

# CONCERNS AND COMPLAINTS POLICY



## PURPOSE

The purpose of this policy is to provide an outline of the complaints process at Newmark Primary (the school) so that students, parents/carers and members of the community are informed of how they can raise concerns and make complaints about issues arising at the school. The policy also sets out how concerns and complaints are managed in a timely, effective, fair and respectful manner by the school.

## AIM

Newmark Primary welcomes feedback, and is committed to continuous improvement. The school values open communication with families, students and community members, and is committed to understanding concerns and complaints and addressing them appropriately. The school recognises that the concerns and complaints process provides an important opportunity for reflection and learning.

Newmark Primary values and encourages open and positive relationships with the school community, and understands that it is in the best interests of students for there to be a trusting relationship between families and the school.

When addressing a concern or complaint, it is expected that all parties will:

- be considerate of each other's views and respect each other's role;
- be focused on the resolution of the concern or complaint, with the interests of the student involved at the centre;
- act in good faith and cooperation;
- behave with respect and courtesy;
- respect the privacy and confidentiality of those involved, as appropriate;
- operate within and seek reasonable resolutions that comply with any applicable legislation; and
- recognise that the school may be subject to legal constraints on the ability to act or disclose information in some circumstances.

## PRINCIPLES

- In resolving a concern or complaint the school will give priority to the student's wellbeing and educational needs.
- The school is committed to child safety and has zero tolerance of child abuse. In the context of this policy, the response to a complaint relating to child safety, particularly in relation to Aboriginal students, student with disabilities, students from linguistically and culturally diverse backgrounds and students who are vulnerable, will be given the highest priority and attention.

- The school will respond to concerns and complaints in a timely manner. The school will ensure the complainant is kept informed of the progress of the complaint, particularly when the complaint is complex and may take time to resolve.
- The school is committed to natural justice. The school will ensure that all those involved in the concerns and complaints procedure will be able to put forward their point of view and will be treated with dignity and respect.
- The school will endeavour to respond to each concern and complaint in a fair, objective and unbiased manner, taking into account the school's philosophy and values. Anyone involved in the process will be required to declare any conflicts of interest.
- In dealing with a concern or complaint, the school is committed to acting in a confidential manner and expects all those involved will show similar respect for the process and for others involved by doing likewise.
- The concerns and complaints procedures will be restricted to dealing with the matter raised by the complaint and not with any other matters.
- The school may determine that a concern or complaint is vexatious (where the concern or complaint is designed to harass, annoy or embarrass the school, a staff member or member of the community) or spurious (where the concern or complaint has no real basis in fact or is manifestly baseless). When this is the case, those involved will be informed of the decision.
- The school will ensure any actions, outcomes and the resolution of a concern or complaint are well documented, kept on file and that those involved have a copy of the final decision.
- The school will ensure that the handling of concerns and complaints does not contravene the school's Privacy Policy. The school will seek actively to prevent the disclosure of personally identifiable information concerning those involved in the process.

## SCOPE

This policy relates to concerns and complaints brought by students, parents/carers or members of the school community and applies to matters relating to the school. In some limited instances, the school may need to refer a complainant to another policy or area if there are different processes in place to manage the issue. The process for reporting child abuse is outlined in the school's Reporting Obligations Policy.

## LEGAL AND REGULATORY BASIS FOR COMPLIANCE

- Education and Training Reform Act 2006 (Vic)
- Education and Training Reform Regulations (2017)
- Victorian Registration and Qualifications Authority (VRQA) Minimum Standards
- Child Safe Standards Ministerial Order 1359
- Privacy Act 1988 (Cth).

## ROLES AND RESPONSIBILITIES

The **school board** is responsible for:

- reviewing and endorsing the Concerns and Complaints Policy;
- responding to any complaint raised that relates to the principal; and
- responding to an appeal that is lodged in relation to an unresolved complaint.

The **principal** is responsible for:

- determining the concerns and complaints procedures and ensuring that they are implemented in a way that is consistent with this policy;
- ensuring this policy is accessible to school community members; and
- responding to a concern or complaint brought under this policy, where applicable.

**Staff** are responsible for:

- understanding the school's process for responding to concerns and complaints, as outlined in this policy;
- responding to concerns raised by parents/carers;
- responding to concerns raised by students; and
- keeping a record of concerns and resolutions.

**Parents/carers, students and community members** are responsible for:

- raising concerns and complaints in accordance with this policy.

## STUDENTS: RAISING CONCERNS

Newmark Primary acknowledges that issues or concerns can cause stress or worry for students and impact their wellbeing and learning. The school encourages students to raise issues or concerns as they arise so they can be addressed as soon as possible.

Students with a concern can raise them with a trusted staff member at school. The school creates opportunities for students to build multiple trusted relationships with staff members, providing greater support for each student. Students are encouraged to share concerns:

- with their teacher and peers during campfire conversations and class meetings;
- with their teacher during 1:1 emotion coaching conversations;
- with their Crew leader and teacher (multi-aged support groups);
- with another teacher from their cohort group;
- through participating in socratic circles with the leadership team; and
- through feedback boxes.

Students can also raise concerns with trusted adults outside of school such as parents/carers and other family members. Family members can then talk with the school about the concern, as outlined below.

Student concerns will be taken seriously, and staff will ensure that students are informed of what has been done to resolve concerns that have been raised. They will also be informed if it is not possible to resolve an issue and the reasons why.

Further information and resources to support students to raise concerns are available at:

- **Report Racism Hotline** (call 1800 722 476) – this hotline enables students to report concerns relating to racism or religious discrimination
- [Reach Out](#)
- [Headspace](#)
- [Kids Helpline](#) (call 1800 55 1800)
- [Victorian Aboriginal Education Association](#) (VAEAI)

## PARENTS/CARERS AND COMMUNITY MEMBERS: RAISING CONCERNS AND COMPLAINTS

### Preparation

Before raising concerns, the school encourages parents/carers and community members to:

- carefully consider the issue you would like to discuss;
- remember you may not have all the facts relating to the issues that you want to raise;
- think about how the matter could be resolved; and
- be informed by checking the school's relevant policies and guidelines (see Related Policies and Supporting Documents below).

### Support person

Parents/carers and community members are welcome to have a support person present when raising a concern or complaint with the school. In such cases, the support person:

- is not permitted to contribute during the meeting; and
- must provide the following details to the school prior to the meeting: full name, contact details and nature of the relationship to the complainant.

### Raising a Concern

Newmark Primary welcomes discussions with parents/carers and community members about concerns that they may have. In the first instance, concerns should be raised directly with the school, by emailing:

- the student's teacher about a learning, wellbeing or social concern via the cohort email address;
- the leadership team about concerns relating to staff members, school policies, management and operations via the school's main email address ([hello@newmark.edu.vic.edu.au](mailto:hello@newmark.edu.vic.edu.au))

If the concern is of a sensitive nature, the school encourages parents/carers and community members to call the school (03 8560 4466) to arrange a conversation with the appropriate staff member.

### Making a Complaint

Where concerns cannot be resolved, parents/carers or community members may wish to make a formal complaint to the principal.

Depending on the nature of the complaint raised, in most cases the school will first seek to understand the issues and will then convene a resolution meeting with the aim of resolving the complaint together. The following process will apply:

Complaint received: Parents/carers or community members either email, telephone or arrange a meeting through the front office with the principal (or delegate), to outline the complaint so that the school can fully understand what the issues are.

Information gathering: Depending on the issues raised in the complaint, the principal (or delegate) may need to gather further information to properly understand the situation. This

process may also involve speaking to others to obtain details about the situation or the concerns raised.

Response: Where possible, a resolution meeting will be arranged with the principal (or delegate) to discuss the complaint with the objective of reaching a resolution satisfactory to all parties. If after the resolution meeting a solution is not agreed on, all parties involved will work together to prioritise areas needing action. In some circumstances, the principal may determine that a resolution meeting is not appropriate.

Timelines: The school will acknowledge receipt of a complaint as soon as possible (usually within two school days) and will seek to resolve complaints in a timely manner. Depending on the complexity of the complaint, the school may need some time to gather enough information to fully understand the circumstances of the complaint. The school will endeavour to complete any necessary information gathering and hold a resolution meeting where appropriate within ten working days of the complaint being raised. In situations where further time is required, the school will discuss any interim solutions that can be put in place.

Please note that unreasonable conduct (e.g. vexatious complaints) may need to be managed differently to the procedures in this policy.

### **Escalation**

If parents/carers or community members are not satisfied that the complaint has been resolved by the school, or if the complaint is about the principal and the complainant does not want to raise it directly with them, then the complaint should be referred to the School Board by emailing [board@newmark.vic.edu.au](mailto:board@newmark.vic.edu.au)

### **Recordkeeping and Privacy**

The school will ensure that recordkeeping, reporting, privacy and employment law obligations are met when responding to concerns and complaints as outlined in the school's Privacy Policy and Record Management Policy.

## **COMMUNICATION**

This policy will be communicated to the school community in the following ways:

- made publicly available on school website;
- shared with staff through the document storage system and staff meetings;
- shared with parents/carers through the school intranet; and
- share with students by staff.

## **RELATED POLICIES**

- Wellbeing Policy
- Child Safety Policy
- Reporting Obligations Policy
- Privacy Policy
- Record Management Policy
- Bullying Prevention Policy

**SUPPORTING DOCUMENTS**

- Register of Complaints
- Child Safe Code of Conduct

**REVIEW**

The school board and principal will review the Concerns and Complaints Policy every second year, or following a major incident.

**ENDORSEMENT**

<b>Updated date</b>	April 2023
<b>Consultation</b>	School staff, student representative groups, representative parents/carers groups, school board
<b>Endorsed by</b>	School Board
<b>Endorsed on</b>	May 2023