

# ARDEN



## Complaints Handling Policy and Procedures

### Policy Statement

Arden Anglican School (“the School”) values feedback (both positive and constructive) from all members of the School community and considers complaints a valuable source of information to improve relationships, policy, practice and systems.

The School recognises the importance of having a process that fosters a culture of disclosure whereby complaints can be raised and then managed in a supportive, cooperative and respectful manner, with confidentiality and sensitivity.

To ensure that the School provides the best opportunity for fair outcomes for all members of the School community, the School has the following policy for dealing with complaints and grievances of a general nature.

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1. Introduction	
1.1 Purpose and scope	<p>This policy applies across all Arden Anglican School sites from our Pre-School, Junior Campus and Secondary Campus in handling complaints made in respect of services provided by the school or against staff members, which includes employees, contractors and volunteers.</p> <p>This policy does not extend to personal grievances between parents, guardians or other members of the school community.</p>
1.2 Concerns, Complaints and Allegations	<p>In this policy:</p> <p>A <b>concern</b> is an expression of worry or doubt over an issue considered to be important and for which reassurances are sought. Concerns can be raised in an informal manner with the relevant member of staff for reassurance of response.</p> <p>A <b>complaint</b> is an expression of dissatisfaction about a situation, action or lack of action. In this context, it relates to educational and/or operational matters relating to services provided by the School where a response or resolution is explicitly or implicitly expected. It also encompasses disclosure of a child at risk of harm.</p> <p>An <b>allegation</b> is a claim that someone or a group of people did something hurtful or damaging. This includes allegations of staff misconduct and allegations of reportable conduct.</p> <p><b>Staff misconduct and reportable conduct</b>  Allegations of staff misconduct and reportable conduct are the most critical in the Complaints Handling Prioritisation process. These matters are treated as an absolute priority and with the appropriate care and confidentiality attached in the investigation process. The School defines:</p> <p style="padding-left: 40px;">STAFF MISCONDUCT as:</p> <ul style="list-style-type: none"> <li>• conduct that displays purposeful neglect of duties/responsibilities, or</li> <li>• conduct impaired by alcohol and/or other substance abuse, or</li> <li>• conduct which is physically, verbally or emotionally abusive, or</li> <li>• conduct which endangers the safety or wellbeing of students, staff or other community members of the School.</li> </ul> <p>The Child Guardian Act 2019 (NSW) defines REPORTABLE MISCONDUCT as:</p> <ul style="list-style-type: none"> <li>• any sexual offence or sexual misconduct, committed against, with or in the presence of a child (including child pornography offences or an offence involving child abuse material), including grooming behaviour.</li> <li>• any assault, ill-treatment or neglect of a child.</li> <li>• any behaviour that causes significant emotional or psychological harm to a child.</li> </ul>
1.3 Whistleblowing complaints	<p>This policy does not extend to complaints which are whistleblowing disclosures. The procedure for processing whistleblowing complaints is dealt with in the School's Whistle-blower Policy.</p> <p>In summary, a whistle-blowing disclosure is a disclosure which:</p> <ul style="list-style-type: none"> <li>• is made by a School Council 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;</li> </ul>

	<ul style="list-style-type: none"> <li>• involves alleged misconduct, an improper state of affairs or circumstances, or illegal activity, and</li> <li>• 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.</li> </ul>
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1.4 Confidentiality	<p>Subject to the School’s legal obligations, confidentiality applies with respect to both information relating to the complainant and, if relevant, to a person against whom a complaint is made. The School is committed to maintaining the confidentiality of information throughout the complaints process. Generally, information will only be shared to those who needs to know in order to deal with the complaint.</p> <p>As anonymity can make it difficult for the School to address complaints adequately, the School encourages complainants to identify themselves. Personal information about a complainant will only be made available for the purpose of addressing the complaint, and the School will take reasonable steps to protect this information from disclosure.</p>
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1.5 Roles & Responsibilities	School Council	The School Council is responsible for reviewing and ratifying this policy following the review and recommendation of the Governance Committee.
	Governance Committee	Following review and recommendation of the Principal, the Governance Committee is responsible for reviewing and recommending this policy to Council.
	Principal	The Principal is responsible for reviewing and recommending this policy in line with the confirmed review date, or earlier as required, and submitting it for Committee review. The Principal is responsible for ensuring the policy aligns with relevant legislation and/or school requirements and is available to members of the School Community.
	Deputy Principal	The Deputy Principal is responsible for managing and updating the policy as and when required but no later than the confirmed review date. The Deputy Principal is to update the policy to reflect changes to the School’s requirements or legislation/regulations and ensure that the policy and related principles are communicated to all Staff.
	Executive	The School Executive is responsible for supporting the Deputy Principal with the identification of changed school requirements and/or emerging issues to ensure the policy continues to achieve its purpose and remains relevant and current.
	Staff	Staff are responsible for complying with this and all other relevant school policies and procedures, including associated documents, Guidelines and Codes of Conduct.

## 2. Complaints

	<p>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.</p> <p>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 3.</p> <p>If a complaint that concerns the behaviour of a staff member may constitute reportable conduct, the matter will be addressed by the school’s <b>Child Protection Policy</b> in accordance with section 1.3. A complaint about a reportable conduct</p>
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matter may be current or historical. Timeframes for investigation of complaints relating to reportable conduct are dependent on the individual matter and may be over an extended period of time, particularly in the case of a historical allegation. The School is bound by privacy or other confidentiality requirements when conducting investigations of reportable conduct allegations, which may limit the information that can be shared with the complainant regarding the outcome of an investigation. 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 or the conduct of an employee, volunteer, contractor or member of the School community may be reported under this policy.

Complaints may be made by a student or parent/carer or any member of the School community.

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.

### 3. Raising a complaint

#### 3.1 The complainant

Complaints may, where appropriate, be raised directly with the individual concerned. However, if the complainant does not feel comfortable doing so, or if it is not appropriate or possible, such as in the case of an external party or the nature of the complaint, concerns may be directed to the Principal. Any complaint regarding the conduct of a staff member should be referred to the Principal in the first instance.

Should the matter not be resolved between the parties directly in the first instance, the complainant may raise the matter with the School. A complaint can be made in writing to the Principal, via email [principal@arden.nsw.edu.au](mailto:principal@arden.nsw.edu.au)

Where a person wishes to make a complaint concerning the Principal, the complaint should be made in writing to the Chair of School Council, via email [councilchair@arden.nsw.edu.au](mailto:councilchair@arden.nsw.edu.au). In this situation, the references in this policy relating to the role of the Principal should be read as references to the Chair of Council.

It is important to remember, if the situation which requires reporting is an emergency, there is immediate danger or potentially evidence of a crime, the appropriate contact should be made to NSW Police and Emergency services and the Principal immediately, in this order.

#### 3.2 The School

The Principal will generally acknowledge receipt of a complaint raised with the School in writing as soon as practicable.

### 4. Handling Complaints

#### 4.1 Assessing a complaint

The Principal 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, or another matter identified in

	<p>section 1.3, which are dealt with by the relevant policies, see section 1.3; and</p> <ul style="list-style-type: none"> <li>• the priority of the complaint in accordance with the urgency and/or seriousness of the matter raised; and</li> <li>• 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.</li> </ul>
<p>4.2 Managing a formal complaint</p>	<p>The Principal generally will manage a complaint by:</p> <ol style="list-style-type: none"> <li>a) advising the complainant of the likely steps that will be undertaken by the School in relation to the complaint;</li> <li>b) if appropriate, advising the relevant parties of the complaint at the relevant time and providing them with an opportunity to respond;</li> <li>c) collecting any additional information the School considers necessary to assess the complaint;</li> <li>d) making a decision about how the complaint will be resolved (“resolution decision”); and</li> <li>e) if appropriate, advising the complainant in writing, and any other relevant parties as appropriate, of the resolution decision of the Principal and, if appropriate, any proposed action to be taken.</li> </ol> <p>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.</p> <p>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.</p> <p>The Principal (or their delegate) will seek to resolve the matter so that the complaint has been fully and fairly considered.</p> <p>If the complainant is not satisfied with the outcome or decision of the Principal, they can appeal to the Chair of School Council via email to <a href="mailto:councilchair@arden.nsw.edu.au">councilchair@arden.nsw.edu.au</a>. The Chair generally will acknowledge receipt of the appeal and advise the complainant of next steps. The Chair generally will obtain a report from the Principal and examine matters thoroughly to determine if the complaint has been handled in accordance with the School’s policies and procedures, as well as to give further consideration. Where appropriate, the Chair will ultimately notify the outcome of the appeal to the complainant in writing.</p>
<p>4.3 Disclosing information to the School Community</p>	<p>There are obligations for the Principal around disclosure to both the family of the impacted student or to the wider School community. These obligations are outlined</p>

in Section 57 of the Act and must be followed precisely.

Families of the affected students may have legitimate interest in being told of process and progress around investigations of Staff Misconduct or Reportable Conduct. However, there may be some circumstances where legislative prohibitions limit the information which can be released in the case of Reportable Conduct due to the nature of allegations and the involvement of external investigators.

If it isn't deemed in the best interest of the students or investigation, then information will remain confidential.

Community disclosure is also limited via this legislation and the Privacy Act.

## 5. Further information

### Related Policies

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

Complaints regarding a grievance between students will be addressed in accordance with the school's **Student Code of Conduct, Discipline Policy and Student Anti-bullying Policy**.

Student Code of Conduct is outlined in the digital Student Handbook found under Student Expectations, Student Behaviour System and Responsible Technology Usage Policy. These expectations are aligned with the School's values and provide a consistent, values-based approach to managing student conduct and resolving peer-related grievances.

Complaints regarding a grievance between staff members about work matters, including work relationships and decisions 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**.

Complaints regarding teacher accreditation processes will be addressed in accordance with the school's **Teacher Accreditation Procedures**.

### Publication, Communication and Engagement

This procedure is communicated by being readily available on the School's website and internal School policy portal as well as included in the School's induction.

### Getting Help

Staff may seek assistance or provide feedback about this document by emailing the Policy Author or [compliance@arden.nsw.edu.au](mailto:compliance@arden.nsw.edu.au)

Author and Review  
Information

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