

Grievance and Complaints Policy and Procedures

July 2022

Summary

This policy applies to Community Language Schools SA and all member schools.

Table 1: Document Details

Policy Number	ES04
Related Policies	ES01: Child Safe Environments Policy and Procedures ES03: Teaching Staff Recruitment Policy and Procedures ES04A: Complaint Record Form ES05: School Personnel Code of Conduct Policy ES12: Principal Job Description Policy ES13: Committee Policy and Guidelines ES20: Data and Information Policy ES24: Visitor and Parental Volunteer Policy ES25: Managing Trespass and Misbehaviour Policy and Procedures ES35: Behaviour Support Policy and Procedures ES37: Medication, Accident and First Aid Policy and Procedures ES38: Bullying and Harassment Policy and Procedures ES39: Cyber-Safety Policy and Guidelines ES40: Special Needs Policy ES41: Gender Identity Policy and Guidelines ES42: Student Personal Care Policy and Procedures ES47: Immunisation and Infection Control Policy and Guidelines (Including Covid-19)
Version	2.3
Created By	CLSSA Policy Officer
Reviewed By	CLSSA Executive Officer
Applies to	All Community Language Schools
Key Words	Complaints; complaint resolution; enabling complaints; vexatious complaints; unresolved complaints; unreasonable behaviour; grievance
Status	Approved
Approved By	CLSSA Board <i>(Administrative updates approved by Executive Officer)</i>
Approval Date	July 2022
Review Date	December 2023
Notes	Version 2.3- Administrative update and specific content update

Table 2: Revision Record

Date	Version	Revision Description
February 2017	1.0	New policy developed
30 th June 2019	2.0	<ul style="list-style-type: none"> Policy numbers added; References to ESASA policies and procedures included throughout the policy; Amend policy to make it generic by replacing individual school details with “Ethnic and Community Language Schools” Formatting of the table in ES04A: Complaint Record Form; Adding table title for Table 3; Changed in ‘Created By’ and ‘Reviewed By’ in Table 1; Changed Contents to Table of Contents; Reformatting of table and titles; Added new key words; Added the word ‘References and’ to ‘Other Documentation’; Formatting of policy
18 th January 2021	2.1	<ul style="list-style-type: none"> Added policies in Related Policies (Table 1) Amend content in Unresolved Complaints
December 2021	2.2	<ul style="list-style-type: none"> Policy name changed from ‘Grievance and Complaints Policy’ to ‘Grievance and Complaints Policy and Procedures’ Added policies in ‘Related Policies’ (Table 1) Updated policy names in ‘Related Policies’ Changed ‘Grievance with the Principal’ to ‘Grievance with the Principal or School Administrator’. Amended content under ‘Grievance with the Principal or School Administrator’ Added signature columns in ES04A
July 2022	2.3	<ul style="list-style-type: none"> Added ‘National Office for Child Safety’s Complaint Management Guide’ in Introduction Added content on child-rights focused complaints culture in ‘Dealing with complaints and concerns’ under Policy Created ‘ES04B: An Overview of Complaint Handling Process for Children and Young People’

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Grievance and Complaints Policy and Procedures

Introduction

Community Language Schools are committed to maintaining an environment that encourages collaboration, communication and cooperation. Community Language Schools recognises that, on occasions inappropriate behaviours, or inappropriate responses to a particular situation may occur and that a complaints and grievance processes may be necessary in order to resolve complaints or concerns.

Complaints are an important way for Community Language Schools to be accountable to the public, as well as providing valuable prompts to review school performance and the conduct of people that work at the school. Community Language Schools will promptly deal with all complaints and grievances.

This policy is based on information from the Australian and New Zealand Standards – Guidelines for Complaint Management in Organisations and National Office for Child Safety’s Complaint Management Guide.

Definitions

Complaint is a statement either verbal or written about something that is unacceptable or unsatisfactory made to or about a teacher, Principal, or student.

Complainant is any person or persons who make a formal complaint.

Grievance is a real or imagined cause for complaint or an alleged wrong, hardship or unfair treatment suffered by an individual or individuals.

Respondent is the person who the complaint is made about

Vexatious Complaint is a complaint made without reasonable grounds, made to harass, annoy, disrupt or cause harm to an individual.

Policy

Dealing with Complaints and Concerns

An effective complaint handling system resolves issues raised by a person who is dissatisfied in a timely and cost-effective way whilst providing information to the school that can lead to improvements in school practices. A good complaint handling system can improve the reputation of the school and strengthen public confidence in Community Language School’s administrative processes.

Community Language Schools must also foster a child-rights focused complaints culture among school personnel and volunteers where all children and young people are encouraged, and feel empowered, to speak up. Please refer **ES4B: An Overview of Complaint Handling Process for Children and Young People** as a guide for school personnel and volunteers in managing a complaint or grievance that involves children and young people. For further information please refer [Complaint Handling Guide: Upholding the rights of children and young people \(pmc.gov.au\)](http://pmc.gov.au)

Effective Handling System for General Complaint and Grievance

Where possible, complaints are best handled by teachers or volunteers or the person directly. These people should be able to resolve complaints at first contact and should log complaint details for further analysis. More serious complaints, or complaints that cannot be resolved by teachers or volunteers, should be referred to Community Language School's Principal. The diagram summarises the effective complaint handling system that Community Language Schools will use to resolve any grievance or complaint.

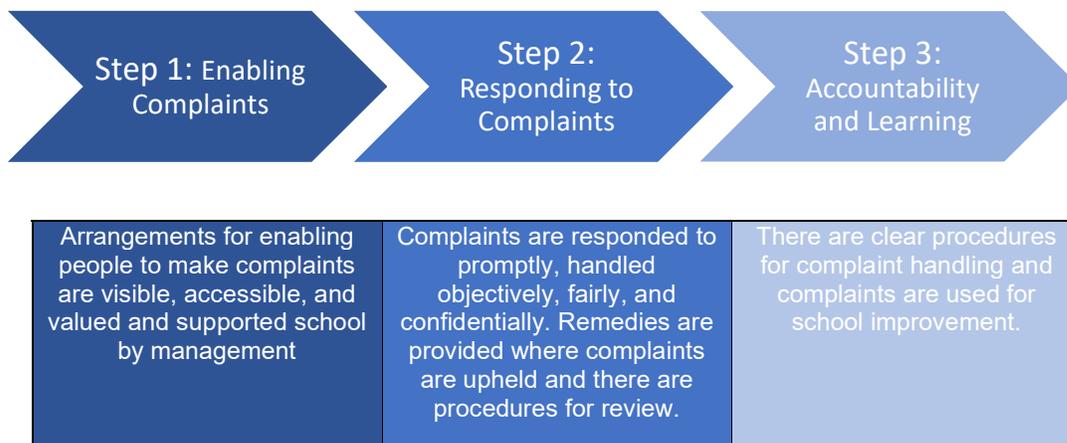


Diagram 1: Complaint Handling Process

Responding to Complaints

Community Language Schools will use the following principles to ensure all complaints are dealt with efficiently and effectively manner:

- All complaints are acknowledged in a timely manner.
- The complainant is kept informed throughout the process.
- All complaints are dealt with in an equitable, objective and unbiased manner.
- All parties involved are given sufficient opportunities to present their position, to comment on adverse findings and are provided with reasons for decisions on the outcome of the complaint.

- Personal information relating to the complaint is kept private and confidential.
- Information pertaining to a complaint is only used for the purpose of addressing the complainant and any follow up actions.

Complaint Investigation and Resolution Process

Complaints should be dealt with promptly, courteously and in accordance with their urgency. **Table 3** outlines the essential steps in investigating and resolving a complaint used by Community Language Schools

Table 3: The Essential Steps in Investigating and Resolving a Complaint

Step	Description
1. Assess the complaint	Clarify the issues of the complaint and what kind of resolution the complainant is seeking. If it is not a matter that can be handled by the complaints process or by the Principal refer the complaint to Community Language Schools SA
2. Seek Resolution	Where appropriate and possible seek to achieve resolution. Where resolution is reached, document the agreed action. In this event it may not be necessary to continue with the investigation unless there are systemic issues that require further examination outside the complaint process.
3. Select the appropriate investigative approach	If the complaint is not resolved, determine what action is required, which may include options other than a formal investigation. This can depend on factors such as statutory requirements which may apply, the nature of the issue and the likely outcome of the investigation. Where possible, complaints should be resolved without the need for a formal investigation.
4. Plan the investigation	Define the issues to be investigated and develop an investigation plan.
5. Ensure proper powers of authority	Assess whether the principal has the necessary powers to obtain evidence from relevant witnesses and to access relevant records. Ensure they have the authority to conduct the investigation, decide and resolve the complaint, or have access to a person who can make decisions and offer remedies.
6. Obtain Evidence	Carry out the investigation by gathering sufficient reliable information to enable the issue to be properly addressed by proving or disproving matters relevant to the issue being investigated, taking into account all relevant information and no irrelevant information. At this stage, it may be necessary to refer any matters that may be misconduct or corruption to the Corruption and Crime Commission.
7. Reconsider resolution	Consider whether resolution is now possible
8. Reporting and Recommendations	Prepare a document setting out the complaint, how the investigation was conducted, relevant facts, conclusions, findings, and recommendations. Recommendations could include remedies for the complainant, action to improve the organisation's service delivery and action to address inappropriate conduct by an officer (e.g., through training, an appropriate disciplinary process or referral to an appropriate external authority).
9. Decide on the complaint and action to be taken	Refer the report to a person authorised to decide about the complaint and the action to be taken. After the decision is made arrange implementation of the agreed action and for follow up to confirm the action occurs.
10. Inform the parties	Upon completion of an investigation, the complainant (and, if applicable, the person who is the subject of the complaint) should be given: <ul style="list-style-type: none"> • Adequate reasons for any decision made. • Any changes or action that have resulted from the complaint. • A remedy, where appropriate; and • Information on where to seek independent internal and external review

Possible Remedies That May Be Offered to Complaints

Complaints received by a Community Language School will be used to review and evaluate school process, policies and procedures. If an investigation of a complaint determines that the service provided by a Community Language School to an individual(s) is unsatisfactory and the school has in some way contributed to this, the school should provide redress to remedy the situation.

- Mistakes are admitted and put right.
- The process of complaint resolution is explained.
- A sincere and meaningful apology is offered.
- Reconsideration of a decision that is fair and reasonable.
- Amending or retracting documentation e.g., publications such as emails or newsletters.
- Change to policies and procedures to prevent reoccurrence.
- If applicable, action to modify the behaviour of the teacher/volunteer/individual who the complaint was made.

Dealing with Unreasonable Behaviour

Community Language Schools recognises that complaints can be stressful to raise and resolve. All complaints will follow the complaint investigation process (Table 3). Community Language Schools will consider many factors when making decisions to resolve a complaint. Throughout the complaint investigation a person's behaviour may be considered unreasonable. In this case all further communication will be in writing to ensure the complaint is resolved.

Unresolved Complaints

It may not always be possible for Community Language Schools to resolve a complaint to the satisfaction of the complainant. In this case the school have these options for unresolved complaints:

- undertake an internal review process with the Community Language School's board or management committee; or
- refer the complainant to Community Language School SA.

Dealing with Vexatious Complaints

Vexatious complaints can be distressing, time consuming and unnecessarily divert attention and resources. It is important that vexatious or frivolous complaints are properly identified and managed. Community Language Schools recognises that complainants may be aggrieved, frustrated or annoyed or may have other reasons for their behaviour and therefore, the complaint must be dealt with on the grounds of the complaint and not the person who is making the complaint. If someone has made a vexatious complaint in the past and is making a new complaint, the new complaint must follow the procedures outlined in this policy.

If a complainant keeps making complaints about different matters, each complaint must be dealt separately following the procedures outline in this policy. If the complaint is considered trivial, the person hearing the complaint can show the complainant the complaint investigation process and point out that there are no grounds for a complaint. In the event that a person is persistently and consistently making complaints without reasonable grounds, the person can be referred to Community Language School SA. If a school personnel is the person making the vexatious complaints disciplinary action may be taken against the person.

Grievance with the Principal or School Administrative Officer

If a person or persons have a grievance or an ongoing concern regarding the Principal or the School Administrator, the complaint must first be referred to the Community Language School's board/management committee and/or the Community Language School's committee. In the case whereby this grievance can't be resolved by the Community Language School's board/management committee and/or the Community Language School's committee, the grievance must then be referred to Community Language School SA. The Executive Officer will determine a process to resolve the grievance in accordance with this policy.

References and Other Documentation

- A copy of Australian/New Zealand Standard AS/NZS 10002:2014 Guidelines for Complaint Management in Organizations can be obtained at: [AS/NZS 10002:2014 :: Standards New Zealand](#)
- Australian Government- National Office for Child Safety: [Complaint Handling Guide: Upholding the rights of children and young people \(pmc.gov.au\)](#)