

# Complaints & Conflict Resolution Procedure – VLC Community

ENRICH - LEADER - CHAMPION - STRENGTHEN - EMPOWER - GROW

Procedure	
<b>Relevant to</b>	All College community members – students, parents/carers/guardians, Council members.
<b>Responsible Officer</b>	Principal
<b>Contact Officer</b>	Complaints Officer
<b>Authorisation</b>	College Council
<b>Date Introduced</b>	01/01/2016
<b>Effective Date of Latest Version</b>	01/08/2020
<b>Next Review Date</b>	01/08/2025 This procedure will be reviewed every five years, or as required by legislation.
<b>Relevant Legislation or Source</b>	<ul style="list-style-type: none"> <li>▪ Education and Training Reform Act 2006 (Vic)</li> <li>▪ Education and Training Reform Regulations (2017)</li> <li>▪ Victorian Registration &amp; Qualifications Authority (VQRA)0 Minimum Standards</li> <li>▪ Child Safe Standards Ministerial Order 870</li> <li>▪ Privacy Act 1988 (Cth)</li> <li>▪ Lutheran Education South Eastern Region (Victorian Schools) Multi Enterprise Agreement 2018</li> </ul>
<b>Linked Victory LC Policy</b>	<ul style="list-style-type: none"> <li>▪ Complaints and Conflict Resolution Policy</li> <li>▪ Child Protection Policy</li> <li>▪ Mandatory Reporting Policy</li> <li>▪ Bullying &amp; Harassment Policy</li> <li>▪ Behaviour Management Policy</li> </ul>
<b>Linked Victory LC Procedure</b>	
<b>Linked Victory Guidelines/Manual</b>	Code of Conduct
<b>Key Words</b>	Complaint, Complainant, Defamation, Due Process, Restorative Justice, Support Person,
<b>Destination</b>	CompliSpace, Cirrus, College Website

Revision / Modification History			
<i>Date</i>	<i>Version</i>	<i>Summary</i>	<i>Policy/Procedure</i>
01/01/2016	1	New Procedure	Complaints & Conflict Resolution Procedure – VLC Community
01/08/2020	2	Full Review of Procedures	Complaints & Conflict Resolution Procedure – VLC Community

# COMPLAINTS & CONFLICT RESOLUTION PROCEDURE – VLC Community



## What Constitutes a Complaint?

This procedure explains what to do if you have a complaint about any decision, behaviour, act or omission at Victory Lutheran College.

A complaint is an expression of significant dissatisfaction with the policies, procedures or service provided by the school. Complaints may be oral or written. Written complaints include those sent by letter, fax or email. You could have a complaint about, for example:

- student disciplinary procedures;
- homework;
- damage/loss of personal property;
- student bullying;
- Victory Lutheran College management and Victory Lutheran College fees;
- quality of teaching;
- breach of privacy;
- Victory Lutheran College resources;
- work health and safety issues.

## What Matters Are Not Dealt With Under This Procedure?

There are specific complaint procedures in place for the following matters:

- child protection issues (ie. if the complaint is about alleged inappropriate physical contact, sexual misconduct, neglect, or psychologically harmful conduct by an adult towards any child or young person).
- Staff harassment and bullying

You can obtain further information about how to pursue complaints of this nature from the principal.

## Introduction

As issues and concerns arise parents, students and staff are challenged to model the reality of working as a Christian community. The centre point of all Christian relationships is forgiveness and acceptance. However, in any community there will be times where we let each other down by falling short of what God would have us be. Issues will need to be resolved. It is in these situations that we are challenged to model most strongly the centrality of Christ's love for us all.

Issues or concerns that have the potential or have already caused conflict are most effectively dealt with if they are raised in the following ways:

- Don't raise an issue when you or the person you are going to speak with is likely to be angry. This may mean waiting 24 hours.
- For particularly important issues arrange a time to meet with the person concerned rather than speak over the phone. The use of electronic communication also has the potential to be extremely damaging and is generally not appropriate for grievance processes.
- Identify the issues clearly before speaking to someone and distinguish issues from the person. Personal attacks destroy relationships whereas constructive analysis of issues builds relationships.
- Speak directly with the person concerned and work to maintain the confidentiality of the discussion. Take time to ascertain the events, and identify the emotions generated by the event.
- Be prepared to listen. Take a moment to stand in the other person's shoes.
- Brainstorm together potential ways for solution. If possible, choose a joint solution.
- Sometimes this might mean to agree to disagree but still respect one another as people whose values and opinions are different. It may also mean accepting the right of that person to make decisions according to the role and the policies and procedures of the Victory Lutheran College.
- Seek advice and support from appropriate staff as described below, again utilizing the above principles.

All personal matters, such as concerns regarding student, parent or staff relationships, should be communicated directly with Victory Lutheran College through the class teacher or Principal in a confidential manner. The lower level at which the conflict can be addressed, the better.

### **Key Steps in the Management of a Complaint Expectations:**

Victory Lutheran College requires a person raising a concern or complaint to:

- do so promptly, as soon as possible after the issue occurs
- provide complete and factual information about the concern or complaint
- maintain and respect the privacy and confidentiality of all parties
- acknowledge that a common goal is to achieve an outcome acceptable to all parties
- act in good faith, and in a calm and courteous manner
- show respect and understanding of other points of view and value differences, rather than judging and blaming
- recognise that all parties have rights and responsibilities which must be balanced.

Victory Lutheran College will address any concerns and complaints received from members of the community:

- courteously
- efficiently
- fairly
- promptly, or within the timeline agreed with the complainant
- in accordance with due process and principles of natural justice.

### **Raising a Concern or Complaint:**

In the first instance, a complaint or expression of concern should be made to Victory Lutheran College.

The complainant should telephone, visit or write to:

- the student's teacher about learning issues and incidents that happened in their class or group;
- the Principal / Heads of School / Directors about issues relating to staff members or complex student issues;
- the Principal about issues relating to school policy, school enrolment, school management, staff members or very complex student issues.

For contact details for any staff member, call the office on (02) 6057 5859.

If you are not sure who to contact the office staff will assist you by directing your enquiry to the relevant staff member.

### **Help with Raising Concerns and Complaints:**

Resources are available to students, parents, teachers and support staff involved in addressing a concern or complaint.

Complainants can seek the services of an advocate when they feel they are unable to express their concern clearly. An advocate can be a friend or someone who is available through an appropriate support organisation who does not receive a fee for service.

All parties involved in addressing a complaint may seek the services of a mediator when there is difficulty coming to an agreement.

Victory Lutheran College will ensure that the complainant is aware of these supports. A complainant who wishes to use these support services should ensure the person addressing the concern or complaint is aware of their intention and is in agreement.

### **Managing Concerns and Complaints Information:**

Victory Lutheran College will record the following details of all complaints received:

- name and contact details (with permission) of the person with a concern or complaint;
- the date the concern was expressed or complaint made;
- the form in which the concern or complaint was received (such as face-to-face, by telephone, in writing, by email);
- a brief description of the concern or complaint;
- details of the school officer responding to the concern or complaint;

- action taken on the concern or complaint;
- the outcome of action taken on the concern or complaint;
- any recommendations for future improvement in the school's policy or procedures.

However, in the first instance, when the complaint is easily resolved in a telephone call, a brief note in the school's/principal's/teacher's diary recording the issue and the resolution will be all that is required.

### **Addressing Concerns or Complaints:**

Victory Lutheran College will determine whether a concern or complaint should be managed through the Victory Lutheran College's own processes. Victory Lutheran College will make every effort to resolve issues before involving outside groups.

Victory Lutheran College will make available to a complainant a copy of its complaints procedures via the website or personally.

All complaints will be noted and acted on promptly by the staff member who receives the complaint.

Victory Lutheran College will acknowledge all complaints made in writing. It will provide the complainant with a timeline for investigating the complaint. Should the complaint involve complex issues, Victory Lutheran College may need to take advice from the outside parties; this may take more time. Victory Lutheran College will keep the complainant informed of the nature of any such delays. In all cases, Victory Lutheran College will endeavour to resolve a complex concern or complaint within 20 school days.

The Principal will investigate all complaints and will provide a response to the complainant.

Concerns and complaints about general school matters (such as the timing of events, school policies and facilities) will be addressed by the principal or a relevant staff member.

### **Remedies:**

Victory Lutheran College will make every attempt to resolve a concern or complaint as quickly as possible. If the complaint involves many students and a range of issues, Victory Lutheran College will need more time to investigate and resolve it.

If a concern or complaint is substantiated in whole or part, Victory Lutheran College will offer an appropriate remedy. For example, at its discretion and depending on the circumstances, Victory Lutheran College might offer:

- an explanation;
- an acknowledgement of each other's perspective and agreement on ways to manage differences;
- an apology or expression of regret;
- an admission of fault;
- a change of decision;
- a change of policy, procedure or practice;
- agreement on what constitutes acceptable behaviour;
- an undertaking that unacceptable behaviour will change;
- the waiving of debt, related to school fees and payments;
- a refund of parent payments;
- the provision of counselling or other support.

### **Referral of Concerns and Complaints:**

If a person with a concern or complaint is not satisfied with the outcome determined by Victory Lutheran College, they should contact the Victory Lutheran College Council Chair.

If a person with a concern or complaint is not satisfied with the outcome determined by the Victory Lutheran College Council Chair, they should contact Lutheran Education – Victoria, New South Wales, Tasmania (LEVNT) on (03) 9236 1250.

## Monitoring complaints:

Victory Lutheran College Council will receive feedback on the policy and procedures from the Principal.

Victory Lutheran College Council will monitor concerns and complaints and consider issues raised through the complaints process, and any other relevant information from opinion surveys, when undertaking a review of the Victory Lutheran College's policies, procedures and operations.

Victory Lutheran College Council will regularly review information about complaints to ensure its policy and procedures effectively address concerns and complaints as part of its cyclic review schedule.

Victory Lutheran College Council will review its information about complaints made over time to:

- identify common or recurring issues that may need addressing;
- assess the effectiveness of these and other procedures and whether they are being followed.

The Victory Lutheran College Council will use information provided to Victory Lutheran College through the opinion survey on the views of stakeholders.

Due to confidentiality, feedback will not include specific details of complainants and those involved in the complaint.

## Procedure for Parents

The following guidelines may assist you if you have a concern. For some issues it may be appropriate to discuss matters directly with the Principal, however for the majority of situations the following process will help to resolve issues and at the same time build strong relationships.

1. Make an appointment to talk to the classroom teacher. Let them know what subject you wish to discuss as this will facilitate the process prior to the interview. This makes the most productive use of the time available when the teacher is free to give you their full attention. If you consider that the issue you have raised is still unresolved, it is important you state this to the teacher at the conclusion of the meeting. Acknowledgement of the need for a meeting with the classroom teacher would normally occur within three working days of the request for an appointment.
2. If the issues are not resolved, speak with any of the following staff:
  - Head of Schools / Directors

Acknowledgement of the need to speak to these Executive Leadership Team members would normally occur within three working days of the request being made.

Let them know what subject you wish to discuss as this will again facilitate the process. Nominate times when you are available. Results of these discussions may include the following:

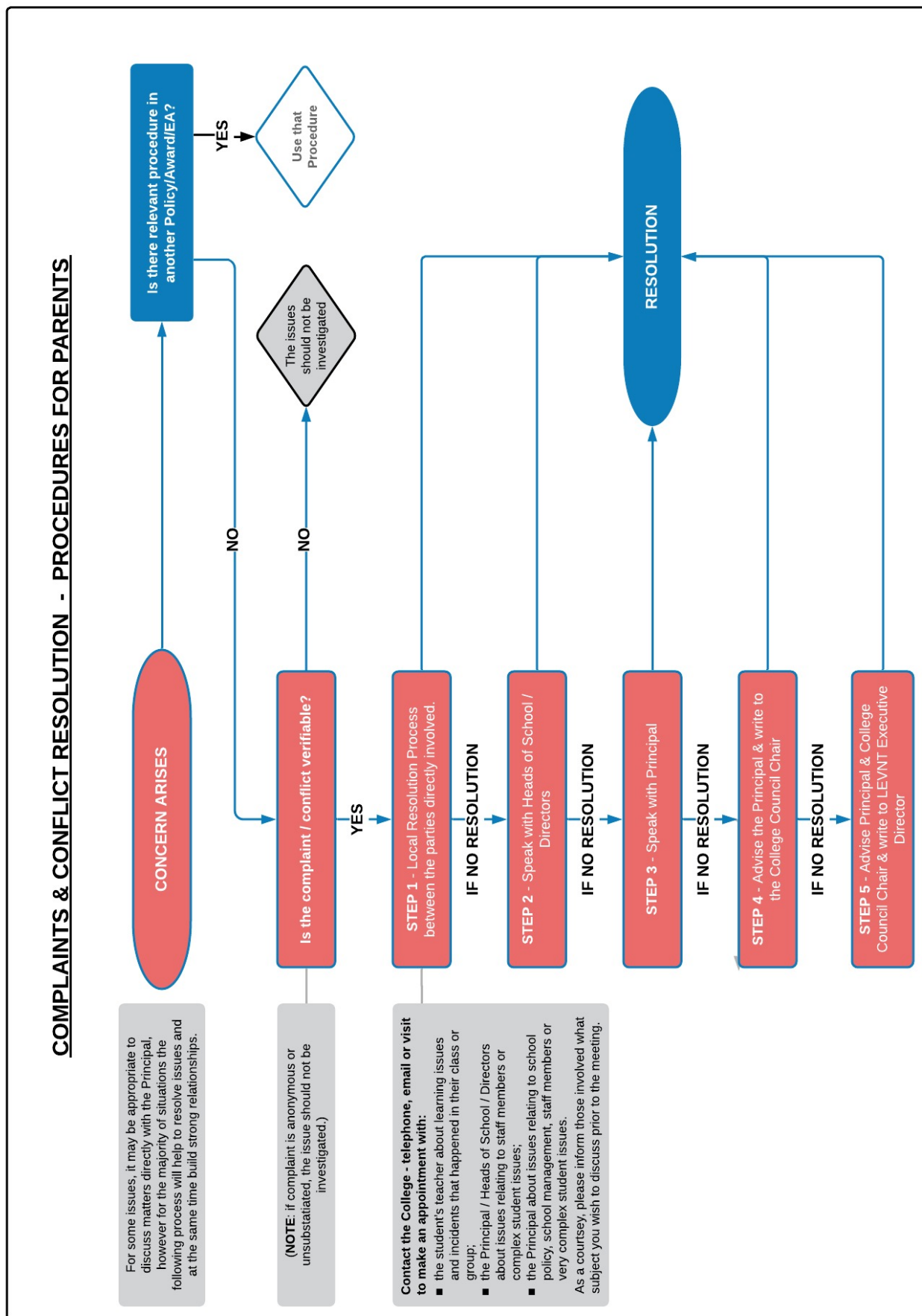
- the situation is monitored
  - further discussions with the people involved (e.g. Principal and teacher)
  - outside support for the child or family may be sought.
3. If you are still dissatisfied with the outcome of the meeting or it is a more serious issue, speak with the Principal. The results of this meeting again could involve any of the above outcomes. If you are unsatisfied then speak with the Principal again, perhaps putting your concerns in writing. If Victory Lutheran College does not receive further information, it is reasonable for the issue to be considered resolved. The Principal should make contact within 3 working days of a request being made.
  4. If after the above steps you are still dissatisfied then advise the Principal and write a report of the issue, detailing the what, when, how and who to the Chair of Victory Lutheran College Council. On the basis of the report the Victory Lutheran College Council Chair will try to resolve the situation further if the above processes have been followed. Meeting cycles will mean that this may take 14 working days for acknowledgement to be made by the Victory Lutheran College Council Chair.
  5. If after the Victory Lutheran College Council Chair has responded to the issue, the matter is still unresolved then the Victory Lutheran College Council and the Principal should be informed and a formal letter should be written to the Executive Director of Lutheran Education - Victoria, New South Wales and Tasmania District. The Executive Director or nominee will acknowledge receipt of the complainant within 14 working days of receiving the complaint.

It is important that these grievances are kept confidential, and although at times you may wish to seek support from friends or an advocate, it is very important to do this wisely. Ill-informed discussion can often cause unnecessary hurt and harm to staff, students and parents. When the matter is discussed in the student's hearing, it is important that the student understands that you have confidence that the issue will be resolved confidentially at the Victory Lutheran College level. Criticism of Victory Lutheran College or a teacher does not support the child's education as it undermines trust and confidence. Victory Lutheran College can only deal with issues that are raised in the ways outlined above. If we do not receive information, then we assume that all is well.

Please remember:

- everyone should feel they have the right to have a matter of concern raised with the appropriate people in Victory Lutheran College.
- we can't address problems we don't know about.
- there are usually several aspects to any one incident and not all involved will understand all the aspects.
- you are urged to contact Victory Lutheran College directly with concerns when they happen, not later on.
- the best person to contact is usually the person involved.
- we may endeavour to resolve problems by seeking outside advice.





## Procedures for Students

Students have the right and responsibility to raise issues with staff in an appropriate manner where they feel that they have been treated in an unfair manner by a member of staff of Victory Lutheran College. It is important that matters are discussed in private and in a way that reflects respect for each person involved in the discussion and using the principles listed above.

The following guidelines may assist you if you have a concern. For some issues, particularly where you believe that teacher has behaved inappropriately or if you are scared to talk to the teacher, it may be better to discuss matters directly with the Principal, so go directly to step 5.

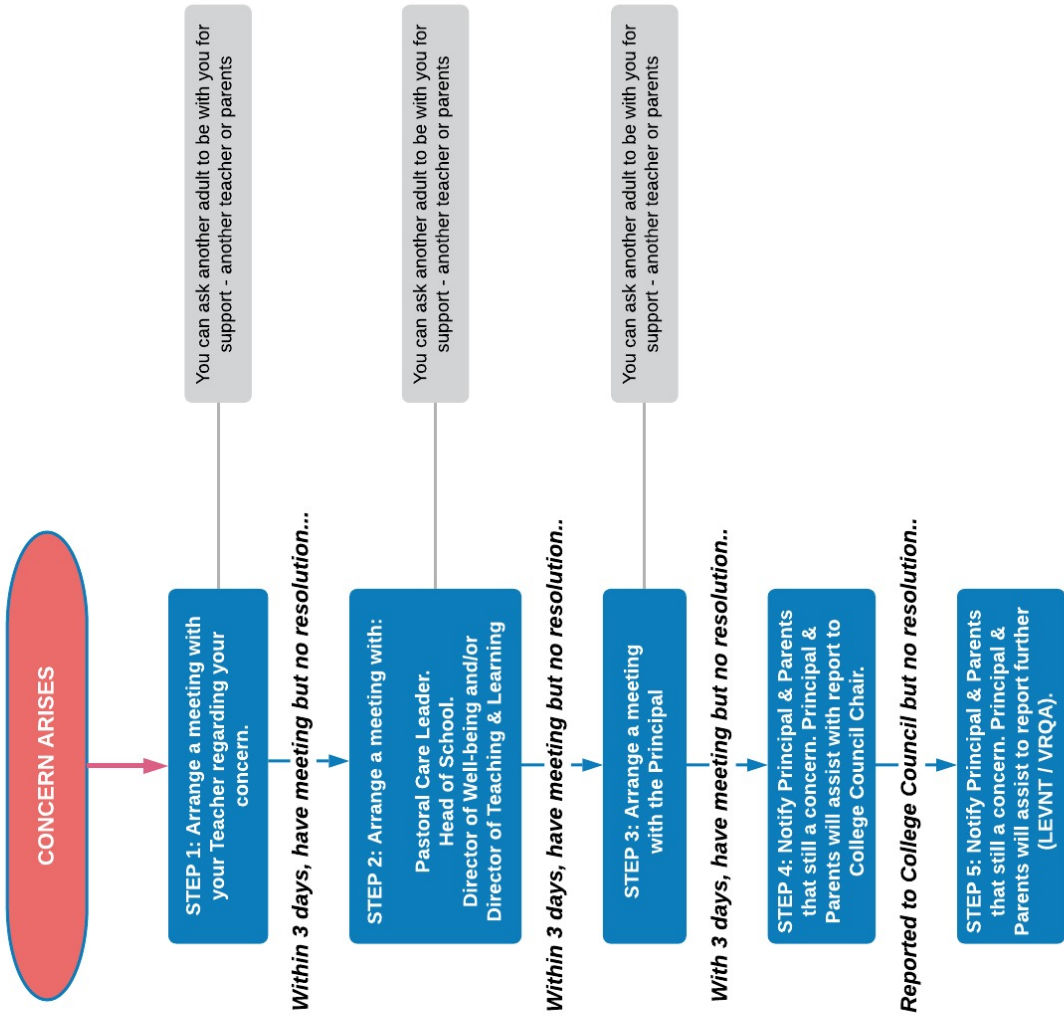
WHAT TO DO	NOTES	WHY?	WHEN IS THIS USUALLY DONE?
1. Arrange a meeting to talk to the teacher you are having a problem with.	You can ask another adult to be with you for support (teacher or parent).	<ul style="list-style-type: none"> <li>▪ So the teacher can focus on you.</li> <li>▪ So you can talk about the problem in private.</li> </ul>	Within 3 days
2. Have your meeting.			
3. If the meeting did not fix your problems, arrange a meeting with: <ul style="list-style-type: none"> <li>▪ Pastoral Care Leader</li> <li>▪ Head of School</li> <li>▪ Director of Well-being and/or Director of Teaching &amp; Learning</li> </ul>	You can ask another adult to be with you for support	May lead to: <ul style="list-style-type: none"> <li>▪ the situation is monitored</li> <li>▪ further discussions with the people involved</li> <li>▪ outside support for the child or family</li> </ul>	Within 3 days
4. Have your 2 <sup>nd</sup> meeting.			
5. If this meeting did not fix your problems, arrange a meeting with the Principal.	You can ask another adult to be with you for support.		Within 3 days
6. Have your 3 <sup>rd</sup> meeting.			
7. If this meeting did not fix your problems, let your parents and the Principal know and they will help you report to the Chair of the Victory Lutheran College Council.			14 days because they don't work for the school
8. If Council did not fix your problems, let your parents and the Principal know and they will help you report further.	LEVNT VRQA/NESA		14 days because they don't work for the school



## NOTES:

1. Each time you arrange a meeting please let the person know what you want to talk with them about.
2. You need to speak up. If you don't let the teacher or Victory Lutheran College know that you are still unhappy after a meeting, they will think everything is OK.
3. It is important that grievances are kept as confidential as possible. Sometimes you might need to talk to a friend or another support person. You need to try, to not to talk to too many people, and also try not to hurt others by sharing too much.

**COMPLAINTS & CONFLICT RESOLUTION - PROCEDURES FOR STUDENTS**



Students have the right and responsibility to raise issues with staff in an appropriate manner where they feel that they have been treated in an unfair manner by a member of staff of Victory Lutheran College.

The following guidelines may assist you if you have a concern. For some issues, particularly where you believe that teacher has behaved inappropriately or if you are scared to talk to the teacher, it may be better to discuss matters directly with the Principal, so go directly to Step 3.

## Receiver of a Complaint

The employee of Victory Lutheran College with whom a complaint is lodged. Most commonly, authorised persons will also receive complaints. However, in some instances, a complainant may choose to lodge the complaint with someone else – most likely front office admin / receptionist.

### A receiver **does**:

- listen to and record details of the complaint.
- clarify why someone has the perception about a situation that they have, and, get specific examples of how this perception has been formed.
- decide if they, as receiver, are authorised to deal with the complaint and advise the complainant.
- if necessary, hand the written details of the complaint on to the person authorised to deal with it.
- advise the complainant that the matter is to be handed on to an authorised person.

### A receiver **does not**:

- offer any defence to the complainant.
- act as an investigator.

## Parent / Student Complaints

### Open Door Policy

At Victory Lutheran College, we have an Open Door Policy that allows parents, students and other members of our community access to people at the College who can listen to their concerns, provide information and resolve issues. We encourage parents to take the opportunity of our Open Door, rather than to seek answers from people who may not know the facts, or to express their concerns to people who cannot help them. As the saying goes: "If you are happy, tell others; If you are not happy, tell us!"

The following is the appropriate procedure for approaching people at Victory Lutheran College. It reflects our commitment to Restorative Practices and is based on a passage in the Bible, Matthew 18, which guides all conflict resolution policies of Victory Lutheran College.

#### *First*

Always approach the teacher or staff member who is most immediately involved in the situation. For example, if it is a classroom matter, approach your child's class or subject teacher. If it is a matter to do with Sport, approach our Sport Coordinator.

#### *Second*

If you do not feel your question is answered, or the situation is resolved, or the person you need to speak to is unavailable, contact the appropriate Head of School.

#### *Third*

If this brings about no resolution, make an appointment to meet with the Principal.

### Please note the following:

#### The Role of the Parents & Friends (P&F)

The main purpose of the P&F is to raise funds, run business and coordinate social activities. It is not a forum to discuss specific issues related to students at Victory Lutheran College, although there is opportunity at meetings to ask questions of general interest to parents.

#### Appointments with teachers

If you wish to speak to a class or subject teacher, please make an appointment. Just prior to class, during class and while classes are being dismissed are not appropriate times to speak with teachers, especially about issues of significant concern. At these times, teachers must attend to their duty of care for students and their responsibility to be properly prepared for lessons.

## Parent Complaints to Victory Lutheran College Council

From time to time, situations may arise where you, as a member of the Victory Lutheran College community, may wish to contact the Victory Lutheran College Council over an issue that you feel has not been satisfactorily resolved. It is important that community members realise that Council has employed the Principal to manage the day-to-day operations of Victory Lutheran College and that all concerns must be taken to the Principal in the first instance.

If the Principal is unable to resolve the matter and you wish to refer it to the Victory Lutheran College Council, please follow the steps outlined below to ensure that Council can respond in a fair and equitable manner to your concern:

- **Address** your concern in writing to either the Secretary or the Chair of Victory Lutheran College Council. Please ensure that your letter is signed and dated because Council cannot act upon anonymous complaints.
- **Outline:**
  - the exact nature of your concern/s
  - what opportunity you have provided for the Principal to resolve the matter
  - what remains unresolved
  - what action would you like to see taken to fully resolve the matter for you
- **Provide:**
  - Full details of your name and address, home and business telephone numbers to enable Council to contact you if it requires further information.
  - Details of your children's names and classes (if the concern involves one or more of your children). This is to assist Council members who are not directly involved in Victory Lutheran College and who may not be aware of the details that you may feel are obvious.
- A copy of the letter should be handed to the Principal.

Council will then consider your letter and determine the appropriate response.

Each member of the Victory Lutheran College Council has undertaken to recommend the above procedure when he or she becomes aware of a complaint not resolved to the satisfaction of the complainant. This can only occur if the usual avenues of redress have been exhausted.

## Student Academic Appeals

It is the right of all students at Victory Lutheran College to appeal against a judgement made by a teacher in a test or assignment. It is recognised that marking is a subjective activity and therefore it is possible for students to feel, from time to time, that they wish to verify a judgement made. Students who make an appeal should not be made to feel they have done the wrong thing.

It is the right of all teachers to be treated with respect as professionals. Thus the following behaviours are unacceptable:

- students going behind a teacher's back to get a second opinion;
- teachers giving the student a second opinion on a fellow-teacher's marking without the procedure below being followed.

If at all possible, **to avoid charges of lack of fairness**, the following should occur:

- orals, especially for Year 11's and 12's, should be double-marked or videotaped.
- the marks for orals should be returned only after all have been completed.
- when there is more than one class in the subject, regular moderation meetings should be held where marks or ratings of different teachers for the same piece of work or test are compared.

The correct procedure is as follows:

1. The student approaches the teacher who has marked the work and asks to appeal the decision.
2. The teacher will discuss the reasons with the student and will offer to seek a second opinion (this should be offered willingly, not grudgingly).
3. This second opinion will preferably be sought from the Head of Secondary or Principal.
4. The second marker should read the work, without knowledge of the mark given by the first teacher.
5. The two teachers will then confer, discuss the matter, and come to an agreement.
6. The result will be provided to the student, with comment from the second marker in writing.