

INTERNATIONAL CHINESE SCHOOL



COMPLAINTS HANDLING POLICY & PROCEDURES

**Published Term 2, 2015
Revised 2017,18, 19
Latest revision August 2023**

Purpose and use of this document

This document is based on the example provided by AIS NSW independent schools and has been amended according to the specific context of the International Chinese School.

This document contains procedures for handling stakeholder complaints.

Registration requirements

For school registration, the NSW Education Standards Authority (NESA) requires that schools have policies and procedures in relation to complaints or grievances, with specific reference to processes for raising and responding to matters of concern identified by students and/or parents (requirement 3.6.2). Schools are also required to publish their policies and procedures that set out the guidelines and expectations for stakeholders regarding complaints or allegations of staff misconduct or reportable conduct (requirement 3.6.1). These requirements are set out in NESA's [Registered and Accredited Individual Non-government Schools \(NSW\) Manual](#).

Copyright

Copyright of this document is owned by The Association of Independent Schools of New South Wales Limited (AISNSW). AISNSW member schools are licensed to copy and amend this document for use in the school. Any other uses of the document require the written approval of AISNSW.

Contents

1. Introduction	4
1.1 Purpose and scope.....	4
1.2 Whistleblowing complaints	4
1.3 Related policies	4
1.4 Confidentiality	4
2. Rationale	5
3. Complaints	5
4. Raising a complaint	6
4.1 The School’s approach	6
4.2 The complainant	6
4.3 The school	6
5. Handling complaints	7
5.1 Assessing a complaint	7
5.2 Managing a formal complaint.....	7
5.3 Procedural fairness.....	7
5.4 Communications	8
5.5 Irresolvable complaints	8
5.6 Privacy.....	8
5.7 Confidentiality	8
5.8 Record keeping	9
6. Contact	9

1. Introduction

1.1 Purpose and scope

This procedure applies to the International Chinese School in handling complaints made in respect of services provided by the school or against staff members, which includes employees, contractors and volunteers.

This procedure does not extend to personal grievances between parents, guardians or other members of the school community.

1.2 Whistleblowing complaints

This procedure does not extend to complaints which are whistleblowing disclosures. The procedure for processing whistleblowing complaints are dealt with in the school's whistleblowing policy.

In summary a whistleblowing disclosure is a disclosure which:

- is made by a board member, staff member, a person who supplies goods or services to the school, including a volunteer, an employer of a supplier or a relative of any of these people;
- involves alleged misconduct, an improper state of affairs or circumstances, or illegal activity, and
- is made to a senior staff member, or officer of the school, the school's auditor or a person who the school has authorised to collect such disclosures.

1.3 Related policies

Complaints about reportable conduct will be addressed in accordance with the school's Child Protection Policy.

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

Complaints regarding unlawful discrimination, harassment or bullying between staff are generally addressed in accordance with the school's Discrimination, Harassment and Bullying Statement.

1.4 Confidentiality

All parties involved in complaints handling are required to maintain appropriate confidentiality, including in relation to handling and storing records.

2. Rationale

Our relational nature reflects the character of God, whose image we bear. Distorted by the fall, the relationships that we were created to enjoy with God and each other, have been corrupted. Christ is ever present and active in redeeming and restoring relationships to His original good intent. The school is called to partner with him in his redemptive purposes.

The very need for a complaints Policy and Procedures evidences this corruption of God's creational intent for relationship. When the distortion of God's good intent manifests in conflict, it is appropriate for the Christian school to seek restoration in light of the Bible. A proper gospel understanding of human relationships enables conflict and associated grievances to be addressed in a God-honouring way.

Restoration as opposed to mediation

Sprouting from the seed of postmodernity, since the early 1980's, mediation method has grown in prominence as a major strategy in the field of conflict resolution. Mediation seeks to have the dispute settlement process mirror the values the parties wish to promote among themselves. Contrary to Christian worldview, mediation has little concern for truth, instead focusing on solving problems through parties coming to agreement on a solution they can live with. Rather than address the root cause of the conflict, mediation seeks an expedient solution that at best empowers tolerance that enables relationships to function.

Truth is essential to redemptive and restorative processes. The humanistic worldview of this present age views truth as relative, having its roots in human experience and ideas. This is opposed to the acknowledgment of a transcendent creator God whose heart is for redemption and restoration of relationships, and who revealed truth through the person of his son, Jesus (John 14:6). Truth should always be tempered with love. Above all Christ desires unity, oneness among His followers.

"Be completely humble and gentle; be patient, bearing with one another in love. Make every effort to keep the unity of the Spirit through the bond of peace. There is one body and one Spirit, just as you were called to one hope when you were called." (Ephesians 4:2-4)

3. Complaints

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.

If a parent/carer or student has a concern about the conduct of a staff member, they should raise their concern with the school in accordance with section 4. 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. Please refer to the school's Child Protection Policy for information about reportable conduct. Complainants are not required to assess whether their concern meets the threshold of reportable conduct before making a complaint. Any concern about a child's wellbeing may be reported under this policy.

Complaints may be made by a student or parent/carer.

The school will seek to resolve complaints informally where possible but acknowledges that in some cases a person may wish to make a formal complaint.

4. Raising a complaint

4.1 The School's approach

The school seeks to resolve complaints through the biblical processes set out in Matthew 18. This process brings openness and truth to the table, tempered by Christ's call to love and preserve unity as much as you on your part can do (Ephesians 4:2-3). Aggrieved parties are expected to:

- i. Talk first (in person) with the person with whom you have a problem (Matthew 18:15).
- ii. If you can't resolve the problem involve a third party (Matthew 18:16). It is appropriate if this matter involves a teacher that their direct supervisor be involved at this point.
- iii. In general, refer the matter to Principal when the prior steps have been tried (Matthew 18:17).

4.2 The complainant

Informal complaints should 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 complaint can be made to the Principal. Any complaint about the conduct of a staff member should be raised directly with the Principal in the first instance.

Should the matter not be resolved through informal processes, the complainant may raise the matter formally with the school. A formal complaint can be made in writing to the Principal, via email principal@intcs.nsw.edu.au.

Where a person wishes to make a formal complaint concerning the Principal the complaint should be made in writing to the Chair of the Board or his/her Delegate, via email board@intcs.nsw.edu.au. In this situation, the references in this policy relating to the role of the Principal or his/her Delegate should be read as references to the Chair of Board and his/her Delegate.

4.3 The school

The Principal or his/her Delegate will generally acknowledge receipt of a formal complaint in writing as soon as practicable.

The School will investigate significant complaints and seek resolution of the underlying issues.

5. Handling complaints

5.1 Assessing a complaint

The Principal or his/her Delegate generally will assess the complaint and determine:

- whether the complaint is one to be addressed under this policy or is a staff grievance or reportable conduct matter which are dealt with by the relevant policies;
- the priority of the complaint in accordance with the urgency and/or seriousness of the matter raised; and
- whether the school may be required to report the matter to the Office of the Children’s Guardian, Police, Department of Communities and Justice or other relevant authorities should the complaint relate to possible unlawful conduct or other reportable matters.

5.2 Managing a formal complaint

The Principal or his/her Delegate generally will manage a formal complaint by:

- a) advising the complainant of the likely steps that will be undertaken by the School in relation to the complaint;
- b) if appropriate, advising the relevant parties of the complaint at the relevant time and providing them with an opportunity to respond;
- c) collecting any additional information the School considers necessary to assess the complaint;
- d) making a decision about how the complaint will be resolved (“resolution decision”); and
- e) advising the complainant in writing, and any other relevant parties as appropriate, of the resolution decision of the Principal or his/her Delegate and if appropriate, any proposed action to be taken.

There may be circumstances where some of the steps outlined above are not appropriate and the school will determine, on a case by case basis the most appropriate method of handling the complaint.

A complainant and the relevant parties that the complaint is about may choose to have an appropriate support person present at any meeting with representatives of the School about the complaint. However, 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.

5.3 Procedural fairness

Procedural fairness is of paramount importance when investigating a complaint (refer Procedural Fairness Policy). The respondent to a grievance must have the opportunity, where there may be detriment arising from the resolution of that grievance, to have their case heard by an impartial decision maker.

Both the person voicing a grievance or allegation and the respondent to a grievance have the opportunity, where they are not happy with the resolution of that grievance, to be heard by the Principal and to present evidence and submissions, as appropriate.

5.4 Communications

Given the significance of complaints communication is best face to face in person. Phone may prove an alternate form of communication if meeting face to face is not practicable.

Whilst the formal complaint will be communicated in writing via email, follow up communication should not be via email or other means of electronic communication. Such communications although convenient, are not a means of effective communication as there is a good chance that the recipient will read a message in a different way than the sender intended. Electronic communication lacks true interactivity as well as immediate feedback that in-person contact can bring you.

5.5 Irresolvable complaints

In the event that an issue is raised with the Principal and in the view of the complainant is not satisfactorily resolved, it would be appropriate for that person to review their continuation as a member of the school community.

5.6 Privacy

Complaints are not to be raised with other members of the School community, and individuals are not to use social media to gather opinion or support. Such online activity compromises any future investigation as it potentially fosters bias in opinion.

Complaints must not be discussed with other people who are not directly concerned with process as set out above, in particular other members of the School community, and individuals are not to use social media to gather opinion or support. The Body of Christ, which is in effect Christ himself, is hurt when people gossip about problems or talk to others about issues that they do not need to know about. Such gossip can hamper ongoing resolution of issues. Members of the School community are called to be patient, humble, forgiving and keeping unity as much as they can.

5.7 Confidentiality

Individual parties, as well as the school, have a right to confidentiality in relation to issues and procedures related to the resolution process. At times this may result in decisions being made for reasons that cannot be fully explained because of the need to maintain confidentiality. While it is intended that a response will generally be made to matters raised, this will not usually include details of any discussion and may consist only of acknowledgment that the issue has been raised and/or dealt with.

5.8 Record keeping

Even small issues can over time grow into major source of dissatisfaction and conflict.

Staff are required to keep diary notes on all conversations where a parent raises a particular concern, no matter how small that concern may seem. The diary note should make reference to:

- Date and time of conversation/interview with parent.
- Name of parent and child.
- Outline of concern.
- Other parties involved.
- Promised action on the part of the school.

The note should be factual and devoid of opinion or emotion. This note should be stored electronically on the school's management database.

The Principal will maintain in his own personal files a confidential record of all significant complaints dealt with.

The outcome of complaints dealt with may also be considered to feed into the school's quality improvement processes.

6. Contact

If you have any queries about this procedure, you should contact the Principal for advice.