

COMPLAINTS POLICY AND PROCEDURE

PURPOSE

St Hilda's Anglican School for Girls (**St Hilda's** or **School**) takes complaints seriously. The purpose of this policy is to provide an accessible and fair process for addressing complaints by all members of the St Hilda's community, including students, parents, staff, volunteers, and visitors.

SCOPE

This policy and associated procedures apply to all St Hilda's staff, volunteers, and visitors (including contractors) and relate to any student as defined by the *School Education Act 1999* (WA). In this document, unless otherwise indicated, references to St Hilda's staff include the Principal and other employees.

This policy does not apply in the following circumstances:

- Alleged or suspected abuse or neglect of a child enrolled at St Hilda's, or inappropriate behaviours by a staff member or volunteer towards a child enrolled at St Hilda's. These matters are subject to additional legal requirements and will be managed using the School's *Child Protection Policy*.
- Alleged workplace bullying, discrimination, behavioural misconduct, physical assault, harm, or harassment. These issues will be managed using the School's *Staff Grievance Management Policy*.
- Workplace performance issues. These issues will be managed using, amongst other things, School's *Staff Code of Conduct* and *Staff Grievance Management Policy*.
- Disputes to which the grievance procedure set out in Part 4, Division 3 of the School's Constitution applies (i.e. disputes between members of the School Council acting in that capacity).

ADMINISTRATION OF THIS POLICY

The Principal has overall responsibility for administering this Policy.

Other stakeholders include the School Council, Director of Senior School, Director of Junior School, Director of Business Operations and Director of People & Culture.

The Complaints Management Procedure (**Procedure**) supports this policy and outlines the roles, responsibilities, and processes that will be used when actioning this policy.

DEFINITIONS AND REFERENCES

The Procedure contains information on relevant definitions and key terms (see Appendix 1).

PRINCIPLES

This Policy supports the rights of children and young people in our School Community, consistent with our legal and moral responsibility for the safety, wellbeing and protection of our students. We seek to provide a safe and supportive learning environment for our students. We therefore expect our staff, volunteers and visitors to model behaviours which are in line with our School values.

The Director General of the Department of Education has the role of monitoring the School's compliance with all registration standards, including standards 9.1 and 9.2, and has the authority to respond to instances of non-compliance.

The School will respond to all complaints in a timely and appropriate manner. All complaints will be managed appropriately through the complaints management processes outlined in the Procedure. This includes ensuring that:

- any reporting required under legislation is actioned; and
- any private or sensitive information disclosed as part of the complaints management process is treated in accordance with applicable privacy legislation.

Anyone who raises a complaint with the School in good faith, acting honestly and reasonably, will not be penalised or disadvantaged on account of having raised the issue.

This Policy and the Procedure are based on the following principles:

- Respectful conduct, including seeking to achieve mutual understanding through dialogue.
- Accessibility, including the ability for any individual to make a complaint absent of penalty or discrimination.
- Procedural fairness, including the absence of victimisation, discrimination, or retribution of any party.
- Clear and transparent communication, including the accessibility of the Policy and the Procedure generally, and the provision of information to all parties about processes and outcomes associated with a complaint.

OBJECTIVES

The objectives of this policy are to:

- Provide students, parents, guardians, and/or St Hilda's staff and volunteers with the opportunity to access procedures to facilitate the making and resolution of a dispute or complaint.
- Ensure an adequate records system to maintain all complaints and ensure due process is followed.
- Promote a transparent, consistent, timely, responsible, and confidential approach to responding to and investigating complaints.
- Ensure complaints are dealt with in a fair and confidential manner that includes natural justice principles and is independent of those handling the complaints process.

COMPLAINTS RELATING TO NON-COMPLIANCE OF CHILD PROTECTION POLICY AND PROCEDURES

If the complaint relates to the non-compliance of the School's *Child Protection Policy* or child safety legislation, a complaint is to be made by writing to the Chair of School Council. This can be done by emailing chairofcouncil@sthildas.wa.edu.au

COMPLAINTS MANAGEMENT PROCEDURE

The Complaints Management Procedure below supports the Complaints Policy and provides direction to relevant persons regarding their role and responsibilities when actioning the policy.

Any individual can make a complaint, including students, staff, volunteers, visitors, parents, guardians, or other members of the community. Throughout the Procedure, unless otherwise indicated, the term St Hilda's staff includes the Principal and all other employees.

Information on definitions and key terms can be found in **Appendix 1**.

PROCESS

All complaints in relation to an action, behaviour, omission, or decision by a St Hilda's staff member or volunteer will be managed in accordance with the following complaints management process (**Process**).

If the complaint does not relate to a staff member or volunteer (for example, it relates to a student or parent), please read further down this Procedure to determine the appropriate course of action.

STAGE 1 - DISCUSS THE MATTER WITH THE RELEVANT STAFF MEMBER OR VOLUNTEER

Wherever possible, the complainant is encouraged, in the first instance, to discuss their complaint with the staff member or volunteer whose action, behaviour, omission, or decision is in question.

When resolving complaints at this stage:

1. The complainant is asked to speak with the staff member or volunteer and request a time to discuss their concern regarding the staff member or volunteer's action, behaviour, omission, or decision.
2. The complainant and the staff member or volunteer may speak with a member of the Executive about obtaining support during the Process.
3. If the Principal, or another member of the Executive is not involved in the discussion, the staff member or volunteer will:
 - (a) inform the complainant about these Procedures and the *Complaints Policy*, and
 - (b) offer to inform the Principal, or another member of the Executive, of the complaint raised, and the outcome of the discussion.

4. If the Principal, or another member of the Executive is made aware of the complaint, they will:
 - (a) Ensure the complaint is documented, including the names of all parties involved, the nature of the concerns, the date and time of any discussion, the agreed outcomes, and any required actions.
 - (b) Consider if any other policies, procedures, or protocols are to be applied, particularly those relating to child protection and the conduct of staff and volunteers.
 - (c) Consider what outcomes, if any, are appropriate for the staff member or volunteer, including but not limited to additional training or support, or disciplinary action.
 - (d) Identify any issues or strategies to be incorporated in the school's quality improvement planning.

If the complainant reasonably determines that it is not appropriate to discuss the complaint with the staff member or volunteer, or in doing so they do not believe their complaint has been addressed to their satisfaction, they may proceed to Stage 2 of the Process.

STAGE 2 – MAKE A COMPLAINT TO THE PRINCIPAL OR ANOTHER MEMBER OF THE EXECUTIVE

When escalating a complaint to this stage, the complainant may:

- raise their complaint with the Principal verbally or in writing;
- raise their complaint with a member of the Executive verbally or in writing; or
- inform the School of their complaint using the online form available on the School's website, which can be accessed here: [Feedback & Complaints - St Hilda's Anglican School For Girls](#).

When resolving a complaint at this stage:

1. The complainant will inform the Principal or other member of the Executive of their complaint, including the names of all parties involved, the nature of the concerns, any specific dates and times when incidents occurred, the complainant's feedback about any prior discussion with the staff member or volunteer, and the reason why the complaint remains unresolved.
2. The Principal or Executive member will:
 - (a) Consider if other policies, procedures, or protocols (particularly those related to child protection and the conduct of staff and volunteers) are to be applied.

- (b) Speak with the staff member or volunteer and obtain further information about their actions in relation to the complaint, including seeking information from other third parties as necessary.
- (c) Develop a plan to satisfactorily resolve the complaint.
- (d) Ensure their process of inquiry is documented.
- (e) Consider what outcomes, if any, are appropriate for the staff member or volunteer, including but not limited to additional training or support, or disciplinary action.
- (f) Inform the complainant when the matter has been finalised.
- (g) Ensure the records relating to the complaint, e.g., meetings, reports, letters, etc., are appropriately recorded.
- (h) Incorporate relevant learnings into the school's quality improvement planning.

If the complainant reasonably determines that it is not appropriate to discuss the complaint with another member of the Executive, or in doing so they do not believe their complaint has been addressed to their satisfaction, they are asked to contact the Principal.

If the complainant reasonably determines that it is not appropriate to discuss the complaint with the Principal, or in doing so they do not believe their complaint has been addressed to their satisfaction, they may proceed to Stage 3 of the Process.

STAGE 3 – ESCALATE THE COMPLAINT TO THE CHAIR

When escalating a complaint to this stage, the complainant may raise their complaint with the Chair of the School Council, either in writing or verbally.

When resolving a complaint at this stage:

1. The complainant is asked to inform the Chair of their ongoing complaint, including their feedback on previous meetings with the school and the reason why the complaint remains unresolved.
2. The Chair will:
 - (a) Consider if other policies, procedures, or protocols (particularly those related to child protection and the conduct of staff and volunteers) are to be applied.
 - (b) Advise the Principal that the complaint has now been escalated and obtain further information about the matter, including the School's responses to the complaint and copies of relevant documents.
 - (c) Develop a plan to satisfactorily resolve the complaint.
 - (d) Ensure their process of inquiry is documented.

- (e) If the outcome indicates some fault or responsibility lies with the staff member or volunteer, refer the matter to the Principal to consider what outcomes, if any, are appropriate for the staff member or volunteer, including but not limited to additional training or support, or disciplinary action.
- (f) Inform the complainant when the matter has been finalised.
- (g) Ensure the records relating to the complaint, e.g., meetings, reports, letters, etc., are appropriately recorded.
- (h) Incorporate relevant learnings into the school's quality improvement planning, either directly or via the Principal.

SPECIFIC COMPLAINTS MANAGEMENT REQUIREMENTS

Complaints about other students or parents

When a complaint is about a student or another parent, the complainant should initially raise the issue with:

- the relevant Head of Year (Senior School); or
- the relevant classroom teacher (Junior School); or
- the Dean of Boarding (Boarders).

If the complainant is a parent, they should not communicate directly with a student who is not their child about a complaint or grievance. At all times, parents must take care when communicating with children who are not their own, including in relation to the volume, tone and words used.

If the Principal, or another member of the Executive is made aware of the complaint, they will:

1. Ensure the complaint is documented, including the names of all parties involved, the nature of the concerns, the date and time of any discussion, the agreed outcomes, and any required actions.
2. Consider if any other policies, procedures, or protocols are to be applied, particularly those relating to child protection and the conduct of students and community members.
3. Consider what outcomes, if any, are appropriate for the student or community member.
4. Identify any issues or strategies to be incorporated in the school's quality improvement planning.

If the issue cannot be resolved to the complainant's satisfaction at this level, then the complainant should progress to Step 2 of the process set out above in this Procedure (i.e. raise the matter to an Executive member or the Principal).

Complaints in Relation to Visitors to the School

When a complaint is about a visitor to the school, the complainant is asked to inform the Principal or another member of the Executive of their concerns, including, if known, the name of the visitor, the organisation that the visitor works for, the names of any children involved, and any dates and times of particular incidents related to their complaint. If the matter is raised initially with a member of the Executive, the Principal will be informed of the matter as soon as practicable.

The Principal or Executive member will consider if any other policies, procedures, or protocols are to be applied, particularly those relating to child protection.

The Principal or Executive member will document the concerns and, unless the matter involves a criminal investigation, will forward the complaint to the organisation that employs the visitor who has been named in the complaint. If the matter does relate to a criminal investigation, direction will be sought from the Police.

The Principal or Executive member will also consider the nature of the complaint and determine whether this may impact any future visits to the school by the person named in the complaint.

Complaints Concerning the Principal

If the complaint relates to the Principal, the complainant should raise the complaint directly with the Chair of School Council (chairofcouncil@sthildas.wa.edu.au).

Complaints Concerning a Member/s of the School Council

If the complaint relates to the Council (or a member of the Council acting in their capacity as a Council member), the complainant should raise the complaint directly with the Chair of School Council (chairofcouncil@sthildas.wa.edu.au).

If the matter involves a dispute between two members of Council (acting in their capacity as a Council member), the grievance procedure in Part 4, Division 3 of the School's Constitution applies.

Complaints Concerning the Chair of the School Council

If the complaint relates to the Chair of the School Council, the complainant shall write to the Principal who will forward the correspondence to the Deputy Chair of the Council (principals.office@sthildas.wa.edu.au).

Anonymous complaints

An anonymous complaint is where there is no name or address supplied or where the complainants say they do not wish to be identified.

Complainants are encouraged to give their names and sufficient details for any complaint to be properly considered. Matters will be dealt with sensitively. If a complainant persists in wishing to remain anonymous, the Principal will determine what action, if any, will be taken, depending on the nature of the complaint. For example, where the identity of the complainant is necessary in progressing further investigations or formulating allegations, further reasonable inquiry may not be possible.

Former students

St Hilda's accepts complaints from former students and their parents or guardians. If you have complaints or concerns, we encourage you to contact the Principal.

Please note:

- If you are a former student (currently over the age of 18) and your complaint involves allegations of any form of abuse while you were a student, we encourage you and/or your parents or guardians to report this to the Principal and also the WA Police to enable the appropriate actions to be taken.
- If you are a former student (still under the age of 18), and your complaint involves allegations of any form of abuse, we encourage you and/or your parents or guardians to report this to the Principal and also the Department of Child Protection and Family Support to enable the appropriate actions to be taken.

Overseas students

Overseas students should raise any complaints in accordance with this document. All complaints/appeals (involving the School, its agents or any relevant related party) will be considered and responded to.

In line with the requirements of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*, for matters relating to the appeals process over

enrolment, attendance or academic progress, overseas students and parents must access the School's complaints process within 20 working days of an issue arising. For all other matters relating to overseas students, no similar time limits apply.

For issues relating to unsatisfactory progress, if the student chooses not to access the process or withdraws from the process, or the process is completed and results in a decision supporting the School, the School must notify the Department of Education that the student has not achieved the satisfactory course progress.

If an overseas student is not satisfied with the result of the internal complaint appeals process, within ten (10) working days the student may access an external appeals process by contacting the Overseas Students Ombudsman at www.ombudsman.gov.au or 1800 117 000. This service is free and independent for external appeals and complaints about decisions made by the School. If the sanction imposed by the School was suspension or expulsion, the student's enrolment and provision of relevant course content will be maintained whilst the complaints and appeals process is underway.

If the outcome of the external appeals process results in a decision or recommendation in favour of the overseas student, the School will advise the student of that outcome, implement the decision or recommendation and take appropriate corrective action

PROVIDING SUPPORT

Appropriate support is available to all parties involved in a complaint management process. staff members and volunteers may be referred to the School's Employee Assistance Program or similar supports. Children and parents may be referred to local counselling and support services, including the school psychologists or chaplain, or other supports offered by the school from time to time.

PRIVACY AND CONFIDENTIALITY

All private or sensitive information disclosed or recorded as part of the Process must be managed in accordance with privacy legislation and principles.

MANAGING COMPLAINTS RECORDS

St Hilda's will keep a log of complaints in a Complaints Register. All written correspondence will be saved electronically. Records concerning students will be kept for a minimum of seven (7) years after the student reaches eighteen (18) years of age. The School will maintain records of complaints, the actions taken to resolve those complaints and the relevant outcomes.

The School will review the Complaints Register to enable the detection of any patterns emerging over time. Patterns in the records may indicate a need for action.

When recording information in relation to a Process, the School will ensure that records indicate the names of the parties to the complaint, the details of the concerns or complaint, the processes used to resolve the complaint, required actions, and responsible officers.

STORING AND ACCESSING COMPLAINTS RECORDS

The Principal or other member of the Executive must ensure all information and documents in relation to the complaint are stored appropriately.

APPENDIX 1 – DEFINITIONS

- **Complaint:** Per Australian Standard 10002:2022, is “*an expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.*”
- **Complainant:** Any person who makes the complaint (and, if the person is a student, that person’s parent/guardian).
- **Member of the Executive:** An appropriate authority in the school, including the Principal or a person who directly reports to the Principal. This includes, but is not limited to, the Principal, Director of Senior School, Director of Junior School, Director of Business Operations, and Director of People & Culture.
- **Procedural Fairness:** Has its ordinary meaning at common law, which includes the right to be given a fair opportunity to present one’s case, the right to have a decision made by an unbiased decision-maker, and the right to have that decision based on logically probative evidence.
- **Visitor:** Any person who visits the school on a one-off or regular basis to provide services (paid or unpaid) to the school and is not considered a staff member or volunteer. This includes contractors, consultants, and presenters of one-off programs. It may also extend to parents of students at the School.
- **Volunteer:** Consistent with the *Working with Children (Screening) Act 2004* (WA), a person who provides services without payment, except for reimbursing out-of-pocket expenses.