



Swan Reach AREA SCHOOL

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GRIEVANCE PROCEDURE

1. PURPOSE

This policy has been developed with a focus on positive learning and well being outcomes for the students at Swan Reach Area School in consultation with staff, students and the school community to provide a clear pathway in the parent complaints procedures of SRAS.

All decisions are made with the Student Learner as the focus while adhering to the School Values of Respect, Integrity, Care, Success and Participation. However at times concerns may arise and people have the right to raise a concern or a complaint about any aspect of a school's operations (for example, the type, level or quality of DECD services, the behaviour and decisions of students, DECD staff or policy, procedures and practices). Concerns or complaints should be raised at the DECD site that the issue arose as this is where it can best be resolved.

2. SCOPE

This policy affects all students, staff, parents and community members of SRAS acting in matters relating to the operation of the school, student learning and well being at SRAS.

3. POLICY DETAILS

Guidelines:

- The needs of the students are the focus of the grievance procedure process.
- All decisions will be made in accordance with the Education Department Act, departmental regulations and the DECD Parent Complaints Policy, or administrative guidelines of the South Australian Department for Education and Child Development.
- The process is founded on fairness, impartiality, accessibility, respect and responsiveness
- Advocates, Support people and/or mediators can be enlisted to assist parents in the resolution of concerns.

Assumptions:

It is important to realise in engaging in this process that:

- The person you contact about the concern will need to be provided with accurate information to ensure the matter is understood and can be addressed in an appropriate way. What happened, or what is the problem? When did it happen? Who was involved? Where did it happen? Why did it happen? Did anyone see it? How does it affect the child? Who can help solve the problem? What is an acceptable solution?
- Resolving issues takes time and often resolution of conflict occurs in difficult circumstances.
- Raising a grievance does not necessarily mean that the subsequent decision will favour the aggrieved person. There are many points of view, often completely opposed, that need to be considered. For a decision to be changed, generally it would need to be shown that the process was flawed or that there is new information that would lead to a change in the decision.

Expectations:

Parents, Students & Staff can expect:

- A safe learning and caring environment that provides a broad, balanced and rigorous curriculum
- Information about all aspects of their students' education
- Information about school policies and procedures
- Opportunities to put their point of view across and express opinions and concern
- To be treated fairly and equitably
- Opportunities exist for involvement and participation in school activities
- Clear accessible communication channels
- Confidentiality. It is important that these grievances are kept confidential. At times parents may seek support from friends to gauge their reaction. It is very important to do this wisely. At all times it is important for the student's sake that the school or teacher is not criticised in front of the student. Parents are requested not to expect to discuss other students unless it directly impacts upon their specific grievance.
- Have access to appropriate and easily understandable information regarding the complaint resolution process
- Have the complaint considered impartially and in accordance with due process and principles of natural justice
- Be kept informed of the progress and outcome of their complaint.

The school expects:

- Support for school policies and procedures such as Behaviour Management, Uniform Policy, Attendance Policy.
- The concern or complaint is raised as soon as possible after the issue has arisen.
- Complete and factual information is provided about the concern or complaint.
- People to treat each other with respect and listen to different points of view.
- Concerns will be raised at the school through the agreed channels.
- Confidentiality will be maintained.
- To be informed if the aggrieved person intends to take the matter further.

Grievance Procedures:

There are 3 broad steps to the complaint process:

1. **Raise the Concern** – the school should always be the first point of contact.

Parents: For parents there is a specific flowchart to adhere to (attached and posted on website).

Staff: Depending on the concern there are various contacts which are made publicly available eg the person with whom they have the complaint, Line Manager, Principal, PAC representative, AEU Sub branch secretary, Harassment Officer.

Students: Depending on the concern there are various contacts eg parents, friends, SRC representative, staff member, student counsellor, principal.

2. **Contact the Regional Office** – if the parent is not satisfied that the outcome has been resolved by the school they can contact the local regional office who will review the complaint.
3. **Contact DECD Central Office** – if a complaint has not been able to be resolved then students and staff can contact DECD Central Office 8266 1000 at any stage during the process to seek advice. Parents can contact the Parent Complaint Unit Hotline.

Useful resources:

Parents:

www.decd.sa.gov.au/parentcomplaint

Parent Complaint Unit Hotline: 1800 677 435

Students:

Crisis Care - 131611

Kids Help Line - 1800 551 1800

Staff:

<http://www.decd.sa.gov.au/docs/documents/1/GuidetoResolvingGrievance.pdf>

<http://www.decd.sa.gov.au/docs/documents/1/DecsComplaintResolutionfo.pdf>

Flow Chart: Swan Reach Area School & Kindergarten & DECD Procedure For Managing Parent Concerns And Complaints

These procedures do not apply to the management of complaints or matters for which rights of appeal or review are provided for under specific legislation or another policy or procedure including allegations of employee misconduct (criminal matters, child protection, corruption etc) and employee disputes and grievances.

In partnership with parents, site leaders develop procedures to assist in the resolution of parent complaints at the preschool or school level.

All DECD employees will respect the right of the complainant to make a complaint and manage complaints in a respectful, confidential, impartial and timely manner that reflect, from beginning to end, the principles of natural justice and procedural fairness.

All parties involved are able to bring a support person to any of the meetings held as part of a (informal or formal) complaint management

Complaint made to the preschool or school

Staff will:

a) following a direct complaint made about their work:

- listen to the complainant
- consider relevant legislation, DECD policy & guidelines and school procedures and/or seek advice / support
- identify & discuss possible courses of action & timeline that could resolve the complaint as soon as reasonably possible (5 days)
- follow up on actions and ensure complainant is satisfied with the outcome.

b) following a complaint made about another staff member or issue outside their responsibility:

- direct or discuss with the complainant the site's complaint resolution procedure
- assist, if required, the complainant with making a complaint and refer the complainant in line with site procedures.

The principal /director will:

- acknowledge receipt of the complaint as soon as reasonably possible (5 days)
- determine if support needs to be provided to complainant or teacher while the complaint is considered
- consider relevant legislation, DECD policy and guidelines, site procedures and/or seek advice
- investigate, consider & determine the most appropriate way to resolve the issue fairly & promptly including negotiations between parties
- document the complaint process and outcome
- communicate the outcome to the parties involved within 15 working days from receipt of the complaint.

Complaint made to the regional office

Regional office staff will:

- refer, if appropriate, any complaint that has not been raised at the school level to the school
- determine the appropriate person to handle the complaint
- acknowledge receipt of the complaint
- listen to and clarify the nature of the complaint including expectations in relation to outcomes
- determine what support needs to be provided to complainant or school while the complaint is considered
- contact the relevant site to advise of the complaint and for information regarding the response to date
- consider relevant legislation, policy and guidelines and/or seek advice
- review the information provided and, if required, seek further clarification
- make an *assessment* of the complaint following DECD guidelines
- communicate the outcome of the *assessment* process (action to be taken) to the complainant as soon as reasonably possible (7 days)
- if required, undertake a *formal review* following DECD guidelines and, if possible, a negotiated /mediated solution or agreement between parties should be reached as soon as reasonable possible (14 days)
- if no solution or agreement the regional director will make a decision in relation to the complaint (5 days) according to the weight of the evidence and on the balance of probabilities
- communicate the decision to all parties within 20 working days from receipt of complaint at the regional office.

Complaint made in writing to the Parent Complaint Unit

The Parent Complaint Unit (PCU) on behalf of the Chief Executive will:

- refer, if appropriate, any complaint that has not been raised at the school / regional level to the school or region
- acknowledge receipt of the complaint in writing
- inform the school and region of the complaint and obtain all relevant documentation
- assess the request for a PCU review (including procedural fairness and outcome/decision) and make a recommendation to the Head of Schools that:
 - a review of the complaint by the PCU is not warranted and that the complainant is to be advised that no further action is considered necessary and that the complain is now concluded; or
 - a review of the complaint by the PCU is necessary; or
 - the complaint should be referred to an external agency for investigation or review

The Head of Schools will:

- review the advice and decide that the complaint (in full or in part):
 - can be resolved (all parties agree on an appropriate response)
 - should be dismissed (complaint is either unsubstantiated, vexatious, outside of reasonable expectations in relation to confidentiality, cooperation, courtesy and respect or is orientated towards conflict)
 - remains unresolved and that an independent review by an external agency is required
- document the outcome of the decision and notify, in writing, all parties and the Chief Executive within 35 days from receipt of the complaint at the PCU



Parent complaint made to the State Ombudsman

The Ombudsman will assess and investigate the complaint and try to resolve the problem.

Further information available at:
www.ombudsman.sa.gov.au

All school-based policies and procedures are to be reviewed at least every two years.