

## **AL-AMEEN COLLEGE**

### **COMPLAINT RESOLUTION PROCEDURES**

The College's procedures are flexible to handle both formal complaints and the informal raising of concerns. The College will determine and communicate what it believes to constitute formal and informal complaints. In the first instance, before lodging a formal complaint, the aggrieved person will be encouraged to resolve the issue directly by raising the complaint with the person involved. The following steps are to be undertaken and guidelines followed upon receipt of a complaint from parents, students, staff and community members. The College implements all the registration standards, including the standards in relation to complaints handling.

The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the school has breached the registration standards, she does not have power to intervene in a complaint or override the school's decision.

#### **1. STEPS TO FOLLOW:**

##### **a. FORWARD ALL COMPLAINTS TO THE PRINCIPAL**

Any complaint (including anonymous or unsubstantiated) from a parent, student, staff or a community member must be lodged (in writing, by email or verbally) to the Principal or forward to the Principal. The complaint preferably should be written on the 'Complaint Lodgement Form' (Annexure A). Any complaints about the Principal should be addressed to the Chairman of the Board.

##### **b. PRINCIPAL TO DELEGATE RESOLUTION OF COMPLAINT**

The Principal will formally delegate the handling and resolution of the complaint to the appropriate management staff member (usually Assistant Principal Curriculum &

Academic) who will then follow procedure to find a resolution. If the Principal is concerned or suspects that the abuse or neglect of a child or children is associated with the complaint, the Principal must lodge a written mandatory report using the Department's secure Mandatory Reporting Web System (MRWeb).

**c. ACKNOWLEDGE COMPLAINANT AND INFORM COMPLAINEE**

The respective management staff member will take every step to reduce the anxiety of complainants by acknowledging complaints as soon as possible (usually within two working days). Assurance is to be provided that the school takes all complaints seriously and will seek to resolve complaints within ten working days. In all cases, the complainant will be kept informed of the progress of their complaint resolution.

The respective management staff will also verbally or in writing, inform the complainee of the complaint and concerns raised. The complainee is to be given a timeframe to respond to the concerns raised, usually seven working days. In the case of a verbal complaint, where the complainant does not want to be specifically identified, management staff will endeavour to work directly with the complainant to resolve the matter as quickly as possible.

**d. INVESTIGATE THOROUGHLY AND ORGANISE RESOLUTION MEETING**

The respective management staff member will arrange for a resolution meeting with the complainant and complainee once the complaint and concerns raised have been thoroughly investigated. A support person can be brought by both parties to this meeting. The solution/resolution to the concerns are to be discussed and agreed upon. Once a resolution is agreed upon, the respective management staff will write a report regarding the processes followed and outcomes achieved. This report will be given to the Principal. If there is no resolution, then the Principal is to be involved in finding a resolution. Satisfaction for a complainant may come from any of the following:

- knowing that changes have been made and that matters will be different in future;
- knowing that the school is now alert to a possible problem;
- feeling that their concern has been considered seriously;
- an outcome which may be different from the one they sought, but which they perceive to be well-considered;
- a considered letter;

- an apology.

If the delegated staff member is concerned or determines that there is abuse or neglect of a child or children associated with the complaint, he or she must lodge a written mandatory report using the Department's secure Mandatory Reporting Web System (MRWeb).

**e. NO RESOLUTION – PRINCIPAL TO RESOLVE**

If no resolution is reached by management staff, then the Principal will intervene to resolve the complaint.

**f. NO RESOLUTION BY PRINCIPAL – CHAIRMAN TO RESOLVE**

If the Principal is not able to resolve the complaint, the matter is to be referred to the Chairman of the Board to resolve. If the Chairman cannot resolve the matter, then the Principal will refer the complaint to an external arbiter.

The respective management staff will ensure that a written record is kept of the proceedings and provide a detailed report at the end of the process highlighting what steps were taken to resolve the complaint. The parties will be notified of the outcome of the process. A file containing the course of the complaint and resolution shall be maintained by the College.

**g. COMPLETE COMPLAINT RESOLUTION CHECKLIST AND COMPLAINTS REGISTER**

Complaint resolution checklist (Annexure B) and the Complaints Register to be completed by the management staff who investigated and resolved the complaint.

**2. CHILD SAFETY RELATED COMPLAINTS OR CONCERNS - RESPONSIBILITY OF MANAGEMENT, STAFF & VOLUNTEERS**

The College recognises reports made to the College about child safety incidents or concerns at or involving the College or its staff members a 'Child Safety -related complaint.' The nature of child abuse, grooming and other harm is complex. The legal obligations for reporting allegations of child abuse, grooming or other harm can vary depending on the circumstances. Therefore, all complaints, concerns or disclosures received by the management team, staff and volunteers are to be immediately forwarded to the Principal. If the Principal is the subject of your complaint or allegation of misconduct or reportable conduct, please contact the Chair of College Board.

There are no limits on how or to whom students at the College can disclose any child safety incident or concern or make a complaint about a staff member, volunteer, contractor, community member or a family member.

The College endeavours to provide multiple, child-focused pathways, including a pathway for anonymous disclosure to enable all students to raise child safety incidents or concerns in the way with which they are most comfortable.

It is critical that the broader College community tells the College about all child safety incidents or concerns that occur at or otherwise involve the College. This enables the College to ensure the safety and wellbeing of students and to comply with its legislative reporting obligations.

**a. HOW TO MAKE CHILD SAFETY-RELATED COMPLAINTS**

If you would like to make a complaint about a breach of the Child Safe Codes of Conduct or child abuse, grooming or other harm, you can do so by:

- Sending an email to [principal@al-ameencollege.wa.edu.au](mailto:principal@al-ameencollege.wa.edu.au)
- Telephoning the College and asking to speak to the Principal.
- Writing a letter to the College addressed to 'The Complaints Manager'.

**b. INVESTIGATING & MANAGING CHILD-SAFETY RELATED CONCERNS & COMPLAINTS**

**Immediate actions will be taken depending on the nature of the incident, complaint, allegation or concern, after receiving the internal report or the Child Safety related complaint. The College will:**

–Report the matter to the Department of Communities' Child Protection and Community Services Division (CPFS), the Police and/or other relevant external agencies as required.

- Identify and mitigate any ongoing risks to student safety and wellbeing, if an external report has been made with the Police or CPFS.

- Ensure that support is provided to any students, staff members and family members impacted by the incident, concern or complaint. In particular, the College will ensure that they are informed about advocacy and support services which may be available to assist them.

-Take particular measures in response to child safety incidents or concerns about an Aboriginal or Torres Strait Islander student, a student from a culturally and/or linguistically diverse background or a student with a disability.

- Secure and retain records of the child safety incident or concern and the College's response.

### **3. OTHER IMPORTANT INFORMATION AND GUIDELINES:**

#### **a. ALL STUDENT COMPLAINTS – TO BE TAKEN SERIOUSLY**

It is well recognised that 'empowering children and young people to understand their rights, to report problems and concerns and effectively support them to address the issue raised, is critical. Taking children and young people seriously if they raise a matter of concern and ensuring that staff and volunteers have appropriate training and processes to ensure that such matters are dealt with effectively, is of paramount importance.

Any student can raise concerns with any member of staff with whom they feel comfortable, whether it is the form teacher, a member of the support staff, or the College Counsellor. Complaints that appear trivial still need to be handled seriously. Young people may test the complaints resolution procedures on relatively minor issues before finding the confidence to raise something painful, such as bullying. If the issue is a painful one, or if exploration of it is taking time, a student may need support from another student or from an adult. The College recognises this and therefore students are encouraged to choose a person with whom they feel comfortable to provide support.

All student complaints are handled sensitively and in a supportive manner in line with the school's policy and applicable legal obligations. The College strives to educate students to the fact that the school is receptive to complaints. To this end, a positive and open culture for disclosure of all concerns (personal, social and educational), is to be embedded in the College's Protective Behaviours curriculum.

If there is a situation involving the Police, the governing body Chair should be informed as soon as possible. At this stage, depending on the circumstances, it would also be important to fulfil the school's requirement by submitting a Critical Incident Report to the Department of Education as required.

#### **b. CONFIDENTIALITY TO BE MAINTAINED AND PARENTS TO BE ASSURED**

All complaints are to be treated in a respectful and confidential manner. Confidentiality applies with respect to both information relating to the person making the complaint,

and, if relevant to a person against whom a complaint is made. The College is committed to maintaining the confidentiality of information throughout the complaints process. Personally identifiable information about a complainant will only be made available for the purpose of addressing the complaint and (unless the complainant consents) will be actively protected from disclosure.

Parents often seek an assurance of confidentiality before expressing their concerns. If, for example, they wish to discuss a member of staff they may fear that their child will suffer in some way because they have complained. The College needs to assure parents that this will not occur.

**c. PROCEDURAL FAIRNESS MUST PREVAIL**

Procedural fairness is concerned with the procedures used by the decision maker rather than the actual outcome reached. It requires fair and proper procedure when making a decision.

The rules of procedural fairness require:

- a hearing appropriate to the circumstances;
- lack of bias;
- evidence to support a decision;
- inquiry into matters of dispute.

*(Reference: Ombudsman Western Australia – Guidelines on Complaints Handling – Revised 2016:*

<http://www.ombudsman.wa.gov.au/Publications/Documents/guidelines/Effective-handling-of-complaints-made-to-your-organisation.pdf>).

The duty to act fairly requires that:

- the decision maker must have an open mind (free from bias) when reading/listening to what is said by both parties; and
- people whose interests will be affected by the decision must have the chance to respond before the decision is made, but only after all important information has been gathered.

Following an appropriate investigation, the College will offer a response, for example to correct the problem and prevent it happening in the future. However, the College is not obliged to give complainants explicit information on what action has been taken, but rather provide an assurance that action has been taken. This is especially important when the matter involves a staff member. Outlining the resolution, to the degree considered appropriate by the school and in the interests of satisfying the complainant, should help prevent misinformation being circulated in the school community.

**d. ANONYMOUS COMPLAINTS**

Anonymous complaints may be where there is no name or address supplied, or where the complainants do not wish to be identified. Complainants should be encouraged to give their names and should be given reassurance regarding confidentiality. If they persist in wishing to remain anonymous, it is at the Principal's discretion as to what action should be taken, depending on the nature of the complaint. An anonymous complaint must be submitted as an individual complaint and not on behalf of a group. Anonymous complaints on behalf of a group will not be accepted. Anonymous complaints should be recorded in the complaints register as they may contribute to an identifiable pattern over time.

**e. UNSUBSTANTIATED OR VEXATIOUS COMPLAINTS**

If the complaint is unsubstantiated - (did not occur or not proven) - the College will communicate this outcome to the parties concerned and determine further action if necessary. If the complaint is found to be vexatious/malicious, the Principal will determine the course of action, which could include a written apology or disciplinary action in the case of an employee.

**f. RECORDING COMPLAINTS IN REGISTER AND RECORD KEEPING**

It is important to maintain an effective register of complaints to log in concerns:

- as it provides information should there be legal action in the future;
- as patterns may be identified that indicate a need for action;
- as it provides information for reporting, by the Principal or to the College Board as required.

The register/log should contain the following information:

- date when the issue was raised and to whom it was raised;
- name of complainant and relevant parties involved;
- brief statement of issue;
- member of staff handling the issue;
- name of the person/member of staff responsible for reviewing any decision made;
- brief statement of outcome including date of resolution/outcome; and
- location of detailed file (if applicable).

Confidential files on all complaints should be maintained and kept together and cross-referenced with other files as necessary. The files should contain simple but clear notes of all communication with the complainant. This includes friendly chats and telephone conversations, as misunderstandings easily arise. There should be a clear statement of what is concerning the complainant. The notes can be agreed to with the complainant. Records concerning students need to be kept for seven years after the student reaches 18 years of age.

**g. DISPUTES**

Most complaints can be resolved if approached positively. However, a pursued unresolved complaint may become the subject of a dispute for a variety of reasons including the nature of the original complaint, the way in which it was handled or possibly because the parent perceives the College to have 'closed ranks' against him or her. Pursued, unresolved complaints/disputes are usually taken to the Board Chair and if unresolved, to an independent arbiter if both parties agree.

#### 4. REVIEW HISTORY

Year of Review	Reviewed By	Amendments/Review
2011	YI	Originally Released
2013	PR	Revised
2017	NM	New Policy written
2017 (December)	NM	Policy updated to include anonymous complaints
October 2019	NM	Revised
2021	PR/ME	Revised

**ANNEXURE A**

**AL-AMEEN COLLEGE**

**COMPLAINT      LODGEMENT      FORM**

**STRICTLY CONFIDENTIAL**

Date: \_\_\_\_\_

Person making the complaint: \_\_\_\_\_

Contact details: \_\_\_\_\_

Nature of the matter/complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Persons concerned in the matter:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your proposal for resolution (if any):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other relevant information or evidence to support your complaint

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*For help with lodging a complaint, please contact the school office on 9458 5206*

**OFFICE USE ONLY**

*This section is to be completed by Administrative Staff and returned to the person making the complaint to retain as **Lodgement Receipt**.*

Received on (dd/mm/yyyy): \_\_\_\_\_

Received by (full name): \_\_\_\_\_

Signature: \_\_\_\_\_

**ANNEXURE B****AL-AMEEN COLLEGE COMPLAINT RESOLUTION CHECKLIST**

<b>1</b>	Was the complaint received in accordance with Al-Ameen College's Dispute & Complaints Resolution policy?	<b>YES</b>	<b>NO</b>
<b>2</b>	Was the complaint lodged to the Principal and was it delegated to the respective management staff?	<b>YES</b>	<b>NO</b>
<b>3</b>	Has the respective management staff investigated the complaint according to the process as outlined in the Complaints Policy?	<b>YES</b>	<b>NO</b>
<b>4</b>	Was the complainee informed of the issues and concerns raised in the complaint?	<b>YES</b>	<b>NO</b>
<b>5</b>	Did the management staff arrange for a resolution meeting with the complainant and complainee?	<b>YES</b>	<b>NO</b>
<b>6</b>	Was the complainee given sufficient time to respond to the concerns and issues raised?	<b>YES</b>	<b>NO</b>
<b>7</b>	Did the delegated managements staff address the issues pertaining to the complaint with the complainee, in a way that was understood fully and in a free, fair and impartial manner?	<b>YES</b>	<b>NO</b>
<b>8</b>	Was a resolution reached?	<b>YES</b>	<b>NO</b>
<b>9</b>	Was there a need for an external arbitrator in this case?	<b>YES</b>	<b>NO</b>
<b>10</b>	Were both parties accepting and willing to adhere to the solutions/resolutions put into place?	<b>YES</b>	<b>NO</b>
<b>11</b>	Is the delegated management staff satisfied with the procedure, outcome and resolution of the case?	<b>YES</b>	<b>NO</b>
<b>12</b>	Is this complaint pending?	<b>YES</b>	<b>NO</b>
<b>13</b>	If pending, is a follow-up required?	<b>YES</b>	<b>NO</b>
<b>14</b>	Is the complaint closed?	<b>YES</b>	<b>NO</b>
<b>15</b>	Are both parties agreeable to the recommendations made by the delegated management staff?	<b>YES</b>	<b>NO</b>
<b>16</b>	Has the complainant agreed to abide by the solutions/recommendations?	<b>YES</b>	<b>NO</b>
<b>17</b>	Has the complainee agreed to abide by solutions/recommendations?	<b>YES</b>	<b>NO</b>
<b>18</b>	Was due process followed?	<b>YES</b>	<b>NO</b>

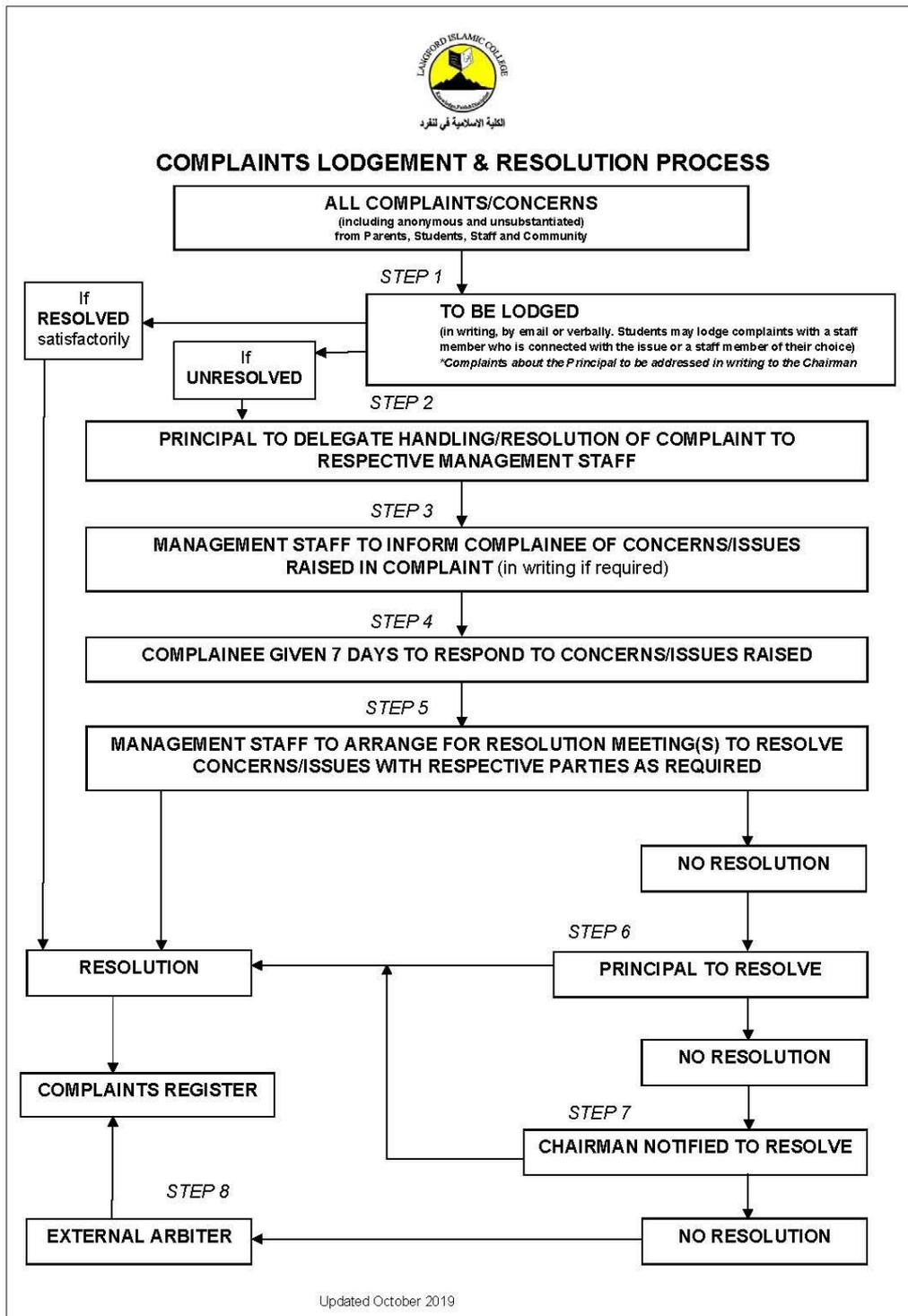
**THIS IS TO CONFIRM THAT BOTH THE COMPLAINANT Mr /Mrs \_\_\_\_\_ AND COMPLAINEE  
Mr/Mrs \_\_\_\_\_ HAVE ACCEPTED THE TERMS OF THE RESOLUTION AND THIS  
COMPLAINT IS NOW OFFICIALLY CLOSED.**

**Delegated Management Staff \_\_\_\_\_**

**Accepted by Complainee: \_\_\_\_\_**

**Accepted by Complainant: \_\_\_\_\_**

ANNEXURE C



If a parent or student has a concern, it is recommended that a staff member with whom they feel comfortable with and/or is closely connected with the issue be contacted in the first instance.