

# Lowther Hall

ANGLICAN GRAMMAR SCHOOL

*All about the girl*

# Complaints Resolution Policy **(Parents, caregivers and community members)**

Date of last review:

2025

Review cycle:

Two yearly

Review and approval responsibility:

Executive to School Council

Category:

Community

VRQA required:

Yes

Locations:

O: Drive, LowtherLink, Website, BoardPro



# COMPLAINTS RESOLUTION POLICY – PARENTS & COMMUNITY MEMBERS

## 1. DEFINITIONS

### **Advocate**

A person (e.g. family member, legal representative, or community worker) who supports the complainant by speaking on their behalf or assisting them to express their views during the complaints process.

### **Community Member**

Any individual who is not a current student, parent, or staff member of the school but has a connection to the school (e.g. alumni, neighbour, or local resident) and wishes to raise a concern or make a complaint.

### **Complainant**

The person or party who raises a concern or complaint with the School. This may include a parent, staff member, or community member.

### **Complaint**

An expression of dissatisfaction about the School's operations, services, staff, students, or decision-making processes, where a response or resolution is explicitly or implicitly expected.

### **Concern**

A minor complaint often about a specific situation or incident which would usually be resolved through discussion or clarification using the “Self-Management” procedure.

### **Documented Record**

A written complaint which does not require resolution but allows the complainant to alert the School their dissatisfaction with an action or outcome.

### **External Resolution**

When a complaint is referred to an external authority, such as an independent investigator, the Chair of School Council or another relevant regulatory or legal body.

### **Feedback**

Positive or negative comments provided about the School's programs, services, or operations. Feedback may not necessarily require action but is useful for school improvement. Feedback is one method of complaint resolution which is described in this policy as “Documented Record”.

### **Formal Complaint**

A complaint that is submitted in writing or lodged through a formal process requiring documentation, investigation, and a structured resolution procedure. A formal complaint can be resolved through any of the 5 procedures set out in this policy.

### **Formal Resolution**

A process that involves documented steps and structured engagement to resolve a formal complaint. May include meetings, investigation and/or mediation.

### **Informal Complaint**

A concern or complaint raised verbally or casually, often resolved quickly through discussion, clarification, or minor adjustments without formal documentation. An informal complaint can be resolved through any of the 5 procedures set out in this policy but would most commonly be resolved through self-managed resolution, documented record or supported.

### **Investigation**

A structured process of gathering information, reviewing evidence, and assessing facts to determine the appropriate resolution or outcome of a complaint. An investigation can be conducted by an external individual or by a member of the school staff.

### **Mediation**

A voluntary process where a neutral third party helps the complainant and the School (or member of the school community) reach a mutually acceptable resolution in response to a complaint.

**Parent**

A person with legal responsibility for a child enrolled at the School. This includes biological parents, legal guardians, and caregivers.

**School Board (also called School Council)**

The governing body of Lowther Hall Anglican Grammar School.

**School Council (also called School Board)**

The governing body of Lowther Hall Anglican Grammar School.

**Self-managed Resolution**

When a complainant and a relevant school staff member resolve a concern directly through informal discussion, without requiring further intervention.

**Supported Resolution**

A resolution process where the complainant receives assistance from a senior staff member to resolve a complaint or concern.

**Support Person**

An individual chosen by the complainant (e.g. friend or family member) to provide emotional or practical support during the complaints process.

**Vulnerable Children**

Children who may be at increased risk of harm or disadvantage due to factors such as age, disability, trauma, cultural background (including First Nations children) family circumstances, or exposure to abuse or neglect. Special consideration must be given to their safety and voice in any complaints process.

## 2. CONTEXT

- 2.1 Lowther Hall Anglican Grammar School understands that a professional, trusting and cooperative relationship between families, the School and the community is best for students. Complaints assist the school community to build and maintain such relationships through open exchange of information and feedback.
- 2.2 The School recognises the right of parents, caregivers and community members to make a complaint or raise a concern and its responsibility to provide a framework within which to follow up or resolve complaints or concerns. This Policy is intended to support the resolution of complaints in a manner that enables students, families the School and community members to maintain a positive relationship and through behaviours consistent with the School's values and Codes of Conduct.
- 2.3 Complaints provide opportunities for reflection, learning and improvement. The School will undertake to respond to both the specific and (where applicable) the systemic issues raised by the complaint.
- 2.4 To maintain an environment of professional trust and cooperation between families, community members and the School, complaints and concerns should be raised promptly without the fear of reprisal or victimisation. The School seeks assurance from members of its community that complaints do not give rise to victimisation or reprisal.
- 2.5 The School is committed to child safety and has a zero tolerance of child abuse. It is also committed to the support of vulnerable students. In the context of this policy, the response to a complaint relating to child safety, particularly any in relation to First Nations children, children with disabilities, children from linguistically and culturally diverse backgrounds, and children who are vulnerable, will be given the highest priority and attention.
- 2.6 The School recognises its responsibility to the psychosocial safety of its staff. Complaints processes will seek to promote psychosocial safety of staff during the follow up or investigation of complaints concerning them, through provision of the Employee Assistance Program.

## 2.7 Legal and Regulatory Context

This Policy is informed by the following legislation and regulations:

- CCYP (Commission for Children and Young People) Reportable Conduct Scheme
- Charter of Human Rights and Responsibilities Act 2006
- Child Safe Standards Ministerial Order 1359
- Child Wellbeing and Safety Act 2005 (Vic)
- Child Wellbeing and Safety (Information Sharing) Regulations 2018 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Education and Training Reform Regulations (2017)
- Equal Opportunity Act 2010
- Family Violence Protection Act 2008
- Family Violence Protection (Information Sharing and Risk Management) Regulations 2018
- Privacy Act 1988 (Cth)
- Privacy and Data Protection Act 2014
- Protected Disclosure Act 2012
- Victorian Institute of Teaching (VIT) Professional Standards
- Victorian Registration and Qualifications Authority (VRQA) Minimum Standards

2.8 As an Independent School, Lowther Hall Anglican Grammar School is accountable to its own governing body, the School Board. It must operate within the law but also has autonomy to respond to its own community needs. Complaints about the School or its processes are not the remit of the Department of Education, the Victorian Ombudsman or Independent Schools Victoria. Avenues for redress are listed in Section 8: Redress.

## 3. PURPOSE OF THIS POLICY

The purposes of this policy are:

- to set out the principles, guidelines and procedures governing the School's approach to the resolution of complaints and concerns from parents, caregivers and community members.
- to ensure that complainants understand how their complaint is managed and how it can be escalated if required.
- to ensure that the School responds to complaints and concerns in a fair, effective and efficient manner.

## 4. SCOPE

4.1 This Policy applies to:

- parents and caregivers of students enrolled at Lowther Hall Anglican Grammar School
- parents and caregivers of students undertaking exchange programs at Lowther Hall Anglican Grammar School
- Host families of students undertaking exchange programs at Lowther Hall Anglican Grammar School
- prospective parents
- past parents
- volunteers
- past students
- community members and individuals who interact with the School or with school staff or students.

Specifically:

4.1.1 This Policy does not apply to concerns that staff (including contractors) may have in relation to their employment. Those procedures are covered in the Complaints Policy (Staff). This Policy is not intended to override the terms of any award, enterprise agreement or contract that applies to an employee.

4.1.2 This Policy does apply to concerns that a *prospective* employee might have in relation to employment processes and the appointment of staff.

4.1.3 This Policy does not apply to current students. The School has created internal, student friendly processes for students to use when something goes wrong or is difficult for them. Those procedures are covered in the Complaints Policy (Students).

4.1.4 This Policy applies to Board members and Board Committee members insofar as the concern or complaint pertains to the School or School staff. Complaints or concerns in relation to Board or Board Subcommittee matters are covered by the Board Charter.

4.2 Issues that might be considered under the complaints policy could include, for example:

4.2.1 A breach of the obligations by the school in relation to the Democratic Principles as set out in the Education and Training Reform Regulations (2017).

4.2.2 Availability of information about the School's performance.

4.2.3 Access to information about a student's achievement.

4.2.4 Decisions, actions, or activities for which the School is responsible and which are thought to go against the spirit of the School's mission and values or which are alleged to be inequitable or procedurally unfair.

4.2.5 Perceived personal concerns that impact school-related interpersonal relationships.

4.2.6 Complaints about child safety.

4.3 Students with a disability

4.3.1 Students with disabilities have rights under the *Disability Discrimination Act 1992 (Cth)*, the *Disability Standards for Education 2005 (Cth)* and the *Equal Opportunity Act 2010 (Vic)* to participate in their education on the same basis as their peers, including the right to reasonable adjustments. As with all complaints to which this Policy applies, families should raise any concerns or complaints regarding the treatment of a student with a disability, with the School in the first instance.

The School also recognises that families can raise complaints or concerns regarding a student with a disability in a number of other forums, including:

- The Victorian Equal Opportunity and Human Rights Commission
- The Australian Human Rights Commission

4.4 Complaints concerning employee conduct

4.4.1 Where complaints include allegations about the conduct or work performance of individual employees, the process employed by the School to address those allegations will be consistent with the relevant Lowther Hall Enterprise Agreement and/or school policies and/or Fair Work procedures.

4.4.2 Regardless of the process undertaken, the School will continue to engage with families to resolve their concerns. At the conclusion of a process, complainants will ordinarily be entitled to know whether allegations they have made are found to be substantiated. If an employee is found to have breached their obligations, privacy principles will prevent the disclosure of the employment action taken.

4.5 Complaints in relation to the Principal

Complaints about the Principal should be directed to the Chair of the Lowther Hall School Council as per Section 7.6, below.

4.6 Compensation claims

The School's complaint process is not an avenue for seeking monetary compensation. Any claims for compensations for injuries or property loss or damage that have been caused through negligence of the School should be pursued via a legal process.

A claim for compensation will only be successful if it is shown that an injury or loss is the result of the School failing to discharge its duty of care. Duty of care refers to the requirement to take reasonable steps to avoid reasonably foreseeable harm.

- 4.7 This Policy is separate to other formal processes that already exist, including:
  - Whistleblowing (See Whistleblower Policy)
  - Fraud and corruption (See Anti-fraud Policy)
  - Criminal matters (Contact Victoria Police)
  - Legal claims (Send a claim in writing to the Principal)
- 4.8 This Policy extends to situations where parents or caregivers are deemed to have breached a School policy as set out in Section 10, below.

## 5. ROLES AND RESPONSIBILITIES

- 5.1 The Lowther Hall School Council is responsible for:
  - a) determining this policy and reviewing it on a biennial basis
  - b) responding to any formal complaint raised that relates to the Principal
  - c) responding to an appeal if that is lodged in relation to an unresolved formal complaint
- 5.2 The Principal is responsible for:
  - a) determining the complaints procedures and ensuring that they are implemented in a way that is consistent with this Policy
  - b) ensuring the Complaints Policy is communicated to parents and the wider school community and external community via the website
  - c) responding to a complaints escalated to the Principal under this policy
  - d) retaining a register of formal complaints (listing the date, subject and resolution) for reporting to the School Council on an annual basis and to be available to the VRQA as required.
- 5.3 Members of staff are responsible for:
  - a) familiarising themselves with this Policy and the associated procedures
  - b) following the procedures set out in this Policy.

Guidelines for staff in managing complaints are set out in Appendix A.

## 6. GUIDING PRINCIPLES IN RESPONDING TO COMPLAINTS

- 6.1 The Lowther Hall complaint handling process seeks to adhere to the following guiding principles:
  - 6.1.1 Visibility: information about how to make a complaint is well publicised and readily available.
  - 6.1.2 Accessibility: the procedures are straightforward and easy to access.
  - 6.1.3 Responsiveness: complaints are addressed in a timely manner.
  - 6.1.4 Objectivity: each complaint is treated in an impartial, equitable, objective and unbiased manner.
  - 6.1.5 No-cost: there is no cost to the complainant for access to the complaint handling process
  - 6.1.6 Student focussed: complaints are resolved with the educational wellbeing of students as the priority.
  - 6.1.7 Accountability: the School is accountable to the VRQA for its complaint resolution procedures.

6.1.8 Continual improvement: complaint handling procedures are reviewed for improvement. Complaint data and feedback is used to identify themes and implement improvement measures when a need is identified.

Further detail about guiding principles informing complaint handling is provided in sections 6.2 to 6.15.

6.2 It is not always possible to respond to complaints received from an anonymous source and, by definition, it is not possible for the School to communicate any resolution or response to an anonymous person making a complaint. The School will always act when anonymous concerns about child safety or vulnerable children are raised.

6.3 The Complaints Policy and associated procedures are intended to be conciliatory, non-adversarial and non-legal.

6.4 In resolving a complaint the School will give priority to the student's wellbeing and educational needs and will consider their duty of care to the student or students involved in the complaint.

6.5 The School will respond to all complaints in a timely manner. The School will acknowledge the complaint promptly (usually within one week of receiving the complaint) and complainants will be kept informed of the progress of their complaint, particularly when the complaint is complex and may take time to resolve. The School will endeavour to conclude investigation of any complaint within four weeks of receiving the complaint.

6.6 The School will ensure that the complaint procedure is responsive and flexible. In practice that means that parents are able to make a complaint in person, by phone or in writing.

6.7 The School is committed to natural justice. The School will ensure that all those involved in the complaints procedure will be able to put forward their point of view and will be treated with dignity and respect.

6.8 The School will endeavour to respond to each complaint in a fair, objective and unbiased manner, taking into account the School's mission and values. Anyone involved in the complaint will be required to declare any conflicts of interest.

6.9 In dealing with the complaint, the School is committed to acting in a confidential manner and expects that complainants will show similar respect for the process and for others involved by doing likewise.

6.10 The complaints procedures will be restricted to dealing with the matter raised by the complaint and not with any other matters.

6.11 The School may determine that a complaint is vexatious (where the complaint is designed to harass, annoy or embarrass the School or another parent) or spurious (where the complaint has no real basis in fact or is manifestly groundless). When this is the case, the complainant will be informed in writing of the decision.

6.12 The School will ensure any actions, outcomes and the resolution of a complaint are documented as per Section 10 (below) and that the final decisions are communicated to complainants.

6.13 Any offers of compromise or agreement reached during the resolution of a complaint will not constitute precedents regarding similar complaints and are without prejudice to positions taken in similar circumstances or more general issues.

6.14 The School will ensure that the handling of complaints does not contravene the School's Privacy Policy. The School will seek actively to prevent the disclosure of personally identifiable information concerning the parents and students involved in the complaint.

6.15 The School will provide support for complainants.

6.15.1 A complainant can have a support person or advocate to assist at any time in the complaint process.

- An advocate or support person's role may include:
- Discussing difficulties the complainant is experiencing in relation to the complaint.
- Helping to develop a good working relationship between the complainant and the School.
- Assisting the complainant to understand the School policy and procedures and the resolution being proposed for the complaint.

A support person can be a family member, a friend, a community member or a person provided through a support/advocacy agency.

A complainant must advise the School, prior to any meeting or phone call where the advocate or support person is intending to be present) that they want to include a support person, advocate or other representative when making a complaint. They should provide the name, contact details and relationship to the complainant of the nominated person.

The School will inform the complainant when they intend to involve other people, other than school staff, to assist with the complaint process.

Failure to notify of the inclusion of third parties can result in the rescheduling or cancellation of the meeting.

6.15.2 A complainant can have an interpreter or translator as a support person. The National Translating and Interpreting Service can be contacted by calling 131 450.

## 7. PROCESSES FOR MAKING COMPLAINTS AND RAISING CONCERNs

7.1 There are 5 processes which can be used for making complaints and raising concerns. These are set out in detail in Appendix B. In summary, they are:

- i. Self-managed resolution
- ii. Documented record
- iii. Supported resolution
- iv. Formal resolution
- v. External resolution

7.2 A complainant may raise a complaint under any of the first four processes.

7.3 The 5 complaint resolution processes are hierarchical. School staff reserve the right to direct a complainant to an alternative process in the hierarchy for resolution.

7.4 A complainant may make a request to move to an alternative process for resolution at any point during the handling of the complaint. Such a move will be at the discretion of school staff.

7.5 A flowchart setting out the escalation process for complaint resolution is included in Appendix C.

7.6 Complaints in relation to the conduct of the Principal or in relation to a decision she has made should be made in writing and should be addressed to the Chair of the School Council. Such a complaint can be addressed to the Chair of the School Council, marked confidential and posted to the School. Alternatively, it can be emailed to [chair@lowtherhall.vic.edu.au](mailto:chair@lowtherhall.vic.edu.au). Note also section 9, Appeals.

It should be noted that operational decision making is delegated to the Principal by the School Board. Operational matters including decisions pertaining to disciplinary matters, suspensions, expulsions, subject offerings and selection and debtor management lie with the Principal and her decisions in these matters are final.

Complaints should be escalated to the Chair of School Council if the Principal is deemed to

have demonstrated unprofessional conduct or made a decision in contravention of school policies, school values or in breach of a law.

7.7 In the event that multiple complainants have the same complaint, they will usually be treated separately.

## 8. REDRESS

8.1 There are a variety of ways in which redress may be offered following a complaint being resolved. These include:

- Complaint being withdrawn verbally or in writing
- Verbal or written apology from the School or school staff member
- Restorative conversation between parties
- Repair or rectification of the situation being complained about
- Disciplinary action for a student, staff member or member of the community

8.2 In the event that a complainant is not satisfied with the outcome of a complaint raised with the School, they may contact the Victorian Registration and Qualifications Authority (VRQA) or any other relevant external body with whose laws or regulations the School is required to comply.

The Department of Education has no jurisdiction in relation to Lowther Hall.

## 9. APPEALS

If complainants believe that their complaint is not resolved or that the resolution is unsatisfactory, after taking their complaint to the Principal, they may in some circumstances, appeal the complaint to the School Council. It should be noted that some decisions cannot be escalated to the School Board as per Section 7.6.

The process for appealing the outcome of a complaint resolution process is outlined in Appendix E.

When a complaint is made to the School Council, the Council's decision will be final.

## 10. RECORD KEEPING

10.1 It is important that consistent, well-structured, concise and complete information is on file for current and future use.

10.2 The following documentation will form the record of the complaint:

- a) Detail of the complaint and follow up thereof as part of the School's regular parent contact documentation, retained in the student file.
- b) Via the complaints register if appropriate (see section 10.3).

10.3 Any member of the Executive Team can determine whether the complaint or concern is recorded on the Schools Complaints Register. A complaint will be recorded on the Complaints Register if it meets ANY of the following criteria:

- a) It triggered an external investigation
- b) It resulted in formal disciplinary action against a member of staff
- c) It relates to the Child Information Sharing Scheme
- d) It resulted in a notification to a Child Protection agency (DFFS, Orange Door, SOCIT, CCYP, E-safety Commissioner, etc.)
- e) It resulted in a notification to the Police
- f) It was deemed serious, substantial or unusual by a majority of the Executive Team

10.4 The management of records relating to complaints will follow the School's Record Management Policy. Except where dictated otherwise by law, the School will retain all records of complaints for a minimum of one year after the family or student has left the school and then will be destroyed. The records will be kept secured by the Principal or the governing board (in the case of a complaint made against the Principal) as is appropriate.

## **11. BREACH OF SCHOOL POLICIES**

- 11.1 Any breach of any Lowther Hall policy by a parent or community member will be considered under this policy by the Principal and will be dealt with on a case-by-case basis.
- 11.2 The Principal may take such action as considered appropriate in response to a breach of the policy including the:
  - provision of a verbal or a written warning
  - withdrawal of certain privileges or opportunities
  - exclusion from future school events or functions
  - exclusion from the school grounds and facilities
  - revocation of their child's enrolment.

## **12. RELATED DOCUMENTS**

Anti-fraud Policy  
Bulling Prevention and Intervention Policy  
Code of Conduct (Parents and Community Members)  
Complaints Resolution Policy (Staff)  
Complaints Resolution Policy (Students)  
Delegation of Authority Policy  
Discipline Policy  
Enrolment Policy  
Enrolment Contract  
Equal Opportunity and Respectful Workplace Policy  
Keeping Children Safe and Mandatory Reporting Policy  
Occupational Health and Safety Policy  
Privacy Policy  
Record Management Policy  
Records Retention Schedule  
Student Welfare Policy  
Teaching and Learning Policy  
Whistleblower Policy

## **13. COMMUNICATION OF THE POLICY**

- 13.1 The School will communicate the Complaints Resolution Policy to:

- Parents and caregivers on enrolment, at relevant information sessions and through regular updates via LowtherLink
- New members of School Council as part of the induction process
- New members of staff as part of the induction process
- All staff every 3 years through an update process.

- 13.2 The Policy will be available on the School website and on the staff and parent portal, LowtherLink.

## **14. POLICY REVIEW**

The School Council will review this policy including the register of complaints at least every 2 years or after any significant child safety incident and monitor its implementation.

## APPENDIX A

### **Staff Guidelines for responding to concerns and complaints from parents and community members**

- Staff must be familiar with this Complaints Policy
- Staff should seek to acknowledge a parent concern within 24 hours, even if it then takes longer to arrange a meeting or a phone call to address the complaint.
- Staff are encouraged to resolve issues as quickly and as simply as possible without resorting to unnecessary process and bureaucracy:
  - where possible, the member of staff who receives the concern or complaint should deal with it themselves rather than escalate the matter
  - some matters, however, need to be escalated and require a swift response. Such matters are likely to include:
    - i. anything to do with child safe standards that must be dealt with under the school's Child Safe Standards Policy
    - ii. matters that allege misconduct, corruption or illegal behaviour
    - iii. complaints against the Executive Team, the Principal or the School Board
    - iv. privacy issues that must be dealt with under the School's Privacy Policy
    - v. legal issues and requests for compensation or payments
    - vi. issues that have a wider school or systemic implication.
- All complaints must be written up and be retained as part of the School's records.

## APPENDIX B

### Complaints processes for parents and community members

#### SELF-MANAGED RESOLUTION

##### Purpose

- To allow things to be resolved efficiently and directly without a formal process

##### Best suited

- Learning issues
- Seeking clarification
- Minor concern that needs to be addressed

##### Benefits

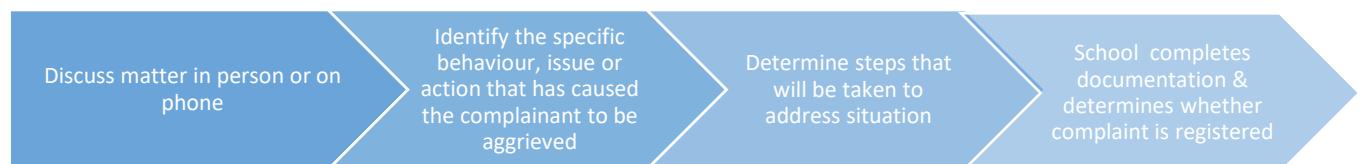
- Usually results in fast resolution of issues
- Minimises the number of people involved

##### Examples

- Raising a concern about interactions between students with a teacher or Year Level Coordinator
- Raising a concern about the process used for sport selection with the Director of Sport

##### Outcomes and further options

- Issue resolved to satisfaction of both parties & action agreed if necessary
- Matter documented internally by the School (added to Complaints Register if required)
- If one party is not satisfied, they may pursue Documented Record or Supported Resolution



## DOCUMENTED RECORD

### Purpose

- To provide an avenue for dissatisfaction to be noted but not requiring action to be taken and without a formal process

### Best suited

- Unhappy with an outcome but accepting that review is not possible or helpful
- At the end of a process or action in order to provide feedback

### Benefits

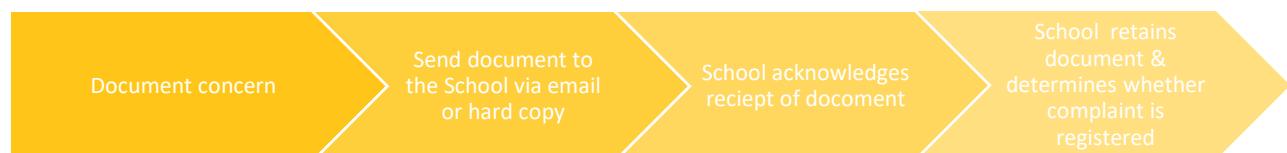
- Allows the School to receive feedback to drive improvement and detect patterns
- Puts concerns on the record

### Examples

- Student not selected and feedback provided on process
- Disappointment about the way in which an event was organised

### Outcomes and further options

- School retains documentation for reference
- School determines whether any further investigation is necessary



## SUPPORTED RESOLUTION

### Purpose

- To have assistance from a person in a position of responsibility to resolve issues without a formal process

### Best suited

- Where self-management has not been successful
- Where the matter is more serious and would benefit from the support of a senior staff member

### Benefits

- Matters addressed or resolved without escalating into a formal process
- Experienced staff able to provide guidance for resolution

### Examples

- Director of Music supports resolution of concern about private music lesson
- Head of School supports resolution of concern about student behaviour
- Principal supports resolution of concern about staff action

### Outcomes and further options

- Issue resolved to satisfaction of both parties & action agreed if necessary
- Matter documented internally by the School (added to Complaints Register if required)
- If one party is not satisfied, they may pursue Formal Resolution



## FORMAL RESOLUTION

### Purpose

- To address very serious matters or matters that have not been able to be resolved informally

### Best suited

- Where informal processes have been tried but issues have recurred or continued
- Where a matter is extremely serious

### Benefits

- Provides an avenue to pursue if informal matters have not provided a satisfactory outcome
- Allows very serious matters to be handled in a formal manner to ensure procedural fairness

### Examples

- Alleged breach of the Equal Opportunity Policy
- Alleged staff misconduct

### Outcomes and further options

- Issue resolved to satisfaction of both parties & action agreed if necessary
- Matter documented internally by the School (added to Complaints Register if required)
- If one party is not satisfied they may
  - Take the matter to the Australian Human Rights Commission
  - Email the Chair of the Board (if they are dissatisfied with the conduct of the Principal) with their concerns ([chair@lowtherhall.vic.edu.au](mailto:chair@lowtherhall.vic.edu.au))
  - Leave the School



**More detail about the nature of the process undertaken to achieve a formal resolution of a complaint is set out in Appendix D.**

## External resolution

### Purpose

- To address matters that require extensive investigation or mediation, or which are being escalated to the Lowther Hall School Board.

### Best suited

- When communication has broken down significantly and the issue cannot be resolved internally
- When high levels of expertise would be beneficial for an investigation or mediation

### Benefits

- Allows support by individuals with high levels of expertise
- Allows time and focus to be dedicated to the investigation or mediation where school staff may have other operational requirements
- Provides a level of objectivity from a 3<sup>rd</sup> party who is able to support both parties to reach a resolution

### Examples

- External investigator engaged to investigate allegations of misconduct
- Board Chair speaks to a parent who is dissatisfied with the conduct of the Principal

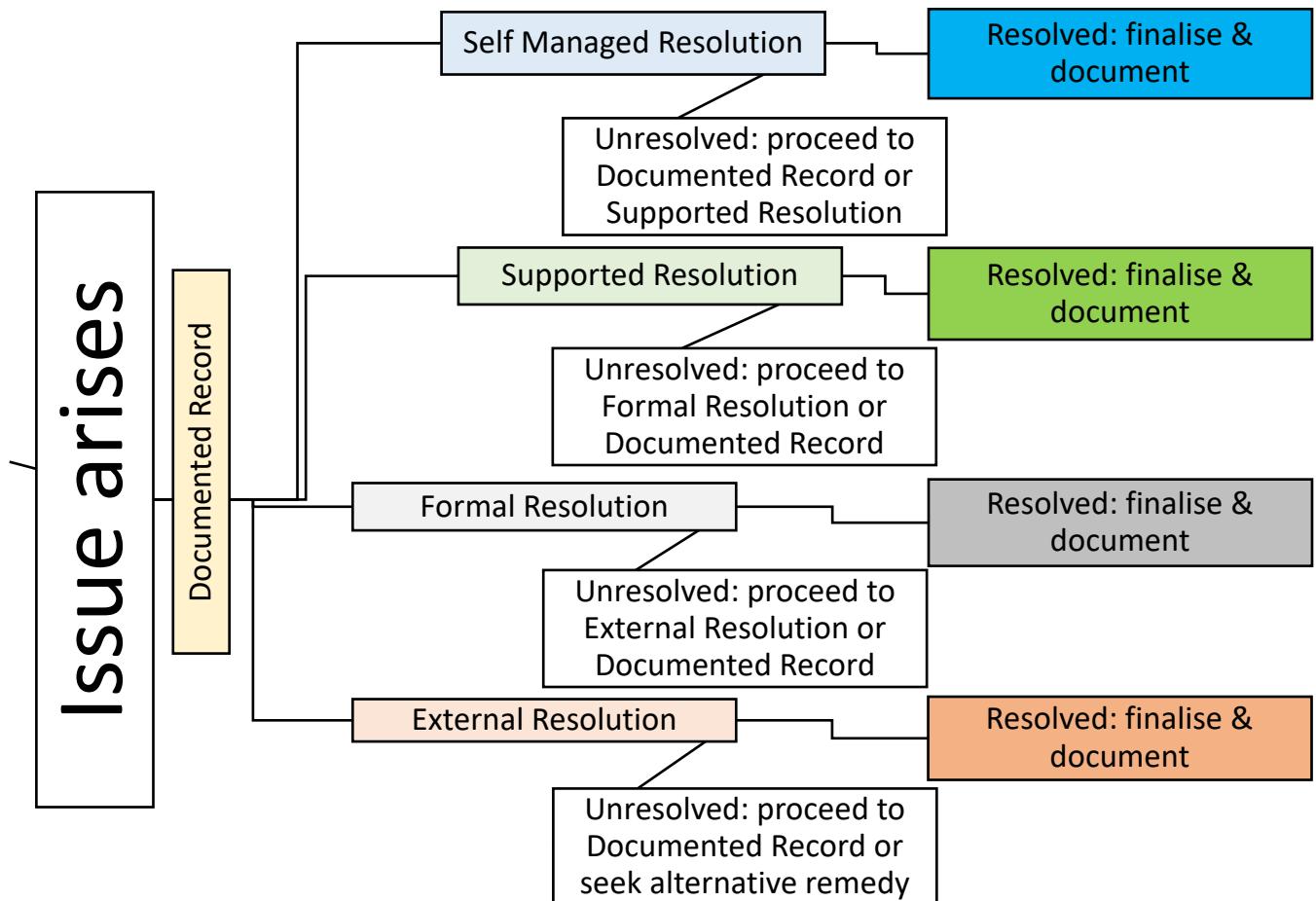
### Outcomes and further options

- Issue resolved to satisfaction of both parties & action agreed if necessary
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- If one party is not satisfied they may
  - Take the matter to the Australian Human Rights Commission
  - Email the Chair of the Board (if they are dissatisfied with the conduct of the Principal) with their concerns ([chair@lowtherhall.vic.edu.au](mailto:chair@lowtherhall.vic.edu.au))
  - Leave the School



More detail about aspects of an external investigation of a complaint is set out in Appendix F.

### Flowchart of complaints resolution procedures for parents and community members



### Procedure for Formal Resolution

#### Investigating the complaint

- Some complaints can be resolved through discussion but others require that the problem or allegation be investigated before coming to a resolution.
- The Principal may appoint a senior colleague to investigate the issue. The senior colleague will be one who has not previously been involved in the matter.
- The investigation may take the form of interviews with others involved, reviewing documentation, etc. If it is thought advisable and necessary, the Principal may appoint an external advisor as investigator.
- Students may be interviewed as part of the investigation. They may be interviewed individually or with a peer present.
- In carrying out an investigation, the School will be mindful of the need for confidentiality.
- Where an external investigator is used, the investigator will be asked to prepare a brief written report outlining their findings. The investigator's report is confidential to the School.

#### The complaints meeting

- The Principal or her delegate will chair the complaints meeting.
- Complainants may choose to have someone to support them as per Section 6.15.
- The meeting will discuss the matter thoroughly, ideally covering the following aspects:
  - a clear description and understanding of the issue
  - the claimed impact and whom it impacts
  - what is claimed will happen if the issue is not resolved
  - what action(s) is requested in order to resolve the complaint.
- These steps will be summarised briefly and will be included in the documentation of the process.
- At each step of the process, all those attending the meeting will have the opportunity to put forward their point of view and will be treated with dignity and respect.
- It may not be possible to agree the way forward in just one meeting; in this case further meetings will be scheduled until all those involved agree the issue has been considered as thoroughly as needed.
- At any stage in the process, the Principal may decide that it would be helpful to seek either informal or formal mediation in order to resolve the complaint or to move to external resolution.

#### The complaints resolution

- All those involved should agree when the complaint (or an aspect of the complaint) is considered resolved. If not everyone agrees, the complaint procedures should continue until a resolution is found, even if the resolution is to agree that the complaint is dismissed or that no further action should be taken.
- In resolving the issue, the following steps should be followed:
  - a statement confirming that those involved consider the complaint (or an aspect of the complaint) is resolved
  - how the complaint is resolved
  - a description of each specific action or decision, including a note as to who is responsible for the action and by when.

These steps will be summarised briefly and will be included in the documentation of the process.

- When the complaint is resolved (or dismissed), a follow up meeting or conversation should be scheduled to ensure that the agreed actions have been implemented and that there are no further matters outstanding.

### Appeals within the complaints process

#### Making an appeal

- If parents believe that their complaint is not resolved or that the resolution is unsatisfactory, they may appeal the complaint to the governing board.
- The appeal must be made in writing within [14] days of finalising the complaint resolution and should be addressed to the Chair of the governing board.
- The grounds for the appeal should be clearly identified. The grounds could include the following:
  - the complaints policy and procedures were not followed
  - the resolution of the complaint is claimed to be insufficient, unfair, biased, unreasonable and/or disproportionate.
- The appeal will use the record of the complaint as agreed and will not normally re-hear the complaint itself.
- Complainants are also asked to indicate how, if legal, possible and practicable, they would want the appeal to be resolved.

#### Responding to the appeal

- The Chair will constitute an appeal sub-committee to deal with the issue. The composition of the committee will be decided by the Chair and approved by the full Board.
- The appeal committee, acting on behalf of the Board as a whole, will decide how to proceed and will make recommendations for any action to resolve the matter to the whole board.
- The appeal committee may approve the appointment of an external consultant to conduct an investigation, mediation and/or arbitration.
- The appeal committee has full delegated powers to resolve the issue
- The decisions of the appeal committee are final.

#### Record keeping

- A full record of the appeal will be made following a similar structure to that outlined in the complaints procedures.
- Complainants will be provided with a copy of the final decisions of the appeal.
- The management of these records will follow the school's Record Management Policy. Except where dictated otherwise by law, the school will retain all records of appeals for a minimum of one year after the family or student has left the School and then will be destroyed. The records will be kept secured by the principal or the School Council (in the case of a complaint made against the Principal) as is appropriate.

## APPENDIX F

### **Detail pertaining to formal resolution of a complaint**

- Any allegations being formally investigated must be in writing
- The School reserves the right to appoint an investigator
- Costs of an external investigation will be borne by the School
- The School will receive the results of an external investigation
- Findings of an external investigation will be shared with all parties to the investigation
- Recommendations and detail of the investigation will be shared with parties at the discretion of the School.