

Dispute Resolution Policy (Students & Parents)

DPP2017-1.1

Purpose:	The purpose of the Dispute Resolution Policy is to outline procedures for dealing with parental and/or students' complaints as quickly as possible after they arise.	
Scope:	This policy applies to employees, volunteers, parents/carers/students and members of the public, and describes the step by step procedures to follow upon receiving a complaint.	
Status:	Approved	Supersedes: Complaints Policy
Authorised by:	College Governing Body Chairperson / CEO	Approval Date: 16 th December 2015
References:	Education (Accreditation of Non-State Schools) Regulations 2001 Australian Education Regulations 2013 Fair Work Act 2009 Work Health and Safety Act 2011 (Qld) Privacy Act 1988 (Cth) Anti-Discrimination Act 1991 (Qld) Australian Human Rights Commission Act 1986 (Cth) Sex Discrimination Act 1984 (Cth) Age Discrimination Act 2004 (Cth) Disability Discrimination Act 1992 (Cth) Racial Discrimination Act 1975 (Cth) Child Protection Policy Anti-Harassment Policy Anti-bullying Policy Positive Behaviour Management Policy Privacy Policy Assignment Policy	
Reviewed:	2 Years	Next Review: 16 th December 2017
Responsibility:	CEO	Point of Contact: CEO/Deputy Principal/Head of Welfare
Policy Owner:	College Governing Board	

Definitions

A complaint is an expression of dissatisfaction with a real or perceived problem. A complaint may be made if a parent or student thinks that the college has, for example:

- *done something wrong;*
- *failed to do something it should have done; or*
- *acted unfairly or impolitely.*

A complaint may be made about the college as a whole, about a specific department in the college or about an individual member of staff.

Policy

Rationale

Problems are likely to arise if parents or students feel that the college is not open to their concerns. It is better to have a direct complaint to a member of staff than to have parents or students sharing their dissatisfaction

with others. Parents and students like to feel valued and involved with the college and they should be encouraged to voice their concerns. This is more likely to occur where the culture of the college is open and complaints are received in a positive manner.

An expression of concern, or a simple query, may grow into a painful matter if parents or students feel they have been brushed aside. Equally, issues with the potential to become acutely difficult may dwindle and fade if they are handled well at the initial stage.

The key principles for the handling of complaints are:

<i>The college is open to the concerns of parents and students</i>
<i>Complaints are received in a positive manner</i>
<i>Parents and students can expect to be taken seriously and can approach any member of staff about their concerns</i>
<i>Information about complaints is clear and readily available</i>
<i>Concerns are dealt with speedily and those who have raised them are kept informed about progress</i>
<i>It is not acceptable for students to receive adverse treatment because they or their parents have raised a complaint</i>
<i>Clear confidential files and a log are kept</i>
<i>Confidentiality is respected and maintained so far as is possible</i>
<i>Resolution of the matter is sought</i>
<i>Staff training covers the handling of complaints</i>

The college will ensure that all members of staff have appropriate training in handling complaints.

Training will cover:

- the complaints procedure
- communication skills, such as listening, questioning and calming
- handling complaints, negotiation and mediation skills
- skills in observing, recording and reporting
- the benefits of handling complaints well and the consequences of handling them badly.

Parental Complaints

If a parent has a complaint you, as a member of staff, should deal quickly and honestly with the complaint if you feel confident to do so. Such a complaint might be in relation to a subject grade, perceived unfair treatment of a late assignment, and so on.

If you do not feel confident about handling the complaint, you should consult with your students Team Leader / Advisor, in the first instance, and with the Deputy Principal or Head of Welfare if you or the CEO if you feel it is warranted.

If the complaint is about an area that lies outside your responsibility you should report it to the CEO, Deputy Principal or Head of Welfare immediately.

Matters incapable of resolution at a particular level should be referred to the appropriate senior person, with parents kept informed of the action being taken. This covers, for example, a complaint made to a relatively junior member of staff about a more senior colleague.

Senior staff will recognise when issues need to go straight to the CEO, with whom the senior responsibility for most complaints lie.

Certain parents will wish to go straight to the CEO with their concerns, and this should be respected. However, it should be explained that the CEO might not be able to respond until he/she has consulted the staff members who can help.

The CEO will share serious complaints with the Chair of the College Board. If a serious complaint is about the CEO, parents are encouraged to write directly to the Chair, whose address may be supplied on request.

If you receive a complaint and decide to respond to the parent or student in writing, you should also discuss your response with the CEO or Deputy Principal who will co-sign the response.

Make sure you are clear about the nature of the complaint before you respond. If it is not immediately obvious:

- the parents may need more time to explain;
- they could be asked to put their complaint in writing;
- it may be helpful to discuss possible outcomes.

All complaints need to be handled seriously.

It is the policy of the college that all complaints will be acknowledged immediately; or within five working days if the matter is complex. You should inform parents about what is happening to their concern or complaint, and, if a more detailed response is needed, by what date it will be received. The issue should be dealt with as quickly as possible.

Recording

The College keeps a complaint register on a secure server.

It is important that you record the details of the complaint accurately as:

- it may become the cause of legal action in the future;
- patterns in the record may indicate a need for action; and
- the CEO should be able to check the log and report on it regularly to the College Board.

The log should contain the following information:

- date when the issue was raised
- name of parent
- name of pupil
- brief statement of issue
- location of detailed file
- member of staff handling the issue
- brief statement of outcome.

These files are confidential and are only to be accessed by members of school staff in the presence of Senior Management. The files should contain simple but clear notes of all conversations with parents about any source of dissatisfaction. This applies to friendly chats and to telephone conversations, as misunderstandings easily arise. There should be a clear statement of what is concerning the complainant/s. The notes can be agreed with parents.

Confidentiality

Confidentiality is an important issue for students, parents and staff. It is essential that any complaint is treated in a confidential manner and with respect.

Parents often seek an assurance of confidentiality before expressing their concerns. If, for example, they wish to discuss a particular member of staff, they may fear that their child will suffer in some way because they have complained.

It should be made clear to all concerned that it is the college's policy that complaints made by parents should not rebound adversely on their children and similarly that complaints raised by students should not rebound on them or on other students.

The question of confidentiality should be discussed sensitively and on an individual basis with the parents and the college's policy should be carefully explained.

It may be possible to deal with a problem without naming individuals. However, even if no names are given, the source of the complaint may be clear. Depending on the nature of the complaint and on the circumstances, it may be impractical to investigate without identifying the member of staff or the child – it may also be in the interest of the child to do so.

Members of staff are rightly concerned that they should know about complaints that might be damaging to their reputation. Such complaints will be known only to themselves and to those who have to be consulted. The college will provide support for staff against whom a complaint is made, upon request; this will be provided by a colleague who is not otherwise involved.

If there is a situation involving the police, the CEO, will take responsibility for action in the college and the Governing Body Chairperson will be informed as soon as possible.

Anonymous Complaints

Anonymous complaints may be where there is no indication of either name or address, or where the complainants say that they do not wish to be identified. They may come from members of the public, from parents or from students.

Complaints from the public about the behaviour of a group of students will be dealt with on a general basis, with reminders to all about the college's expectations.

Parents and students should be encouraged to give their names and should be given reassurance on the issue of confidentiality. If they persist in wishing to remain anonymous, it is at the CEO's discretion as to what action, if any, should be taken, depending on the nature of the complaint.

Anonymous complaints will be recorded.

Anonymous allegations about child abuse should be dealt with as outlined in the college's Child Protection Policy.

Parents and students may be satisfied the situation has been resolved by any of the following:

- knowing that changes have been made, and that matters will be different in future
- knowing that the college 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.

In all cases where time has been needed to investigate a complaint, parents will receive a report in writing which covers:

- the issues raised
- how the issues were considered
- the people consulted
- the action that is to be taken
- an apology, if appropriate.

Intractable Complaints

There may be a small minority of persistent or aggressive complainants who will never be satisfied, whatever the college does. The college may even discover on investigation that the complaint was without foundation or motivated by malice. Nevertheless, it is wise to treat all complaints seriously and to follow the procedures.

Most complaints can be resolved if approached positively. If a complaint becomes intractable, it may be due to its nature or to the way in which it was handled, or possibly because the parent perceives the college to have 'closed ranks' against him or her.

There are different stages of action to be taken with intractable complaints:

Referral to the Chair of the College Board

In most cases, the procedure will be that the CEO refers the matter to the Chair of the Board and informs the parents that this stage has been reached. However, a situation may arise where the complaint seems to the parent to have been mishandled by a Senior Manager. In those circumstances, the parent should be able to write direct to the Chair of the Board.

The Chair of the Board will discuss the matter fully with the CEO and be provided with relevant documentation. If a briefing is required from a member of staff, this will occur in the presence of the CEO.

The Chairman will respond to the parents, notifying them that he/she is reviewing the matter, asking them if they wish to add anything further and providing a date by which they may expect a response.

The Chairman may be able to offer a new approach to the matter, and this may satisfy the parents. The Chairman's response will be clear and detailed, and will offer a meeting if the parents remain troubled.

Meeting with the Chair of the Board

If a meeting is requested, the Chair of the Board will offer to meet the parents at a time convenient to them.

Those involved are:

- the Chair of the Board
- the CEO and, at the most, one other member of staff
- the parents

Parents are encouraged to bring with them a supportive friend who is not involved with the complaint. Legal representation is not appropriate at this stage.

The Chair of the Board, after questioning and listening to the parents and the CEO, may be able to find a solution. If this is not possible, and the parents wish to take the matter further, the Chair of the Board could consider seeking the advice of an independent arbitrator.

Referral to a Conciliation Committee

The college may establish a Conciliation Committee if resolution by the CEO and the Chair of the Board has failed. The Conciliation Committee is composed of a convener, independent of the college, and up to four other members, two of whom will be members of the Board (excluding the Chair).

The Chair of the Board, in consultation with the CEO, decides when to refer a complaint to the Conciliation Committee, and invites the convener to call a meeting.

The Chair of the Board has no further involvement until the convener reports back at the end of the committee's deliberations.

Meeting with the Conciliation Committee

Those involved in the meeting are:

- up to five Committee members, including the convener;
- the CEO, and possibly a key member of staff; and

- the parents, who are invited to bring a supportive friend, as for the meeting with the Chair of the Board

A sufficient amount of time is committed to the meeting, in case it is needed.

The parents and the CEO are asked in advance whether there are any papers they would like to have considered at the meeting, bearing in mind the need for all to keep the proceedings confidential. The papers are copied and distributed before the meeting.

The convener will emphasise that he or she is concerned to reach a positive conclusion and will invite first the parents, then the CEO to speak. After this, the convener encourages questions and general discussion.

The convener may find it helpful at some point to invite the CEO, the parents and their friend to withdraw from the discussion for a time, leaving the Committee alone.

If more time is required, it may be necessary to convene a second meeting. If so, Committee members must commit themselves to attend, as continuity is essential.

If a positive solution is reached, the convener will summarise the outcome and confirm the nature of the agreement before the meeting disperses. The agreement will be recorded, copied and circulated as soon as possible.

At the end of the Committee's deliberations, the convener will make a full report to the Chair of the Board and inform the parents that this is being done. The Chair of the Board would be expected to endorse the Committee's decision.