

The Avenue School

Policy & Procedure Document

Policy number	4.14	Version	1.1
Drafted by	J. Claringbold	Approved by Board on	25/06/2024
Responsible person	Principal	Scheduled review date	25/06/2027
Policy Area	Student Welfare		

Title: Complaints Handling Policy and Procedures

The Avenue School values and encourages open and positive relationships with our students, families and school community. We understand that it is in the best interests of students for there to be a trusting relationship between families and the school. A timely and professional response to complaints is an effective means of encouraging communication, building trust and resolving issues for the benefit of all concerned.

Positive, clear, and effective procedures for resolving complaints between the school and community members can assist in building strong relationships, dispelling anxiety and, ultimately, providing students with a safe and supportive learning environment.

This policy will be made available to the community via the School website.

Aims and objectives

The Avenue School is committed to building a community that features positive and respectful relationships that support the learning and development of students and value the innate dignity of each person.

The Avenue School supports the education and wellbeing of students and collaboration with their families and other members of the school community through a clear and accessible complaints process.

The Avenue School is committed to empowering our students to participate in and where possible, be a part of the decision-making processes that involve their educational journey. Positive outcomes can be achieved when everyone works together in good faith and in a respectful way.

Complaints are managed in a way that is culturally safe and sensitive to the diverse circumstances of students and their families and includes providing support in the process to students and families, especially those who may be particularly vulnerable.

Complaints will be taken seriously and responded to in a timely manner. The school will abide by the principles of procedural fairness.

Purpose

This policy and procedures document seeks to ensure that The Avenue School manages and responds to complaints in a way that:

- Promotes the health, safety and wellbeing of students.
- Ensures consistent and fair complaints management.
- Improves the outcomes of complaints with a focus on collaboration and resolution.

- Meets its legal and regulatory obligations.

Definitions

Complaint: A formal expression of dissatisfaction with an action taken, decision made, service provided or handling of an issue.

Complainant: The person or persons who have made a complaint about the school.

Head of Entity: In accordance with section 3 of the Child Wellbeing and Safety Act 2005 (Vic.), the head of an organisation is the person who is “primarily responsible for an organisation’s compliance with the Reportable Conduct Scheme”. At The Avenue School the head of organisation is the Principal.

Scope

In the day to day running of the school, students and parents/guardians may have queries, concerns or matters requiring clarification. These matters are not considered complaints, and the school encourages staff to work collaboratively with students, parents/guardians and members of the school community to resolve issues informally with the wellbeing of the student in mind. If a matter is unable to be resolved in this manner, then it may escalate to a complaint under this policy and procedure document.

This policy applies to all complaints or concerns received including those relating to child abuse made by or in relation to a child or student, staff, volunteers, contractors, service providers, visitors, or other persons while connected to a school. Child abuse matters must be reported in accordance with the Responding and Reporting policy.

Feedback

Feedback from the school community is important to us. There are many avenues to provide feedback to the school including parent/guardian surveys, scheduled parent/guardian/student meetings or by appointment, email or telephone with the Principal or Youth Worker.

Matters outside scope of this policy

This policy is not relevant to matters where there are existing rights (and processes) for review. This includes matters relating to criminal activities, fraud and corruption, legal claims, privacy, suspensions and expulsions, critical incidents, emergency management, criminal offences or employment matters.

Misconduct or serious misconduct

All complaints of alleged misconduct or serious misconduct by a teacher, staff member or volunteers should be reported to the Principal.

Complaints about teachers can be reported also to the Victorian Institute of Teaching (VIT) – the regulator in relation to the registration and investigation of serious misconduct (including conduct, which is of a physical or emotional nature) of all teachers in the state of Victoria. If unsure whether the complaint constitutes serious misconduct by a teacher, contact the VIT on 1300 888 067 or vit@vit.vic.edu.au.

In some cases, certain actions, which involve physical or emotional misconduct, such as unlawful assault or threats to the person, may constitute a criminal offence. These types of offences should

be reported to and investigated by the police. Initial consultation with the Principal may help to determine the appropriate course of action in these circumstances.

Child abuse (including sexual offences)

Child abuse includes any instances of physical or sexual abuse (including grooming), emotional or psychological harm, serious or significant neglect and family violence involving a child.

Reporting obligations

There are legal obligations on all adults to report child abuse to police once a reasonable belief is formed that a sexual offence may have been committed against a child. Failure to disclose a sexual offence against a child is a criminal offence under section 327 of the Crimes Act 1958 (Vic.) (Crimes Act) and applies to all adults (18 years of age and over) in Victoria.

Grooming

Communication with children under 16 years of age by teachers, staff or any other person to prepare or groom a child for future sexual activity is a criminal offence under section 49M(1) of the Crimes Act and must be reported to the police. The offence of grooming applies to any person aged 18 years or over and does not apply to communication between people, who are both under 18 years of age.

Complaints relating to reportable conduct

Legal obligations require The Avenue School to report to Victoria Police where those allegations are based on a person's reasonable belief that reportable conduct or misconduct involving reportable conduct has occurred within the school environment.

Reportable conduct includes the following:

- sexual offences against, with or in the presence of a child
- sexual misconduct against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- behaviour that causes significant psychological or emotional harm
- significant neglect.

Complaints of reportable conduct in relation to an employee (other than a principal) at The Avenue School are also be reported to the Principal. The Principal is required to report such conduct to The Avenue School Board (via the Chair).

If a concern is raised about a child abuse matter occurring outside the school environment, the representative of the school, usually the Child Safety & Wellbeing Officer or the Principal must notify Child Protection. When a report is made to Child Protection the Principal and the Board must be notified. All matters reported to authorities are subject to the Privacy policy and applicable Privacy laws.

Information Sharing

The school is a prescribed Information Sharing Entity (ISE) that may share information under the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS). As an ISE, the school may receive complaints from individuals in relation to its conduct as an ISE under the CISS. Also, it may receive a complaint from another ISE.

The following information is recorded where a complaint is received under the CISS:

- the date the complaint was made and received
- the nature of the complaint
- the action taken to resolve the complaint
- the action taken to lessen or prevent the issue from recurring
- the time taken to resolve the complaint
- further action taken if the complaint was not resolved

Anonymous complaints

The Avenue School endeavours to address and respond to all complaints. In some situations, it may not be possible to fully address complaints that are made anonymously or without sufficient detail being provided to enable a review or resolution of the matter.

To ensure procedural fairness, respondents have a right to know the particulars of the allegations being made against them and be given an opportunity to respond to them.

Where possible, complainants are encouraged to give their names and to be reassured that we will deal with complaints professionally and in accordance with procedural fairness and confidentiality.

If the complainant wishes to remain anonymous, it is at the Principal's discretion what, if any, action will be taken. Anonymous complaints will be recorded in the same manner that all other complaints are recorded.

Roles, responsibilities and reporting

The Principal is responsible for handling complaints and concerns. In the event that the principal is unable to manage and respond to the complaint or concern the Child Safety & Wellbeing Officer, is allocated the responsibilities of the Principal as outlined.

If the complaint concerns the decisions, actions or activities of the Principal, a complaint should be made to the Chair of the School Board. In this situation, the complaint will be handled by a Committee of the School Board with the Board Chair assuming the responsibilities of the Principal as stated within this policy. Contact details for the Board Chair are available via the Office.

Role	Action	Reporting requirement (as applicable)
Any member of the school community	Raise complaint or concern	Any trusted staff member at The Avenue School. Via support services available outside the school environment.
Students, parents/guardians	Raise complaint or concern	Any trusted staff member at The Avenue School. Via support services available outside the school environment.

Staff, volunteers, contractors	Complaint received. Complaint acknowledged. Steps in process outlined. Complaint details recorded. Complaints handling procedures followed. Reporting requirements followed as per policies and procedures.	Principal Child Safety & Wellbeing Officer Police/Child Protection DFFH CCYP
Principal	Complaint received. Complaint acknowledged. Steps in process outlined. Complaint details recorded. Complaints handling procedures followed. Reporting requirements followed as per policies and procedures. Investigation undertaken. Cooperate with law enforcement. Complainant kept informed and	Complaints Register Police/Child Protection DFFH CCYP Board Chair Complainant
Child Safety & Wellbeing Officer	Complaint received. Complaint acknowledged. Steps in process outlined. Complaint details recorded. Complaints handling procedures followed. Reporting requirements followed as per policies and procedures. Investigation undertaken. Cooperate with law enforcement. Complainant kept informed and supported. Assume responsibilities of the Principal if the Principal is unavailable to manage and respond.	Youth worker (Child Safety & Wellbeing Officer) Principal Police/Child Protection DFFH CCYP Board Chair Complainant
Board Chair	If a complaint is received in relation to the Principal or the conduct of the Principal by the Chair of the Board, the Chair will bring the complaint to the attention of the full Board. The Board will form a Committee to address the complaint in line with policy guidelines. Communication will be undertaken by the Chair on the Board's behalf.	Board Members Principal Complaints Register Police/Child Protection DFFH CCYP Complainant ISV VRQA

Raising a Concern

A concern may be described as 'an expression of worry or doubt over an issue considered to

be important for which reassurances are sought'. A concern may also be raised when a matter needs clarification.

The Avenue School values a non-judgmental approach and welcomes the opportunity to clarify matters and to put people at ease when worries or concerns are brought forward.

Students, families and anyone in the school community are encouraged to communicate concerns to anyone at the school they feel most comfortable raising the matter with.

If a concern is unable to be resolved informally, a complaint may then be raised.

Making a Complaint

A complaint is an expression of dissatisfaction with a matter at The Avenue School or about the behaviour of staff, volunteers or others in attendance at the school. The nature of complaints covered by this procedure is outlined in the Complaints Handling Policy. The policy also indicates which complaints are not covered by the policy and how these may be addressed.

Complaints are best directed to the Youth Worker or the Principal. They can be submitted via email, telephone or in-person. You may need to make an appointment so the matter can be discussed without distraction, so the matter can be understood, and the complainant has time to fully express themselves.

Where a complaint about a person at The Avenue School is received, the school will ensure the staff member managing the complaint is someone other than the subject of the complaint.

Parents/guardians are asked not to approach any other student attending the school to discuss an issue or to chastise them. Direct contact with other parents to resolve the matter is discouraged if the complaint relates to issues or incidents that have arisen at the school.

Staff at The Avenue School are available to help with matters that may arise between students at the school.

Information to provide and matters to consider

When raising a concern or complaint please be mindful of the following:

- raise the concern or complaint as soon as possible after the issue has arisen.
- be clear about the topic or issue to be discussed.
- provide all the facts relating to the issues raised.
- check and observe the Complaints Handling Policy and Procedures.
- communicate and respond in ways that are constructive, fair and respectful.
- provide complete and factual information about the complaint.
- observe confidentiality and a respect for sensitive issues.
- act in good faith to achieve an outcome acceptable to all parties.
- think about what a fair outcome would be for everyone.
- have realistic and reasonable expectations about possible outcomes/remedies.

Students Raising Complaints and Concerns

Students are encouraged to communicate any concerns or worries they may have so they can be resolved as soon as possible. Concerns are usually resolved readily once communication takes place.

Concerns can be raised with any trusted adult including teachers, support staff, the youth worker or the Principal, in fact whoever student feels most comfortable with. Students may feel more comfortable having their parent/ guardian or another trusted adult outside the school to talk to the school about an issue.

Complaints made or concerns raised by students will be taken seriously.

The staff member who receives the concern or complaint will explain to the student what steps they will take to try to resolve the issue and what the school can do to support the student.

Students raising complaints or concerns in person may be assisted or accompanied by a support person. The support person could be a family member, a friend or a professional with knowledge of the student. The support person might also assist in ensuring the cultural safety of the student or families in the complaints process.

Additional resources to support students to raise issues or concerns are available at:

- [Report Racism Hotline](#) (call 1800 722 476)
- [Reach Out](#)
- [Headspace](#)
- [Kids Helpline](#) (call 1800 55 1800)
- [Victorian Aboriginal Education Association](#) (VAEAI)

Support for Complainants

Parents/guardians/carers discussing complaints with the Principal may be accompanied by a support person. The support person can be a family member, a friend or a professional with knowledge of the student.

Any person acting in a professional capacity on behalf of the parents/guardians/carers must provide their occupational details and full name prior to the meeting being held. It is at the Principal's discretion if an external professional is a participating member of any meeting.

The support person may encourage and facilitate sharing of parent/guardian/carer knowledge, perception, and issues. The support person should support a positive working relationship between all parties. The support person does not speak on behalf of parents/guardians/carers when discussing complaints with the Principal.

Receipt of complaint

The school will record the details of all complaints, including the name and contact details of the person making the complaint.

The school will acknowledge receipt of the complaint in writing within two school days. Where possible, the school will provide indicative timelines relevant to the nature of the complaint and advise the complainant how the complaint will be addressed.

The complaint will be handled by either the Principal or the Youth Worker. To have matters managed fairly, the school will not assign a staff member to address a complaint they are the subject of.

The response will involve the following steps:

- The complaint is referred to either the Principal or the Youth Worker (or another staff

- member if deemed appropriate).
- The complainant will be advised of the next steps in the process.
- An investigation of the complaint will be carried out.
- Consideration will be given to individual circumstances and if required, support or other measures put in place.
- The outcome and details of the resolution will be advised within 15 working days.
- The complainant may be advised at a meeting, by telephone or by email as appropriate in the circumstances.
- The complaint is recorded on the complaints register.

Unresolved complaint

If the scope of the complaint is beyond the capacity or jurisdiction of the Principal to resolve, or if it is unable to be resolved by mutual agreement, the matter will be referred to the Chair of The Avenue School Board and the complainant will be informed. Complaints against the Principal will also be addressed via the Board Chair.

Avenue of appeal

If the matter remains unresolved, following a response from the Board Chair, the complainant may pursue external resolution alternatives. External agencies to which complaints may be made include the Victorian Regulations and Qualifications Authority (VRQA) and the Victorian Ombudsman.

Recordkeeping and privacy

The Avenue School will handle personal, sensitive and health information in accordance with the school's Privacy policy and Records Management policy and requirements under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme.

Privacy laws may prohibit information being provided to the complainant about any specific action taken in relation to individuals about whom a complaint has been raised.

The school will ensure that it will create, maintain, and dispose of records relevant to child safety and wellbeing in accordance with policies, procedures and the Public Records Act 1973 (Vic).

Withdrawal of a complaint

A complaint can be withdrawn at any stage during the complaint handling process in writing to the principal.