



### **Rationale**

As a School of the Lutheran Church of Australia, St John's Lutheran School seeks to be a place of physical, social and psychological safety for all; where legal requirements are fulfilled and where caring, cooperative and respectful relationships contribute to a supportive community that reflects the values of the gospel of Jesus Christ and where there is a focus on love, justice, respect, compassion, forgiveness, service, humility, courage, hope, quality, appreciation and restoration.

At times, given our humanity, issues and concerns arise and it is important that these are dealt with fairly, promptly and effectively.

### **Source of Obligation**

The NSW Registration Manual (3.6.2) requires the School to have in place and implement policies and procedures in relation to complaints or grievances, with specific reference to processes for raising and responding to matters of concern identified by students and/or parents/guardians.

### **Policy**

The purpose of this policy is to provide parents and guardians of current students, and members of the broader school community, with an opportunity to lodge a complaint in relation to the school. This policy does not extend to personal grievance between parents, guardians or other members of the school community.

Staff and contractors should refer to the Staff Grievance Policy regarding making a complaint to the school.

### **Confidentiality**

We are committed to creating a safe environment for all members in our community. The person in receipt of your concern will maintain confidentiality as far as possible. However, in order to properly investigate a complaint and provide a procedurally fair process, it may be necessary to speak with other persons in order to determine what happened, to afford fairness to those against whom the complaint has been made, and to resolve the complaint. Should the person making the complaint wish to remain anonymous, the school's capacity to investigate and address the matter may be limited.

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 which may include reporting the matter to the police or other relevant authorities.

All persons aware of the complaint (and/or involved in the complaint procedure) must also maintain confidentiality, including the person who lodges the complaint. Individuals may discuss the complaint with a support person or representative whom the individual has identified. The support person or representative must also maintain confidentiality.

## Procedures – General Complaints or Grievances

If your complaint is about the conduct of a staff member, including conduct that may be misconduct or reportable conduct, see 'Procedures – Complaints or Allegations of Staff Misconduct/Reportable Conduct' section below.

The school's aim is to resolve matters informally and we encourage individuals to start with Step 1 below.

### **Step 1. Talk to the person directly**

If your grievance relates to the conduct of a particular person, and you feel comfortable in doing so, it may be appropriate to talk to the person directly about your grievance in the first instance.

When speaking to the person, you should:

- (a) Make an appointment with the person and let them know what you wish to discuss in advance.
- (b) Identify the matter that is causing you concern.
- (c) How the matter makes you feel.
- (d) Explain how you think the issue could be resolved.

If you do not feel comfortable talking to the person directly, or you have tried this method but it did not resolve your grievance, you may lodge a formal complaint with the school – proceed to Step 2.

### **Step 2. Lodge complaint to the School**

If you wish to raise a formal complaint with the school, you are required to lodge the complaint in accordance with one of the following:

- (a) If your complaint is against a person *other than* the Principal or a member of the School Board, you are required to lodge a complaint in writing to the Principal using either the email address [Brad.Moss@stjls.nsw.edu.au](mailto:Brad.Moss@stjls.nsw.edu.au) or the postal address '154 Adams Street, Jindera NSW 2642' Mark your email or letter as 'Confidential: Attention Principal'. If you require support to lodge a complaint in writing, please inform the Principal who will provide a resolution.
- (b) If the complaint is against the Principal, or it is not appropriate to raise the matter with the Principal, you are required to lodge a complaint in writing to the Chair of the School Board using either the email address [Louise.McGrath@stjls.nsw.edu.au](mailto:Louise.McGrath@stjls.nsw.edu.au) or the postal address '154 Adams Street, Jindera NSW 2642' Mark your email or letter as 'Confidential: Attention Board Chair'.
- (c) If the person against whom the complaint is made is a member of the School Board, you are required to lodge a complaint in writing to the Executive Director of Lutheran Education VIC, NSW & TAS (**LEVNT**) using either the email address [schools@levnt.edu.au](mailto:schools@levnt.edu.au) or the postal address 'Lutheran Education VIC, NSW & TAS, Level 1/755 Station St, Box Hill. VIC 3128.' Mark your email or letter as 'Confidential: Attention Executive Director LEVNT'.

The complaint should include clear details about the particular matter (eg. who, what, when, where) and preferably be supported by evidence.

The person in receipt of your concern (or their delegate) will undertake the following steps within a reasonable period of time:

1. Acknowledge receipt of the complaint in writing.
2. Consider the details of the complaint and how to appropriately address the concerns raised which may include investigation of the circumstances of the complaint to inform any decision or further action.
3. Inform you of the outcome to the complaint in writing.

If you are not satisfied with the response to your complaint to the Principal, or the way your complaint has been handled, you can raise the matter in writing to the Chair of the School Board using either the email address [Louise.McGrath@stjls.nsw.edu.au](mailto:Louise.McGrath@stjls.nsw.edu.au) or the postal address '154 Adams Street, Jindera NSW 2642' Mark your email or letter as 'Confidential: Attention Board Chair'.

The school will consider what is in the best interests of the students and the school in handling a complaint. The person in receipt of your concern (or their delegate) will exercise discretion to determine how to handle your complaint.

It may be necessary in some circumstances for the person in receipt of the concern (or their delegate) to obtain advice and pastoral support from an external person (eg a legal adviser) to ensure that the complaint is appropriately and fairly handled.

In circumstances where the complaint is made against a member of the School Board, the Director of LEVNT will need to comply with the School's Constitution and any other relevant governance requirements.

If the complaint relates to allegations concerning the safety of a child, the person in receipt of your concern (or their delegate) will refer to the School's Child Protection Policy.

If the complaint relates to allegations that may reasonably believe to be illegal or criminal conduct, the person in receipt of your concern (or their delegate) is required to make a report to the police or other relevant authorities.

### **Procedures – Complaints or Allegations of Staff Misconduct/Reportable Conduct**

The procedure outlined below applies specifically to complaints about the conduct of a staff member and may include misconduct or reportable conduct. The procedure is for stakeholders, including parents and carers, to raise a complaint about staff conduct. The reporting procedure for staff to raise concerns about the conduct of another employee is outlined in the School's Child Protection Policy that is available on the school's website or in print from the school office.

For other complaints or grievances that are not related to staff conduct, refer to the 'General Complaints or Grievances Procedure' above.

For further information about reportable conduct, including a definition, can be found in the school's Child Protection Policy that is available on the school's website or in print from the school office.

#### **Step 1. Lodge complaint/allegation directly to the Principal**

If you wish to raise a complaint or allegation about the conduct of a staff member, including misconduct or reportable conduct, you are required to lodge the complaint in writing directly to the Principal and in accordance with the following:

- (a) If your complaint is against a person *other than* the Principal or a member of the School Board, you are required to lodge a complaint in writing to the Principal using either the email address [Brad.Moss@stjls.nsw.edu.au](mailto:Brad.Moss@stjls.nsw.edu.au) or the postal address '154 Adams Street, Jindera NSW 2642' Mark your email or letter as 'Confidential: Attention Principal'.

- (b) If the complaint is against the Principal, or it is not appropriate to raise the matter with the Principal, you are required to lodge a complaint in writing to the Chair of the School Board using either the email address [Louise.McGrath@stjls.nsw.edu.au](mailto:Louise.McGrath@stjls.nsw.edu.au) or the postal address '154 Adams Street, Jindera NSW 2642' Mark your email or letter as 'Confidential: Attention Board Chair'.

The complaint/allegation should include clear details about the particular matter (eg. who, what, when, where).

The Principal (or Board Chair) in receipt of your complaint/allegation will undertake the following steps within a reasonable period of time:

1. Acknowledge receipt of the complaint/allegation in writing.
2. Consider the details of the complaint and determine on face value whether it is an allegation of reportable conduct.

It may be necessary in some circumstances for the Principal to obtain advice and pastoral support from an external person (eg a legal adviser) to ensure that the complaint/allegation is appropriately and fairly handled.

3. Determine how to appropriately address the complaint/allegation which may include investigation of the circumstances of the complaint/allegation to inform any decision or further action (as outlined in the school's Child Protection Policy).

Timeframes for handling complaints/allegations of staff misconduct or reportable conduct may be longer than that for general complaints if a reportable conduct investigation needs to take place. The Principal (or Board Chair) will provide you with updates on progress, in writing, from time to time.

4. Inform you of the outcome to the complaint in writing (there may be limitations under the Ombudsmen's Act and privacy legislation regarding disclosure of information about an investigation and the outcome of the investigation).

If you are not satisfied with the response to your complaint to the Principal, or the way your complaint has been handled, you can raise the matter in writing to the Chair of the School Board using either the email address [Louise.McGrath@stjls.nsw.edu.au](mailto:Louise.McGrath@stjls.nsw.edu.au) or the postal address '154 Adams Street, Jindera NSW 2642' Mark your email or letter as 'Confidential: Attention Board Chair'.

It is important when dealing with allegations of reportable conduct that the matter be dealt with as confidentially as possible. The School requires that all parties maintain confidentiality during and after the investigation including in relation to the communication, handling and storing of documents and records.

### **Commitment**

St John's Lutheran School is committed to creating and maintaining an environment where caring, cooperative and respectful relationships contribute to a supportive community that reflect the values and Christian ethos of the school and will work to ensure that complaints are dealt with fairly, promptly and effectively.

### **Related policies and procedures**

- (a) Enrolment terms and conditions;
- (b) Privacy Policy;
- (c) Child Protection Policy.
- (d) Professional Conduct Standards Policy
- (e) Behaviour Learning Policy and Procedures

**Document Information**

<i>Title:</i>	Parents and Guardians Complaints Policy
<i>Author:</i>	St John's Lutheran School
<i>Approver:</i>	School Board
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