SOUTHSIDE
Montessori School

**Policy created:** 2010 **Reviewed:** 2012, 2014, 2016, 2018, 2020, 2022, 2024, 2025

# Dealing with Complaints and Grievances Policy
# Quality Areas 6 and 7
# NESA requirements: B8

## Policy Statement:

We are committed to fostering a supportive and respectful environment where families, staff, and the community feel confident that any concerns or issues will be addressed promptly, professionally, and with sensitivity. Our approach to complaints management is designed to meet the needs of our families and carers while aligning with our Montessori philosophy.

Our Montessori program nurtures the emotional, intellectual, physical, and social development of each child, recognizing their unique potential in a secure, caring, and academically enriching environment.

We understand that grievances or complaints may arise from time to time and addressing them effectively is essential. Unresolved concerns can escalate unnecessarily, which is why we have established clear procedures to ensure that parents, teachers, and students can voice their concerns in a fair, unbiased, and professional manner, guided by the principles of procedural fairness.

## Background:

Under the *Education and Care Services National Regulations* and the *Education Act (1990) No.8*, our service ensures that policies and procedures are in place for dealing with complaints (Reg 168) and we take reasonable steps to ensure those policies and procedures are followed (Reg 170). We will notify the regulatory authority in writing within 24 hours of any complaints alleging that a serious incident has occurred at the service or that the *Education and Care Services National Law* has been breached. We provide the name and telephone number of the person to whom complaints can be made and this is clearly displayed on the community board in our service (section 172 regulation 173).

A complaint or grievance is an expression of dissatisfaction regarding any aspect of the school's services, the conduct of its members, or decisions made by a staff member, contractor, or volunteer, including instances of misconduct. If a parent, carer, or student has concerns about a staff member's conduct, they should report it to the school in accordance with this policy.

If a complaint involves behavior that may constitute reportable conduct, the school will handle the matter in line with its **Child Protection Policy**. Complainants are not expected to determine whether their concern meets the threshold for reportable conduct before making a complaint. Any concern related to a child's well-being may be reported under this policy.

Complaints may be raised by students, staff members, or parents/carers. While the school aims to resolve issues informally whenever possible, we recognize that some situations may require a formal complaint process.

## Legislative requirements

| Section/regulation | Description |
|---|---|
| **Section 172** | Offence to fail to display prescribed information |
| **Section 174** | Offence to fail to notify certain information to Regulatory Authority |
| **Section 174A** | Family day care educator to notify certain information to approved provider |
| **Regulation 143B** | Ongoing management of family day care educators |
| **Regulation 168** | Education and care service must have policies and procedures |
| **Regulation 169** | Additional policies and procedures – family day care |
| **Regulation 170** | Policies and procedures to be followed |
| **Regulation 171** | Policies and procedures to be kept available |
| **Regulation 172** | Notification of change to policies or procedures |
| **Regulation 173** | Prescribed information to be displayed |
| **Regulation 176** | Time to notify certain information to Regulatory Authority |

**The principles that inform our policy include:**

- Children's safety, health and wellbeing are our key priorities.
- Our families are integral to our service. We welcome their input into all aspects of our operation, including any complaints they may have.
- We welcome complaints as an opportunity to enhance the quality of our education and care practices. We reflect on each complaint received, identifying any issues or areas of improvement for our school.

**Key terms**

| Term | Meaning |
|---|---|
| ACECQA – Australian Children's Education and Care Quality Authority | The independent national authority that works with all regulatory authorities to administer the National Quality Framework, including the provision of guidance, resources and services to support sectors to improve outcomes for children. |
| NESA | NSW Education Standards Authority (NESA) for and on behalf of the Crown in the State of New South Wales. NESA is responsible for accrediting registered non-government schools in school years for a period corresponding to period of registration of school |
| Complaint | Expression of dissatisfaction made to or about an organisation, related to its products, settings, staff or handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required. |
| Complaints handling | Effective resolution of a problem before it becomes worse and providing a remedy. |

| | |
|---|---|
| Investigation | A formal and systematic inquiry to establish facts about complaints by collecting, documenting, examining and evaluating evidence. An investigation is not an end in itself. Throughout an investigation, the investigator should keep an open mind about the possible outcomes of the investigation, such as education, compliance action, or decision not to pursue a matter. |
| Personal information | Information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not. |

**Links to other policies**

Related **policies and procedures** include

- Child Protection (regarding reportable conduct)
- Accidents and Incidents
- Student Attendance
- Student Discipline
- Restorative Justice Practice
- Codes of Conduct
- Security and Supervision
- Students who are People with Disability or Learning Needs
- Enrolment
- Student Wellbeing
- Anti-Bullying
- Governance and Management

**Induction and ongoing training**

Induction training at our service consists of school operations overview, human resources, salary, time keeping and sick leave procedures, record keeping, safety and accident prevention, leave entitlements/provisions, personal conduct and safety, professional development and training and introduction to the workplace.

Induction training is carried out as needed. To ensure and assist managers, coordinators, educators and other staff to fulfil their roles effectively our service provides a checklist of all areas to be covered and who oversees that area (Staff Induction Checklist).

**Policy created:** January 2010 **Reviewed:** 2020, 2022, 2024, 2025

# Dealing with Complaints Procedure

Under the *Education and Care Services National Regulations* and *Education Act 1990*, we ensure policies and procedures are in place for dealing with complaints (Reg 168 and 169). Our procedures reflect our overall Montessori philosophy, supervision and action plans.

## Procedures

Implementing the *Dealing with Complaints Policy* includes specific step-by-step procedures:

- Documents are held on the governance, administration and staff sharepoints

- The Flowchart is on the community noticeboard in the preschool and the office
- The *Dealing with Complaints Procedures* is core to our staff inductions
- A Complaints register, on the administration sharepoint, documents and provides dates of resolution for reporting to the School Board.
- The register of complaints is used to reflect on risk factors, mitigation strategies and ways to improve the service
- We publish the school's complaint handling procedures which can include allegations of staff misconduct or reportable conduct (child protection) on our website.

## Roles and responsibilities

Approved provider (The Southside School Board) ensures that:

- Obligations under legislation are met
- Training in investigative practice is provided to the Operations Manager
- The name/contact number of persons to make complaints to is clearly displayed
- The regulatory authority is notified in writing within 24 hours of any complaints alleging that a serious incident has occurred at our service or that the *Education and Care Services National Law* or the *Education Act* has been breached.
- There has been a discussion of the complaint with complainant, and that there are documented notes from the meeting or discussion
- Reasonable steps are taken to ensure that nominated supervisors and staff have access and follow the *Dealing with Complaints Policy and Procedures*
- Complaints result in reviews of relevant policies and procedures
- Notify families at least 14 days before changing the policy or procedures if the changes will affect the fees charged or the way they are collected or significantly impact the service's education and care of children or significantly impact the family's ability to utilise the service.

Nominated supervisor ensures that:

- Regulatory obligations are met in relation to dealing with complaints
- Procedures are implemented to deal with complaints
- Families are informed of the *Dealing with Complaints Policy and Procedures*
- Discuss the complaint with the complainant, and document by using the approved form
- The School Board is aware of the complaint, if it is a notifiable complaint, or if a complaint cannot be resolved
- They work co-operatively with the Board, leadership team, educators, staff and/or the complainant during the investigation or resolution of a complaint
- Serious incidents and complaints are investigated promptly, fairly and thoroughly
- Complaints result in reviews of relevant policies, procedures and practices

Educators/staff ensure that they:

- Understand and implement the *Dealing with Complaints Policy and Procedures*
- Report on all complaints received to their supervisor or the leadership team promptly
- Support the nominated supervisor and the Board in the investigation and/or resolution of complaints.

Families:

- Be familiar with and follow the *Dealing with Complaints Policy and Procedures*
- Raise any issues or complaints in line with the policy and procedures
- Cooperate with the representatives dealing with complaints.

**Preparing for and dealing with complaints**

**Act:** 172, 174, 174A **Regs:** 143B, 168–173, 176 **QAs** 6.1, 7.1.2, 7.2.1
**Related Policies:** refer to policy document

- Training in investigation best practice should be provided the leadership team.
- An external investigation may need to be considered if a conflict of interest exists

**Checklist** of things the person responsible should communicate with the complainant:

- ACECQA is notified in 24 hours of any complaints alleging that a serious incident has occurred at the service or that the Education and Care Services National Law has been breached.
- Communicate with families about complaints through our policy and procedures.
- Communicate with the complainant at all stages of the process (timeframes, methods)
- Respond to, monitor, follow up on and investigate complaints, and steps to follow and timeframes.
- Staff have the authority to resolve classroom matters (and record them) and the whole school, or more serious or complex matters, are escalated to the Operations Manager.
- The Operations Manager is responsible for investigating complaints and notifying the Board Chair.
- There is a register for complaints that concern staff and a register regarding all other matters including reporting a complaint about another child/their family.
- The procedures will be reviewed by the Board regularly to ensure complaints are investigated promptly, fairly, and thoroughly and risk management is implemented.
- The complaints records will be kept by the Operations Manager who will ensure that they are private and confidential and securely locked with limited access.
- We support people to feel safe or comfortable when making a complaint verbally or in writing and we will maintain the privacy and confidentiality of those involved.
- Difficult, aggressive, or repeat complainers will be given an opportunity to be heard by the Board Chair if they wish.
- Staff are supported through the complaint process, by understanding the policies and procedures, being trained in dealing with complaints, making risk assessments and receiving psycho-social safety support through plans for students, families and staff.

**Resolving complaints**

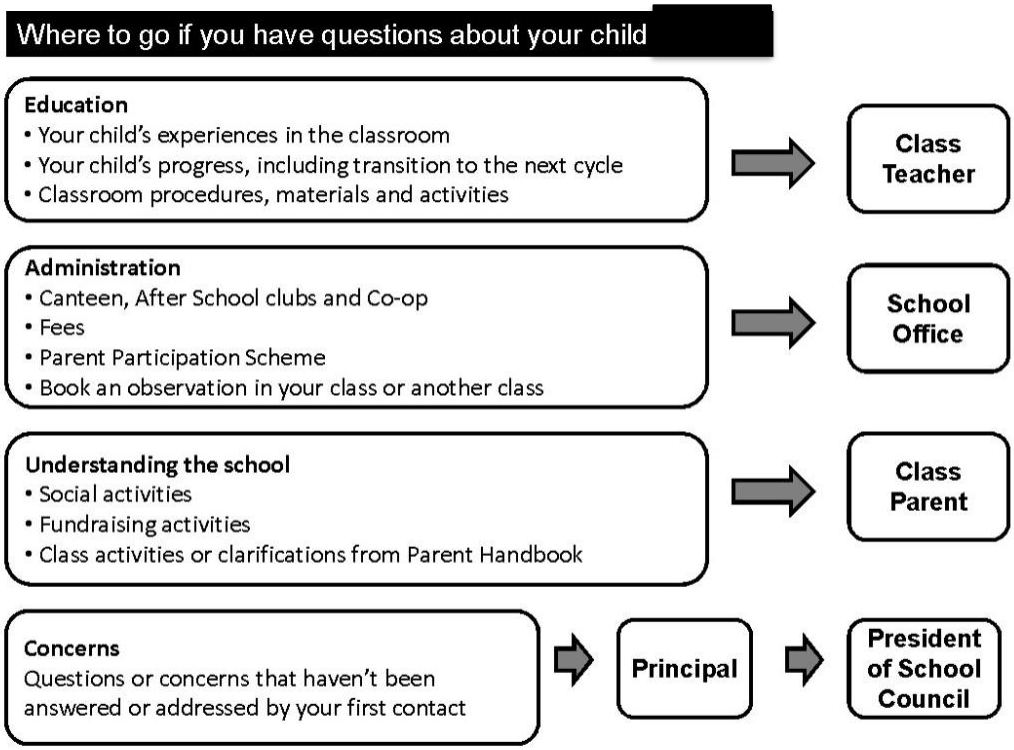
**Act:** 174, 174A **Regs:** 143B, 168- 172, 176 **QAs** 6.1, 7.1.2, 7.2.1
**Related Policies:** refer to policy document

We let the complainant know what actions we will take as a result of their complaint by writing to inform them of:

- The outcome of a complaint or investigation.
- Any issues or areas of improvement that have been identified and if our policies, procedures, practices or strategic improvement plans need to change.
- How we will communicate to other parties about the outcome of the complaint, if relevant (e.g. our community) by writing to them stating the outcomes.
- A process if the complainant is unhappy with our proposed resolution of the complaint (e.g. a right to appeal, etc.) as outlined below.

## Communication Structure for parents to follow

## (prior to following the Complaints Procedure that follows)




**Other resources:** The parent handbook and our school website are also full of useful information so please have a look there to see if your questions can be answered

## Recording Complaints and Grievances

Teachers and the Operations Manager will record all complaints. Grievances are initially dealt with in a meeting where the goal is to resolve any issues presented (SSM Complaints and Grievances Form). All grievances are handled in an unbiased manner and consider the principles of **procedural fairness.** The following outlines our processes:

**Dispute Resolution Process: Parent & Teacher/Assistant**

**Pre-Primary (3-6) and Primary (6-12)**

1. **Initial Meeting:** Parents discuss the disagreement with the teacher. If a class assistant is involved, they attend as well. The teacher documents the discussion, and all attendees sign the summary.
2. **Escalation:** If unresolved, either party may request a second meeting with a senior staff member (Lead Educator for Pre-Primary, Operations Manager for Primary). The issue is discussed in the child's best interest, and a signed summary is recorded.
3. **Board Involvement:** If still unresolved, parents may submit a written complaint to the School Board Chair. A meeting is held, and documentation is filed in the child's record and with administration.
4. **Final Decision:** If resolved, the Chair reports it to the Board. If unresolved, the Board makes a final decision, records it in meeting minutes, and informs the parents.
5. **Further Action:** In Pre-Primary, parents may escalate the matter to the regulatory authority, ACECQA. In Primary, the Board's decision is final, aligning with contractual agreements.

**Dispute Resolution Process: Parents & Staff / Staff Members**

**Parent & Administration Staff Disputes**

1. **Initial Meeting:** Parents meet with the staff member to discuss the issue. A summary is documented and signed by all attendees.

2. **Escalation:** If unresolved, a second meeting is held with the Operations Manager. A signed summary is recorded.
3. **Board Involvement:** If still unresolved, parents submit a written complaint to the Board Chair. A mediator may be involved, and documentation is filed.
4. **Final Decision:** If resolved, the Chair reports it to the Board. If unresolved, the Board makes a final decision, records it in meeting minutes, and informs the parents.
5. **Closure:** The Board's decision is final, following contractual agreements.

**Staff Member Disputes (Including Teacher Accreditation Issues)**

1. **Initial Meeting:** Staff members meet to discuss the issue and document a summary.
2. **Escalation:** If unresolved, the Lead Educator mediates a second meeting and records a summary.
3. **Board Involvement:** If still unresolved, a written complaint is submitted to the Board Chair, who meets with the staff members to assist in resolution. Documentation is filed.
4. **Final Decision:** If resolved, the Chair reports it to the Board. If unresolved, the Board makes a final decision, records it in meeting minutes, and informs the staff.
5. **Closure:** The Board's decision is final, following contractual agreements.

### Considerations include:

All documentation produced while resolving a disagreement is kept in the file of the child/staff member and the file of the Operations Manager with the Complaints Registers. These documents contain confidential material and should not be accessible to everyone.

The child's file relating to this matter may only be accessed by:

- The Lead Educator
- The class teacher that the child currently attends can ask the Lead Educator.
- The parents of the child can get access after asking the Lead Educator.
- The Lead Educator and the parents together can give someone else access.

The file of the Operations Manager may only be accessed by:

- The Operations Manager
- The staff member who the file concerns after asking the Lead Educator.
- The Operations Manager and the staff member together can give someone else permission to access the documents concerning the staff member.

It is important to keep good documentation for the following reasons:

- People often have different recollections of discussions and meetings.
- If there is a change of staff, the new staff member must be able to see the history of an unresolved dispute.

# Managing a Complaint

## Assessing a complaint

The Operations Manager generally will assess the complaint and determine:

- If 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 urgency and/or seriousness of the matter raised
- If the school may be required to report the matter to the Ombudsman, Police, Family and Community Services or other relevant authorities the complaint may relate to possible unlawful conduct or other reportable matters.

## Whistleblowing complaints

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

In summary a whistleblowing disclosure is a disclosure which is made:

- by a board or 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
- 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.
- involves alleged misconduct, an improper situation or circumstances, or illegal activity

## The complainant

Informal complaints may 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 Operations Manager. Any complaint about the conduct of a staff member should be raised directly with the Operations Manager 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 Operations Manager, via email.

Where a person wishes to make a formal complaint concerning the Leadership Team the complaint should be made in writing to the Board Chair/delegate, via email. The Board Chair will promptly acknowledge receipt of a formal complaint in writing.

## Confidentiality

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

There may be circumstances where the steps outlined above are inappropriate 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.

## Contacts

If you have any queries about this procedure, please contact the office.

Appendices:

Forms

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# Appendix 1
# Managing a Complaint Form

The term *grievance* is used only in a human resources context (e.g. staff grievances).
The term 'complaints' be used for the broad range of matters from the Australian Standard. Any issue raised that is an expression of dissatisfaction made to or about the school, 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 should be considered a complaint and managed in accordance with the school's complaints handling procedures.

All complaints and grievances are treated with objectivity and confidence.

## The Complaint

Basics of Complaint (including relevant dates, persons involved):

Who has brought the complaint:

Date complaint has been brought:

## Acknowledging a Complaint

Verbal acknowledgement of complaint - Date verbally acknowledged …….

Date resolved ……..

Contact person for the complainant …….

Written acknowledgement of complaint - Date acknowledged in writing …….

Date resolved ……..

Contact person for the complainant …….

## Tracking the complaint

All complaints are recorded on a school's complaints register, whether they are serious or not and are responded to within certain timeframes. This is because many informal complaints received over time may indicate a systemic issue which, if not resolved, can lead to escalating dissatisfaction among key stakeholders such as parents or students. Timeline for most complaints are 21 days. Reportable conduct complaint is dealt with in

Complaint first received on date: ……

1st response to acknowledge complaint made on date: ……

Complaint under investigation to identify key risks and suggest appropriate decisions from

date: …… To ……
2nd response to call meeting to report on investigation sent: …….

To write to detail investigation sent: ……

Action School will take: ……

Reasons why School will not take action in this case: ……

Complaint resolved on: ……

Improvements for School:
- Identifying problems
- Addressing problems
- Implementing solutions
- Reviewing these changes

Supporting documents include:
- Witness statements

Complaints Register

All complaints are recorded in the complaints register, classified and analysed to identify systemic, recurring and single incident problems and trends so that key risk areas are clearly understood, and the underlying causes of complaints can be addressed through corrective actions.

It may not be appropriate for the details of child protection related complaints to be included in the same complaints register as other complaints, for reasons of privacy and confidentiality.

Appendix 2:

# Dealing with Complaints and Grievances Form

**Date** **Person/s submitting form:**

**Complainant Details**

Full name:

Contact Email: Phone:

**Complainants' Category**

☐ Parent/carer/family member

☐ Teacher

☐ Student

☐ Staff member

☐ Other

**Brief description of complaint:**
[Describe the situation and/or your concerns; include key dates and times, such as when the incident occurred; if known, names of adults or children involved; any other information that you think is relevant to your complaint. Add pages as required].

**What action would you like to see as a result of your complaint?**

**What actions have already been taken?**
[Have you verbally raised your complaint with the Teacher or Administration? If yes, what was the outcome? If no, was there a particular reason?]

**Signature of complainant:** **Date:**

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# Dealing with Complaints and Grievances Meeting Record

**Attendees/positions:**

**1.**

**2.**

**3.**

**4.**

**Brief description of complaint:**

[Describe the situation and/or your concerns; include key dates and times, such as when the incident occurred; if known, names of adults or children involved; any other information that you think is relevant to your complaint. Add pages as required].

**Decisions made at this meeting:**

**1.**

**2.**

**3.**

**What actions are expected to be taken?**

**True Summary of Meeting:**

a) This complaint was satisfactorily resolved through/by
b) This complaint was not satisfactorily resolved but the timeframe for follow up is:

**Signatures:** **Date:**

*This record will be securely kept in the child/staff file in Administration*