through to being advised of the outcome of their complaint).

All parties involved in a complaint management process can bring a support person to any of the meetings held in relation to the complaint. The role of the support person is to provide advice and

support during the process and not to answer questions or speak on behalf of any of the parties or interfere with the discussion. If at any point during the complaint management process a party engages legal representation then the process will be referred to the department's Legislation and Legal Services Unit.

Timeframes

The timeframes referred to are indicative (i.e. as soon as reasonably possible), to guide timely action. The time taken to review the complaint will vary due to a range of factors, including:

- range and complexity of the complaint
- emergence of other unexpected additional issues as a result of the review
- need for further inquiries to be made and the number of people involved
- need to refer the matter (or parts thereof) to other areas within or external to DECD
- school holidays/school closures.

If, at any stage of the complaint management process, there is to be a delay and a longer timeframe is required, then the staff member managing the complaint is responsible for notifying the parent/caregiver of the reasons for the delay and the likely timeframe within which the matter will be concluded.

Rights and responsibilities

When raising a concern or complaint with staff, parents/caregivers can expect to:

- be treated with respect, courtesy and consideration
- have the complaint dealt with in a confidential and timely manner
- have access to appropriate and easily understandable information regarding the complaint resolution process
- have the complaint considered impartially and in accordance with due process and principles of natural justice
- be kept informed of the progress and outcome of their complaint.

We expect that when making a complaint parents/caregivers will:

- treat other parties with respect, courtesy and maintain confidentiality
- raise the concern or complaint as soon as possible after the issue has arisen
- provide complete and factual information about the concern or complaint
- ask for assistance or further information as needed
- act in good faith to achieve an outcome acceptable to all parties
- have realistic and reasonable expectations about what course of action is required to resolve the concern or complaint.

Impartiality

Impartial investigations are vital to the credibility and success of the parent/caregiver complaint process. A concern or complaint will be considered on its merits and without prejudice arising from any previous contact that a parent/caregiver may have had with the school, regional office or Central Office.

Confidentiality

Confidentiality should be adhered to throughout the complaint resolution process. This means that

the complaint should only be discussed with those people directly involved in the resolution process. Observing confidentiality helps to protect the rights of everyone by limiting knowledge of the details of the complaint to those who will work together for a resolution. In addition, it helps to limit damage to any existing trust between the parties, thereby facilitating a resolution and developing greater confidence in one another.

When a parent/caregiver wants their identity to remain confidential

A parent/caregiver may request that their identity remain confidential when making a complaint. The staff member responsible for managing the complaint must advise the parent/caregiver that every effort will be made to keep the parent/caregiver's identity confidential but this may limit options for negotiating a resolution.

These circumstances also raise issues in relation to procedural fairness for those who have a complaint made about them as they have a right to know the particulars of the complaint. Further, while every effort will be made to comply with a request to keep the parent/caregiver's identity confidential, *Freedom of Information* requirements may result in a parent/caregiver's identity becoming known. A parent/caregiver must be advised to write their complaint with the knowledge that other parties may gain access to the written complaint. The staff member managing the complaint is responsible for ensuring that all complaints are documented in the knowledge that the identity of the parent/caregiver may be revealed.

Anonymous complaints

The school will assess every complaint that is made. The extent to which an anonymous complaint can be investigated will be limited, as staff cannot liaise with the parent/caregiver about the complaint. Anonymous complaints also raise issues in relation to natural justice for those who have a complaint made about them as they have a right to know the particulars of the complaint.

The Principal, Education Director or Parent Complaint Unit will determine upon receipt of an anonymous complaint, to what extent the complaint will be investigated.

Withdrawal of a complaint

A complaint can be withdrawn by a parent/caregiver at any stage during the complaint management process. A written complaint should preferably be retracted in writing by the parent/caregiver. Alternatively a signed and dated notation on the original written complaint that the complaint has been withdrawn by the parent/caregiver can be made by the relevant staff member. A verbal complaint can be withdrawn verbally and a notation made to that effect. The staff member managing the complaint must notify in writing all affected parties that the complaint has been withdrawn.

Monitoring and evaluation

Parent/caregiver complaints, and the action taken to resolve the complaint, will be recorded and monitored. In instances when the complaint is easily resolved over the phone or in discussion, then a brief note of these issues and the resolution should also be filed in order to monitor all parent/caregiver concerns and complaints to identify common or reoccurring issues requiring attention.

Parent Complaint Procedure

Objectives

The objectives of this procedure are to:

- provide clear, transparent and responsive complaint management processes, that assist parents/caregivers to make a complaint when dissatisfied with the level or quality of educational services provided by the school
- ensure that parent/caregiver complaints are resolved in a consistent, systematic, impartial, fair and timely manner, to the satisfaction of all parties
- encourage, wherever possible, the resolution of complaints at the school level
- ensure parent/caregiver complaint management processes are fair, non-adversarial, easily accessible and simple to understand and use
- ensure that parent/caregiver complaints are acknowledged and addressed promptly within agreed timelines
- ensure that parent/caregiver complaints management processes reflect, from beginning to end, procedural fairness
- provide parents/caregivers with appropriate avenues of redress, where necessary
- provide an opportunity for an independent and impartial review of a parent/caregiver complaint management process to occur, where necessary.

Possible approaches/remedies

The approach taken to resolve a parent/caregiver's concern or complaint may include:

- an acknowledgement that the complaint is valid and requires investigation
- identification of areas of agreement between the parties involved
- opportunities for all the parties involved to express their concerns, explain their point of view and clarify any misunderstandings
- an opportunity for an apology, where warranted, to be made by any of the parties involved for any behaviour/actions that may have caused distress to another party
- acknowledgement that the situation could have been better handled (this does not constitute an admission of negligence)
- a change of decision, policy, procedure or practice
- recognition that the situation presents an opportunity for changes or alternative arrangements to be made to resolve the complaint
- discussion with the parties about the steps that will be taken to ensure that the event complained about will not reoccur
- an undertaking to review school policy, procedures or practices.

Complaint resolution stages for parents/caregivers

- **Stage 1 – Raise the concern with the school**
Parents/caregivers are, in the first instance, to raise any concerns or complaints in relation to their child's education with their child's teacher. The school front office will be able to arrange a time to do so with the appropriate person. It is expected that teachers will:
 - make a time available as soon as reasonably possible (ie, within five working days), to discuss with the parent/caregiver (face-to-face, by phone) their complaint
 - listen to the parent/caregiver
 - consider relevant legislation, departmental policy and guidelines and school procedures and/or seek advice/support from their line manager
 - identify and discuss with the parent/caregiver possible courses of action that could be taken to resolve their complaint and the timeframe within which this will occur

- follow up with the parent/caregiver(s) after a reasonable period of time has elapsed for any changes to take effect to ensure that the parent/caregiver is satisfied with the outcome(s)
- if appropriate (depending on the nature of the concern or complaint), keep a written record of the complaint, its progress and outcomes
- If appropriate, refer the complaint to their line manager.

Concerns and complaints received by a school staff member in relation to another staff member or an issue outside their responsibility or beyond their authority to resolve are to be referred to their line manager. The staff member who receives the initial complaint is to advise the parent/caregiver of the reason(s) why the matter is to be referred elsewhere, direct them to this Policy and Procedure and assist, if required, the parent/caregiver to make their complaint.

If a parent/caregiver is not satisfied with the outcome of this stage of the complaint management procedure, or decides that it is more appropriate to discuss their complaint directly with the relevant line manager, then the parent/caregiver is to contact the school to make a time to meet with the appropriate line manager.

Where a complaint is referred to a line manager, it is expected that they will, together with the Principal:

- make every reasonable effort to resolve parent/caregiver concerns or complaints at the school level in a timely and effective manner
 - ensure that parents/caregivers are made aware of the relevant policies and procedures for responding to complaints, the dedicated parent/caregiver support free call number and their right to a support person
 - acknowledge receipt of a written parent/caregiver complaint in writing as soon as reasonably possible (ie, within five working days)
 - advise all relevant parties of the complaint, while observing confidentiality
 - determine if support needs to be provided to the parent/caregiver or staff member involved while the complaint is considered
 - consider relevant legislation, departmental policy and guidelines and school procedure
 - investigate, consider and determine the most appropriate action to be taken to resolve the complaint in a fair and prompt manner, including negotiation between the parties and whether the Parent Complaint Unit's mediation services are required
 - document the complaint process and outcome(s)
 - communicate the outcome(s) to all the parties involved verbally, and if appropriate, in writing (ie, within 15 working days of receipt of the complaint)
 - advise the parent/caregiver of their right to refer the matter to the regional office if they are dissatisfied with the outcome, and then to the Parent Complaint Unit if necessary
 - where relevant, recommend to the Education Director any system improvements at a broader level that would reduce the likelihood of similar complaints.
- **Stage 2 – Contact the Education Director**
If the complaint cannot be resolved to the satisfaction of the parent/caregiver – or if the Principal is the subject of the complaint – then the parent/caregiver may choose to contact the Education Director for help. The Education Director will review the complaint – this may involve

meeting with those involved and reviewing the documentation. The parent/caregiver may also be offered mediation. The Education Director will aim to resolve the complaint within 20 working days.

- **Stage 3 – Contact the Parent Complaint Unit**

The Parent Complaint Unit has a dual function:

1. To provide advice and support to parents/caregivers about their concern or complaint
2. To objectively review complaints that have not been resolved at the school or Education Director level.

If a complaint has not been able to be resolved by the school or the Education Director, the unit will be asked to assess the complaint and decide what action is needed. Staff from the unit will contact the parent/caregiver about what has been done, explain the process and provide information about when they can expect to hear about the outcome.

The department's Head of Schools and the Chief Executive's office will be advised by the Parent Complaint Unit of the outcome of the review. One of these senior leaders will make a final decision about the complaint and communicate the decision within 35 working days in most cases.

At any point in the process parents/caregivers have the right to refer the matter to an external agency, such as the South Australian Ombudsman.

Assessment and Recording of Complaints

Refer to Appendix 1 for the proforma staff are to use for recording complaints.

For further information about how complaints are managed by the Education Director or by the Parent Complaint Unit, visit: www.decd.sa.gov.au/parentcomplaint