

MOUNTAIN CREEK STATE HIGH SCHOOL - COMPLAINTS MANAGEMENT PROCESS

Mountain Creek State High School has an open and transparent complaints management process and invites any party to use it if they are wishing to make a complaint about any aspect of the school. The process allows any party to seek a resolution to any matter, and has clear steps in the process towards this resolution. The school considers it a necessary part of an effective organisation to have such a process.

1. The school's approach is based on our values of:
 - (a) providing a safe and supportive learning environment
 - (b) building relationships between students, parents and staff
 - (c) providing a safe working environment for staff

We are committed to developing and implementing processes so that concerns and complaints are managed efficiently and fairly with impartiality, confidentiality and transparency in a manner that is responsive to and respectful of the needs, rights and obligations of each person who is involved in the process.

This Complaints System covers concerns and complaints relating to:

- (a) student behaviour
- (b) staff conduct
- (c) conduct of volunteers and other workers
- (d) incidents of bullying or harassment in the classroom or the school grounds
- (e) academic, sporting and cultural programs
- (f) student learning, reporting and assessment
- (g) communication with parents and guardians
- (h) school fees
- (i) similar school-related matters except for the matters set out below.

This Complaints Handling System does not cover concerns and complaints relating to:

- (j) matters that must be referred to external sources under legislation and policy (such as allegations of abuse or suspected abuse)
- (k) complaints by staff members relating to their employment
- (l) matters that must be referred to Education Queensland (such as complaints relating to exclusions)
- (m) complaints that should be addressed through staff performance management policies or grievance policies

The school expects a person raising a concern or complaint to:

- (n) do so promptly, as soon as possible after the issue occurs
- (o) provide complete and factual information about the concern or complaint
- (p) maintain and respect the privacy and confidentiality of all parties

- (q) recognise that it would not be appropriate to make comments about the matter on social media
- (r) acknowledge that a common goal is to achieve an outcome acceptable to all parties
- (s) act in good faith, and in a calm and courteous manner
- (t) show respect and understanding of each other's point of view and value difference, rather than judge and blame
- (u) deliver the complaint in a calm and reasoned manner
- (v) recognise that all parties have rights and responsibilities which must be balanced
- (w) recognise that, when a concern or complaint is raised about a person, the school has an obligation to afford natural justice to the person. The school must provide details of the concern or complaint to the person (which may include the name of the complainant together with details of the specific allegations that have been raised). The person will be given an opportunity to respond to the allegations
- (x) raise any concerns about the process promptly, directed to the school personnel managing the matter

2. The school aims to address concerns and complaints:

- (a) courteously
- (b) efficiently
- (c) fairly
- (d) promptly or within the agreed timeline
- (e) in accordance with the principles of natural justice
- (f) in accordance with legislative and regulatory frameworks and guidelines

3. Confidentiality and privacy obligations

The school must afford privacy and confidentiality to all parties to the extent required by and permitted by law. Parties must afford privacy and confidentiality to one another to the extent required by law. The school requires and expects that all parties will, when addressing concerns and complaints:

- (a) maintain the confidentiality of all parties strictly in accordance with confidentiality and privacy policies and legislative requirements
- (b) observes the principles of natural justice
- (c) acknowledge that their common goal is to achieve an outcome acceptable to all parties
- (d) act in good faith and in a calm and courteous manner
- (e) show respect and understanding of each other's point of view and value difference, rather than judge and blame
- (f) recognise that all parties have rights and responsibilities which must be balanced
- (g) not derogate the other person
- (h) not retaliate against the other person in any way

4. Communication – open communication is vital

Open communication is the key to addressing and resolving complaints. Talk to your child's Teacher or relevant staff and let them know exactly what is concerning you. You should not hesitate to tell the Principal if you are unhappy or concerned about something.

5. How to raise a complaint.

5.1 All complaints should be received at the main office, clearly addressed to the Principal – Confidential.

5.2 The Complaint should make clear reference to what the issue is and what you would see as a satisfactory outcome. It is most helpful if dates, times and phone numbers are also provided.

6. Your commitment to engage in reasonable complainant conduct

We must all commit to engage in reasonable conduct throughout this process. This necessitates that we act with confidentiality, privacy, cooperation, courtesy and respect, noting that confidentiality and privacy obligations are governed by legislation. The school may consider a complaint to be carried out unreasonably if the complainant's conduct, in the reasonable opinion of the school:

6.1 is significantly outside the expectations of confidentiality, cooperation, courtesy or respect

6.2 calls for staff resources and time unjustified by the nature or significance of the complaint

6.3 is vexatious (that is, an action or complaint that is brought without merit, often to cause annoyance to another person)

If the school determines that a complainant's conduct is or may be unreasonable, the school may use reasonable endeavours to develop a plan to address the complaint and the complainant's interaction with the school; inform the complainant of the plan; and ensure that it adheres to the plan as closely as practicable.

The school may consider a person's response to a complaint to be carried out unreasonably if the respondent's conduct, in the reasonable opinion of the school:

6.4 is significantly outside the expectations of confidentiality, cooperation, courtesy and respect

6.5 calls for staff resources and time unjustified by the nature or significance of the complaint

6.6 is retaliatory (that is, an inappropriate, hurtful or vindictive action in response to a complaint)

If the school determines that a respondent's conduct is or may be unreasonable, the school will address the matter under its Code of Conduct and related policies and procedures.

7. Process for addressing complaints

The nature of concerns and complaints differs widely and the process that will be adopted by the school must respond to the unique elements of the concerns and complaints. Upon receipt of a concern or complaint the school will assess the matter to determine the appropriate process to implement. The process may range from a telephone conversation with the person which resolves the matter, to a comprehensive investigation.

To the extent practicable, the process for addressing complaints will give consideration to the following elements:

- (a) Acknowledgment – The concern or complaint will be acknowledged
- (b) Assessment – The nature of complaints differs widely and we may consider the following points:

What is the complaint?

Is further information required to clarify the subject of the complaint?

What is the scope of the complaint?

Can the complaint be addressed by the school's internal processes or must it be referred to external sources under legislation, policy or for practicality?

Is it time sensitive?

- (c) Planning – If an investigation is required, the investigation will be developed based on our Workplace Investigation Plan
- (d) Investigation – Investigate the complaint

In considering each allegation the school must start with the presumption of innocence so that each person is presumed to be innocent in relation to any allegations that have been raised against them. The school must bear in mind the gravity of the issues in each allegation and consideration must be given to the seriousness of the allegations, the likelihood or inherent unlikelihood of an occurrence of the given description, and the gravity of the consequences flowing from a particular finding.

- (e) Determination – There are five determinations that may be made from an investigation of an allegation as follows:
 - (i) The allegation is “dismissed” – This determination will be made where the facts alleged by the complainant, even if established, fail to demonstrate the essential elements of the allegation.
 - (ii) The allegation is “neither substantiated nor unsubstantiated” – This determination will be made where there is inconclusive evidence by the complainant and the respondent and/or no independent corroborating evidence to add weight to either party's version of events. The complaint cannot be dismissed. The complaint cannot be substantiated. The complaint cannot be classified as being unsubstantiated.
 - (iii) The allegation is “unsubstantiated” – This determination will be made where there is independent evidence of sufficient weight and probative value to support a finding, on the balance of probabilities, that the facts as alleged did not occur.
 - (iv) The allegation is “substantiated” – This determination will be made where there is independent evidence of sufficient weight and probative value to support a finding, on the balance of probabilities, that the facts as alleged did occur.
 - (v) Further information or investigation required – This determination will be made where there is insufficient evidence to determine, on the balance of probabilities, whether the complaint should be dismissed, classified as substantiated, unsubstantiated or “neither substantiated nor unsubstantiated”, but there is an option reasonably available to seek further information or evidence which may assist the decision maker to make a determination.

(f) Communication and Response - Communicate the outcome of the concerns and complaints, where possible, to all relevant parties subject always to the legislative and common law obligations of privacy and confidentiality.

(g) Review – Review the process + options for review by external sources

If you are not satisfied with the process or the outcome we would encourage you to discuss the matter with the school Principal. If you have recently discussed your complaint with the school Principal and you still feel that you have not reached a resolution you may contact your local Department of Education Regional Office.

(h) Consideration – Consider whether the complaint raises any systemic issues which require action. It would be beneficial to review the record of complaints at intervals to identify common or recurring issues that may need to be addressed.

8. Timeline for addressing complaints

The nature of concerns and complaints differs widely and the timeline that we will aim to adopt must be responsive to the unique elements of the concerns and complaints. The timeline must also be flexible and the parties must be flexible. At times, events may occur that are out of the school's control and those events may extend the anticipated timeframes. For example, people may be uncontactable or key staff may be absent or unwell. We will use our best endeavours to address complaints efficiently.

9. Information Statement to provide upon receipt of a concern or complaint

The school may prepare an Information Statement to provide to a person upon receipt of a concern or complaint. The Information Statement will contain general information about the Complaints Management System.

10. Training and support for staff

The school will endeavour to:

- (a) brief all members of staff (including volunteers) about its procedures to address concerns and complaints
- (b) address the Complaints Management System in the induction program for new staff members, workers and volunteers
- (c) provide staff with (or provide access to) training and support appropriate to their responsibilities under the Complaints Management System
- (d) reflect on the personal attributes necessary for staff selected to manage concerns and complaints

11. Communicating the complaints procedure

The school aims to communicate its policy and procedures for addressing concerns and complaints to parents and the school community clearly and regularly. The policy and procedures may be:

- (a) printed in the school handbook
- (b) publish on the school website
- (c) provided to families in the enrolment pack