

P013 COMPLAINTS POLICY

1. PURPOSE

The International School of Western Australia (ISWA) takes complaints seriously, and aims to resolve disagreements in an open, caring and professional manner. We appreciate diverse perspectives and adhere to the International Baccalaureate Mission Statement which asserts that 'other people, with their differences, can also be right'.

At ISWA we are committed to student advocacy and to providing an inclusive and safe environment. We regard students being able to express their concerns as their right and as fundamental to our progress. Student complaints will be listened to and responded to.

This policy acts as a guide to lodging complaints by both members of the School Community (students, parents), as well as the wider community. It outlines the process that will be followed once a complaint is lodged. Note that staff should use the Employee Grievance Resolution Procedure.

2. DEFINITION

Per the definition in the *AS/NZS 1002:2104 Guidelines for Complaint Management in Organisations*, a complaint is:

'An expression of dissatisfaction made to or about an organization, related to its products, services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.'

The dissatisfaction may be based on a perception that the School has:

- Done something wrong
- Failed to do something it should have
- Acted unfairly or inappropriately.

A complaint may be made about the School holistically, about a specific department, an individual staff member, or one or more students.

3. GUIDING PRINCIPLES

Fairness, Equity and Openness:

- The School recommends complaints between the respective parties be resolved through open communication and conciliatory means, at the source.
- All matters raised will be kept private and confidential unless permission is explicitly received from the parties involved.
- Complaints made in good faith are protected from retribution and detrimental treatment such as dismissal, harassment, discrimination, disciplinary action, bias or unfavorable treatment. Complaints raised by parents will not affect their children, and complaints raised by students will not affect them or other students.
- Facts which are disputed will be investigated and complaint outcomes will be supported by evidence and consistent with the School's Statement of Purpose, Commitments, and established policies.

- Complaints that are not resolved will be finalised by an arbiter, who is agreed by both parties and who will act without bias.

4. CHILD FRIENDLY PROCESS

The School is committed to ensuring students feel listened to, valued and free to advocate for themselves and others. All staff will deal respectfully with concerns raised by students.

Our staff and Board members are trained in Child Protection and Mandatory Reporting procedures.

A student may make a complaint themselves or choose someone with whom they feel comfortable to support them or to make the complaint on their behalf.

5. PROCESS

5.1. Response Time

The School will acknowledge complaints within five (5) school days. We will seek to resolve all complaints as soon as possible, and generally within forty-five (45) days. Complainants will be informed of the progress of their complaint.

5.2 Lodging a complaint

Complaints may be made by phone, in person (including virtually), by letter or email. A student or parent lodging a complaint may be accompanied by a support person. Translators may also attend a meeting or assist as required.

5.3 Information required when making a complaint

Complainants should provide the following information:

- The nature and details of the complaint, including all parties involved
- Copies of any relevant correspondence or documents relating directly to the complaint
- The desired outcome of the complaint

Vexatious or spurious complaints – brought for inappropriate reasons or without merit – will not be progressed. If this occurs the complainant will be advised in writing.

5.4 Anonymous complaints

In the case where no name or contact details are supplied, or where the complainants do not wish to be identified, ultimately the Principal will decide what action, if any, is to be taken on the complaint. If the identity of the complainant is necessary in progressing investigation, further reasonable inquiry may not be practical and meaningful resolution may not be possible.

Community members are encouraged to give their names and sufficient details for a complaint to be properly considered and resolved. Matters will be dealt with sensitively and with the assumption of best intentions.

5.5 CRICOS students

Overseas (CRICOS) students should follow the same process as other students. As per the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students in 2018, for matters relating to the appeals process over enrolment, attendance or academic progress, overseas students and parents must make a complaint within 20 working days of an issue arising.

ISWA will only report an overseas student for unsatisfactory course progress or attendance in PRISMS after:

- the internal and external complaints processes have been completed and the breach has been upheld
- the overseas student has chosen not to access the internal complaints and appeals process within the 20-working day period
- the overseas student has chosen not to access the external complaints and appeals process
- the overseas student withdraws from the internal or external appeals process, by notifying the registered provider in writing.

When an external appeals process has been completed, ISWA must immediately implement the decision or recommendations, and notify the overseas student of the outcome in writing. The appropriate external complaints body for CRICOS International Students is the Overseas Students Ombudsman, (ph: 1800 117 000). This service is free and independent for external appeals and complaints about decisions made by the School. The purpose of the external appeals process is to consider whether the registered provider (ISWA) has followed its policies and procedures, rather than to make a decision in place of the institution.

If an overseas student is not satisfied with the outcome of either the internal or the external complaint process, they can access multiple external appeals. ISWA is not required to assist the overseas student with finding further appeals processes.

5.6 Queries regarding the process of the complaint

You may enquire into the progress of the complaint by contacting the appropriate person directly.

6. OUTCOME OF A COMPLAINT

The outcome of all written complaints will be provided in writing including reasons explaining the outcome.

If the complainant is dissatisfied with the outcome, they may refer the matter to the Principal. It is recommended to do this in writing, explaining the dissatisfaction. Serious complaints will be shared by the Principal with the Board Chair.

If the complainant is dissatisfied with the resolution by the Principal, they may direct their complaint in writing to the Board Chair. The Board Chair will then review the process of the complaint and may do further investigation. The Board Chair will resolve the complaint finally within 45 days.

Where required, the School will refer the matter to an external authority, e.g., the Department for Child Protection or the Western Australian Police Service, for advice or immediate action. Depending on the circumstances, the School may also submit a Critical Incident Report to the Department of Education and the Director General of Education. The Director General is responsible for ensuring that the school observes registration standards, including the standard about its handling of complaints. The Director General however does not have the power to intervene in a complaint nor override the School's decision.

7. INTRACTABLE COMPLAINTS

7.1 Referral to the Board Chair

Most complaints can be resolved if approached positively and openly, with a desire for resolution by the parties involved. If a complaint becomes intractable due to its nature or the conduct of any of the parties involved, it will usually be taken to the Board Chair. This will happen if:

- The Principal refers the matter to the Board Chair and informs the complainant of the referral
- The complainant is unhappy with the School's response and refers it directly to the Chair
- The complaint is about the Principal and could not be resolved with the Principal

The Chair will discuss the matter fully with the Principal and review any documentation. The Chair will provide the complainant with a timeline by which they can expect a response, generally within 45 days.

If required, the Chair will meet with the complainants at a mutually convenient time. The Principal will be present at the meeting, at most one other member of staff, the complainant and their support person if desired.

7.2 Referral to an arbiter

As a final step in the disputes and complaints procedures, the school may choose, if appropriate, to use an independent arbiter to resolve the issue. The arbiter would have to be agreed by both parties and remunerated by both parties. The parties would have to agree in advance to submit to the decision of the arbiter.

8. RECORDS

ISWA will keep a log of complaints in a Complaints Register. All written correspondence will be stored electronically. The School will maintain confidential records of the complaint including actions taken and the outcome. Patterns in the records will be reviewed for the detection of any patterns emerging over time.

Name of document	File Location	Security Level
Complaints Register	One Note / Complaints Register	Restricted Access on a 'need to know basis'

9. RESULTS

Should a complaint identify the needs for change in the School's procedures, those changes will be made and the complainant notified in writing.

10. ROLES AND RESPONSIBILITIES

Designated role	Responsibilities of role	Other information
Recipient staff member of complaint	<p>If the complaint is personal, seek to resolve directly with complainant.</p> <p>If the complaint is not personal, determine who should respond to the complaint and refer accordingly</p>	<p>This should be face to face if possible and confirmed in writing.</p> <p>The complainant should be provided a response which details the outcomes of the complaints process.</p>
Head of Primary/Head of Secondary	<p>Understand facts from parties involved, investigate and seek to resolve.</p> <p>If still unresolved, refer to Principal.</p>	<p>Always assume best intentions and seek to understand all perspectives.</p>
Principal	<p>Aims to resolve issues to the satisfaction of the complainant. If this is not achieved, the complainant can raise the matter with the Board Chair.</p>	
Board Chair boardchair@iswa.wa.edu.au	<p>Respond to complaints involving the Principal and/or issues which have not been satisfactorily resolved.</p> <p>Board Chair refers intractable complaints to an arbiter, as a mutually agreed final resort.</p>	

Procedure for Complaints

Report a Concern

Parent or student speaks with a teacher or staff member (Responsible person), or a concern is raised by a member of the external community and referred to a Responsible person.

Initial Inquiry and Response

Responsible person seeks clarity, investigates and responds.
If resolved, no further action required.

Referral to a Middle Leader

Discussion e.g. with the Coordinator of a learning area.
If resolved, no further action required.

Referral to Head of Primary or Head of Secondary

Discussion with Head of Primary or Head of Secondary.
If resolved, no further action required.

Referral to Principal

Principal will review findings, meet with all parties and investigate further.
If resolved, no further action required.

Referral to Board Chair

Board Chair will review findings and seek resolution
If resolved, no further action required.

External Arbitration

If parties agree, an arbiter will be engaged to make final decision

Policy Category	ISWA Governance
Date Approved	August 2020
Frequency of review	As required
Policy Owner	Board
Amendment History	
Date	Amendment
February 2020	New
August 2020	Minor amendments to provide further clarification
September 2020	Amendments as suggested by DES
January 2021	Additions as obtained from National Code 2017 for CRICOS International students.
September 2022	Amendments and additions as suggested by AISWA and in line with new guiding statements.