



# Complaints or Grievance Policy

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| Reviewed by: Principal & Compliance Officer   |
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| Status: Current   |
| Related documentation: <ul style="list-style-type: none"><li>• Child Protection Policy</li><li>• Student Welfare Policy</li><li>• Behaviour Management Policy</li><li>• Anti-Bullying Policy</li><li>• Parent Handbook</li><li>• Staff Grievance Policy</li></ul> |

## Version Control

| Version  | Changes   |
|----------|---|
| ORIGINAL | Initial Release   |
| 2024     | Change 'Education Director' and 'ED' to 'Principal'   |
| 2025     | <ul style="list-style-type: none"><li>• Update FACS to DCJ</li><li>• Add time for school response</li></ul> |

## Policy

The Armidale Waldorf School (the school) acknowledges that those receiving services from the school may sometimes have a complaint or concern about a decision, behaviour, act or omission that they feel is unacceptable. It is expected that complaints are made in good faith and are not vexatious or malicious.

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.

The school is committed to the following principles in seeking resolutions to complaints:

- complaints will be responded to in a timely, procedurally fair and impartial manner (Appendix 1)



- the person about who the complaint is being made is entitled to know an overview of the substance of the complaint and have an opportunity to respond
- complaints will be handled as confidentially as possible
- complainants will be advised of the complaints resolution process
- the complaints process will be conducted in a manner that is respectful of all parties
- persons making a complaint will not be victimised

This policy provides the processes by which parent(s)/carer(s), students and the wider school community raise complaints, how the alleged complaints will be responded to and how to have the decision reviewed.

## Procedures

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 formal complaint can be made to the Principal or their delegate.

Should the matter not be resolved through informal processes, the complainant may raise the matter formally with the school following the procedures below.

Where a complaint by stakeholders including parent(s)/carer(s), relates to child protection and allegations of staff misconduct or reportable conduct, the procedures are outlined separately to a general complaint in this document. All allegations or complaints relating to staff misconduct/reportable conduct must be raised formally and cannot addressed through informal mechanisms

Where the complaint relates to other criminal allegations then these will be referred to the relevant authority.

The procedures in this policy do not extend to complaints which are whistleblowing disclosures. The procedure for processing whistleblowing complaints are dealt with in The Armidale Waldorf School *Whistleblower Policy*.

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

## Raising formal concerns and complaints

### Procedures for students

Students are made aware by teachers at the beginning of each term that if there are matters, they wish to raise they use the procedures below:

- students are encouraged to initially speak directly with the person with whom they may have a concern. They may have a support person present for example another student, teacher or parent/carers present at any meeting
- if the student is not satisfied with the outcome, then he/she is encouraged to come to the Principal or their delegate who will decide who is the best person to investigate the concern



### Procedures for parent(s)/carer(s)

Parent(s)/carer(s) will be informed via the Parent Handbook of the procedures for raising a complaint and how the school will handle complaints.

When a concern relates to:

- individual students, class situations or teaching and learning it should first be directed to the class teacher.
- class, specialist and casual teachers or the Business Manager and other matters beyond the classroom situation, these are to be raised in writing with the Principal via email to [principal@waldorf.nsw.edu.au](mailto:principal@waldorf.nsw.edu.au)
- financial /administration issues should be directed to the Business Manager
- the Principal, the Chair of the Board is to be advised in writing via the secure email [board\\_chair@waldorf.nsw.edu.au](mailto:board_chair@waldorf.nsw.edu.au)

It is preferable to discuss the issue/concern with the relevant person to endeavour to reach a resolution. However, if a person feels unable to approach the relevant person directly or not be satisfied by their response the complaint should be directed in writing to the Principal or their delegate.

### Complaints about staff misconduct or reportable conduct

Further information can be found about what misconduct or reportable conduct means in The Armidale Waldorf School's Child Protection Policy located in the Policy Folder in the School Office and is available on request to the Principal or their delegate.

If the complaint is about the Principal and/or Business Manager or there is an obvious conflict of interest the complaint must be put in writing to the Chair of the Board via the secure email [board\\_chair@waldorf.nsw.edu.au](mailto:board_chair@waldorf.nsw.edu.au). If provided by letter it should be enclosed in a sealed envelope marked Private and Confidential, Attention the Chair of the Board and posted to the school address or handed in at the school office.

Parents are advised via the Parent Handbook of the procedures for raising a complaint including those related to allegations of staff misconduct and reportable conduct.

Allegations of staff misconduct and reportable conduct are to be made in writing via email to the Principal [principal@waldorf.nsw.edu.au](mailto:principal@waldorf.nsw.edu.au) or if they are unavailable the Business Manager [business@waldorf.nsw.edu.au](mailto:business@waldorf.nsw.edu.au). Emails at these addresses are considered secure and confidential

It is important that raising an allegation or complaint is done confidentially. If the allegation is provided by letter it should be enclosed in a sealed envelope marked Private and Confidential, Attention Principal/Business Manager posted to the school address or handed in at the school office.

The Principal/Business Manager/Chair of the Board will acknowledge in writing as soon as is practicable receipt of the complaint including identifying that the school will consider the complaint to determine how it will be responded to. No time frame can be given as all cases are treated individually.



Complaints of serious sexual or physical assault will immediately be referred to the Office of the Children's Guardian, NSW Police, Department of Communities and Justice or other appropriate authorities. The school will not proceed with its own investigation until it has been deemed safe to do so by the relevant authorities.

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 6. If an investigation needs to take place the timeframes for handling allegations and complaints relating to staff misconduct/reportable conduct may be substantially longer than those for general complaints.

If the complaint is investigated the Principal/Business Manager/Chair of the Board may periodically update the complainant on the school's progress if deemed appropriate. Under the Ombudsman's Act and privacy legislation there may be limitations regarding disclosure of information about an investigation and the outcome of an investigation.

Records of documentation relating to complaints of reportable conduct are retained on file in the secure Reportable Conduct Folder located on the Management (M:) drive on the school server under Serious Incidents and Investigations. The file can be accessed only by the Principal/Business Manager or delegated persons.

## Responding to formal concerns and complaints

The Principal/Business Manager (BM) or their delegate will acknowledge in writing that the complaint has been received as soon as possible and that the person(s) raising the matter will be contacted once the school has considered the complaint. It is our policy, where possible, to resolve all disputes within 28 days.

The Principal/BM or their delegate will determine the most appropriate person and/or approach to handling the complaint.

The person investigating the concern/complaint may use strategies that include, but are not limited to the following:

- requesting further information from the person raising the complaint
- advising the person making the complaint of the steps to be undertaken to resolve the matter including that they may have a support person with them at any meetings
- requesting information from other relevant persons or third parties or any other information the School considers necessary to properly review the complaint
- advising the person(s) about whom the complaint has been made, what the general nature of the complaint is about and seek their response
- meeting with the person raising the concern or complaint or others involved in the complaint
- keeping the complainant and the person against who the complaint has been made (respondent) informed of the progress of the process of seeking resolution to the matter.

The support person's role is to be a nonverbal one except if speaking to their party. Support people should be informed of their responsibilities at the beginning of any meeting.



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.

Once the investigation has been completed, the Principal/BM or their delegate will advise the complainant and the person(s) that the complaint is about in verbally and/or in writing, of the decision and the process for appeals.

### Appeals process

If the complainant is not satisfied with the resolution to the complaint, they may provide additional information and seek a review of the response from the Principal or their delegate who will review all information, make a final decision and inform the complainant in writing of the decision.

If the complainant is not satisfied with the Principal or their delegate's final decision, they may raise the matter in writing to the Chair of the Board via email [board\\_chair@waldorf.nsw.edu.au](mailto:board_chair@waldorf.nsw.edu.au). The Chair of the Board will review the process, all the information and the decision and advise the complainant of the outcome.

### Recording

Records of documentation including meetings and interviews relating to general concerns and complaints are retained on file in the secure Complaints Folder located on the Management (M:) drive on the school server under Serious Incidents and Investigations. The file can be accessed only by the Principal/Business Manager or delegated persons.

## Appendix 1 : Procedural Fairness

Procedural fairness is a basic right of all when dealing with authorities and Procedural fairness refers to what is sometimes described as the 'hearing rule' and the 'right to an unbiased decision'.

- The 'hearing rule' includes the right of the person against whom an allegation has been made to:
  - know the allegations related to a specific matter and any other information which will be taken into account in considering the matter
  - know the process by which the matter will be considered
  - respond to the allegations
  - know how to seek a review of the decision made in response to the allegations.
- The 'right to an unbiased decision' includes the right to:
  - impartiality in an investigation and decision making and
  - an absence of bias by a decision-maker"