Cameragal Montessori School

Grievance &

Complaints Policy

POL-047

Cameragal Montessori School seeks to provide a child safe environment where the safety, welfare and wellbeing of children are paramount and take precedence over other considerations. Our School actively promotes the safety and wellbeing of our students, and our School staff are committed to preventing and protecting students from abuse or harm in accordance with their legal and ethical obligations. Our School prioritises children's safety, rights and best interests in all decisions and fosters an environment where children thrive, feel valued, and are protected, and their wellbeing and developmental needs are consistently supported. CMS's child safe policies and procedures and our staff code of conduct form part of this commitment.

Grievance & Complaints

Policy Statement

A grievance may be a misunderstanding or disapproval of an event occurring which is related to the educational or educational environment of a child. The School is based on Montessori philosophy which develops an atmosphere of mutual acceptance, respect and support between, staff, children and parents.

In line with the Education and Care Services National Regulations (sections 172, 174, regulations 174A, 143B, 168-173,173) CMS provides this Grievance and Complaints Policy and procedure. CMS staff are informed of this Policy and procedure via the Cameragal Staff Portal (SharePoint), parents of CMS access this Policy and procedure via the CMS website and children and students enrolled in CMS are encouraged to raise issues or concerns via School processes with teachers and through their parents as appropriate to their age and stage of development.

This Policy is to be read in conjunction with the School's Child Protection Policy and the School's Code of Conduct. If at any point a teacher or the Principal is informed of a complaint or concern that is, in the opinion of the teacher or the principal, an allegation of reportable conduct, staff misconduct, or a child protection matter, CMS will implement its Child Protection Policy and procedures. CMS is serious about creating a child safe culture and will take all action required to protect children from harm.

The following procedures are designed to achieve the best possible outcome for the party who is most likely to lose out in any disagreement: the child. The Policy specifically targets concerns raised parents and/or students. For staff grievances see *Staff Grievance Procedure*.

While CMS attempts to deal with all complaints and grievances with transparency, there are circumstances where confidentiality will be upheld. The Principal reserves the right to make decisions about what information will or will not be disclosed to a complainant, in order to serve the best interest of all children, staff and stakeholders at CMS and meet CMS duty of care obligations.

Anonymous complaints will not usually be investigated, but the Principal reserves the right to initiate an investigation of an anonymous complaint dependent on the contents.

Child safety School statement

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Parents

- Parents are ultimately responsibility for their children. It is therefore their right to question, understand and be clear about any school issue.
- Parents have the right to reasonable consultation, arbitration or mediation.
- The grievance procedure sets out the steps to take, the time scales, and the documentation requirements for handling a grievance.
- Parents are required to follow the grievance procedure on any serious school related matter. If this procedure is not followed within the time scale laid out, the issue will be considered to have lapsed.
- Confidentiality of any issue raised will be respected at all times.

- Standard conditions for withdrawal for a child apply if at any time the 'parents(s) make that decision.

Students

- Students must feel confident that they can raise any concern at any time with staff in the School.
- It is important to establish and maintain a climate of trust and mutual respect so that students feel safe and do not fear repercussion for raising issues.

Procedural Fairness

A grievance will be handled in an unbiased manner and taking into account the principles of procedural fairness (see summary outline at end of this Policy).

Procedure for Parents

All requests for meetings, written submissions or contact with a teacher, the Principal, or the Chair of the Board can be made through the School office using the main school phone number or visiting the office in person. You can also contact the Principal or Chair of the Board directly via principal@cameragal.nsw.edu.au or chair@cameragal.nsw.edu.au .

Educational Matters

- The parents are to discuss the matter as soon as possible with the child's teacher by scheduling an appointment, via the School office. The parents or teacher may request that a record of the interview by prepared by the teacher and signed by both parties. Either party may request that the Principal be present.
- If either party (parents or teacher) is not satisfied with the outcome, the matter may be referred to the Principal within two weeks of the initial discussion, by way of a written submission outlining the problem and proposed solution.
- The Principal will then mediate a discussion between the two parties. A record of the interview will be made and signed by all parties. The process may continue until a resolution is reached.
- If either the parents, teacher or Principal is still not satisfied with the outcome the dissatisfied party must make a written submission to the Principal within two weeks of the last mediation discussion. The Principal may appointment a representative to investigate and make a report back to the Principal within two weeks. The Principal will then reach a decision on the matter as soon as possible. Notification of the Principal's decision will be given in writing to all parties involved within five working days of the decision.

Non-educational matters

- The parents are to discuss the matter as soon as possible with the Principal or a representative appointed by the Principal, by scheduling an appointment through the Office. The parents or Principal may request that a record of the interview be prepared by the Principal and signed by both parties.
- If the problem remains unresolved within 10 working days of the first discussion, the complainant should make a written report outlining the issue and any proposed solution, and forward it to the Chairman of the School Board. The issue will be raise at the first available Board meeting. The complainant may be given the opportunity of presenting the complaint to the Board at this meeting.
- If the issue cannot be resolved at the Board meeting, the Board will appointment a sub-committee or independent mediator to investigate. All parties will be consulted and the outcome reported at the next Board meeting where a final decision will be made. Written notification from the Board of the final decision will be made within five working days of the meeting.

Teacher in Dispute with a Parent

- The teacher will discuss the potential issue with the parent by scheduling an appointment that is mutually convenient to both parties. The teacher or parent may request that a record of the interview by prepared by the teacher and signed by both parties. Either party may request that the Principal be present.
- If either party (teacher or parent) is not satisfied with the outcome, the matter may be referred to the Principal within two weeks of the initial discussion, by way of a written submission outlining the problem and proposed solution.
- If either the teacher or parents is still not satisfied with the outcome the dissatisfied party must make a written submission to the Principal within two weeks of the last mediation discussion. The Principal may appointment a representative to investigate and make a report back to the Principal within two weeks. The Principal will then reach a decision on the matter as soon as possible. Notification of the Principal's decision will be given in writing to all parties involved within five working days of the decision.
- Should there be a conflict of interest perceived by either party, a review by the Board may take place with the dissatisfied party making a written report and forwarding it through the Board. The issue will be raised at the first available Board meeting.
- If the issue cannot be resolved at the Board meeting, the Board will appoint a sub-committee or an independent mediator to investigate the complaint. All parties will be consulted and the outcome report at the next Board meeting where a final decision will be made. Written notification from the Board of the final decision will be made within five working days of the meeting.

Teacher in Dispute with a Student

- It is likely that students, especially younger students, will raise concerns informally. These should be heard with empathy and not dismissed. Older students may raise issues of concern at weekly Community Meetings. In the latter circumstance, teachers attending that meeting have a responsibility to take action to resolve the concern.
- Where the concern is personal in nature, the student should be taken aside so they can speak freely. If the matter involves a reportable conduct incident (see Child Protection Policy), do not investigate and refer the matter immediately to the Principal.
- If the matter is based on educational fairness or relationships, the teacher receiving the information should make every effort to deal with it as soon as it is practicable. If another teacher or staff member is involved it is often better to discuss with them without the student in the first instance.
- Mediation should be arranged if both parties are happy to discuss in this way. Otherwise a determination may need to be sought from the Principal.

Procedural Fairness

These principles underpin the basic rights of all individual when dealing with authorities or discipline issues. Relevant stakeholders have a legitimate expectation that a school will follow these principles when dealing with any matter that may lead to penalties particularly, but no exclusively in relation to suspension, expulsion and exclusion. Exclusion is the act of preventing a student's admission to a number of schools.

Procedural Fairness is:

- The right to respond (the hearing rule).
- The right to an unbiased hearing (the bias rule).

In all situations, no matter how minor the above two elements must be followed.

This means that those investigating a matter within a school will act fairly, in good faith, without bias, and exercise discerning judgement. Each party should have an opportunity to state their case adequately;

correcting or contradicting any relevant statement prejudicial to their case. A person accused must have notice of what has been alleged against him/her.

Procedural fairness is not:

- About only hearing one side of a case; or
- About being a judge in one's own cause.

Essential Elements of Procedural Fairness

Procedural Fairness is generally recognised as having two essential elements:

- The right to be heard which includes:
  - The right to know why the action is happening (*);
  - The right to know the way in which the issues will be determined;
  - The right to know the allegations in the matter and any other information that will be taken into account;
  - The right of the person against who the allegations have been made to respond to the allegations; and
  - The right to an appeal.
- The right to an impartial decision which includes:
  - The right to impartiality in the investigation and the decision making phases;
  - The right to an absence of bias in the decision maker.

(*) This right does not necessarily imply a right to access personal information about complainants and witnesses. In some circumstances it may be necessary to maintain an anonymity of complainants and witnesses.

Monitoring, evaluation and review

This Policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the School will review this Policy every 18 months.

Families and staff are essential stakeholders in the Policy review process and will be given opportunity and encouragement to be actively involved.

In accordance with R.172 of the Education and Care Services National Regulations, the School will ensure that families of children enrolled at the School are notified at least 14 days before making any change to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the School; a family's ability to utilise the School; the fees charged or the way in which fees are collected.

This Policy should be read in conjunction with other relevant Cameragal Montessori School Policies.

References

Education and Care Services National Regulations (sections 172, 174, regulations 174A, 143B, 168-173,173)
National Quality Standard, Quality Area 6: Collaborative partnerships with families and communities

"The School's policies which are made from time to time are made pursuant to the requirements set out in section 47 of the education act, the NSW education standards authority for registration of the School and the Australian children's education and care quality authority (ACECQA)."