



Complaints Policy and Procedure (External)

Introduction

Within the reality of the schooling experience, it is recognised that, from time to time, misunderstandings and differences of opinion will occur that may give rise to complaints which need to be resolved satisfactorily. Complainants may be parents or carers, students, and school community members and the general community (e.g. school neighbours).

The purpose of this policy is to enable the Gumbayngirr Giingana Freedom School to respond effectively to complaints, ensure complaints are resolved in a fair and timely manner and make sure that complainants understand how their complaints will be managed.

All GGFS staff and contractors must comply with this policy.

Scope

This policy applies to GGFS parent, student, school community and general community complaints.

Complaints can be made to GGFS in relation to any school-based decision or action, including allegations of staff misconduct.

There may be limited circumstances that impact GGFS ability to respond to a complaint due to legal considerations or if other entities direct GGFS not to handle the complaint (e.g. NSW Police for criminal matters).

Guiding Principals

The following principles guide how this Policy will operate in practice:

1. Confidentiality, access, dignity, and impartiality form the basis of the complaint resolution process.
2. Stakeholders to the complaint process will work together with respect, courtesy, and openness.

3. Complaints are most effectively resolved when raised at the school level. Complainants are therefore encouraged to try to resolve the issue directly with the school in the first instance.
4. Complainants have the right to be heard and to expect that ongoing relationships will continue respectfully.
5. All complaints will be handled in a procedurally fair and timely manner. This includes staff members being informed of formal complaints made against them.
6. Where a complaint is received anonymously, it shall be considered and acted upon. However, as no interaction is possible with the complainant, the ability of the GGFS to act upon the complaint may be limited. Similarly, if a complainant asks to remain anonymous, it may affect GGFS's ability to investigate and resolve the complaint.
7. The availability of an independent review (where warranted) by an external body is an integral component of the complaint resolution process.

Options for resolving complaints

How can school complaints be made?

Complaints are ideally raised with the school in the first instance. Complaints can be made in different ways e.g. by telephone, in person, or in writing (e.g. email).

Who can complaints be made to at school?

Complaints may be made to any member of staff at the school. Receipt of a complaint shall be acknowledged by the school and this can be done in person, by telephone, in writing or by email. A record of complaint acknowledgement must be retained.

How will complaints be managed by the school?

Often, the best outcomes arise when complaints are addressed to and quickly resolved with the classroom teacher or member of staff. In this situation, notes shall be kept by the staff member in relation to the matter including how the complaint was resolved.

Where the complaint cannot be immediately resolved, the school shall investigate the matter.

This will be done by an independent member of staff, not a subject of the complaint and free from any conflict of interest. This will usually be a member of the school leadership team. They will assess and manage the complaint, obtain sufficient information (e.g. relevant policies & procedures, student records etc) to allow for a proper assessment of the complaint and a timely resolution of the complaint.

Once the outcome of the complaint is determined, this will be shared with the complainant. This includes:

- the outcome of the complaint and any action to be taken
- the reasoning behind the decision
- options for review
- A request to keep the complaint confidential in the interests of respecting the privacy of both the complainant and any subject of the complaint.

Complaints raised outside the school

It is recognised that it sometimes may not be appropriate for a complaint to be raised directly with the school, for example where the complaint is about the school response to a complaint already raised directly with them, or if the complaint is about the conduct of the Principal, the complaint can be addressed to the BMNAC CEO by email clark@bmnac.org.au.

Complaints may be made in-person, by telephone, in writing (e.g. by email). Receipt of such a complaint shall be acknowledged and this can be done by telephone, in writing, by email or in-person. A record of complaint acknowledgement must be retained.

4.5 How can I contact the Bularri Muurlay Nyanggan Aboriginal Corporation (BMNAC)?

- BMNAC phone: (02) 66 525 080
- BMNAC email: nathan@bmnac.org.au

4.6 How will complaints be managed by the Principal?

The GGFS will acknowledge and review the complaint, appoint a contact person for the complaint and work with the complainant, school and specialist personnel where appropriate (e.g. child protection, legal, student well-being).

Once an outcome of the complaint is determined this shall be shared with the complainant, including any action to be taken, the reasoning behind the decision and options for review.

4.7 Complaints about the BMNAC CEO

Complaints concerning the response of the BMNAC CEO can be addressed to the BMNAC Board.

4.8 Review of Decisions

Complainants may request an independent review of the resolution of their complaint or the handling of the complaint. The request shall be in writing or via email to the BMNAC Board. The request must set out the reasons for the review request.

The board will determine if there is sufficient evidence to warrant the matter being reviewed.

If a review is agreed to, a point of contact from the board will be established for the complainant. The reviewer will take all reasonable steps to gain relevant information from all parties and make a decision based upon the evidence. This may include appointing an independent investigator, who may be internal or external to the investigation to review the complaint.

Once the review is complete, the decision maker will be the BMNAC Board.

The outcome of the review is binding on all parties in the sense that a complainant entering into that process is aware that GGFS will not entertain further appeal, and that both the school and the complainant are required to accept the outcome. However, it remains the

strong preference of GGFS that mutually acceptable outcomes be negotiated wherever possible.

If a review recommends that the original decision should be modified or changed, the BMNAC Board will work with the school to provide a suitable resolution, based upon the findings of the decision maker. If the review concludes that the original decision should not be modified or changed, then the original decision will stand.

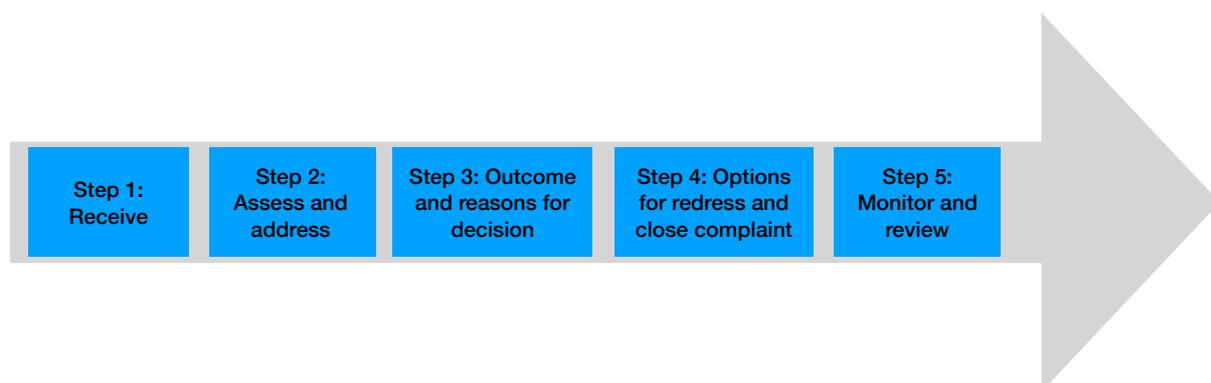
After the final decision in a review process, the complaint will not be reopened unless substantial new information has been presented that could potentially change the outcome. Substantial new information may include emergence of new documents, the discrediting of previous information that was crucial to the original finding, revelation of a conflict of interest etc.

Procedures

GGs will:

- Encourage all staff to handle concerns or complaints promptly and, where practical and possible, worked to be resolved at the time the concern is raised.
- Where a concern or complaint cannot be resolved at the time it is raised, staff will work to resolve the complaint within 30 days and the person making the complaint will be kept up to date on any progress.
- Where appropriate and practical, handle concerns of any families and/or students with confidentiality and without identifying the person raising the concern.
- Where possible, encourage the staff member or educator receiving the complaint to resolve the issue with the family and/or student, however, if they cannot then the concern or complaint may be escalated to a higher body within the school.
- The staff member or educator managing the concern or complaint will keep records regarding what the concern was and who it was raised by; who was managing the concern and the outcome.
- Ensure that all staff will address each complaint or concern in a fair, objective and non-bias manner.

The figure below outlines the steps GGS will take when managing a complaint or grievance



Step 1: Receive

Complaints will be encouraged to try and resolve the complaint at the time it is being raised however, if the concern cannot be resolved then an outline of the complaint will be asked for in writing by the person raising it.

Step 2: Assess and address

The Principal will assess the complaint fairly, objectively and in a non-bias manner. The Principal will determine how serious or urgent the complaint is, whether there is a concern regarding stakeholders health and safety, whether the resolving the complaint requires support from outside organisations and what's steps need to be take to resolve the matter.

Step 3: Outcome and reason for outcome

Following an investigation into the complaint or concern raised the Principal will contact the person raising the concern with the outcome of the complaint and action took as well as reason for the decision and any measures put in place to resolve future similar concerns.

Step 4: Options for redress and close complaint

GGSF will keep a record of how the complaint was managed, including by who and when the complaint was raised and who was managing the complaint, outcomes and the reasons for those decisions, any outside support needed during the resolve on the complaint and any actions that were put in place or need to be followed up.

Step 5: Monitor and review

The Principal will ensure that the outcomes are properly implemented and monitored.

Policy Name: Complaint/Grievance policy (external)	Date of Origin: 02/02/2022
Responsible: Principal/CEO	Review date: Every year or as legislation requires.
Location: Policy Folder School Operations	Attachments: Nil – please refer to all separately referenced Policy Documents
Last Updated: 15/03/23	By Whom: Chief Operations Officer, BMNAC