



Policy: 8.3b BGMS Community Complaints Resolution Policy and Procedure

BGMS COMMUNITY COMPLAINTS RESOLUTION Concerns, Fair Treatment and Grievance Resolution

1. Purpose

Parents and guardians, and the wider Blue Gum Montessori School (BGMS) community are encouraged to raise any issues of concern, so that the School can work together with the community to maintain a safe and welcoming school environment.

Communication and feedback are essential elements contributing to student safety, growth and improvement in school settings. The Community Complaints Resolution Policy and Procedure is an important part of this communication and feedback process.

The BGMS Community Complaints Resolution Policy and Procedure outlines the manner in which matters may be resolved, and where appropriate, how improvements may be made within the School environment.

This policy and procedure purposefully outlines the strategies by which BGMS works to meet Standard 9 of the Registration Standards and other Requirements of Non-Government Schools.

2. Scope

This policy and procedure apply to members of the BGMS community, including parents/guardians/families and students, and can also be utilised by the wider community.

3. Policy Statement

Child safety is the priority at BGMS. BGMS utilises a range of strategies that aim to ensure student welfare and safety is the focus of all conversations and actions. It is important that schools have an efficient process for receiving and responding to concerns raised by members of the School community.

BGMS implements a complaint handling system which satisfies each of the key action areas of Principles 6 and 9 of the National Child Safe Organisation Principles.

The BGMS Community Complaints Resolution Policy and Procedure conforms to the rules of procedural fairness and includes a system for review. These rules require:

- A hearing appropriate to the circumstances,
- Lack of bias,
- Evidence to support a decision, and
- Inquiry into matters in dispute,

BGMS conforms to the standards of confidentiality and lawful disclosure. Information is only shared with those who are required to know, and information is stored in secure School data systems.

BGMS publishes information to the School community about the role of the Director General, Department of Education, in monitoring the Schools compliance with complaints standards, and



the authority the Director General has in response to instances of non-compliance with complaints standards.

The Community Code of Conduct, Student Code of Conduct, Staff Code of Conduct and other relevant school policies assist in establishing an understanding of the expectations for all members of the School.

BGMS collaborates with families to resolve issues that may arise during the normal course of school operations. Complaints and concerns are taken seriously, and every effort is made to handle matters promptly and with care. Procedures are designed to de-escalate issues and resolve matters as soon as practicable. Complaints and concerns are regarded as important information for school growth and improvement, and where appropriate, they initiate formal processes as required by law and/or relevant authorities.

BGMS values diversity and does not tolerate any discriminatory practices. The Royal Commission into Institutional Responses to Child Sexual Abuse, 2017, did not define the concept of what it is to be culturally safe in the context of complaint handling; however, the following definition of a culturally safe environment was adopted:

- an environment 'where there is no assault, challenge or denial of identity, of who they are and what they need' and

The Royal Commission referred specifically to Aboriginal and Torres Strait Islander people in stating:

- *this encompasses Aboriginal and Torres Strait Islander individuals' own assessment of their safety and capacity to engage meaningfully, on their own terms with a non-Indigenous person or institution.*
- *this requires action from the non-Indigenous person or institution to listen, enable and support these environments, with accountability to Aboriginal and Torres Strait Islander colleagues or service users* (Final Report, Volume 1, page 322).

Our complaints resolution process is available at no cost and can be found in our Digital Learning Management System (LMS) and on our school website. When resolving complaints, BGMS ensures that record keeping, reporting, privacy and lawful obligations are met.

BGMS Complaints Policy and Procedures include details on how complaints will be analysed to identify causes and systemic issues and inform continuous improvement, including the analysis and efficiency of the complaints management system itself.

BGMS maintains a detailed complaints register with the capacity to record details as specified in the registration requirements for non-government schools. This policy and procedure document clearly details the roles and responsibilities of staff in handling complaints at BGMS.

4. Complaints: Defined and Explained

What constitutes a complaint at BGMS?

A complaint is an expression of dissatisfaction with a real or perceived problem. Complaints may be specific or general, and may be verbal, written, informal or formal in nature.



Complaints are varied and may include, but are not limited to an expression of dissatisfaction made to the School about:

- Services, operations, decisions, school actions or those of its staff, or
- BGMS community members (parents/guardians/students), or
- Child welfare and safety, or
- the complaints handling process itself.

A complaint does not have to be submitted in writing: however, this is preferable. Students, in particular are:

- able to make use of alternative formats,
- know that their complaints can be made to anyone in the School they trust or feel safe to speak to, and
- understand that their complaints will be taken seriously.

Anonymous complaints:

- must be accepted, recorded, evaluated and actioned to the extent possible for any information they may contain.

5. Community Complaints Procedure: Summary

5.1 The BGMS Community Complaints Resolution Procedure is summarised into two parts:

Part 1: Raising Concerns Procedure

- outlines the process for raising a concern or issue during the normal course of School operations and service delivery
- these matters are usually raised and resolved at the classroom or specific department level, but may progress to Deputy Principal/Business Manager or Principal for final resolution
- The BGMS Seeking Resolution Flow Chart provides a guide to raising concerns.

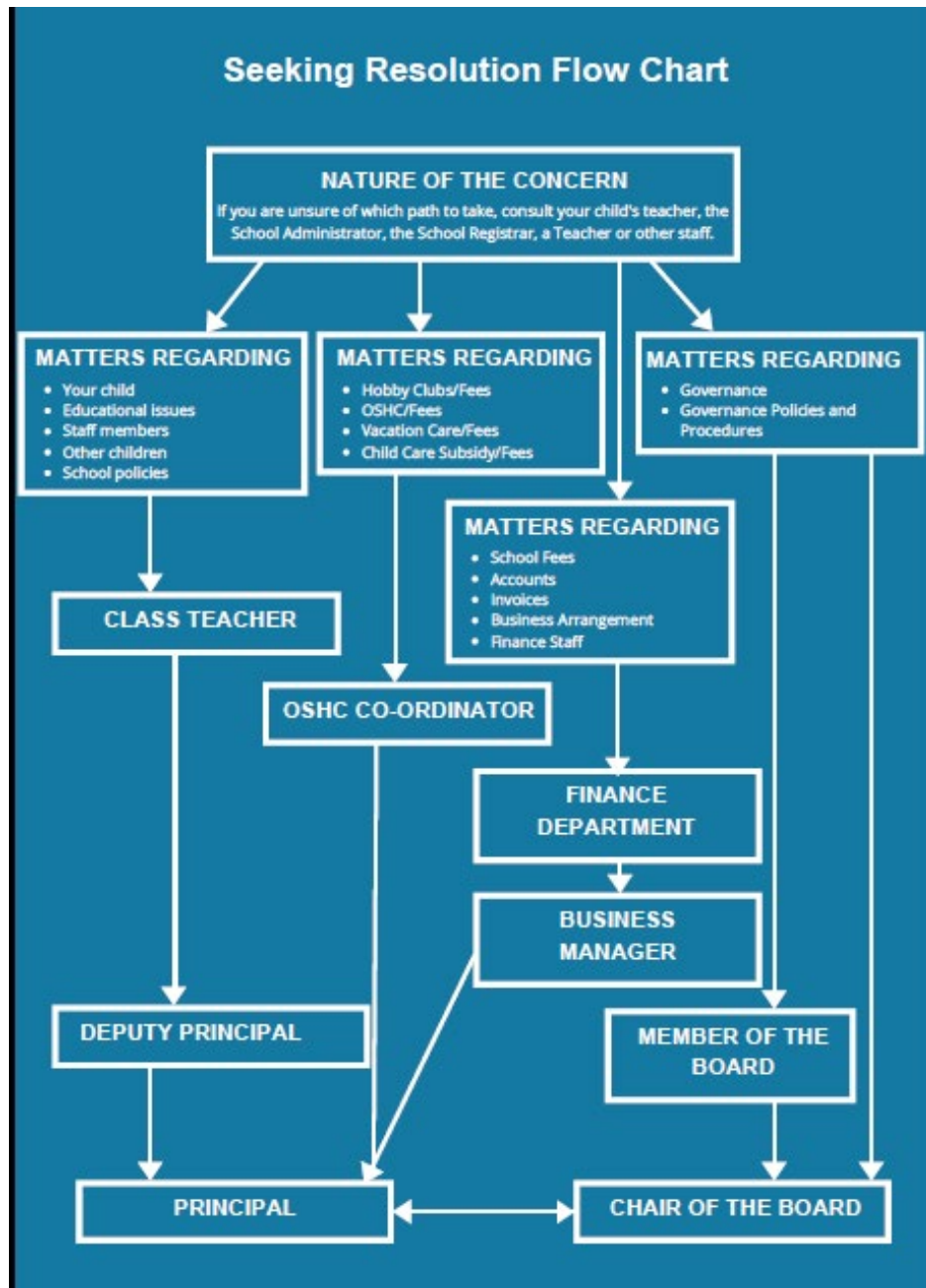
Part 2: Formal Complaints Procedure

- outlines the process for lodging a formal complaint or grievance
- these matters have normally progressed through Part 1: Raising Concerns Procedure - a process of seeking resolution at the classroom or specific department level and remain unresolved, and/or
- these matters require escalation to the Formal Complaints Procedure, and due to the nature of the concern may bypass some of the steps in Part 1: Raising Concerns Procedure.
- Formal Complaints are listed on the BGMS Community Complaints Register, unless the complainant requests otherwise; however, it is incumbent on the School to record certain Formal Complaints and/or significant complaints in the BGMS Community Complaints Register. In the event a complainant requests a complaint not be listed in the BGMS Complaints Register, the matter will be discussed and the legal/confidentiality/Complaints Register obligations of the School communicated to the complainant, where legally appropriate.

Please see the Seeking Resolutions Flow Chart on the next page.

BGMS Seeking Resolutions Flow Chart

The following chart provides a guide to Part 1: Raising Concerns Procedure, for matters arising during the normal course of school operations and delivery.





6. Roles and Responsibilities

Role of the Director General of Education

The Director General of the Department of Education is responsible for ensuring that the School observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the School has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the School has breached the registration standards, the Director General does not have power to intervene in a complaint or override the School's decision.

BGMS Staff

All members of BGMS staff and the BGMS Board have a responsibility to accept, and procedurally progress, concerns and complaints, in accordance with the law and BGMS policies and procedures.

When acting on complaints, BGMS staff are required to pay particular attention to the guidance provided by the following BGMS Policies:

- BGMS Staff Code of Conduct
- BGMS Child Protection and Mandatory Reporting Policy
- BGMS Reportable Conduct Scheme Policy and Procedure
- BGMS Student Code of Conduct
- BGMS Community Code of Conduct
- BGMS Communication Policy

The School Executive Leadership (Principal, Deputy Principal and Business Manager) are responsible for providing leadership and support to BGMS staff and the BGMS community.

Principal/CEO

The Principal and/or Principal Delegates have key responsibilities throughout the complaint resolution process, including, but not limited to:

- Communicating and facilitating understanding of the:
 - BGMS Student Code of Conduct,
 - BGMS Staff Code of Conduct,
 - BGMS Community Code of Conduct,
 - BGMS Child Protection and Mandatory Reporting Policy,
 - BGMS Reportable Conduct Scheme Policy and Procedure
 - BGMS OSHC Child Safe Environment Policy
 - BGMS Guiding Student Behaviour Policy
 - BGMS Safety and Risk Management Policy
 - BGMS Emergency and Critical Incident Management Policy
- Leading Staff and Community in complaints resolution
- Maintaining:
 - The BGMS Community Complaints Register,



- Rules of Procedural Fairness,
 - A review process of complaints that has a child safety focus aimed at school improvement in the handling of complaints,
 - A record of complaints, concerns and safety incidents that are analysed for continuous improvement,
 - Facilitating committees and groups within the school that report on concerns and incidents, including, but not limited to, the BGMS Work Health and Safety Committee, Human Resources department, the BGMS Parent Community Group and Cycles (combined year group teachers).
- Reporting:
 - To the BGMS Board, including, but not limited to Human Resources Reports, Work Health and Safety Reports, BGMS Community Complaints Register updates, Enrolment Reports, and Staff and Community Feedback results,
 - To relevant authorities as outlined in legislation and BGMS Policies.

Complainant

The person making a complaint has the responsibility to act honestly and in good faith. Wherever possible the person making a complaint should develop their understanding of any situation, seek guidance when confident in doing so, and follow the advised procedures for complaints resolution.

BGMS Board

The BGMS Board has a governance and compliance responsibility to ensure the School has appropriate complaint handling policies and procedures. This oversight includes ensuring the School complaints resolution process is:

- In accordance with the law,
- Compliant with the registration standards for non-government schools in Western Australia,
- Compliant with mandatory reporting obligations, including allegations of child abuse or neglect,
- Comprehensive in the management of confidential records, communications and the review of complaints for continuous improvement
- Fair, transparent, equitable and protects against reprisal,
- Supported by staff training.

7. Community Complaints Procedure: In Detail

Part 1: Raising Concerns Procedure

Most issues causing concern in schools can be resolved quickly and effectively when handled by the staff who are working that particular area; as these staff have a particular understanding of the context and are able to provide appropriate information, in a timely fashion. Concerns taken directly to the Principal, usually involve the Principal requesting information from staff working in a particular area and requesting those staff for further information.

For general matters related to the day-to-day operations or service delivery of the School, BGMS Community Members are requested to take the following steps when seeking to resolve a concern or query:

- Check the Seeking Resolution Flow Chart to determine the recommended point of contact,



- If still unsure about this initial contact, consult with the Classroom teacher,
- If still unsure, consult with the Deputy Principal and/or Business Manager and they will be able to give guidance,
- If the matter is not resolved at the departmental level, please contact the relevant supervisor for each area of the School for additional assistance in resolving the matter,
- If the matter is not resolved, or if the process of reaching a resolution caused dissatisfaction that you would like to note, then contact the Principal by:
 - Making an appointment with the School Executive Assistant. This appointment may be in-person (recommended) or conducted by telephone, or if required, due to particular circumstances, via other meeting platforms.

Part 1: Raising Concerns Procedure - Record Keeping and Communication

BGMS Staff

BGMS requires all staff to take written notes of complaints or concerns. These records are required to show the nature of the concern/complaint and agreed actions throughout the process.

Staff are required to keep a record of communications, including:

- Acknowledge, in writing, the receipt of a complaint in a timely manner (within 24 hours, unless Right to Disconnect guidelines make it unreasonable to do so). This acknowledgement may be limited to thanking the complainant for raising the matter and outlining that the matter will be investigated, so that a considered response can be given within 48 hours or as soon as practicable (depending on the circumstances),
- Staff are encouraged to communicate with families by phone and/or arrange face-to-face meetings at a time suitable for both parties,
- All phone conversations and face-to-face meetings should be followed by an email that summarises the meeting content and the agreed actions from the meeting. These emails include a request for a return email to confirm and/or clarify understanding from the complainant.
- When a matter is resolved, Staff are required to have a record of the complaint/concern being resolved – the preference is for this to be recorded in an email chain linked to the original concern/complaint.

BGMS Community Members

Community members making a complaint are encouraged to keep their own notes of any meetings, and facilitate the process of record keeping and communication outlined above.

Part 2: Formal Complaints Procedure

At any point during Part 1: Raising Concerns Procedure, the procedure may move to Part 2: Formal Complaints Procedure.

Also, any major concerns or complaints may bypass Part 1: Raising Concerns Procedure, and move directly to Part 2: Formal Complaints Procedure.

Part 2: Formal Complaints Procedure supports the BGMS Community in raising and resolving major concerns and complaints.

Examples of Formal Complaints include, but are not limited to, concerns and complaints raised in



relation to:

- Child safety and welfare
- Unlawful acts
- Breaches of the Staff Code of Conduct
- Breaches of the Student Code of Conduct
- Breaches of the Community Code of Conduct
- Complaints about breaches of the Requirements for Non-Government Schools or School Standards
- Complaints about the handling of a concern or complaint
- Complaints about the Principal

Raising a Formal Complaint

Parents/Guardians/Families/Community Members:

A Formal Complaint is raised by contacting the School Principal via:

- telephone 9417 4060, and request to speak to the Principal's Executive Assistant
- email: principalea@bgms.wa.edu.au
- or by direct email to the Principal/CEO: principal@bgms.wa.edu.au

If the matter relates to the Principal/CEO and the complainant requires support beyond the scope of the Principal, then the complaint is progressed by contacting the Chair of the BGMS Board or a BGMS Board member.

Students/Children:

Students and children may make what constitutes a serious complaint, equivalent to a Community Formal Complaint. These complaints and concerns may be made in a variety of ways, with students frequently not in a position to make written statements of complaint.

Students and children make complaints to staff and people they trust. It is the responsibility of Staff and the Community to acknowledge, record and act on, any serious complaints made by the children in our care, and to refer these matters to the Principal.

If the matter relates to the Principal/CEO and both the child and person receiving the complaint require support beyond the scope of the Principal, then the complaint is progressed by contacting the Chair of the BGMS Board or a BGMS Board member.

Formal Complaint Response

The Principal is required to keep a record of communications, including:

- Acknowledging, in writing, the receipt of a complaint in a timely manner (within 24 hours, unless Right to Disconnect guidelines make it unreasonable to do so). This acknowledgement may be limited to thanking the complainant for raising the matter and outlining that the matter will be investigated, so that a considered response can be given within 48 hours or as soon as practicable (depending on the circumstances),
- Reporting to any relevant authority and the BGMS Board, within the legislated and/or recommended time-frame,



- All phone conversations and face-to-face meetings being followed by an email that summarises any meeting content and the agreed actions from the meeting. These emails include a request for a return email to confirm and/or clarify understanding from the complainant.
- Informing the complainant of record keeping obligations and reporting obligations, including any requirement to record Formal Complaints on BGMS Community Complaints Register,
- When a matter is resolved, the Principal is required to have a record of the complaint/concern being resolved – the preference is for this to be recorded in an email chain, linked to the original concern/complaint.

Mandatory Reporting

When acting on complaints, BGMS staff are required to pay particular attention to the guidance provided by the following BGMS Policies:

- BGMS Staff Code of Conduct
- BGMS Child Protection and Mandatory Reporting Policy
- BGMS Reportable Conduct Scheme Policy and Procedure
- BGMS Student Code of Conduct
- BGMS Community Code of Conduct
- BGMS Communication Policy

8. Complaint Records

- Both Part 1: Raising a Concern, and Part 2. Formal Complaints are recorded and accessible within the School email system, as outlined as a requirement in the procedures.
- Part 2. Formal Complaints Records are recorded:
 - In the School email system,
 - listed in the BGMS Community Complaints Register
 - recorded in Reports to the BGMS Board,
 - Reports to the BGMS Board are stored in the secure BGMS Board Teams Folder,
 - Formal Complaints Records, including the BGMS Community Complaints Register are stored in the secure School HR drive.
- The BGMS Community Complaints Register includes the following details:
 - Date of complaint and date of complaint resolution
 - Name of complainant and relationship to school
 - Description of the complaint including any relevant names of people involved, and their relationship to the School
 - Details of meetings and Actions completed
 - Outcome of the Formal Complaint: including a description of the resolution, if the complaint was upheld and any follow-up actions or review
 - Details of any review process
 - Analysis of any relevant trends or patterns regarding the Formal Complaint
 - Any Actions to be taken after the Analysis
 - Statement of completed Actions and/or work in progress (with dates)
- Formal Complaints records must be retained in the secure school HR drive or updated version of this drive for a period of 10 years to ensure they are available for future enquiries/interrogation, including analysis of patterns over an extended period of time.
- The Association of Independent Schools Western Australia advises that records concerning students need to be kept for a minimum of 7 years after the student reaches 18 years of age.



9. Policy and Procedure Communication

- A copy of this policy and procedure is available to all staff on the School system, via the Policy drive,
- All staff are notified of any updates to this policy and procedure,
- The School publishes this Community Complaints Policy and Procedure, including any updates made to existing documents, on the School Website,
- The Seeking Resolution Flow Chart is posted outside each classroom on the classroom
- Classroom staff discuss how to raise a concern/complaint with students within the classroom setting.

10. Additional Guidance in Raising a Concern or Formal Complaint

The Complainant

Wherever possible, clarify you have all the available information about the issue and consult with the people who may be able to provide information:

- Class teachers
- Senior Staff
- Principal
- Classroom Liaison
- Community Life Coordinator
- Administration
- Board if a governance grievance

For Education Issues:

Discussion should first take place with the relevant teacher or person responsible for the education program. Please see the 'Seeking Resolution Flow Chart'.

For Staff Behaviour Issues:

If possible, discussion should first take place with the staff member concerned. If you are dissatisfied with the outcome or are unable to discuss it with the relevant person, then seek assistance from the next person listed in the Seeking Resolutions Flow Chart. If required, staff behaviour matters can be discussed directly with the Principal.

If the concern is about the Principal:

If possible, discussion should first take place with the Principal.

If you are dissatisfied with the outcome or are unable to discuss it with the Principal, then assistance may be sought from a member of the School Executive (Deputy Principal or Business Manager) or a member of the BGMS Board.

Confidentiality

Confidentiality is an important issue for students, families and staff. It is essential that confidentiality and professional practice is maintained, in accordance with legal requirements. Confidentiality applies with respect to both information relating to the person making the complaint and, if relevant, to the person against whom a complaint is made. The School is committed to maintaining the confidentiality of information throughout the complaints process, in accordance with the law and legislative requirements.



Confidentiality, reporting requirements and school obligations are discussed sensitively and on an individual basis with the people involved in the process, with the relevant School Policies and Procedures carefully explained. Personally, identifiable information about a complainant will only be made available for the purpose of addressing the complaint, and in accordance with legal obligations.

Training and Support

Training and support are provided to all participants throughout the process.

Staff training and support will be provided regarding BGMS Community Complaints Policy and Procedure, including ongoing support during any complaints procedure.

Resolution

Satisfaction for a complainant may come from any of the following:

- Knowing that changes have been made, and that matters will be different in the future
- Knowing that the School is now alert to a possible problem
- Feeling that their concern has been considered seriously
- An outcome which may be different from the one they sought, but which they perceive to be well-considered
- A considered letter
- An apology
- An understanding that the complaint was unwarranted

The School is not obliged to keep complainants informed as to what action has been taken. This is especially important when the matter involves a staff member. The complainant may be assured that action has been taken. This will help prevent misinformation being circulated in the School community.

Intractable Complaints

If a complaint becomes intractable, due to its nature or to the way in which it was handled, the complaint will proceed to mediation at the School's discretion. If not resolved via the mediation process, the Principal will discuss further with the Chair to seek resolution.

Referral to the Chair of the School Board:

In the occasional case where all avenues have been explored to resolve a Formal Complaint, the Principal will refer the matter to the Board Chair for Board consideration, after which time the Board will inform the complainant of the outcome of their complaint resolution process and the final position of the BGMS Board in relation to the Formal Complaint.

Additional Actions

- At all stages of a complaint's resolution procedure, the complainant may be reminded that they can seek legal advice to assist in bringing the matter to a resolution.
- The matter may be referred to a process of alternative dispute resolution. Alternative (or External) Dispute Resolution is an approach that can be employed with the objective of assisting parties to resolve disputes without progressing to legal action. Again, it incorporates the involvement of a third party. This approach can take the form of mediation, conciliation, or arbitration.



Mediation is a process where the parties, assisted by a third person, listen to each other, define the dispute, find points of agreement, investigate what is important to each party with the goal of reaching a workable agreement through the development of satisfactory options for resolution for each party.

Conciliation is a process whereby a third party assists the parties to a dispute to communicate their concerns to each other with the aim of finding resolutions.

Arbitration is a voluntary process, involving a third person (arbitrator), who can impose a resolution. Arbitration may be undertaken after mediation and/or conciliation.

- An additional step in the disputes and complaints procedure, if appropriate, may include the School agreeing to the engagement of an independent arbitrator to review the matter and facilitate a resolution. It is usual practice for an arbitrator to be:
 - agreed by both parties
 - remunerated by both parties (if appropriate)
 - assured both parties will accept the arbitrator's decision.

Complaints Regarding The School's Governing Body

If a Formal Complaint is regarding the BGMS Board Chair or a member of the BGMS Board, then the BGMS Board policy and procedures for handling complaints regarding Board members are implemented.

The Principal is required to report Formal Complaints received regarding the BGMS Board Chair or a member of the BGMS Board, to the BGMS Board.

The Principal will seek guidance, as necessary, from the office of the Director General of Education and the Association of Independent Schools Western Australia (AISWA), regarding Formal Complaints related to a member of the BGMS Board; with the goal being to ensure that the School is meeting Governance Requirements, and in particular, the requirements of governing body members to be fit and proper persons to operate a School.

Complaints to the Board Regarding the Principal

The BGMS Board will proceed with care and act in accordance with BGMS Board Policies/Procedures and legal obligations.

The Chair should respond to the complainant, notifying them that he/she is reviewing the matter, and provide a likely date by which a response may be expected. Usually, the role of the Chair will be to review the information provided, seek advice/consult with relevant parties, including the Principal, and assist in the facilitation of a resolution.

The Chair's response to all people involved should be clear and detailed and, where appropriate, offer a follow-up meeting for relevant parties.

11. Compliance Management, Monitoring and Review

Management, monitoring and review will be undertaken periodically by the BGMS Principal and/or delegate.



12. Records Management

Formal Complaint records concerning students will be kept for at least 7 years after the student reaches 18 years of age. All other Formal Complaint records will be kept for a minimum 10 years after the date of the initial Formal Complaint.

Approval and Amendment History	Details	Date
Original Approval Authority and Date		23/09/2016
Amendment Authority and Date	Amendment of the Flow Chart	17/05/2017
Amendment	Minor changes to Flow Chart and role changes	17/04/2018
Review		22/06/2018
Review	Review in line with AISWA recommendations and Guide to Re-registration	21/12/2000
Review and Amendment	3. AS/NZ10002:2022, 4. How to make a formal complaint, 4.6 Recording, 5. Role of Director General, 9. Records Management	21/10/2024
Review and Update	Principal	12/08/2025