

# Complaints Handling Policy and Procedures

## Effective Date

Term 1, 2024

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## 1. Introduction

### 1.1 Purpose and scope

This procedure applies to Elonera Montessori School (EMS) in handling complaints made in respect of services provided by the school or against staff members, which includes employees, contractors and volunteers.

This procedure does not extend to personal grievances between parents, guardians or other members of the school community.

### 1.2 Whistleblowing complaints

This procedure does not extend to complaints which are whistleblowing disclosures. The procedure for processing whistleblowing complaints are dealt with in the school's whistleblowing policy.

In summary a whistleblowing disclosure is a disclosure which:

- is made by a board member, staff member, a person who supplies goods or services to the school, including a volunteer, an employer of a supplier or a relative of any of these people;
- involves alleged misconduct, an improper state of affairs or circumstances, or illegal activity, and is made to a senior staff member, or officer of the school, the school's auditor or a person who the school has authorised to collect such disclosures.

### 1.3 Related policies

Complaints about reportable conduct will be addressed in accordance with the school's Child Protection Policy.

Complaints regarding a grievance between staff members about work matters, including work relationships and decision made by other staff members which impact on their work, will be addressed in accordance with the school's Staff Grievance Policy.

Complaints regarding unlawful discrimination, harassment or bullying between staff are generally addressed in accordance with the school's Discrimination, Harassment and Bullying Statement.

### 1.4 Confidentiality

All parties involved in complaints handling are required to maintain appropriate confidentiality, including in relation to handling and storing records.

## **2. Complaints**

A complaint or grievance is an expression of dissatisfaction made to the school about an educational and/or operational matter relating to services provided by the school or the behaviour or decisions of a staff member, contractor or volunteer, including misconduct.

If a parent/carer or student has a concern about the conduct of a staff member, they should raise their concern with the school in accordance with section 3. If a complaint that concerns the behaviour of a staff member may constitute reportable conduct, the matter will be addressed in accordance with the school's Child Protection Policy in accordance with section 1.2. Please refer to the school's Child Protection Policy for information about reportable conduct. Complainants are not required to assess whether their concern meets the threshold of reportable conduct before making a complaint. Any concern about a child's wellbeing may be reported under this policy.

Complaints may be made by a staff member, student or parent/carer.

The school will seek to resolve complaints informally where possible but acknowledges that in some cases a person may wish to make a formal complaint.

## **3. Raising a complaint**

### **3.1 The complainant**

Informal complaints may be raised by a complainant directly with the person involved. However, if the complainant does not feel comfortable doing so or the matter is one where it may not be appropriate to do so a complaint can be made to the Coordinator, Deputy or Principal, as appropriate. Any complaint about the conduct of a staff member should be raised directly with the Deputy Principal in the first instance.

Should the matter not be resolved through informal processes, the complainant may raise the matter formally with the school. A formal complaint can be made in writing to the Principal, via email [principal@ems.nsw.edu.au](mailto:principal@ems.nsw.edu.au) or [via this form](#).

Where a person wishes to make a formal complaint concerning the Principal the complaint should be made in writing to the Chair of the Board, via email [chairperson@ems.nsw.edu.au](mailto:chairperson@ems.nsw.edu.au). In this situation, the references in this policy relating to the role of the Principal should be read as references to the Chair of Board.

### **3.2 The school**

If the form was used the school will acknowledge receipt of by an automated response. For complaints made directly to the principal via email, a reply email will acknowledge receipt of a formal complaint in writing within 5 business days.

## **4. Handling complaints**

### **4.1 Assessing a complaint**

The Principal generally will assess the complaint and determine:

- whether the complaint is one to be addressed under this policy or is a staff grievance or reportable conduct matter which are dealt with by the relevant policies, see section 1.2; and
- the priority of the complaint in accordance with the urgency and/or seriousness of the matter raised; and
- whether the school may be required to report the matter to the Office of the Children's Guardian, Police, Department of Communities and Justice or other relevant authorities should the complaint relate to possible unlawful conduct or other reportable matters.

#### 4.2 Managing a formal complaint

The Principal generally will manage a formal complaint by:

- advising the complainant of the likely steps that will be undertaken by the School in relation to the complaint;
- if appropriate, advising the relevant parties of the complaint at the relevant time and providing them with an opportunity to respond;
- collecting any additional information the School considers necessary to assess the complaint;
- making a decision about how the complaint will be resolved ("resolution decision"); and
- advising the complainant in writing, in a timely fashion, and any other relevant parties as appropriate, of the resolution decision of the Principal and if appropriate, any proposed action to be taken.

There may be circumstances where some of the steps outlined above are not appropriate and the school will determine, on a case-by-case basis the most appropriate method of handling the complaint.

A complainant and the relevant parties that the complaint is about may choose to have an appropriate support person present at any meeting with representatives of the School about the complaint. However, the School maintains the right to determine whether the person's preferred support person is appropriate and may not approve the attendance of a support person where they are determined by the School to be inappropriate.

#### 4.3 Complaints register

When complaints are made via the form, or directly to the principal a register is logged, this is updated at the conclusion of the complaint with the decision recorded.

### **Contact**

If you have any queries about this procedure, you should contact the Principal for advice.