



# Board Policy |

## Concerns or Complaints |

The welfare of the school community is best addressed by concerns and complaints being openly and fairly expressed. At Middleton Grange School the Concerns or Complaints Policy is based on the model proposed in the Gospel of Matthew 18 vs 15 *'If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over.'*

As a State Integrated School, the Board of Trustees requires that all aspects of this policy be guided by the Special Character Policy.

### **The Board of Trustees seeks to**

- outline steps the School community should take to assist in resolving a concern or complaint.
- ensure appropriate processes are in place to deal with concerns and complaints.
- ensure that all parties are able to express concerns or complaints to each other openly.
- achieve the resolution of any concerns or complaints.

### **Guidelines**

1. Concerns or complaints should be firstly expressed to the most appropriate person (i.e. the person closest to the problem).
2. A suitable time frame for dealing with a concern or complaint will be established.
3. The nature of the concern or complaint will determine the design of the process. The areas of concern or complaint covered by this policy are –
  - a. Special Character
  - b. Staff Competence or Misconduct
  - c. Harassment
  - d. Pupil Abuse
  - e. Protected Disclosures
  - f. Pupil Learning
  - g. Pupil Discipline
4. Where resolution is not achieved at any particular level, the levels through which the concern or complaint may be pursued will be clearly communicated.
5. Biblical principles for dealing with concerns and complaints will be adhered to.
6. Principles of natural justice will be applied. The person about whom the concern or complaint has been raised must be briefed on the concern or complaint (preferably in writing) and have the opportunity to reply to the concern or complaint.
7. All statutory requirements will be met.
8. Appropriate records will be established and maintained once resolution is achieved.
9. Appropriate professional development and resources will be made available to staff who deal with concerns and complaints.
10. A concerns and complaints pamphlet outlining the basic aspects of this policy will be given to all parents and staff annually at the start of the year and will be published in the Staff Handbook.

## **Levels and Timeframes**

1. Concerns and complaints regarding classroom programmes and environment should be expressed to the class teacher initially at an appropriate time. The staff member is expected to respond to the concern or complaint within 48 hours of receiving notice of the concern or complaint.
2. If the concern or complaint is about a classroom teacher, or is not resolved by the classroom teacher, then the concern or complaint should be passed to an appropriate Learning Team Leader, Dean, Head of School or other supervisor. These staff will contact the party bringing the concern or complaint within 48 hours and work at resolving the issue.
3. If the issue is about a Learning Team Leader, Dean, Head of School or other supervisor, or if the concern or complaint cannot be resolved by them, then the concern or complaint should be passed on to an Associate Principal. The Associate Principal will contact the party bringing the concern or complaint within 48 hours of receiving notice of the concern or complaint and work at resolving the issue.
4. If the concern or complaint is about an Associate Principal, or cannot be resolved by the Associate Principal, then the concern or complaint can be passed to the Principal. The Principal will contact the party bringing the concern or complaint within 48 hours of receiving notice of the concern or complaint and work at resolving the issue.
5. If the concern or complaint is about the Principal, or cannot be resolved by the Principal, then the concern or complaint can be passed to the Chairperson of the Board of Trustees. If the matter is referred to the Board of Trustees it will be dealt with by an appointed Committee which will consist of the Chairperson of the Board, two other Trustee members, the Principal or other staff member as is appropriate, and such other persons as co-opted by the Board of Trustees. The Chairperson of the Board of Trustees will contact the party bringing the concern or complaint within 48 hours and work at resolving the issue.
6. If the Board of Trustees is not able to resolve the concern or complaint, then the party bringing the concern or complaint may choose to take the concern or complaint to a forum outside the school.

## **Nature of the Concern or Complaint; Special Character/Staff Competence or Misconduct**

### **1. Special Character**

If the concern or complaint relates to the Special Character of the School a report on the nature of the concern or complaint and its resolution must be passed to the Principal who will report it to the Board. If resolution is not achieved the Principal will take the matter to the Board and the Proprietor, if necessary, for resolution.

### **2. Staff Competence or Misconduct**

Where the concern or complaint relates to the competence or conduct of a staff member the terms and conditions of the appropriate employment contract will be applied.

## **Nature of Concern or Complaint; Harassment/Discrimination**

### **1. Harassment**

Harassment/abuse are any act or acts, physical or verbal, including misuse of visual or written material, which is unwelcome, offensive, repeated or significant. It may be done by adults or other children or young persons. c.f. Definition in the Human Rights Act 19

### **2. Discrimination**

Includes the areas of sexual, racial, ethnicity, gender, disability, and other forms.

## **Investigation Guidelines for Harassment and Discrimination**

### **Pupil Concerns or Complaints**

- In the school situation pupils complaining of harassment or discrimination will take their concerns or complaints to a variety of "Contact People". It could be a fellow pupil, a prefect, form teacher, Dean, or a member of the senior leadership team depending on the threshold of the concern or complaint.
- Serious incidents involving staff must be investigated by the Board of Trustees following the Concerns or Complaints policy.

### **Staff Concerns or Complaints**

- Staff making complaints should usually go directly to a member of the Senior Leadership Team.
- The contact person must discuss the matter with the Principal. Names need not be supplied at this stage unless the contact person has permission to do so from the complainant.
- Serious incidents involving staff must be investigated by the Board of Trustees following the Concerns or Complaints policy.

### **Record Keeping Guidelines**

#### **1. Contact People**

- a. Contact people should keep detailed records of their interviews with enquirers.
- b. These records must be confidential to the enquirers and to school staff and/or management.

#### **2. Taking Notes**

- a. It is not suggested that contact people take notes at the first interview with the complainant. But straight after the interview the contact person must write up notes as to how they remember the incident.
- b. These notes must be shown to the complainant for any corrections and then for signing as a true and correct record of what happened.
- c. Appropriate policies will ensure the confidentiality and privacy of any written records.

### **Pupil - Pupil**

*Pupils have the right to attend a school where their well-being and educational progress are not affected by harassment or discrimination.*

1. Contact person is advised either by the pupil themselves or a third party.
2. The pupil is advised by the contact person of the courses of action available to them. eg:
  - restorative conference
  - confront source of harassment
  - Police complaint
  - other

**If there is a resolution the policy stops.**

3. If no resolution the Head of School or Associate Principal is informed and formal proceedings may be started. These could be:
  - disciplinary action (Principal)
  - BOT informed / Concerns or Complaints policy activated
  - Human Rights Commission.
  - Referral to an external agency

- *In serious cases the pupil has the right to lay a concern or complaint directly with the Principal / Board or to go directly to the Human Rights Commission, the Police or another external agency.*
4. Teachers need to be aware of their position as persons with responsible authority in the school. Teachers may place their employment at risk unless their relationship with pupils are kept purely professional.
- The pupil contacts the contact person.
  - Policies must comply with staff conduct provisions of the Area School Teachers' Collective Agreement.

### **Staff - Staff**

*Staff have the right to go about their job without being subject to harassment or discrimination by other staff.*

1. The staff member contacts the contact person.
2. Policies must comply with staff conduct provisions of the Area School Teachers' Collective Agreement.

### **Pupil - Staff**

*Staff have the right to go about their job without being subject to harassment or discrimination by pupils.*

1. The staff member contacts the contact person.
2. Policies must comply with staff conduct provisions of the Area School Teachers' Collective Agreement.
3. The Principal is informed of the concern or complaint.
4. The school's disciplinary policy will be followed.
5. For minor breaches this may result in consequences within the school.
6. For major harassment formal disciplinary policy may be followed.

### **Conflict Resolution**

Conflict may be defined as the absence of peace in a relationship or about a situation. Whenever people interact with one conflict can arise and there is potential for a difference of opinion or purpose. Conflict is recognised as being a normal part of life. In dealing with conflicts Middleton Grange School encourages peace-making based on Biblical principles to bring about personal reconciliation and a just settlement of substantive issues.

Important principles in dealing with conflict include:

1. All staff and members of the Board of Trustees to be aware of Biblical principles and processes of conflict resolution.
2. These principles to be communicated to parents and pupils by the 'Communicating Your Concerns or Complaint' pamphlet and will be published in the Staff Handbook.
3. Recognise conflict resolution is aided by:
  - A spirit of forgiveness
  - Open communication
  - Co-operative negotiation
  - Restorative practice

4. Recognise resolution of conflict may call for:
  - Reconciliation between parties
  - Education and/or new ways of doing things
  - Engaging in continued conflict or confrontation restorative processes to correct an injustice.
5. In the event of a major issue affecting the school or the inability of parties to resolve conflict a meeting of the Board of Trustees Concerns and Complaints Committee is to be convened.

### **Conflict Resolution Policy**

1. Encourage each person to see conflict as an opportunity for growth in obedience to God and witness; to recognise God can use conflict for good (1 Corinthians 10:31; Genesis 50:19-20; Romans 8:28).
2. Encourage self-examination first; accepting responsibility for each person's own contribution to conflict before confronting others (Matthew 7:5).
3. Consider appropriate initial steps in resolution - i.e.:
  - Make the first move toward reconciliation (Matthew 5:23,24)
  - Perform acts of kindness and mercy; overlooking the offence (Proverbs 19:11).
  - Undertake constructive conversations (Matthew 18:15).
4. Constructive conversation; individual approach:
  - Go privately and express personal concerns or complaints (Matthew 18:15).
  - Affirm the relationship and a desire to work things out before discussing issues (2 Corinthians 2:5-8).
5. If no resolution is effected, approach again, this time taking one or two witnesses. The role of the witnesses is not to take sides but to act as supportive advisers to both parties and to help restore peace. It is not to provide evidence or to accuse.
6. If that approach does not bring resolution then the next three options available are to:
  - Choose to let the school decide the matter

**OR**

  - Take the matter to the Concerns and Complaints Committee of the Board of Trustees

**OR**

  - Use an external advocacy service

<b>BOARD OF TRUSTEES</b>	
Board copy of the Policy to be signed by the Board Chairperson	
<b>Name</b>	
<b>Position</b>	Board Co Chair
<b>Signed</b> on behalf and with the authority of the Board	Original Signed by Board Chair
<b>Date</b>	20 May 2019
<b>Next Review</b>	2021