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RESOLVING CONCERNS POLICY

"Learning to Serve"



Preface

It is better to resolve concerns before they become grievances or disputes. Schools can do a great deal to create a positive atmosphere for the effective resolution of complaints.

Sound Preparation

- Parents feel less anxious when they feel that schools value their opinions; that the staff are approachable and that the school will not be defensive.
- Parents feel less anxious when they are familiar with the school's "system" and when they know the avenues of communication.
- Concerns tend to be resolved more readily when parents are able to discuss and debate issues openly with school staff. Schools which actively seek parent opinions help to create an open climate.
- Staff members may deal better with concerns if they have had some advice. It is easy for staff, who may not be questioned about their work very often, to perceive questions from parents to be threatening.

Informed Community

Positive resolution of concerns is more likely when:

- The school's values, which underpin all policies, are clear to the school community.
- School policies are accessible to all. (While some policies are expected to be explicit and unequivocal, others may be broad, allowing for flexibility of approach)
- The school community knows how complaints are handled and which staff members may be approached.
- Translations into languages other than English are provided where appropriate.
- The language of policies and resolution process is in plain English.

Responsive Attitude

Schools tend to resolve concerns more readily when:

- Issues are dealt with promptly and with appropriate confidentiality and sensitivity. This often saves escalation into a festering dispute or confrontation.
- Complaints are treated seriously.
- School policies are clearly understood, publicised and supported by the school community.
- Flexibility (without waiving with every breath of change) is shown in dealing with concerns.

Fairness and Objectivity

Concerns are more likely to be resolved early when:

- The complainant knows whether the school has adhered to its policies.
- Information about the process of resolution is received by the complainant in a timely manner and when reasons are given for decisions made.
- Confidentiality is followed (after negotiation about which people need to be involved).
- Schools see complaints generally as one of the means of receiving information for improvement.
- People believe that the principles of natural justice have been applied.

Keeping Records

While the detail and formality of record keeping may vary according to each issue:

- Documentation appropriate to the situation should be maintained.
- Written responses should be discussed with the Principal or his/her delegate prior to being sent to complainants.

Records may be needed if further disputation occurs or in the case of future legal action (details like dates, names, contacts, statement of issues, relevant files, staff involved, outcome). It is recommended that an appropriate recording system, which protects the privacy of the individual concerned and which contains all necessary details of the complaint and subsequent action, is established and monitored.

PATHWAYS OF COMMUNICATION

- It is recommended that clear pathways be established for dealing with complaints. Many issues are best dealt with at the level at which they occurred and it is recommended that staff are given some training in handling complaints.
- It is important that staff are able to recognize when a complaint needs to be dealt with by a more senior member of staff, especially the Principal. Schools are encouraged to be clear about which issues are generally the province of particular staff (allowing for professional judgment and flexibility).
- If the complaint is unresolved after action by the Principal, there may be circumstances where a parent will wish to write to or meet the Chairperson of the School Council.

GUIDELINES FOR SCHOOL STAFF RESPONSES TO COMPLAINTS

Deal with the complainant's feelings

- Listen
- Acknowledge his/her feelings and concerns
- Avoid judgments about the outcome
- Avoid debate initially

Deal with the specific elements of a complaint

- Clarify the facts
- Establish the concerns
- Determine what the complainant wants to achieve

NIP IT IN THE BUD IF POSSIBLE

Declare the next steps in the process

- This may be investigation/research
- Set a timeline for responses

Maintain suspension of judgment

- If it has to be presented to others during investigation, it is best to present the complaint without accusation.
- Maintain appropriate confidentiality

Respond

- Meet timelines (or inform about delays)
- Provide reasons for decisions
- Allow complainant a fair hearing (they may not agree with the response/s)
- Base responses on the ethos/values of the school (or on the law)

Monitor

- Follow-up by a designated staff member (for example on student behaviour issues) to see that the action to be taken is working

ANGRY COMPLAINANTS

Some suggestions:

- Listen attentively
- Make notes of each point
- Do not debate or become defensive or angry in response
- Show empathy with the complainant's emotion but reserve the right to request that the complainant be civil

- After taking notes without defensive comment, repeat them to the complainant and ask whether that is an accurate list.

For many complainants, that process in itself will diffuse the situation.

- Ask what the complainant wishes to achieve. (Sometimes they are happy simply to talk through their concern)
- Some of the issues may be simple to resolve immediately. Others will need investigation/research.

Some requests for action may be dealt with immediately. For example, a parent may demand that a teacher be fired, or suspended from classroom activities. Principals may wish to declare the areas of action which are non-negotiable.

CONFIDENTIALITY

- Confidentiality is an important issue for students, parents and staff. Often it is not possible to keep the information only in the hands of the complainant and the staff member who receives the complaint in order to reach resolution. The number of people who need to know the information may need to be negotiated with the complainant, but it is important that privacy is maintained.
- 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 school'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.
- 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 obvious. 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 may be damaging to their reputation. It is very frustrating for staff if anonymous complaints about them are acted on, possibly denying them of natural justice. Training should help staff to deal not only with complaints that are made to them, but also to complaints that are made about them. It is recommended that support is provided if necessary for staff against whom a complaint is made. This should be provided by a colleague who is not otherwise involved.

If there is a situation involving the Police, the Principal or next most senior staff member if the Principal is unavailable, normally takes responsibility for action in the school.

ANONYMOUS COMPLAINTS

- Generally speaking, it may be useful to encourage parents to see that concerns are usually addressed more effectively if names are provided.
- While it is not always wise to take action on an anonymous complaint, principals have to decide how to use this information. It could be mischievous or it could provide information of importance, corroborating other information already held by the school.
- Complainants may raise issues under the veil of anonymity because parents may say that they are concerned about alleged victimization of their child.
- Principals will decide how to proceed if there are a number of anonymous complaints about a particular issue.

OBSESSIVE OR INTRACTABLE COMPLAINANTS

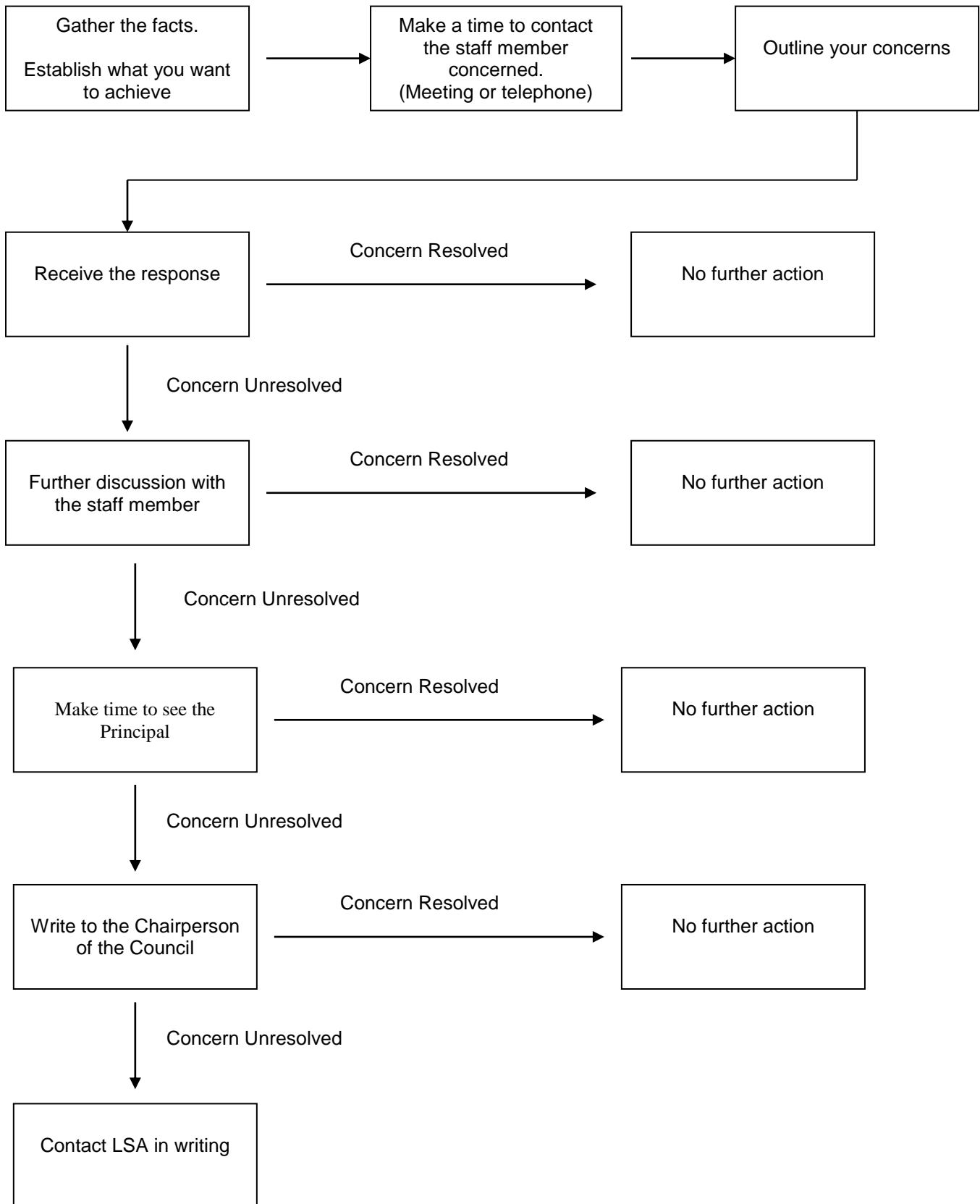
While these may be few in number, they can consume a great deal of time.

Schools generally respond initially using established responses and processes until it is apparent that a different path of action is necessary.

The changed actions will vary according to the nature of the complaint (it may be frivolous or serious). Such actions could be:

- Informing the Chairperson of the Council.
- Instructing staff and complainant that contact must be made only through the Principal.
- Instructing the complainant that no further discussion will be held on a particular issue – ie agreeing to disagree.
- Restraint order (usually reserved for very serious issues).

RESOLVING PARENT CONCERNS

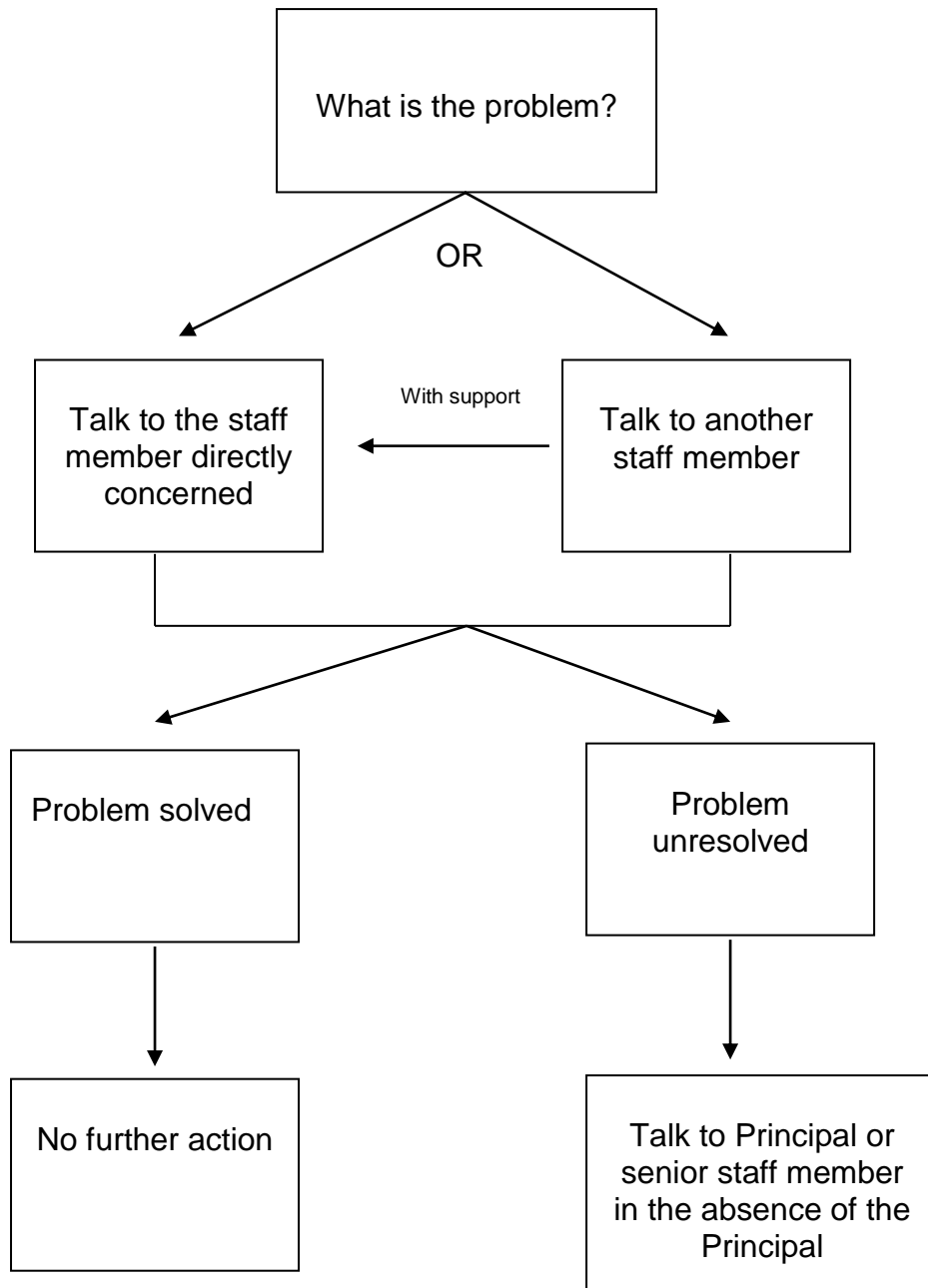


GUIDELINES FOR STAFF IN HANDLING STUDENT COMPLAINTS

The principles that apply to parental complaints should also be applied to complaints and concerns from students.

- There are, however, differences in approaches. One important difference from the handling of parental complaints is that students should be able to raise concerns with any member of staff with whom they feel comfortable, whether it is the teacher, a member of the support staff, the Staff Coordinator or the Principal.
- In more complex situations, once the matter is resolved, the outcome should be discussed with the student by a member of staff. To make sure that it is fully understood, a written record may be shared.
- Complaints that appear trivial still need to be considered. Young people may test the complaints procedures on relatively minor issues before finding the confidence to raise something painful, such as bullying.
- If the issue is a painful one, or if exploration of it is taking time, a student may need support from another pupil or from an adult. Students should be encouraged to choose a person with whom they feel comfortable to provide support.
- Complaints, and ways of dealing with them, also need to be explained to students. Personal and Social Education programs can be of use, not only in teaching students how they may support and act as mentors to others, but also in encouraging them to understand that their views matter.

RESOLVING STUDENT CONCERNS



STAFF CONCERNS WITHIN THE SCHOOL

- Schools are encouraged to establish internal processes which suit their situation and which comply with Lutheran Schools awards. (See the Enterprise Agreement)
- Schools are encouraged to develop a climate where informal resolution of most issues is the norm and where adversarial and formal procedures are used rarely.

Encouraging staff to work with senior staff in developing complaints procedures for school personnel is often useful. Many of the processes outlined for parents and students apply to the resolution of staff concerns.

Reviewed March 2017