



# Complaints Management Policy

This policy is designed to create a strong and reliable partnership between parents and school. Parents, students, staff and other school community members must be confident the school will listen and respond to their needs and concerns.

## Introduction

Lambert School is committed to ensuring a harmonious and fair working and learning environment. This policy is to ensure that parents, students, staff and members of the community have an understanding of the processes to allow complaints and disputes to be resolved effectively. As a community we have the responsibility to ensure a safe place of work and learning free of bullying, intimidation and discrimination, whether this is between students, staff members, parents and staff, or students and staff. All complaints will be dealt with in a supportive environment without victimisation or intimidation of anyone involved with the process. **Tasmania The Education Regulations 2017 (Tas) (Schedule 4, clause 12)**

Lambert School follows the standards required in Tasmania for the handling of any complaint by a staff member, parent, student, or community member.

*They are as follows:*

“Schools are required to have a complaints management policy and procedures that ensure that complaints are addressed fairly, objectively and in a timely manner. A school must also ensure that the complaints policy and procedures provide that complaints by staff and parents are processed separately, and that complaints against the Principal are processed separately from other complaints. ©2021 CompliSpace Pty Ltd 16 The Guidelines for Re-Registration of a Non-Government School state that, as evidence of their compliance with Standard Eleven – Complaints Management, schools may also be requested to provide their complaints records and copies of complaints and subsequent investigations. The Guidelines also state that a school’s complaints management system, which includes its policies and procedures as well as complaints records, should demonstrate that: • the school welcomes complaints • there is a clear process for dealing with complaints from students, parents, staff and the Principal, including the allocation of responsibility • staff are aware of the process and how to respond to a complaint • all staff are enabled to resolve or refer a complaint • complaints are acknowledged promptly • the assessment phase enables prompt resolution where possible and, where it is not, a prompt decision is made to determine how to proceed • the complainant receives information as to how the school proposes to deal with the complaint and the proposed time frame and the school takes into account the

complainant's view • the school informs the complainant of the outcome of the complaint with an explanation of the reasons and information on any further avenues of redress that may be available • the school maintains a record of complaints received, action taken, decisions made and outcomes • the school reviews its complaints records regularly with a view to assessing both its services and its complaints management system • mediation is always a possibility and legal advice may be sought at any time. The Guidelines also require a school's complaints management policy and procedures to be clear, open and accessible to all members of the school community. They include requirements dictating that procedural fairness be accorded to both the complainant and the person against whom the complaint is made." (©2021 CompliSpace Pty Ltd 18)

### **Policy Principles**

- The process is accessible to all aggrieved parties and is underpinned by a commitment to cooperation on the part of Lambert School staff.
- All persons including students, parents, administrators, teachers, support staff and the wider community have a right to be treated with respect and courtesy.
- The process is accessible to all aggrieved parties and is underpinned by a commitment to cooperation on the part of Lambert School.
- Complainants are able to make inquiries, raise concerns, seek legal advice or lodge complaints about the provision of education and the conduct of staff and have them dealt with efficiently, fairly and promptly.
- Information about the process for raising concerns and making inquiries or complaints is to be available to parents, students and members of the school community on the school's website and at the time of enrolment.
- Resolution directly between the parties is preferred, wherever it is appropriate to do so.

### **Complaints Policy**

- Complaints are issues where a party believes rightly or **wrongly that the school has not acted fairly** or appropriately in its treatment of them (whether a student, teacher parent or member of the general community). Complaints are to be dealt with in a manner which is fair and reasonable to all parties. The school is committed to act in a manner which is fair and reasonable to its students, parents, members of staff and the general school community. The prime concern of Lambert School is to protect the safety,



welfare and integrity of its students, parents and the wider community and to enable its students to pursue educational goal.

- School policy affirms the rights of students to access quality education in a setting which is fair to the individual and to the school as a whole. Students are to be treated with respect and without prejudice and their educational needs are to be accommodated. Similarly, staff members are to be treated as professionals, with dignity and respect.
- Parents, or guardians responsible for the placement of the child in the school, should feel that the school is supportive of them and their wishes for the student's education. The school also expects the parent or guardian to be supportive of the school's endeavours to carry out the educational program and of the welfare of the school generally.
- The wider school community, for example bus contractors, neighbours, past students, as well as the general public, should not be subjected to any negative actions by the school, its teachers, students or their parents. If members of the public have any cause to complain about any member of the school community, they will be heard respectfully, and appropriate action will be taken. Fairness must be accorded to both the complainant and the person against whom the complaint is made.

### **Confidentiality**

- Finally, any personally identifiable information concerning the complainant, or the person who is the subject of the complaint, should only be used for the purpose of addressing the complaint. Information about the complaint must remain confidential and only be disclosed to staff within the school on a need-to-know basis. This mitigates the risk of the matter escalating out of control, featuring on the school "rumour mill", or becoming the subject of legal action. It is also possible that a complaint that relates to serious misconduct could trigger the confidentiality protections under the whistle-blower law.

### **Planning the Involvement of the Student**

- The trigger for considering the involvement of a student in a complaints process should be whether they are affected by the complaint. This question of involvement should not be based solely on whether or not the student initiated the complaint, although this is an important factor in assessing how to first engage with them. Regardless of the nature of a complaint, and any specific requirements in relation to the timing of when a student is involved, Lambert School has developed a simple plan for involving them throughout

the complaints process, and seeking the views of their parents/carers, including about their own involvement.

### **Complaints by students**

- Students have the right to voice complaints or issues following the steps outlined in the student complaint flowchart on school website
- At Lambert School, we acknowledge that it can be daunting as a student to complain about someone at your school, but it is important that students have the right to voice complaints or raise issues about their education.
- A student's first option for being heard should be their teacher. This should be the teacher who teaches the class in which the incident occurred, or if the incident happens in the playground, the teacher on duty. If the student isn't comfortable reporting to this person, or that person does not solve the issue, they should talk to the Deputy Principal (Nina Penfold) or the Principal (Wilma Lambert). If this does not solve the problem, they can raise it with the school board by emailing [lambertschoolboard@lambertschool.tas.edu.au](mailto:lambertschoolboard@lambertschool.tas.edu.au)
- There is an easy-to-follow flow chart attached to this document that can help. Students might like to also ask for the help of a staff member, parent, or even a fellow student to help them in the process. It is important that students feel safe in their school environment and that their voices are heard.
- Please refer to Student Welfare statement on school website for more information.

### **Acknowledging a complaint**

Lambert School will acknowledge a complaint once a complaint is received and it will be acknowledged as a complaint. This does not mean that every complaint requires a formal written acknowledgement. Complaints of a less serious nature (which are most complaints) will be acknowledged verbally and resolved without the need for a formal investigation or a written response.

All complaints no matter how small must be discussed with the Principal or Deputy Principal in order to make decisions on how serious the complaint in order for a decision to be made on how the complaint will be handled and classified.



If the complaint is deemed more serious, it will require a formal acknowledgment, investigation, and response. During the acknowledgement phase, the complainant will be provided with a document that provides an overview of the school's complaints handling process to clearly establish expectations at an early stage of the process. A contact person will be appointed for the complainant at this stage, particularly for complaints by (or on behalf of) students and follow the process of dealing with the complaint including; detailing complaint, listening, discussing, mediating if between peers, investigating and contacting appropriate adults such as parents or other is necessary.

Staff will receive Professional Learning on how to identify and acknowledge a complaint.

## **Responsiveness**

At Lambert School this includes effective acknowledgment, establishing clear timelines for investigating and responding to more serious complaints, and providing feedback on the action that the school decides to take. The complainant will also be advised if the school decides not to take action, and the reasons for that decision. Lambert School's responsiveness to complaints is a critical factor in building trust in the school's complaints process. The school community needs to believe and trust that the school is serious about listening and responding to feedback so that there is a lower risk of disgruntled parties turning immediately to alternative channels such as social media or regulatory bodies. Each complaint should be addressed in an equitable, objective and unbiased manner. Complaints handling policies will commit to ensuring procedural fairness or natural justice during the complaints handling process.

## **Tracking**

All complaints will be recorded on a school's complaints register, whether they are serious or not. This is because many informal complaints received over time may indicate a systemic issue which, if not resolved, can lead to escalating dissatisfaction among key stakeholders such as parents or students. However, it may not be appropriate for the details of child protection related complaints to be included in the same complaints register as other complaints. More serious complaints not only need to be recorded, but the progress in resolving the complaint will be tracked and carefully monitored. This will ensure Lambert School will respond to a complaint within certain time frames and where there are legislatively mandated time frame for managing complaints and reporting the outcomes to external authorities (for example, complaints involving "reportable conduct" by staff or volunteers).

Tracking complaints will follow through the allocation of a status indicator such as new complaint, under investigation, and resolved. Lambert School will also take advice from the law firm Dobson, Mitchel and Allport to ensure correct responses to issues or concerns are taken.

## **Record Keeping**

Records at Lambert School will be kept of every complaint including the description of the complaint, supporting documents (if any), immediate action taken, the investigation (including any witness statements) and the outcome. A Complaints Register of all complaints will be recorded on a complaints register and classified and analysed to identify systemic, recurring and single incident problems and trends so that key risk areas are clearly understood and the underlying causes of complaints can be addressed through corrective actions. It may not be appropriate for the details of child protection related complaints to be included in the same complaints register as other complaints, for reasons of privacy and confidentiality. However, these details still need to be recorded. It might be appropriate for them to be recorded in a school's child protection incident or concern record keeping system. Judgment should also be exercised when recording matters that may need to be de-identified for the purposes of reporting while they are still under investigation.

## **Management Reporting**

Lambert School's governing body and leadership team being the Principal and Deputy Principal will receive regular reports on the status of existing complaints, any underlying statistical trends and corrective actions that have been put in place.

## **Process for resolving complaints**

Informal Process:

The flow charts available outline the process for resolving complaints made by:

- Staff
- Parents
- Students
- Or made against the Principal.

In the first instance that a complaint could be made, the parties to the complaint should where possible seek to discuss the complaint directly to see if it can be resolved. If the complaint remains unresolved, then the teacher, the Principal or Deputy Principal, or in the case of a complaint against the Principal the Board Chair, will attempt to resolve the complaint by discussion or mediation. If the complaint remains unresolved, the formal process for resolving complaints will be followed. If the complaint is against the Principal then advice can be gained from the Deputy Principal or the chairperson of the board

The Formal Complaints Form can be completed and submitted to the Principal or to the School Board Chair – Mrs Kate Gillham, [lambertschoolboard@lambertschool.tas.edu.au](mailto:lambertschoolboard@lambertschool.tas.edu.au).

**Procedural fairness is afforded to all parties.**

- All formal complaints are to be logged in the school complaint register.
- The subject of the complaint is informed of the substance of the complaint.
- Confidentiality is maintained, to the extent consistent with legislative requirements.
- Mediation or conciliation may be used to help resolve a complaint or dispute.
- When no resolution has occurred after all informal processes have occurred, internal or external investigation will be arranged with or without the active involvement of the complainant.
- In all matters the educational well-being of students is the first priority.
- Where a complaint involves an allegation of criminal conduct or conduct which may place a child at risk, it will be reported to the police and/or the relevant authorities and all investigation by the school will be suspended until advice is sought from the police or the relevant authorities.
- Vexatious, trivial, or previously finalised issues are not pursued.
- Complaints and disputes are monitored, and their management evaluated to reduce the occurrence of recurring problems.



### **Guide to raising a concern or complaint for a parent, staff member and community member.**

The relationship between the home and school plays a very important part of a child's education. We cannot overestimate the critical role parents play in successful learning: parents contribute much to their child's development and are among the most important influences on the way in which the child approaches learning.

Teachers are responsible for the formal aspects of children's learning, and successful teaching builds on the home experiences of the child. This is most effective where there is an active partnership with parents.

Two-way communication is a critical factor in the partnership between parents and the school. Where a partnership exists, it is easier for parents to feel confident about the teaching and learning taking place in the classroom and to solve problems. We all expect quality and expert care and teaching for your child in order that they achieve their potential. Working together will give us the best chance of solving a problem that may arise during your child's years at Lambert School.

We also recognise that at times things may go wrong. If a member of the community has a concern or a complaint, we want them to let us know. It's important to learn from mistakes or misunderstandings so that we can improve children's experiences and learning, as well as improving the processes by which we do so. The first step in working through a complaint is to talk to your child's teacher or the Principal.

Use this guide to help you think through what you are concerned about and how to resolve the matter respectfully and effectively.

### **What might you talk to the school about?**

Issues particular to your child:

- Attitude
- Academic progress
- Participation
- Behaviour
- How they get along with teachers and other students socially and emotionally
- Physical development and well-being
- Development of responsibility



- Non-attendance or truancy
- Learning program issues
- Special events and celebrations
- Learning support programs
- Parent information booklets
- Parent information sessions
- School or class issues:
- Homework
- Learning environment
- General student behaviour
- School's policies and procedures
- Conduct of staff

**How Lambert School communicates with you:**

- Two formal reports each year on student progress
- Regular information about the school through newsletters and Lambert School website
- Parent – Teacher interview (Formal interviews in Term 3)
- Informal discussions by phone, email or face to face as required.
- Notices home
- Surveys
- Displays of children's work
- Special events and celebrations

- Learning support programs
- Parent information packs
- Parent information sessions
- Information that is available from Lambert School:
- Information on school policies and policy changes
- What is expected in relation to homework
- School charges and fees
- Camps & Excursions
- School dress code

**Extra information when making a complaint or concerns for staff, teachers, students, parents and community members**

A complaint may be made by an individual or group such as student/s, teacher/s, staff, community members and parents if it is believed that someone has;

- Done something wrong
- Failed to do something they should have done
- Acted unfairly or improperly.

Concerns or complaints may be about:

- The type, level, or quality of service.
- The behaviour and decisions of staff
- Problems with a policy, procedure, or practice.

### **What can you do if you have a problem?**

Seeking information as early as possible can solve many problems. If you have any questions or concerns about your child's progress, the homework set or the assessment procedures, contact the class teacher or the Principal. The best way to do this is to contact the school by telephone or email during working hours to arrange a mutually convenient time for a telephone conversation or meeting.

### **When you have a problem**

- Try to identify the problem clearly before going to the school. If there is more than one problem, list them to ensure that the extent of the problem is clear to the school.
- Decide whether the problem is a query, a concern, or a complaint. This will help in finding a solution.
- Make an appointment to talk with the teacher. If your concern is about the conduct of a staff member, you may prefer to discuss the matter with the Principal, the Deputy Principal, or the Chairperson of the board if your complaint involves the Principal. Please follow the flow chart providing step by step instructions on how to make a complaint about a staff member.
- Try to stay calm. Even if you do not feel it, being calm will help to get your concerns across more clearly than if you are upset or angry. It may help to take someone with you.

### **How the complaint will be handled**

Complaints will be handled promptly, confidentially and in accordance with procedural fairness.

- The person who is the subject of a complaint, who made a complaint or provided information during an investigation into a complaint shall not be subject to prejudice, intimidation, and harassment or be subject to any detriment because of their involvement.
- Appropriate confidentiality is to be observed in any discussion of complaints. This means that at the workplace these matters will remain confidential.

### **Procedures for making complaints – If you need assistance in resolving a concern or complaint.**

- The Principal, Deputy Principal, or a member of staff of your choice will help you by:



- Obtaining information about school policies and procedures
- Making inquiries about student programs, performance and behaviour
- Clarifying a problem and make sure the appropriate staff are aware of the concern. This being the Principal or Deputy Principal.

#### **Directing letters of enquiry or complaint:**

- The issue or complaint can be directed to the board who will then inform the Principal or deputy Principal so that resolution can be obtained.
- Sometimes a complaint is about something we have to do because of state or federal law. In such cases we are able to talk to you about the matter and help you understand the requirements and why they exist.
- Legal advice and/or mediation can be sought at all stages of the complaint process and a complaints register will be maintained by the school.
- Complaints can be in a written form or verbally spoken about to the Principal or Deputy Principal. The complaint will be recorded in the complaint record book and treated in accordance with the seriousness of the complaint. Some complaints may easily be solved through discussion and action taken immediately. Others may require significant tracking and negotiation until resolved.

#### **Formal Process**

A formal complaint may occur if informal processes are unsuccessful or in situations where the allegations are more serious and informal procedures would be inappropriate.

- Legal advice and/or mediation may be sought at any stage of the process.
- The Formal Complaints Form must be completed and submitted to the Principal. If the complaint is against the Principal, then submit your complaint using the Formal Complaint Form to the School Board Chair – Mrs Kate Gillham, [lambertschoolboard@lambertschool.tas.edu.au](mailto:lambertschoolboard@lambertschool.tas.edu.au).
- Your complaint will be acknowledged within 2 working days of its receipt and the school will log your complaint into their complaint register.

- The school will seek to resolve the matter as soon as reasonably practicable. This may include mediation or a formal investigation. All parties involved will be notified in writing of the decision made or action taken.
- The person against whom the complaint has been made will be informed of the substance of the complaint as soon as practical after receiving it.

Following receipt of the response the Principal or their delegate, or where the complaint is made against the Principal, the Board Chair will then meet with each party involved to:

- identify the issues
- review what steps have already been taken
- give both parties the opportunity for further informal measures.
- If the matter remains unresolved the Principal or their delegate, or where the complaint is against the Principal the Board Chair, will advise them of the investigation process to be undertaken.
- The Principal or their delegate or the Board Chair will appoint an external investigator to carry out an investigation into the complaint. The IST will help be asked to provide advice for an external investigator and the Lambert School will use their Lawyer from firm Dobson, Mitchel and Allport.
- The investigator will interview or seek further information from the complainant and may interview any other persons relevant to the complaint. The investigator will also interview the person against whom the complaint has been made and provide them with the opportunity to fully respond to the complaint.
- The investigator will then prepare a report to be delivered to the Principal or their delegate or where the complaint is against the Principal the Board Chair.
- The investigator's report will then be considered by the Principal or their delegate or where the complaint is against the Principal the Board Chair, who will then determine the outcome.
- The Principal, their delegate, or the Board Chair will meet with both parties individually to discuss the investigation and the outcome of the complaint and its implications and the steps that will be taken to resolve the matter. The outcomes may range from No Case to Answer, Unsubstantiated or Substantiated Complaint to Disciplinary Processes Being Taken.
- If the issue is unresolved due to lack of evidence, both parties will be advised that the matter cannot proceed.

- If at any stage, the Principal or their delegate or the Board Chair believes or is advised that the matter may involve criminal activity, the Principal or their delegate or the Board Chair is obliged to refer the matter to the police and/or the appropriate authorities. In this instance the activities to resolve the matter will be suspended until the time the authorities have completed their inquiries. The school reserves the right to take whatever steps may be appropriate to manage the matter during the intervening period.
- At any stage of the process, a participant involved may seek external support or assistance.

**Lambert School follows the recommendation of the '*National Principles for Child Safe Organisations*'**

The National Principles collectively show that a child safe organisation is one that creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people. A child safe organisation consciously and systematically:

- creates an environment where children's safety and wellbeing is the centre of thought, values and actions
- places emphasis on genuine engagement with, and valuing of, children
- creates conditions that reduce the likelihood of harm to children and young people
- creates conditions that increase the likelihood of identifying any harm
- responds to any concerns, disclosures, allegations or suspicions.

The wheel of safety is displayed in classrooms in the school, on the school's Facebook page and website.






### **Lambert School is committed to the nine National Principles for Child Safe Organisations**

Policies and procedures document how Lambert School is safe for children and young people. These National Principles will be on the school website and on posters in main areas of the school. The document is on the website and shows indicators of how key action and indicators for each principle is upheld. The document is available for teachers and staff on the school learning management system and disseminated at induction meetings and discussed throughout the year.

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld, and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.

Endorsed by School Board:

Signature:

A handwritten signature in black ink, appearing to be 'Kay', written over a horizontal line.

28 / 3 / 2023

Effective From: 27/03/2023