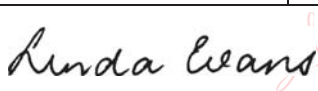


COMPLAINTS AND DISPUTE RESOLUTION

	Fairholme College Toowoomba ABN 16 917 099 053 CRICOS Provider Code 00651J		
Purpose	The purpose of this policy is to ensure that student, parent, employee and community concerns are dealt with in a responsive, efficient, effective and fair manner.		
Scope	Applies to all staff, including teachers, students, parents/guardians, volunteers and community members		
References	Anti-Discrimination Policy Child Protection Policy Child Protection Management Strategy Community Code of Conduct Privacy Policy Restorative Practice Framework Sexual Harassment Policy Staff Code of Conduct Student Academic Policy Whistleblower Policy Workplace Health and Safety Policy		
Policy Type	Public		
Policy Location	College Website		
Version	2.0		
Supersedes	All previous versions of this policy		
Policy Owner	Business Manager		
Review Date	1 May 2017	Next Review Date	1 May 2019
Authorised By	Principal	 Linda Evans	

TERMS OF REFERENCE

Complaints and Dispute Resolution Policy

Refer to this policy if you have a concern about day-to-day activity within the College.

Whistleblower Policy

Refer to this policy if you have a significant concern around business operations of the College, a breach of legislative responsibility, serious misconduct or unlawful activity.

RATIONALE

The College is committed to responding seriously to concerns raised by members of the community. Fairholme values its members and seeks to resolve situations of dissatisfaction with the parties concerned, in a restorative manner.

The College is mindful that resolutions are best managed when concerns are shared in the early stages of a situation. Fairholme is eager to work collaboratively and swiftly with members of the community to take steps to resolve situations of concern.

RESPONDING TO REPORTED COMPLAINTS

The key principles for handling complaints are:

- Receiving concerns in good faith
- Acting fairly and objectively
- Remaining open to the concerns of staff, parents, students, volunteers and members of the public
- Receiving complaints in a positive, open manner and affording the situation procedural fairness, whenever practicable
- Providing the assurance that staff, parents and students can expect to be taken seriously and can approach any member of staff about their concerns
- Approaching a situation with respect and understanding for the parties – restoratively, rather than judging and apportioning blame
- Respecting and maintaining confidentiality as far as possible
- Responding to concerns swiftly and informing those who have raised them about the progress in the situation
- Working to ensure there are no adverse responses for relevant parties who have raised an issue
- Maintaining clear, confidential notes, based on the factual information shared by all parties
- Seeking a resolution to the matter which is appropriate to the situation
- Utilising the principles of restorative practices where applicable
- Monitoring and reviewing appropriately and restoratively
- Making information about complaints available to members of the community
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The school will ensure that members of staff have training in receiving and handling feedback. Training may include:

- Managing the complaints procedure
- Learning dispute resolution techniques
- Developing and utilising communication skills, such as listening, questioning and calming techniques
- Developing and utilising negotiation and mediation skills
- Developing skills in observing, recording and reporting situations
- Exploring the benefits of handling complaints well and the consequences of handling them inappropriately
- Restorative Practices principles

WHO IS BEST PLACED TO RECEIVE FEEDBACK?

Those community members seeking a resolution to a situation are asked to communicate directly with the person best placed to manage the circumstances, considering what that entails. This may be a Head of House, Class Teacher, the Business Manager or Head of Department.

Should members of the community be unsure who to contact in the first instance, it is suggested that contact be made with the most appropriate person listed below. This may result in referral to another member of staff better suited to resolving the situation collaboratively and effectively.

- Business Manager
- Deputy Principal/Head of Senior School
- Head of Boarding
- Head of Junior School
- Head of Middle School
- Head of Teaching & Learning
- Heads of Department
- Heads of House
- Head of Sport
- Head of The Arts

RECEIVING FEEDBACK FROM THE COMMUNITY

Staff will deal quickly and honestly with a complaint if able to do so; this may be done in conjunction with other relevant staff. In the first instance, the College will look to settle the issue through an informal resolution process, while taking feedback seriously.

Staff are to consult with the relevant Head of House, Head of Department or Middle Manager in the first instance, particularly if they are not the best person to manage the concern. Furthermore, timely referral to the Leadership Team may be warranted if the issue is beyond that staff member's responsibility.

Staff are to be clear about the nature of the complaint before they respond in any way. If this is not immediately obvious then the concerned party may require more time to explain or they could be asked to put their complaint in writing in order to clarify the situation. In cases where time is required to investigate a complaint, it is appropriate to indicate this to the parties involved.

Matters which are not resolved at a particular level should be referred to the appropriate staff, with all parties informed of the action being taken. This covers, for example, a complaint about one staff member, from a parent or member of the public, to another staff member.

Middle Managers are to remain mindful of issues which need to be referred directly to the Leadership Team or the Principal. While some parents may wish to communicate directly with the Principal and, whilst this will be respected, they may be asked to work with other staff members in the first instance.

If the situation warrants a response in writing, staff are to engage a member of the Leadership Team before this occurs.

The Principal will share serious complaints with the Chairman of the College Board of Directors. If a member of the community wishes to raise a specific issue regarding the Principal, they may write directly to the Chairman, whose address will be supplied upon request and is available on the College website.

RECORDING INFORMATION

Formal complaints are ultimately registered with the Principal's office, usually via members of the College Leadership Team.

It is important that staff record the details of the complaint as accurately as possible. In responding to a complaint the following information may form the basis of the record:

- date when the issue was raised
- name of person raising the issue
- name of pupil or others involved
- clear statement of issue
- location of further detailed file information, if appropriate
- member of staff handling the issue
- brief statement of desired outcome and/or requests and questions from the complainant
- details regarding the process involved in resolving the issue

This information remains confidential and may be accessed by members of staff in the presence of the Principal or their delegate. The files should contain simple but clear notes of all conversations with parties.

CONFIDENTIALITY

Confidentiality is a fundamental condition of dealing with the complaints process with students, parents, staff, volunteers and members of the public. It is essential that any matter raised is treated in a respectful manner and that confidentiality is maintained when appropriate. However, matters of an unlawful or child protection nature will be referred on to the relevant authorities and treated with sensitivity. At such times the complaint and resolution process may rest with a statutory body other than the College.

Parents often seek an assurance of confidentiality before expressing their concerns. With this in mind, it should be made clear to all concerned that it is the College's policy that concerns and complaints raised by parents should not impact adversely on their children, other students or themselves.

Confidentiality should be discussed and managed sensitively and on an individual basis. Depending on the nature of the issue and the circumstances, it may be impractical or impossible to investigate without first identifying the member of staff or the child involved. Furthermore, identification of an

individual may also be in the interest of the child and to the development of a possible resolution. It may be possible to deal with a problem in a practical sense without naming or identifying individuals openly. However, there remains the possibility that even when names are not given, the source and focus of the complaint may still be clear. Where a concern raised requires referral to an outside body, by law, confidentiality may be no longer possible.

Members of staff may rightly expect to be notified about matters raised against them which might be damaging to their reputation. Such matters 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. These situation will be treated sensitively.

If there is a situation involving the Police, the Principal or delegate will take responsibility for actions within the College and the Chairman of the Board of Directors will be informed as soon as possible.

ANONYMOUS COMPLAINTS

Anonymous complaints may be communicated with no indication of either name or address, or when the complainant indicates they do not wish to be identified. They may come from members of the public, from parents or from students. Complaints of a broad nature may possibly be dealt with on a general basis with a particular group of people.

In such situations, parents and students are encouraged to give their names; confidentiality will be discussed honestly. If they persist in wishing to remain anonymous, it is at the Principal's discretion as to what action, if any, can be taken, depending on the nature of the complaint.

INTRACTABLE COMPLAINTS

There may be a small minority of persistent or aggressive complainants who may never be satisfied, whatever action results. The College may even discover, upon investigation, that a complaint is without foundation or motivated by malice. Nevertheless, the College will treat all complaints seriously and follow appropriate procedures.

Most complaints can be resolved if approached positively. If a complaint becomes intractable, it may prompt the College to seek legal advice about possible resolutions. There may be different action taken with intractable complaints.

REFERRAL TO THE CHAIRMAN OF THE COLLEGE BOARD OF DIRECTORS

In significant cases, the Principal will refer matters to the Chairman of the Board of Directors and may inform the parents that this stage has been reached.

Issues raised directly with the Chairman will be discussed fully with the Principal and relevant documentation will be studied. If a briefing is required from a member of staff, this will occur in the presence of the Principal, whenever possible and appropriate. The Chairman will respond to the parents, notifying them that they are reviewing the matter. The complainant may be asked to provide further information; the Chairman will indicate when a response may be expected.

If a meeting is requested or becomes necessary, the Chairman will offer to meet the parents at a time convenient to both parties. Those involved may include: the Chairman of the Board of Directors; the Principal and, if appropriate, another member of staff; the parents, or complainant; parents may

consider bringing with them a supportive, impartial support person who is not involved with the complaint or situation in any capacity.

Legal representation is not appropriate at this stage.

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

RESOLUTION

Fairholme places great value in both the reparation of relationships and positive resolution of situations. To this end, the College's commitment to restorative practices remains important when complaints are received and managed. The restorative approach can provide all parties with a voice, particularly in any investigation and resolution stages. When appropriate, restorative measures will include the development of an agreement which helps resolve the issue and provides guidelines for future actions and possible monitoring.

ISSUES BEYOND THE SCOPE OF THIS POLICY

Issue relating to unlawful matters will be directed to the Principal who will involve the Police as appropriate. Allegations around the harm, alleged harm or the risk of harm to a student will be dealt with in line with the College's Child Protection Policy and Child Protection Risk Management Strategy.