



Frederick Irwin Anglican School

A School of the Anglican Schools Commission (Inc)

DISPUTE AND COMPLAINT RESOLUTION POLICY

POLICY

The following policy applies to all schools of the Anglican Schools Commission.

Introduction

In Western Australia, the School Education Act 1999 (WA) section 159(1) (j) requires non-government schools to have policies and procedures in all areas as determined by the Minister through the Registration Standards, including a policy and procedures for managing complaints.

We seek to be a caring Christian community, where people are in harmony with each other. Therefore this policy is designed to assist staff, parents, students and others in the Anglican Schools Commission Schools to resolve conflict in an appropriate and satisfactory way.

This policy is written with the understanding and experience that, in most cases, matters are best resolved at the local school level.

Principles

This policy is based on a number of fundamental principles.

1. Natural justice must be exercised in resolving any dispute or complaint. This requires that both parties receive a fair hearing and that the final decision is made without bias.
2. The resolution to a dispute or complaint must exhaust all reasonable attempts at conciliation prior to an imposed arbitrated decision.
3. Individual cases must be examined on their own merits.
4. Resolutions must appropriately balance the principles of justice and compassion.
5. Appropriate confidentiality must be respected by all parties.
6. The Principal of the School has the responsibility to attempt to resolve a dispute or complaint with the parties directly involved at the local level.
7. Parties may appeal to the Chair of the School Council the decision made by the Principal.
8. Parties may appear to the Chair of the Anglican Schools Commission the decision made by the Chair of the School Council.

Procedures

The following procedures will apply in relation to this policy.

1. Principals shall advise parents, staff and students of this dispute and complaint resolution process.
2. Principals need to maintain an appropriate Complaints Register recording all formal complaints and how they have been resolved.
3. Policies and procedures of the Anglican Schools Commission and individual schools that address specific matters (e.g. Child Abuse, Student Enrolment etc.) shall be followed.
4. If the dispute involves an employment issue, the prescribed process in the Anglican Schools Commission's Enterprise Bargaining Agreement or relevant Award shall be followed.

5. Each dispute or complaint resolution procedure followed by a school shall ensure that all relevant parties:
 - a. are informed in writing of the dispute or complaint
 - b. have the opportunity to place their version on record
 - c. have the opportunity to be represented if they so wish
6. The resolution of a dispute or complaint, in the first instance, should be undertaken between the immediate parties involved.
7. Should the immediate parties involved fail to reach a resolution, then the Principal is responsible for undertaking a procedure to resolve any dispute or complaint within the School. This procedure will only be initiated following a written complaint addressed to the Principal.
8. Where a dispute or complaint involves the Principal the matter shall be referred in writing directly to the Chair of School Council.
9. Anonymous and/or unsubstantiated complaints generally will not be investigated. Complainants should give their name. Matters will be handled with appropriate confidentiality. Depending on the nature of the complaint, anonymous complaints may be investigated, as appropriate.
10. The Principal shall maintain records of the procedure and resolution to any formal dispute or complaint. These will include any statements made by the parties involved.
11. Records of any dispute or complaint shall be maintained in accordance with a school's Privacy Policy.
12. It is the responsibility of the Principal to attempt to reach a resolution between the parties where possible.
13. Failing to reach a resolution by agreement, the Principal shall make a decision. When this occurs, the Principal shall inform each party of the decision.
14. The Principal may call on outside mediation, including the Anglican Schools Commission's Employment Assistance Programme providers, to assist in the resolution of a dispute or complaint.
15. Any party may appeal the Principal's decision, in writing, to the Chair of the School Council.
16. Any party may appeal the School Council's decision, in writing, to the Chair of the Anglican Schools Commission.
17. If '16' occurs, the Anglican Schools Commission shall appoint an Investigating Officer (who is not an ASC Board Member, School Councillor or staff member), or, where necessary, an independent arbiter. The Visitor (as defined in the constitutions of the Anglican Schools Commission and individual schools) may play a role in this process, once all avenues of appeal have been exhausted.
18. The parties to the dispute or complaint shall be notified of the findings of the appeal.
19. At the end of any dispute or complaint, procedure, actions taken shall be evaluated and procedures reviewed.

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