

Policy and Procedure

Concerns, Complaints & Disputes

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MOERLINA SCHOOL
COMPLAINTS POLICY AND PROCEDURES

1.	Policy Statement	3
2.	A Culture of Safety, Collaboration and Connectedness	3
3.	Making a Complaint	5
4.	What is a Concern & What is a Complaint?	6
5.	Lines of Approach	7
6.	Reducing Anxiety	7
7.	Maintaining confidentiality	7
8.	Resolution of Parent Complaints	8
9.	Resolution of Student Complaints	9
10.	Resolution of Staff Complaints	10
11.	Resolution of Volunteers and Members of the Public	10
12.	Full Fee-Paying International Students	11
13.	Forms of Resolution	11
14.	Grievance & Mediation Procedures	12
15.	Unsatisfactory Resolution	14
16.	Complaints Register	14
17.	Reportable Incidents	14
18.	Reportable Conduct Scheme	15
19.	Staff Understanding of Policy and Procedures	15
20.	Regulations and Legislation	15
	Appendix 1: Information for Parents	15
	Appendix 2: Procedural Flow Charts	18

The **Moerlina Complaints Policy & Procedures** complies with the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students* and has been considered alongside the Guidelines Overview for *Effective handling of complaints made to your organization*, Ombudsman Western Australia.

1. Policy Statement

Moerlina School is an inclusive school for students and welcomes their families/carers as active participants into the school community. Families work in partnership with the school to provide a safe, secure and supportive learning environment where children feel a strong sense of belonging and have a clear understanding of rules and responsibilities expected of them, and others around them.

A Code of Conduct for all members of the school community clearly outlines the duty of care students, staff, parents, volunteers and visitors have for all children at Moerlina, and their own rights and responsibilities within our organisation. This enables a shared understanding of these expectations for both adults and children.

In order to create and preserve a harmonious and co-operative culture across our school community, communication of the complaints handling system expectations and procedures for follow up to concerns of any member of our school community, or the wider community is of the highest priority. Complaints are taken seriously and are responded to promptly and thoroughly through a fair and reasonable process that treats those who make a complaint respectfully, courteously and sensitively.

Moerlina School has adopted the following Complaints Procedures which comply with the requirements of the Education Act 1999 and satisfy each of the key action areas of Principles 6 and 9 of the National Child Safe Organisation Principles.

These Procedures have been reviewed and revised to address the requirements of the *National Code of Practice for Providers of Education to Overseas Students* and in consideration of the guidelines for the productive handling of complaints published by the *Ombudsman of WA, November 2010*.

2. A Culture of Safety, Collaboration and Connectedness

Central to the success of a community school are positive relationships between all stakeholders. At the heart of our small community school, where parents enter into a partnership in their children's learning and development in a nurturing, child-focused educational setting, are shared values which give voice to all members of the school community in providing for the welfare and wellbeing of our children. Staff are easily accessible to children and families, and a culture of trust and respect enables open conversation which can reduce escalation of concerns.

Moerlina School has a long-established culture of care for children's safety and wellbeing. Through the collaborative approach of our community school, parents are regularly invited to engage in planning, reflection and review processes with various stakeholder groups – the governing body, the principal, staff and the children. Parents, children and staff were represented in the development of the Rights and Responsibilities that form part of the Code of Conduct. All groups were represented in the development of the School's Strategic Plan. Strong communication channels keep them informed of policies and practices and provide opportunity to raise questions or make suggestions for consideration and response.

The ten elements of the National Principles for Child Safe Organisations are considered in addressing the many aspects of the school culture and practices that go to developing a safe, supportive and responsive learning community. The diagram below assists in communicating the considered approaches the school undertakes in managing the care of our students to families. Principles 6 and 9 have been considered in the approaches taken by the school to develop effective complaints management.



National Principles for Child Safe Organisations that assist in school planning.

This policy and procedures are implemented in conjunction with associated policies and practices that aim to provide for the safety, wellbeing and engagement of our children, and their families as their advocates, to support appropriate response to complaints as required.

The school community is kept informed of policies, programs and practices related to child safety and wellbeing, and relevant policies are made available to the wider community on the School's website. The school's complaint handling procedures are understood by students, staff, families and volunteers and are sensitive and responsive to the diversity of backgrounds (eg. cultural, religious, ability, gender, trauma) of our community members in ensuring to the best of our ability, they are culturally safe when engaging in the complaints handling process at the school.

Through an annual, whole of school curriculum plan and shared expectations and practices, Moerlina staff are responsible for assisting children to develop protective behaviours so that they have the knowledge and skills to manage their own safety. This includes supporting children to understand the complaint system and how they can access it in the school context.

Staff are aware of their responsibility to report suspected incidents of abuse or neglect, or disclosures of abuse or neglect, to the principal or through Mandatory Reporting process. All reports of any form of abuse will be taken seriously. Clear guidelines for the response and management of incidents have been

established to ensure staff, students and parents are supported at such a critical time.

Creating and maintaining a safe and friendly organisation is a dynamic and ongoing process of learning, monitoring and reviewing. Regular review processes, including completion of the National Principles Complaint Handling Guide Checklist for an Effective Complaint-handling System, have been built into school planning at both governance and management levels in recognition of child safety as a priority at Moerlina School.

3. Making a Complaint

The school makes information available to the following groups about how to make a complaint, who they can speak to within the organization and what they can expect in response from the organization:

- parents
- students
- staff
- volunteers or members of the public

While parents often wish to raise issues on behalf of their children, there are other issues that students may choose to raise on their own behalf, and which are best raised by them. Child-friendly posters about raising concerns & making a complaint are displayed around the school and are introduced to the children by class teachers.

Complaints from members of the public will be handled directly to the Principal, and barring exceptional circumstances, will be resolved by the Principal in consultation with the Chairperson of the School Council.

Moerlina strongly prefers that complaints be made openly but recognises that this is not always possible for a variety of reasons. Anonymous complaints will be referred to the principal and will be managed using the guidelines and procedures in place where possible, unless the anonymous complaint suggests a risk to child safety, in which case it will be assessed as a Reportable Allegation.

The school will respond to all complaints applying the rules of procedural fairness: a hearing appropriate to the circumstances; lack of bias; evidence to support a decision; and, inquiry into matters in dispute.

The school will consider all complaints made against members of the staff in accordance with the terms of their Code of Conduct and employment obligations, and the law.

The school will reflect on complaints as a way of identifying problem areas at the school with a view to improvement in policy and practice.

Procedures for making a complaint are provided to the school community through:

- Information for Parents and Information for Students documents included in the Enrolment Package (Appendix 1),
- Annual School Handbook and Moerlina Homepage Padlet,
- Full policy and procedures, including the flow charts provided in hard copy at the school for parent access,
- Full policy and procedures, including the flow charts provided on the school website.

Families are made aware of the role of the Director General in the complaints-handling system through this policy and through the Chair of Council's presentation at the Community Information Session on the Parent Information Night early in Term 1.

4. What is a concern and what is a complaint?

In the context of this policy a concern or a complaint are *an expression of dissatisfaction made to the school about its services, decisions, actions or those of its staff, or about the complaint management process itself.*

Concerns or complaints may be made about:

- A service that is being provided, or that is not being provided and was expected,
- Inappropriate treatment or an act by another member of the community,
- A change that is not welcome,
- Something to do with the school environment or facilities,
- The learning programs,
- Fair and appropriate responses, or
- Breaches of the Code of Conduct.

Tier 1: Informal Concerns, are those resolved immediately following initial discussion and appropriate action.

Tier 2: Formal Complaints, are those which may be verbal or written, and will be logged in the School's Complaints Register, that cannot be resolved immediately and require the formal process of complaint resolution outlined in this policy and the flow charts in the Appendices.

An initial assessment of the concern or complaint will enable staff and volunteers to identify and respond to any current risks that may exist to the students, staff or school community and ensure appropriate reporting lines are followed in accordance with the school's complaint-handling policy.

If a complaint relates to an allegation of abuse or a breach of the Staff Code of Conduct regarding student safety, the Complaints Process is suspended, and the Child Protection/Reportable Conduct procedure takes immediate precedence.

At times a complaint may require the school to report to external agencies. A complaint may be in the form of a disclosure, allegations or suspicion of child abuse, other child protection concerns, or other criminal conduct. Any complaint involving allegations of child abuse or reportable conduct will immediately suspend the standard complaints process and be referred directly to external authorities (WA Police/Communities) and handled exclusively under the guidelines of the Child Safety and Wellbeing Policy. Specifically, the school will respond to the requirements of Mandatory Reporting of Child Sexual Abuse requirements and the Reportable Conduct Scheme requirements as relevant. The school will cooperate with law enforcement, child protection and other bodies once reports have been made.

Where a complaint is about online child sexual abuse material, image-based abuse or social media abuse, the school will contact the e-Safety Commissioner for advice on how best to proceed.

All concerns that are raised are taken seriously. The school recognises that a simple expression of concern can become a graver matter if it is not addressed in the first instance. Complaints will be considered without bias, and any conflicts of interest will be declared for consideration.

A complaint may be made formally or informally and will be handled with sensitivity if complaints about another individual's behaviour or actions are involved.

A complaint is not required to be written to be actioned.

5. Lines of Approach

In order to develop and maintain an open and positive culture of feedback, it is essential that the school encourages open communications from all members of the school community. While the school's approach values all feedback and focuses on the active involvement of children, parents and staff in decision making processes, attention and value must be given to hearing complaints from our children, families, staff and others with a view to reflection and response in the cycle of continuous school improvement.

General lines of approach for raising a complaint by an adult are as follows:

- For classroom-based complaints, a complaint should be brought at first instance to the relevant class teacher,
- For complaints about aspects of the school beyond the classroom, or in instances where the complainant is not comfortable in going directly to the class teacher, the complaint should be brought to the principal,
- For complaints about the principal, the complaint should be brought to the Chair of Council.

If a complaint is made to a staff member other than in accordance with this procedure, that person will respectfully direct the complainant to the relevant person and will inform the appropriate staff member that the complaint has been made.

Lines of approach for children are more open than those for adults, in that children are encouraged to speak with any adult with whom they are comfortable to discuss their complaint (Safety Networks covered in the Protective Behaviours Curriculum). In some instances, children may raise their complaint with another student in the school, and they may support the child in bring their complaint to an adult. This follows the school's approaches to supporting children to support each other (Positive Behaviours and Respectful Relationships Policy).

Procedural flow charts for each complainant type are attached to the policy (Appendix 2).

It is recognized that a prompt response is required in recognition of the seriousness with which complaints are taken by the school and in seeking timely resolution for all parties. Timelines for response are provided in each of the procedural flow charts, with the maximum times indicated taking into consideration the availability of parents who work and may work away; the meeting of the School Council on a monthly basis; and, the convening of an Independent Mediator who is not employed at the school, nor a member of the school community.

6. Reducing Anxiety

The school recognises that a person making a complaint may feel anxious and that it is in everyone's interest that the complaint process be made as simple and clear as possible to reduce anxiety.

The principles of procedural fairness will be maintained at all times to support all parties being treated fairly, and to ensure decisions are transparent and justifiable.

The school will acknowledge complaints as soon as possible, within a maximum of 5 working days. The acknowledgement will contain a timeline of steps that the school intends to take to resolve the complaint.

If the nature of the complaint is not clear, the complaining party will be given every opportunity to clarify his or her concern.

Every attempt will be made by everyone involved in the resolution of each complaint to treat all parties with respect, courtesy and understanding.

7. Maintaining Confidentiality

Confidentiality is essential to a fair and effective complaints process. People can understandably have concerns about confidentiality and privacy when they want to make a complaint. These concerns can be one of the potential barriers to both children and adults coming forward.

While the sharing of information is necessary to promote the safety, welfare and wellbeing of children, staff or community members, and to keep relevant parties appropriately informed throughout the complaints process, it is equally as important to meet the school's privacy and confidentiality obligations when determining whether information should be shared, and with whom, in a particular instance.

The school will comply with the Commonwealth Privacy Act 2000 and the Children and Community Services Act 2004 (WA), when making decisions regarding the sharing of confidential information.

If a complainant asks for confidentiality, they must be advised that this is not always possible if the complaint is to be resolved, but that they will be kept informed of all decisions to be made in regard to confidentiality, and that decisions will be made in accordance with legislative and regulatory requirements. Complaints will be dealt with in a confidential manner that is respectful to both complainant and respondent. Reasonable steps will be taken to protect personal information from loss, unauthorised access, use, disclosure or any other misuse during the complaint-handling process. However, the school cannot give an assurance of absolute confidentiality, given statutory obligations and principles of natural justice.

In a small community, it is always possible for the nature of the complaint to be known to students or parents who are not directly involved in the complaint. If necessary, the Principal may be involved to set guidelines on confidentiality issues involved in the complaint.

If the Police are involved in any complaint, the Principal and the Chair of Council will be informed immediately and will work together to further manage the matter to resolution. All other procedures as referred to in relevant policies will be adhered to.

If a parent will not support the Principal in following the Complaints process they must be informed in writing that the process can not be undertaken if they will not participate.

8. Resolution of Parent Complaints

Staff will be open to receiving feedback from parents who need to express comments and concerns about their child's educational experience or any other aspect of their schooling. It is important to recognize that people often care as much about how their complaint is dealt with as they do about the issues that prompted the complaint and the final outcome (NSW Ombudsman, Effective Complaint Handling Guide).

Complaints may be received in various ways, including in person, by phone or by email. At times the complainant may choose to bring a support person to a meeting with the school. Staff will acknowledge the complaint as soon as possible after it is received. They will work with the complaining parent in a constructive manner to resolve the issue or respond to satisfy the complaint.

Where the complaint is not resolved initially, details of the complaint will be recorded along with other relevant information. If the complaint was made to a teacher it will be escalated to the principal, where consideration will be given to next steps to be taken through the complaints process to resolve the complaint.

In some cases the Principal may deem it in the best interests of the school to take the complaint to the Chair of Council.

Should the complaint be about a reportable incident, all legal and regulatory guidelines will be followed (Crisis and Emergency Management Policy, Child Safety and Wellbeing Policy).

Staff will keep a record of complaints and will consider whether the person making the complaint will want or need further support or communication.

The school will, through reflective process, consider adjustments to practices that may benefit the organization in reducing the likelihood of such complaints being raised again, should this be relevant.

In some situations, staff may not feel comfortable in meeting with the complainant alone. Teachers are advised to invite another teacher or the principal to attend the meeting, after informing the parent.

Support staff are not expected to manage parent complaints. They are asked to respectfully direct families to either the class teacher or the principal.

9. Resolution of Student Complaints

Staff will be open to receiving feedback from students who need to express comments and concerns about their educational experience or any other aspect of their schooling. Children are encouraged to speak with any adult with whom they are comfortable to discuss their complaint.

Complaints from children may be received in various ways and can be dependent on age. They may bring the complaint to attention in person, or by phone or by email. They may have the assistance of another child, or an adult, to make their complaint.

Staff will acknowledge the complaint as soon as possible after it is received. They will work with the complaining child in a constructive manner to resolve the issue or respond to satisfy the complaint. This will generally follow the school's restorative practices model (Positive Behaviours and Respectful Relationships Policy) and will also be guided by the Complaint Handling Guide: Upholding the rights of children and young people (Commonwealth of Australia 2019).

Where the complaint is not resolved initially, details of the complaint will be recorded along with other relevant information. If the complaint was made to a teacher it will be escalated to the principal, where consideration will be given to next steps to be taken through the complaints process to resolve the complaint.

Staff will keep a record of complaints and will consider whether the child making the complaint will want or need further support or communication.

The school will, through reflective process, consider adjustments to practices that may benefit the organization in reducing the likelihood of such complaints being raised again, should this be relevant.

In some situations, staff may feel that it is in the best interests of the child to engage another staff member, or a parent, to support in the complaints handling process. This will be done sensitively and respectfully, and the child will be kept informed.

In some cases the Principal may deem it in the best interests of the school to take the complaint to the Chair of Council or to seek external support to resolve the issue.

Should the complaint be about a reportable incident, all legal and regulatory guidelines will be followed (Crisis and Emergency Management Policy, Child Safety and Wellbeing Policy).

10. Resolution of Staff Complaints

The school will be open to receiving feedback from staff who need to express comments and concerns about any person or aspect of the school. Generally the complaint will be made to the principal, unless it is about the principal and then it can be addressed to the Chair of Council. In some cases the Principal may deem it in the best interests of the school to take the complaint to the Chair of Council.

It is important to recognize that people often care as much about how their complaint is dealt with as they do about the issues that prompted the complaint and the final outcome (NSW Ombudsman, Effective Complaint Handling Guide).

Complaints may be received in various ways, including in person, by phone or by email. At times the complainant may choose to bring a support person to a meeting with the school. The principal, or Chair of Council, will acknowledge the complaint as soon as possible after it is received. They will work with the complaining staff member in a constructive manner to resolve the issue or respond to satisfy the complaint.

Where the complaint is not resolved initially, details of the complaint will be recorded along with other relevant information. If the complaint was made to the principal it will be escalated to the Chair of Council, where consideration will be given to next steps to be taken through the complaints process to resolve the complaint.

Should the complaint be about a reportable incident, all legal and regulatory guidelines will be followed (Crisis and Emergency Management Policy, Child Safety and Wellbeing Policy).

The principal will keep a record of complaints and will consider whether the staff member making the complaint will want or need further support or communication.

The school will, through reflective process, consider adjustments to practices that may benefit the organization in reducing the likelihood of such complaints being raised again, should this be relevant.

In some situations, the principal may not feel comfortable in meeting with the complainant alone. The principal may invite a Councilor or other appropriate person to attend the meeting, after informing the staff member.

11. Resolution of Volunteers and Members of the Public

Complaints

Staff will be open to receiving feedback from volunteers who need to express comments and concerns

about their experience or any other aspect of schooling at Moerlina. The principal will receive all complaints from members of the public.

It is important to recognize that people often care as much about how their complaint is dealt with as they do about the issues that prompted the complaint and the final outcome (NSW Ombudsman, Effective Complaint Handling Guide).

Complaints may be received in various ways, including in person, by phone or by email. At times the complainant may choose to bring a support person to a meeting with the school. Staff will acknowledge the complaint as soon as possible after it is received. They will work with the complaining volunteer or member of the public in a constructive manner to resolve the issue or respond to satisfy the complaint.

Where the complaint is not resolved initially, details of the complaint will be recorded along with other relevant information. If the complaint was made to a teacher it will be escalated to the principal, where consideration will be given to next steps to be taken through the complaints process to resolve the complaint.

In some cases the Principal may deem it in the best interests of the school to take the complaint to the Chair of Council.

Should the complaint be about a reportable incident, all legal and regulatory guidelines will be followed (Crisis and Emergency Management Policy, Child Safety and Wellbeing Policy).

Staff will keep a record of complaints and will consider whether the person making the complaint will want or need further support or communication.

The school will, through reflective process, consider adjustments to practices that may benefit the organization in reducing the likelihood of such complaints being raised again, should this be relevant.

In some situations, staff may not feel comfortable in meeting with the complainant alone. Staff are advised to invite the principal to attend the meeting, after informing the volunteer. The principal may choose to invite a Councilor to attend a meeting with a member of the public.

12. Full Fee-Paying International Students

While the complaints handling process to be followed for Full Fee-Paying International Families does not differ, it is essential that international families feel culturally safe throughout the process. This may include the assistance of a support person in making a complaint, attending meetings or any other part of the resolution process.

Staff may need to seek external support to better understand culturally appropriate approaches to manage this procedure.

Where the complaint relates to a full fee-paying international student and the issue has not been resolved, the School will advise the family of the availability of an Overseas Student Ombudsman, to be part of the grievance process.

Contact details are provided in the Information for Parents Bulletin, which forms part of the Moerlina School Enrolment Package, from the Office and at Appendix 1.

13. Forms of Resolution

While each complaint is different, the school will try to make decisions and deliver outcomes that are consistent. This means treating similar issues in a similar way but does not mean treating people or complaints the same where the circumstances of the complaint warrant a different outcome. The focus needs to be on achieving an outcome that is in the best interests of the children in the school and fair to all parties.

Resolution of a complaint can take many forms. The following list provides examples of outcomes that may provide a satisfactory resolution for the complainant:

- Acknowledgement of how a situation, service or conduct has affected the complainant,
- Being informed of changes that have been made to prevent the subject of the complaint from re-occurring,
- Seeing that the complaint has been respected and acted upon,
- Disciplinary action,
- Criminal action,
- Financial redress,
- Provision of support,
- Recognising that while the outcome of the complaint may be different from what they wanted, respecting well-considered action on the part of the school,
- A letter of explanation, or
- A letter of apology.

A brief written response – generally an email, acknowledging the complaint and any action in response to, or resolution, will be issued to logged complaints.

If a letter is issued as a follow-up to a complaint it will contain:

- A summary of the basis of the complaint,
- How the issues were considered,
- Who was consulted to arrive at the resolution,
- The steps that will be taken by Moerlina as a result of the complaint, or
- An apology, if appropriate.

The assessment and management of risk immediately after a complaint that involves an incident or accident (eg. a child hurting themselves or some type of safety hazard identified) is critical to the school's initial and early response. The risks identified and the associated actions will depend largely on the nature and seriousness of the allegation or complaint. The principal will be responsible for assessing whether the risk continues to exist once a complaint is made and what action, if any, needs to be taken to address the risk. The school's Risk Management Policy will be the reference for any action.

14. Grievance and Mediation Procedure

Some of the procedures outlined above may not lead to a satisfactory resolution of the complaint. The complaint may be escalated for further action by the:

- Principal; or
- Complainant; or
- Person against whom the complaint is addressed.

The complaint will be escalated to the Chairperson of the School Council who will take the following steps:

- Inform all relevant parties that the complaint has been escalated and when he or she will be able to respond to the complaint,

- Review any files relating to the complaint,
- Ensure that he or she is satisfied that all points of view have been considered, and at his or her discretion, personally discuss the complaint with any or all parties, or ask for further explanations in writing from any or all parties,
- Hold a meeting of the relevant parties, if the Chairperson is of the view that such a meeting would assist in the final resolution of the complaint, and
- Provide a clear and detailed written opinion of the Chairperson's view of the complaint.

If the complaint remains unresolved following the involvement of the Chair of Council, the Chairperson, or the Council as a body, has the discretion to commence the formal Grievance Procedure by referring the matter to an Independent External Mediator, subject to the following rules:

- The Chair of Council will appoint an Independent External Mediator (following consultation with AISWA),
- The Independent External Mediator shall act in a fair and objective manner,
- with the aim of arriving at a resolution of the complaint that will best accommodate the needs of the complainant and the Moerlina Community,
- The proceedings of the Independent External Mediator shall be confidential, provided that any decision or outcome may be reported to the Moerlina Community if it is in the best interests of the community to do so,
- All interested parties will be given adequate notice to prepare for the meeting,
- All interested parties, including the complainant, the person against whom the complaint is addressed and the Principal will be given the opportunity to present their view of the complaint and provide materials and documents in advance of the meeting to be considered by the Independent External Mediator,
- The complainant may be accompanied during the meeting by a supportive friend who is not involved in the complaint,
- The person against whom the complaint is addressed may be accompanied during the meeting by a supportive friend who is not involved in the complaint, or by a Union representative,
- At the end of the meeting, the Independent External Mediator will assist the parties in drafting a Memorandum of Understanding (MOU) if a resolution is reached or summarise the status of the complaint and make final recommendations on the resolution of the complaint if an MOU is not reached.

The School, through the Council, will endorse the External Independent Mediator recommendations where the issue has been resolved.

Should resolution still not be reached the Council will reserve the right to make a final determination based on the evidence available and clearly communicate this decision to the complainant in writing. The complainant will be advised of their right to contact the Director General of the Department of Education (for registration standard concerns) or other external bodies (e.g., the Ombudsman).

A procedural flow chart for the grievance procedure is attached to this policy.

Timelines for response are provided in the procedural flow chart, with the maximum times indicated taking into consideration the availability of parents who work and may work away; the meeting of the School Council on a monthly basis; and, the convening of conciliation committees who are not employed at the school.

15. Unsatisfactory Resolution

The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards for non-government schools, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint.

Information is available on the [Department of Education website](#).

While the Director General may consider whether the school has breached the registration standards, they do not have power to intervene in a complaint or override the school's decision.

16. Complaints Register

The school's record-keeping-system will enable transparency and accountability in all matters, and will address relative legislation, standards, and funding agreements.

A complaint will be recorded where it is not resolved following initial resolution response.

The Principal (or someone instructed by the Principal) shall maintain a detailed complaints register with capacity to record:

- date of complaint;
- name of complainant and relationship to the school;
- subject matter of the complaint, including the name of any person complained about and his or her relationship to the school;
- complaint investigator and position or role at the school;
- conflicts of interest and how these are managed;
- date investigation completed;
- whether complaint upheld;
- resolution agreed with or offered to complainant;
- date of referral for review (for example by the governing body);
- complaint reviewer and relationship to the school;
- process for review;
- timeline for conducting review;
- date review finalised; and
- review resolution agreed with or offered to complainant.

The principal will advise Council of the status of complaints through the Chairperson, and as appropriate, at Council meetings.

The principal, and as required the Council Chair, will review the log periodically to look for patterns of complaint. Where patterns emerge, this will be brought to the attention of the Council to identify causes, and possible systemic issues, to inform continuous improvement. This includes the effectiveness and efficiency of the complaints management system itself.

Confidential files shall be kept on all complaints and will include clear and simple notes of all important conversations and copies of documents relevant to the complaint.

17. Reportable Incidents

The principal will notify the Director General where a complaint is recognized as a reportable incident as

soon as practicable and in any event within 48 hours. The reportable incident categories a complaint is most likely to relate to are:

- The receipt of a complaint or allegation of child abuse, including but not limited to sexual abuse, committed against a student by:
 - (a) a staff member or another student; or
 - (b) another person on the school premises or during a school-related activity;whether the abuse is alleged to have occurred recently or in the past.
- Issuing a formal warning, a suspension or ceasing the employment of a staff member for a breach of the school's Code of Conduct involving suspected grooming behaviour.

18. Reportable Conduct Scheme

The reportable conduct scheme WA requires that certain matters be reported to the Ombudsman WA, and other authorities, and investigated by the school. Conduct covered by the scheme includes:

- sexual offences;
- sexual misconduct;
- physical assault;
- significant neglect of a child; and
- any behaviour that causes significant emotional or psychological harm to a child.

The principal will notify the Ombudsman of allegations of, or convictions for, child abuse by their employees; investigate the allegation; and provide a report to the Ombudsman on the outcome of the investigation.

21. Staff Understanding of Policy and Procedures

An overview of the Complaints Management Policy and Procedures forms part of the annual professional learning for all staff at Moerlina. This takes place on a Staff Development Day to ensure all staff are in attendance.

22. Regulations and Legislation

The following regulations, legislation and guiding documents have been considered in the update of this policy:

[Education Act 1999](#)

[National Principles for Child Safe Organisations](#) (including Complaint Handling Guide Checklist)

[National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students](#)

[WA Ombudsman, Effective Complaint Handling Guide](#)

[Mandatory Reporting process](#)

[Department of Education WA Non-Government School Regulations](#)

[e-Safety Commissioner e-Safety Guidelines](#)

[Commonwealth Privacy Act](#)

[Children and Community Services Act 2004](#)

[\(WA\) Complaint Handling Guide: Upholding the rights of children and young people \(Commonwealth of Australia 2019\)](#)

Appendix 1: Information for Parents

MOERLINA SCHOOL CONCERNS, COMPLAINTS & DISPUTES POLICY

INFORMATION FOR PARENTS

Moerlina welcomes suggestions and comments from parents and takes parent complaints and concerns very seriously. We recognize your right to complain when you are dissatisfied with some aspect of our School, and we look forward to working with you in the best interest of all children in our care.

This bulletin explains how to use our complaints process.

A complaint will be treated as an expression of genuine dissatisfaction that needs a response.

We wish to ensure that parents know how to make a complaint.

Moerlina School's culture is open and receptive to complaints about your child's educational experience, or other aspects of the school experience.

Moerlina School listens to parents and takes complaints seriously.

Moerlina School responds to complaints within a reasonable time, and in a respectful and efficient way.

Decisive and effective action is taken when it is necessary.

"How do I make a complaint?"

You can make a complaint in person, by phone, by email or in a formal written letter.

"Who do I speak with about my complaint?"

Consider who might be in the best position to respond to your complaint.

For classroom-based concerns, start with your child's class teacher. Be as clear as possible about what is troubling you. Your child's teacher may be able to sort things out quickly, with a minimum of fuss.

If in your best judgment, your complaint should not be raised with your child's class teacher, due to the sensitive or troubling nature of the complaint, you may take the matter directly to the Principal.

If your complaint is about something outside of the classroom, you can speak with the principal.

Please do not approach other students or their parents directly regarding a school issue.

"I am not sure whether to complain or not, but there is something bothering me."

If as a parent you have concerns, we would prefer that you raise them with the School. This way issues can be resolved early, before they escalate into a more serious matter. As a community, Moerlina is seeking to constantly improve and learn from our experiences, and as a part of this community, you are an important part of the process when giving us your reactions and comments to what happens at the School. If in doubt, let us know.

"What happens next?"

A face-to-face discussion can often resolve a matter with no further need for action. Please be clear if you

are not satisfied with the response you have received, so we know that you want the matter taken further. If you make a complaint in writing, we will respond within 5 working days. We may set out our response to your complaint or explain what is happening in the investigation of your complaint and when you can expect a full response. The persons involved in investigating and resolving your complaint may need to speak to other people and this may take some time.

“Will my complaint be treated confidentially?”

Your complaint or concern will be treated as a confidential matter and with respect. Knowledge of it will be limited to the class teacher, the Principal and those directly involved. Depending on the seriousness of the matter, the Chairperson of the School Council may be involved in the discussions. It is School policy that complaints made by parents will not adversely affect their children.

We cannot entirely rule out the need to make others either within our School community or from outside the school aware of the complaint and possibly the identity of those involved. This would only be likely to happen where, for example, a child’s safety was at risk, or the School had any apprehension that a criminal offence might have occurred, in which the Police must be involved. You would be kept fully informed of any such referral.

While information relating to specific complaints will be kept confidentially, the School cannot commit to pursuing complaints that are made completely anonymously.

“What if I am not satisfied by the School’s response?”

There are two further steps that you can take to escalate a complaint which you feel has not been resolved.

You can ask that the Chairperson of the School Council become involved and issue a report on the matter. This may be conducted in writing, or in a meeting, if you prefer.

If you are not satisfied with the Chairperson’s report, you can request the School Council to convene a Conciliation Committee (excluding the Chairperson) to consider the matter, and if necessary hold a hearing at which all parties are given an opportunity to express their views.

Further details of these procedures can be found in the School’s Complaints Management Policy which is available from the Office, on the school’s website and in the Parent Information Area.

“If I am the parent of a full fee-paying international student, is the process the same?”

Yes, the process for making a complaint and/or lodging a grievance is the same, apart from the support that is available to the families of overseas students.

At any time during a complaint or appeal process families of international students may be accompanied and assisted by a support person at any relevant meetings.

For the families of full fee-paying international students, an Overseas Student Ombudsman is available to assist you to resolve any issues through mediation and conciliation, complementary to our School’s internal complaints process.

WA Overseas Student Ombudsman

Opening hours: Monday - Friday, 8:30am – 4:30pm

Phone: 92207555

[Website link](#)

MOERLINA SCHOOL CONCERNS, COMPLAINTS & DISPUTES POLICY
INFORMATION FOR STUDENTS

Any thoughts, complaints or suggestions?
If so, let us know.

How do I make a complaint?

- Talk about it with a teacher
- You can write it down if you feel more comfortable with this
- You can do it by yourself, with a friend, or by talking with your parents.

Who do I talk to?

- Your teacher, or any other staff member you feel safe talking to.

Does it matter what kind of issue it is?

- No, it can be a big problem, or a small one. By discussing it, you may come up with some positive ideas to solve your problem.
- Even if you find the issue hurtful or embarrassing, don't worry – it will only be discussed by staff who can help you solve the problem.

What happens next?

- If possible, the staff member you talk to will deal with the problem in person. If not, they will go to someone who can help. They will let you know what is happening and make sure you are comfortable with the next steps.

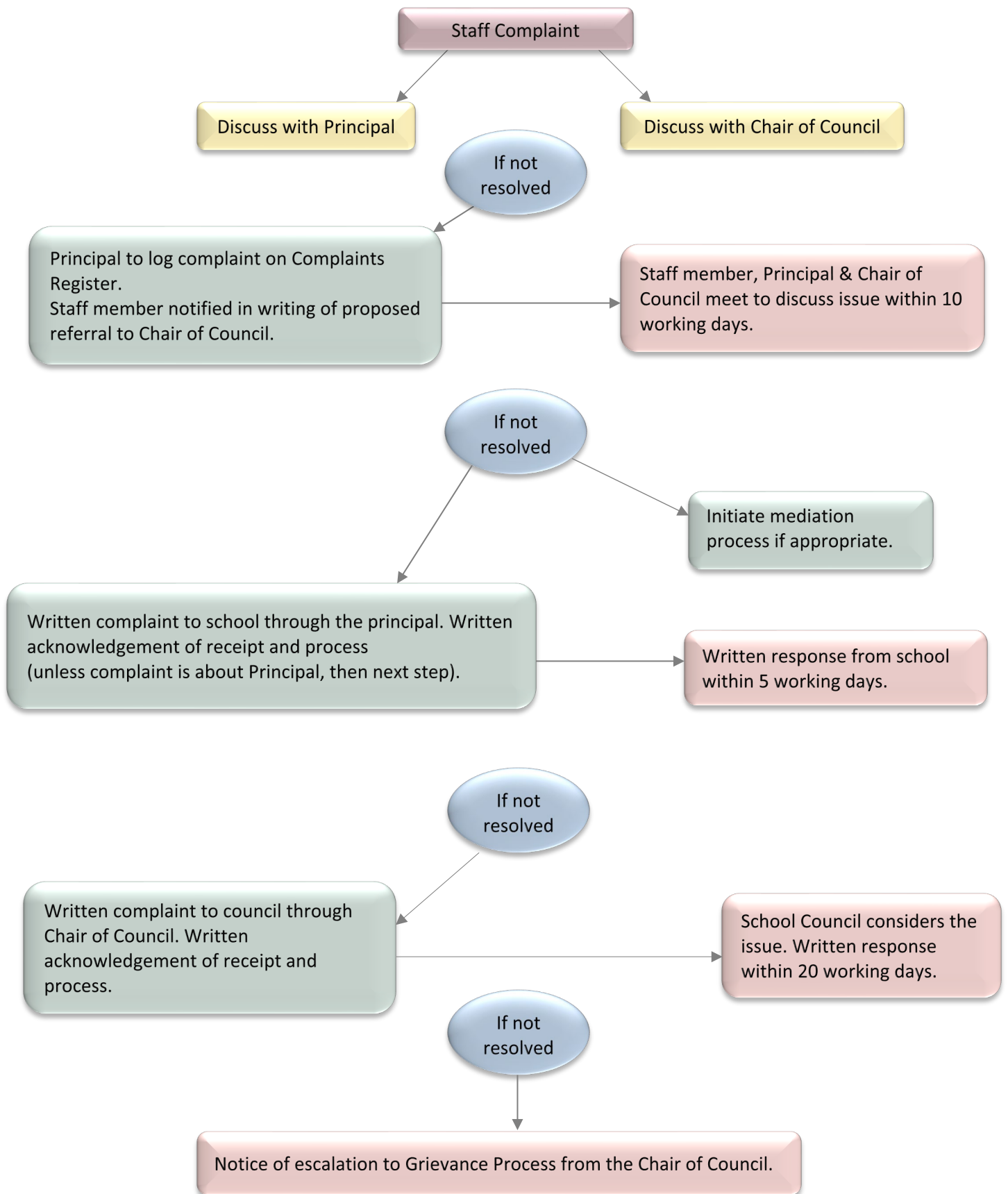
Do others have to know?

- If you are worried about this, let the person you talk to know. Together you can work out the best way to respect your feelings on this issue.

What if I'm still not happy?

- If you are not happy with the result of the school's response to your problem, let the principal know.

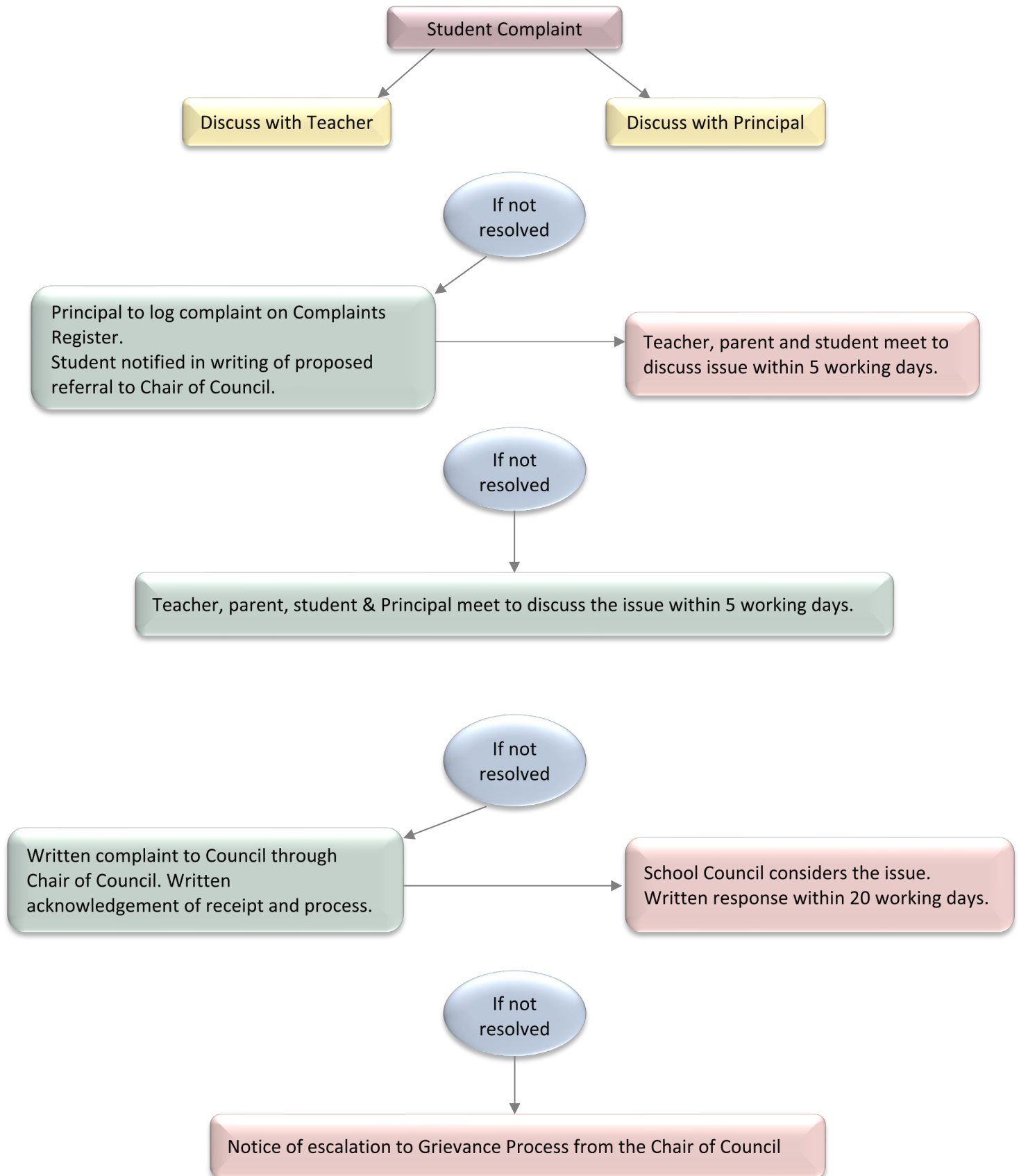
Appendix 2: Concerns, Complaints & Disputes Procedural Flowcharts



Note 1: A support person is welcome to attend meetings throughout the process

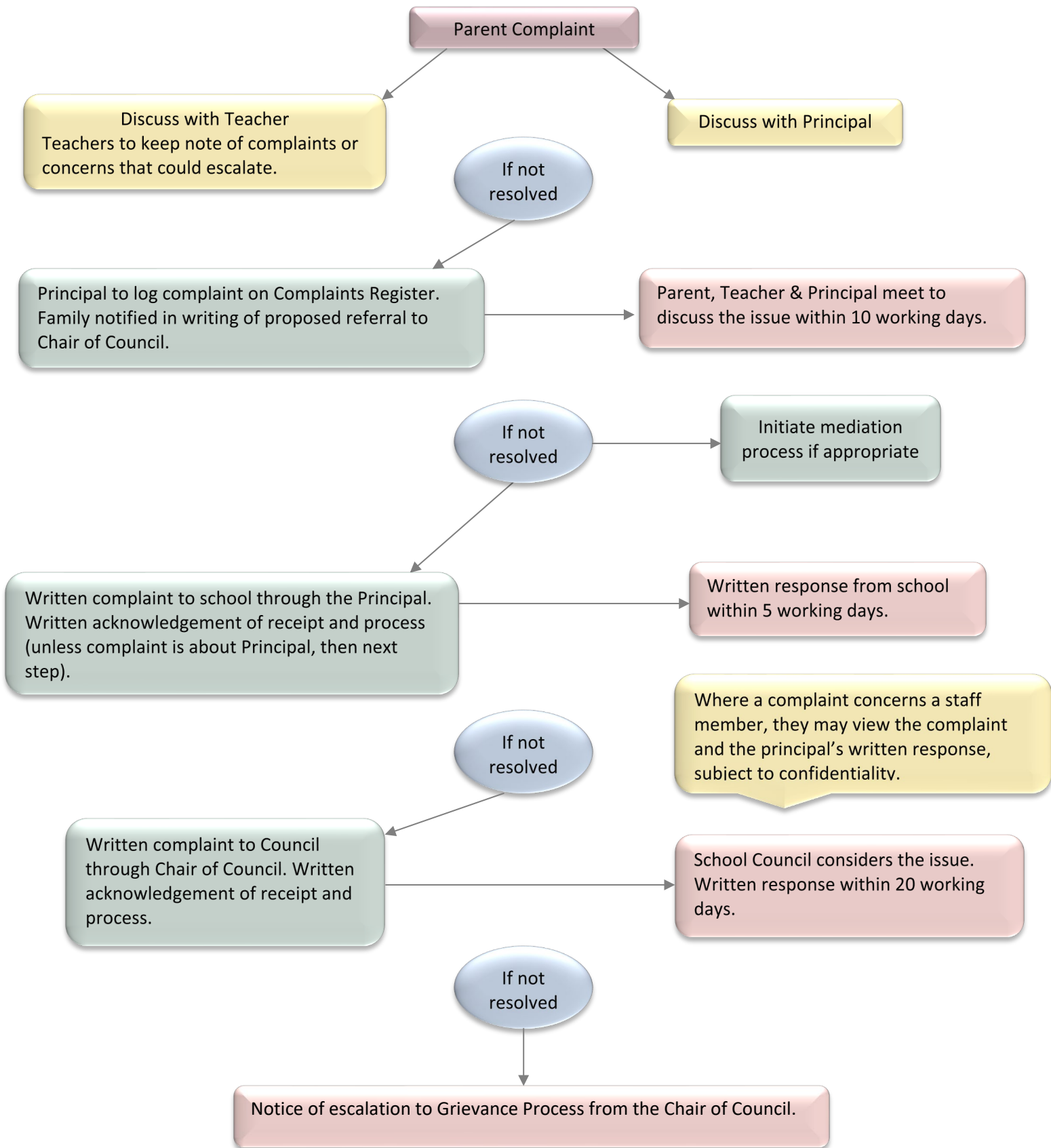
Note 2: Union members may choose to contact the union for advice at any point through the process

Concerns, Complaints & Disputes Procedural Flowcharts



Note: A support person is welcome to attend meetings throughout the process.

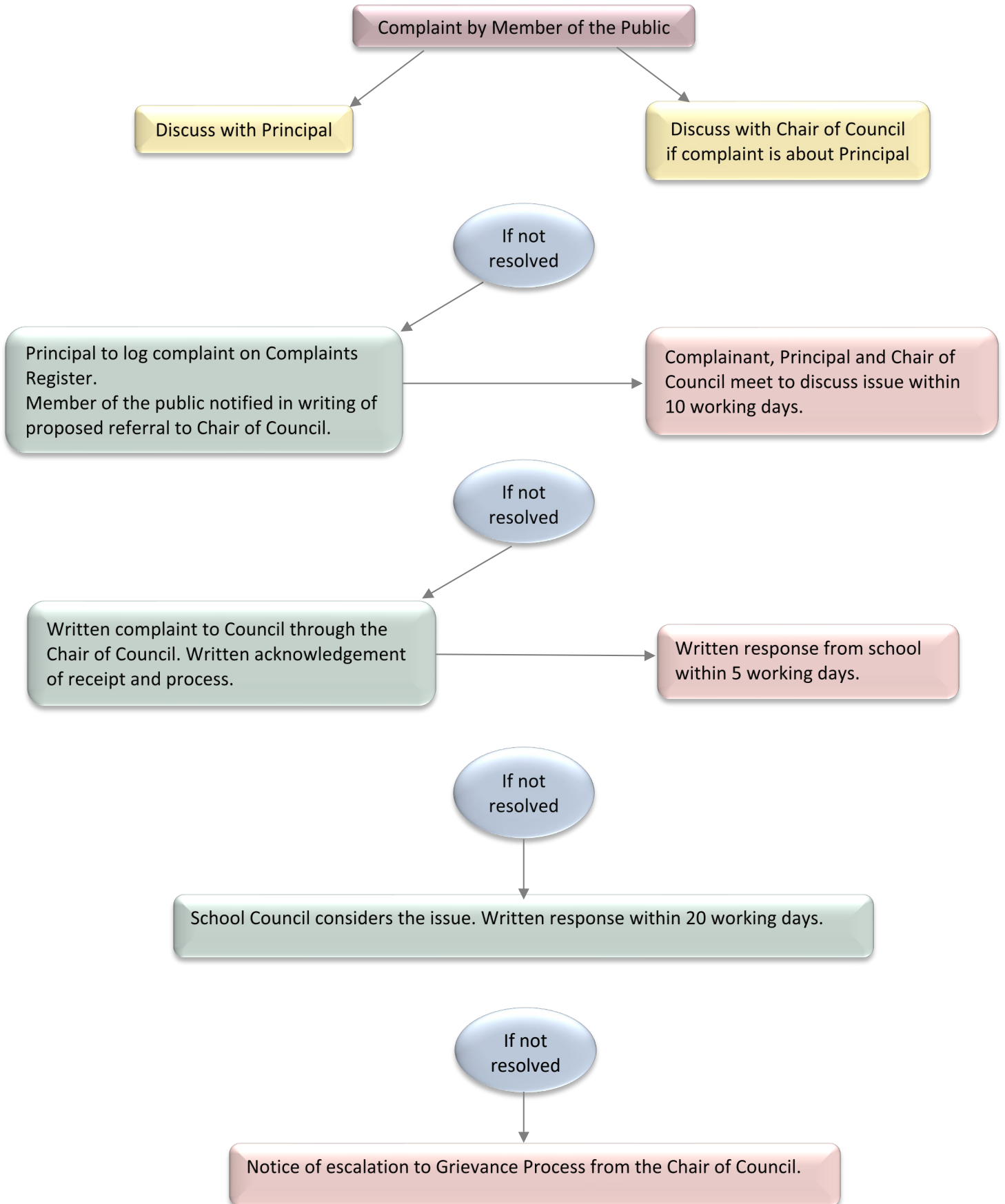
Concerns, Complaints & Disputes Procedural Flowcharts



Note 1: A support person is welcome to attend meetings throughout the process.

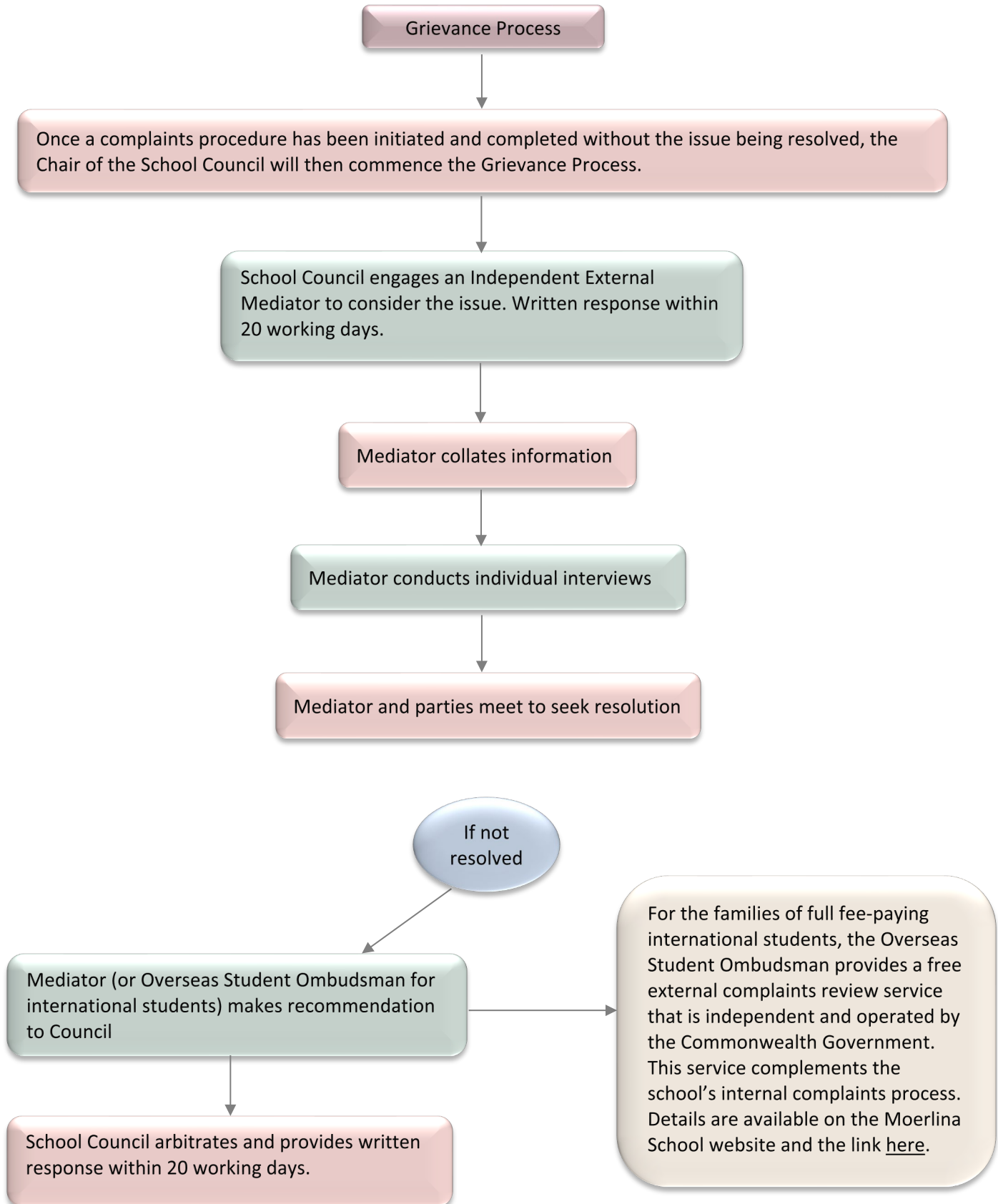
Note 2: For the families of full fee-paying international students, the [Overseas Student Ombudsman](#) provides a free external complaints review service that is independent and operated by the Commonwealth Government.

Concerns, Complaints & Disputes Procedural Flowcharts



Note: A support person is welcome to attend meetings throughout the process.

Concerns, Complaints & Disputes Procedural Flowcharts



Note: A support person is welcome to attend meetings throughout the process.