

Complaints Handling Policy and Procedure

Policy number	VIC0018	Version	1.0
Drafted by	MSV	Approved by the Board on	June 2024
Responsible person	Principal	Scheduled review date	June 2026

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1 Introduction

- 1.1 Mastery Schools Victoria is committed to creating a culture that views concerns and complaints as an opportunity to improve the School.
- 1.2 Within this context a visible, accessible, impartial, and fair complaints handling process will be applied.

2 Scope and application

- 2.1 This policy applies to complaints received from members of the Mastery Schools Victoria community including:
 - (a) Students;
 - (b) Parents/guardians;
 - (c) contractors
 - (d) visitors; and
 - (e) members of the public.
- 2.2 This Policy applies to the handling of the following types of complaints:

- (a) complaints about the School, its staff or students;
 - (b) issues related to School education and learning programs, assessment, and reporting;
 - (c) issues related to communication with students or parents or between staff;
 - (d) issues related to school fees and payments; and
 - (e) complaints about School services and facilities, processes or general administrative matters.
- 2.3 Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.
- 2.4 This Policy does not apply to:
- (a) Child safety allegations or disclosures of harm to children which are dealt with in accordance the school's Child Safety and Wellbeing Policy and Child Safety and Wellbeing Reporting Procedure.
 - (b) Student disciplinary matters, including matters involving suspension or expulsion, which are dealt with under the Student Behaviour Management Policy.
 - (c) Staff issues in relation to their employment or engagement with the School which are handled under Human Resources policies.

3 Purpose

- 3.1 The School is a community where individuals should feel free to express their points of view openly, honestly and consistently. This Policy and procedures establishes the approach that the School will adopt to address complaints.
- 3.2 The School aims to foster a culture:
- (a) in which complaints are managed and resolved fairly, efficiently, promptly and in accordance with relevant legislation;
 - (b) that supports the practices of dispute resolution and confidential mediation as a means to resolve issues.
- 3.3 The aim of this Policy is to produce a resolution, which is acceptable to the individuals involved and the School. Not all complaints, however, will be capable of resolution which satisfies all concerned. This Policy will ensure that the complaint is addressed and that a clear response is provided at each stage of the process. The procedure involves both formal and informal components.

4 Definitions

Complaint means an expression of dissatisfaction made to the School, related to the conduct of School activities, or the resolution process itself, where a response is explicitly or implicitly expected. For the sake of simplicity, the term 'complaint' will be used in the context of this Policy and procedure to refer to concerns, complaints,

complaints and interpersonal disputes but does not include matters relating to the safety of a child. If you have a concern about the safety of a child, please refer to the Child Safety and Wellbeing Policy and Child Safety and Wellbeing Reporting Procedure.

Complainant means the person lodging the concern, complaint, or appeal.

Policy means this document, the Complaints Handling Policy and Procedure.

School or **MSV** means Mastery Schools Victoria.

5 Guiding Principles

- 5.1 The School is committed to managing complaints applying principles of access, procedural fairness, equity, privacy and confidentiality, and prompt resolution.
- 5.2 This Policy will be clearly communicated to stakeholders and readily accessible.
- 5.3 Complaints will be taken seriously, and receipt acknowledged.
- 5.4 Complaints will be dealt with in a timely manner with consideration given to the complexity and seriousness of the issues raised.
- 5.5 Where possible, MSV community stakeholders will be supported in trying to resolve complaints at the level of least formality and disruption as possible, to ensure efficiency and timeliness in complaint handling, and to minimise disputation and escalation where possible.
- 5.6 Anonymous complaints with no identifiable source will not be considered under this Policy.
- 5.7 Complaints will be dealt with fairly and objectively, in a transparent matter and free from bias.
- 5.8 Parties to a complaint will be afforded equal opportunity to participate in the process and will be provided with reasons for the decisions that are made upon conclusion.
- 5.9 Where necessary or requested, complainants and respondents will be entitled to seek assistance from a support person, which may represent a family member, carer, friend or other support person. Reasons for accessing a support person may be (but are not limited to) supporting cultural security, language barriers, overcome disability or wellbeing concerns.
- 5.10 MSV will support complainants, respondents, and people associated with a complaint to ensure they will not be victimised as a result of lodging complaints in good faith or suffer any other reprisals, regardless of the outcome.
- 5.11 The confidentiality of all parties will be respected.

- 5.12 MSV will keep records of complaints, and staff involved in handling the complaint will also keep records, including of the reasons for decision making.
- 5.13 A satisfactory resolution of complaints will be pursued, and where this is not achieved, the right of escalation and the mechanisms for appeal will be outlined.
- 5.14 MSA will ensure that the individuals involved in handling complaints will have the necessary authority and support from management to action the process effectively.
- 5.15 Where a conflict of interest exists, individuals will not be permitted to act in the complaint, in either a handling, investigating, or adjudicating manner.

6 Complaint Resolution Process

Making a complaint

- 6.1 Complaints may be raised with the person concerned as soon as possible, a classroom teacher, Master Teacher, member of the Senior Leadership Team (SLT), or the School.
- 6.2 Complaints may be lodged using the Complaint Form available on the School website and emailed to the School. Details will be provided on the School website.
- 6.3 The Senior Campus Administration Officer (SCAO) will be responsible for directing the complainant to the relevant member of the Senior Leadership Team.
- 6.4 Where the Principal is the subject of the complaint, or they are unable to exercise their duties due to a conflict of interest, complaints are to be referred directly to the Chair of the School Board (or delegate).

Local Resolution

- 6.5 Informal resolution of a complaint is encouraged and is always the preferred option and is reached when the outcome is satisfactory to all. It will usually involve those directly concerned such as the classroom teacher, parent and the student. The School encourages raising the issue directly and as soon as possible as a first step.

Parent complaints relating to curriculum

- 6.6 School Curriculum complaints/concerns shall be directed initially to the classroom teacher who may choose to refer the matter to the Master Teacher.

Parent complaint relating to student discipline/welfare concerns

- 6.7 Discipline/welfare concerns shall be directed initially to the classroom teacher who may choose to refer the matter to the Principal or Assistant Principal.

Parent complaint relating to employee performance

- 6.8 Any matter relating to an issue of concern with an employee's performance shall be made in writing to the Principal. If deemed serious, the Principal shall liaise with the relevant member of the SLT. The issue of concern will be discussed with the relevant employee and a response sought. The Principal will respond to the person making the complaint, explaining the substantive nature of the complaint and the action that the School is taking.

Complaints relating to other matters.

- 6.9 Any matter shall be taken up with the relevant MSV employee e.g Senior Campus Administration Officer, event organiser, employee in charge etc. If deemed serious or not resolved, the matter can be discussed with the appropriate manager e.g. employee in charge of the activity, Master Teacher, Assistant Principal or relevant member of the SLT.

Complaints relating to School finances or facilities

- 6.10 Any matter shall be raised with the Principal or SLT delegate.
- 6.11 All reasonable attempts to resolve the matter shall be made as soon as practicable and where the matter is resolved, an appropriate written record of the agreement will be kept.

Formal Resolution

- 6.12 If informal action does not resolve the issue, or the matter is considered to be serious, the matter shall be dealt with formally.
- 6.13 A decision to explore an issue formally does not preclude the School reverting to informal resolution processes at any time if appropriate.

Initial Investigation

- 6.14 The complainant shall outline the complaint in writing to the relevant member of the SLT, including all the relevant information and the attempts to resolve the matter informally and why local resolution was not achieved. The relevant SLT is based on organisational responsibility on a day-to-day basis. Refer responsibilities outlined in informal resolution.
- 6.15 The member of the SLT shall investigate the matter to establish the facts. It should be made clear to the individuals involved that it is not a disciplinary meeting.
- 6.16 Having established the facts, the member of the SLT in consultation with the Assistant Principal or Principal, shall determine whether the complaint:
- (a) will be dismissed;
 - (b) is to be handled informally; or
 - (c) is to be handled formally; or
 - (d) will be referred to an external consultant or dispute resolution expert.

- 6.17 Complaints about any member of the School Leadership Team must be made in writing to the Principal.
- 6.18 Complaints about the Principal must be made in writing to the Chair of the School Board.

Formal Resolution

- 6.19 Once it has been decided that the most appropriate way to address the complaint is through a formal process, the Member of SLT in consultation with the Principal or Assistant Principal as appropriate, should meet formally with the complainant and advise them of the process that will occur (outlining the steps in this procedure). Matters such as confidentiality and any adjustments that need to be considered on a temporary basis should also be canvassed.
- 6.20 A statement of complaint shall be taken, providing particulars that can be essential to support investigation of the matter and/or conveyed to the other persons impacted. These details should be reviewed by the complainant to confirm their accuracy and completeness. An indication of the desired outcome from the complainant's point of view should also be sought. The School should remind the complainant of the confidentiality of the process and issues.
- 6.21 The member of the SLT, in consultation with the Principal or Assistant Principal as appropriate, shall write to the individual named by the complainant (the respondent), advising them of the complaint, providing a summary of the particulars. This letter should invite the respondent to a meeting at which the issues can be set out in detail, and it should inform them of their right to be accompanied by a 'support' person.
- 6.22 Where possible, the length of time between the written notification and the meeting should be long enough for the individual to arrange a suitable support person; where an individual's preferred support person is not available at the time appointed for the meeting, the School may allow a delay of at least 24 hours to allow the employee to select another support person.
- 6.23 Meetings should be held in a suitable location where interruptions will be minimised.
- 6.24 At the meeting with the respondent, the School should explain the complaint. The respondent should be allowed to consider the complaint or issues raised before responding (which may require an adjournment). The respondent shall also be allowed to ask questions and offer their perspective. The School should remind the respondent of the confidentiality of the process and issues, the availability of support and any temporary arrangements that have been suggested.
- 6.25 Actions the School may take to support a student involved in or affected by a complaint investigation depending on the nature of the complaint may include:

- (a) establishing a confidential and supportive communication channel for the student; and,
 - (b) appointing a designated staff member, such as the Principal, school psychologist or Child Safety Officer, to handle complaints with sensitivity and discretion.
- 6.26 Following the meeting the School shall consider how to proceed depending on merits established in the information provided. Where it is decided that no action is justified, both the complainant and respondent should be informed. It may be appropriate to then consider informal issue resolution between the parties with the assistance of a manager, focusing on future conduct and agreements.
- 6.27 If the complaint is established and disciplinary or corrective action is considered justifiable, the SLT Member in consultation with the Principal or Assistant Principal, shall determine an appropriate outcome. The outcome (regardless of its nature) is to be communicated to the respondent in person and in writing.
- 6.28 The main purpose of complaint resolution is to resolve issues between individuals in a supportive, fair and constructive way. Identifying appropriate behaviours for the future and strategies to avoid further conflict are also important. Remedies (if not disciplinary) may include the provision of an apology or similar step (depending on the nature and severity of the conduct that has occurred).
- 6.29 Sometimes, the only achievable outcome may be an understanding of the matters raised and a recommendation to follow or improve guidelines or procedures or improve communication in the future. Sometimes either the formal or informal complaint procedure will not resolve the issue to the satisfaction of all parties, or the parties may have to agree to disagree on the outcome.
- 6.30 If the findings of the Principal or Assistant Principal as appropriate, indicate that the misconduct, or its continuance, is sufficiently serious, they may decide to implement disciplinary action.

7 Appeals Process

- 7.1 Complainants and respondents are entitled to appeal decisions made. Appeal applications can be made by making an application to the Principal for a decision to be reviewed.
- 7.2 Where the Principal has been involved in investigation or examining a complaint or is the person named as the source of the complaint, appeal requests should be made to the Chair of the School Board.
- 7.3 All appeal requests should be made in writing and briefly set out reasons for the request and the outcome sought. An email address will be provided on the School's website.

- 7.4 The Principal has the discretion not to proceed with the appeal which may include, but is not limited to the following:
- (a) where the application for review of the action was made more than one (1) year after the action complained of, and there are no exceptional circumstances explaining this delay;
 - (b) where the application for review of the action is frivolous or vexatious;
 - (c) where the action or instruction was both lawful and reasonable (taking accounts of all the circumstances);
 - (d) where the affected person has previously applied for review of the same action under these provisions;
 - (e) where the affected person does not have sufficient direct personal interest in review of the action; and / or,
 - (f) where there are alternative internal review procedures (including, but not limited to, disciplinary action, promotion, anti-bullying, sexual harassment or discrimination and action arising under the relevant occupational health and safety laws) in which case the Principal will advise the complainant of the alternative procedure.
- 7.5 Upon receipt of an application for review, the Principal will determine the most appropriate way to review the decision in accordance with the principles outlined above.
- 7.6 The Principal may, dependent on circumstances, discuss the matter with the Chair of the School Board (or delegate).
- 7.7 The review will consider matters such as:
- (a) the way the complaint was handled and examination of the outcome
 - (b) whether complaint was handled properly (and in accordance with the principles and process outlined in this Policy)
 - (c) whether the complaint outcome was reasonable and appropriate in the circumstances.
- 7.8 Once the review is completed, the Principal will advise the individual (and his/her manager as appropriate) of the Principal's decision. Options the Principal may adopt include:
- (a) confirming the action;
 - (b) undertaking further investigation of any new information made available;
 - (c) varying the action;
 - (d) setting the action aside and substituting a new action; or
 - (e) dismissing the complaint as unsubstantiated.
- 7.9 If a complainant is not happy with the way the complaint has been dealt with by the School, individuals may wish to go to an external agency for further advice

and assistance. Depending on the nature of the complaint, the relevant governing body may include one or more of:

- (a) Human Rights and Equal Opportunity Commission (Federal)
- (b) Victorian Equal Opportunity and Human Rights Commission
- (c) Victoria Institute of Teaching
- (d) Victorian Registration and Qualifications Authority
- (e) Consumer Affairs Victoria
- (f) Fair Work Ombudsman.

8 Confidentiality / Anonymity

- 8.1 The School is committed to creating a safe environment for all members of the MSV community. The person hearing a complaint will maintain confidentiality as far as possible. However, it may be necessary to speak with other individuals in order to determine what happened, to afford fairness to those against whom the complaint has been made, and to resolve the complaint. If a complaint is raised and it appears that unlawful conduct had potentially occurred, in order to uphold this Policy, the School will need to take appropriate action in relation to the complaint.
- 8.2 All individuals aware of the complaint (and/or involved in the informal or formal complaint procedure) must also maintain confidentiality, including the person who lodges the complaint. Spreading rumours or gossip may expose individuals to a defamation claim. Individuals may discuss the complaint with a designated support person or representative. However, the support person or representative must also maintain confidentiality.
- 8.3 Anonymous complaints or complaints made by known persons who want their identity to remain secret shall be considered under this Policy. In relation to determining whether such complaints will be taken forward, the School shall take the following factors into account:
 - (a) the seriousness of the issue raised;
 - (b) the credibility of the concern; and
 - (c) the likelihood of confirming the complaint from attributable sources, and obtaining information provided.
- 8.4 The School will maintain a confidential record of all complaints received and outcomes.

9 Communication

- 9.1 This Policy will be communicated to members of the MSV community including through:
 - (a) the enrolment process including pre-enrolment interviews, induction and periodically during the enrolment period;

- (b) consistent class reminders
- (c) the School newsletter;
- (d) the School website;
- (e) student assembly.

10 Review

- 10.1 The Board will be responsible for ensuring that this Policy is reviewed and updated.
- 10.2 This policy is reviewed periodically as detailed in the policy review schedule. The next review date is June 2026.

11 Related Policies/Documents

- Complaints Form
- Privacy Policy
- Diversity and Inclusion Policy
- Child Safety and Wellbeing Policy
- Conflict of Interest Policy