



Education Complaint Policy:

A guide to raising a concern or complaint

Policy statement

The Department for Education and Child Development (DECD) is committed to ensuring the delivery of high quality education and care to all South Australian children and young people. Working in partnership with parents to resolve any concerns and complaints that they may have about their child's schooling, is a key part of how we deliver on this commitment.

The purpose of this policy is to provide clear and transparent information to parents, the community and staff on how concerns and complaints will be managed and resolutions found. It is also the intent of this policy to ensure that parents have access to support and advice when attempting to resolve a concern or complaint.

When staff work with parents to resolve a concern or complaint they will follow a process that is founded on fairness, impartiality, accessibility, respect and responsiveness. The process has three stages, with the child's school being the first point of contact for parents, followed by the Education Office and then the Education Complaint Unit if the complaint cannot be resolved at the local level.

The Education Complaint Unit has a dual purpose:

- To provide advice and support to parents about their concern or complaint
- To objectively review complaints that have not been resolved at the school or regional level.

Parents can expect that their concern or complaint will be responded to in a courteous, respectful and timely manner and that staff will work in partnership with them to resolve their concern or complaint. In return, we ask that parents are respectful, co-operative and courteous to staff and that they are realistic and reasonable about what course of action is required to resolve their concern or complaint.

Timeframes for response are listed in this policy under the explanation of the appropriate steps that parents should follow.

At any point in the process parents have the right to refer the matter to an external agency, such as the South Australian Ombudsman.

Definitions

For the purpose of this policy the following definitions mean:

- School – public education preschools, schools, and other educational sites and settings.
- Parent – other than parents, this term also includes a guardian and every person who has parental responsibility for the child including parental responsibility under the Commonwealth Family Law Act 1975 and any person with whom a child normally or regularly resides.
- Concern – an issue of interest (because of its importance and effect) which is raised informally in order to improve or change a situation.
- Complaint – an expression of grievance or resentment where the parent is seeking redress or justice.

Guiding principles

This policy is based on the following principles:

- The safety and educational wellbeing of children and young people is our first priority.
- Students, parents, staff and volunteers have the right to be treated with respect and courtesy.
- Parents have the right to raise concerns and complaints about their school or preschool life and be supported to do so.
- Wherever possible, complaints should be resolved at the school (or preschool) level.
- Complaints will be considered in a confidential, timely and impartial manner and in accordance with due process and principles of natural justice.
- The rights and responsibilities of all parties should be considered and balanced in finding a mutually acceptable outcome to complaints.
- Complaints are monitored and their management evaluated so as to inform and drive DECD system and performance improvement.

Applicability

Parents can raise a concern or a complaint (for example, about the type, level or quality of services or about policy, procedures and practices, or the behaviour and decisions of staff) directly with the site as this is where the concern can best be resolved.

Examples are:

- children's centres
- preschools
- schools
- out of school hours care or vacation care
- an Education Office
- DECD Central Office.

Complaints about regional or Central Office staff may also be referred to either the Education Complaint Unit on 1800 677 435 or the Head of Schools on (08) 8226 2536. A complaint may be referred to other units and agencies, including the Education and Early Childhood Services Registration and Standards Board for their attention, as appropriate.

Complaints not covered by this policy

This policy does not apply to matters where there are legislated requirements or existing policies and processes of appeal.

Examples include:

- appeals about student suspension and expulsion
- staff disputes and grievances
- mandatory reporting responsibilities
- some health, safety and welfare related issues.

Some complaints may never be resolved to a parent's satisfaction. Vexatious or previously finalised complaints will not be pursued unless the parent is able to provide new information.

This policy is not applicable where a parent has employed a third party (eg, legal representation) in relation to their complaint. In these circumstances, the complaint must be referred to the department's Legislation and Legal Services Unit for action. A parent is, however, entitled to a support person such as a friend, colleague, or a person provided through an appropriate support agency, as long as they do not receive a fee for service.

Impartiality

Impartial investigations are vital to the credibility and success of the parent complaint process. A concern or complaint will be considered on its merits and without prejudice arising from any previous contact that a parent may have had with the school, Education Office or Central Office.

Confidentiality

Confidentiality should be adhered to throughout the complaint resolution process. This means that the complaint should only be discussed with those people directly involved in the resolution process.

Observing confidentiality helps to protect the rights of everyone by limiting knowledge of the details of the complaint to those who will work together for a resolution. In addition, it helps to limit damage to any existing trust between the parties, thereby facilitating a resolution and developing greater confidence in one another.

Complaint resolution stages for parents

Stage 1 – Raise the concern

The school or preschool should always be the first point of contact. The parent needs to find an appropriate time to talk to the class teacher or other relevant staff member (counsellor, year level coordinator) to discuss the concern. The school front office may be able to arrange a time to meet with the teacher or have a discussion over the phone.

If the concern is about a teacher then the parent may prefer to talk to the principal or director. If the complaint involves the principal then the local Education Office of the Department for Education and Child Development should be contacted.

If the parent is not satisfied after speaking with the teacher, they may choose to discuss the complaint with the principal or director. They will work with the parent and the staff member to resolve the issue. The parent may write to the principal (who will then acknowledge receipt of the complaint with a written response as soon as possible), or telephone the school to make a time to meet with the principal.

The principal will consider the most effective way of resolving the concern or complaint, based on:

- information provided
- the school's parent complaint procedure
- the DECD *Parent concerns and complaints* policy and procedure
- consideration of any legislative and policy implications
- advice from the Education Office or DECD Central Office.

The school or preschool will aim to resolve the concern or complaint ideally within 15 working days.

Stage 2 – Contact the Education Office

If the parent is not satisfied that their complaint has been resolved by the school – or if the principal is the subject of the complaint – they may choose to contact their Education Office for help. The Education Office will review the complaint – this may involve meeting with those involved and reviewing the documentation. The parent may also be offered mediation.

The Education Office will aim to resolve the complaint within 20 working days.

Stage 3 – Education Complaint Unit

The Education Complaint Unit has a dual function:
To provide advice and support to parents about their concern or complaint

To objectively review complaints that have not been resolved at the school or regional level.

A parent may contact the unit's hotline at any time to discuss their concern or complaint or to seek advice. Staff will follow up at a later stage to check about progress.

If a complaint has not been able to be resolved by the school or Education Office, the unit will be asked to assess the complaint and decide what action is needed. Staff from the unit will contact the parent about what has been done, explain the process and provide information about when they can expect to hear about the outcome.

The department's Head of Schools or the Head of Early Childhood Development and the Chief Executive's office will be advised by the Education Complaint Unit of the outcome of the review. One of these senior leaders will make a final decision about the complaint and communicate the decision within 35 working days in most cases.

Rights and responsibilities

When raising a concern or complaint with staff, parents can expect to:

- be treated with respect, courtesy and consideration
- have the complaint dealt with in a confidential and timely manner
- have access to appropriate and easily understandable
- information regarding the complaint resolution process
- have the complaint considered impartially and in accordance
- with due process and principles of natural justice
- be kept informed of the progress and outcome of their complaint.

We request that when making a complaint parents will: treat other parties with respect, courtesy and

- maintain confidentiality
- raise the concern or complaint as soon as possible after the issue has arisen
- provide complete and factual information about the concern or complaint
- ask for assistance or further information as needed
- act in good faith to achieve an outcome acceptable to all parties
- have realistic and reasonable expectations about what course of action is required to resolve the concern or complaint.

School and Education Office responsibilities

Schools are required to develop and publish their own parent complaint resolution policy and procedure that reflect the requirements of this policy and related procedure in the revised version of the *Responding to concerns and complaints from parents and caregivers* resource. Related policies and procedures are to be made available to all parents (this may require the school to ensure translations are available for their community) and be easily accessible on the school website.

Each Education Director must ensure that the Education Office has a procedure to address complaints that reflects the department's policy and is accessible on the DECD or region's website.

Monitoring and review

Schools and Education Offices are required to establish and maintain a system to record and monitor parent complaints, the action taken to resolve the complaint and the outcome.

A record of all parent complaints received by the Education Complaint Unit, the action taken and outcomes will be kept and the information analysed to assist the department to improve service quality and delivery. In addition the Education Complaint Unit will seek feedback from parents about the service they received and their views on the complaint resolution process as a whole.

As this policy, procedures and support materials are new there will be an early review in 2012 to consider feedback and to be fully prepared for the start of the 2013 school year. The review will consider feedback from schools, preschools and the Australian Education Union.