COMPLAINTS RESOLUTION POLICY

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Policy author	Abigail Sawyer (Head of School)
Approved by	Linuwel Steiner School Board of Directors
Consultation	Linuwel Steiner School Board of Directors Linuwel Steiner School College of Teachers Linuwel Steiner School Education Committee Association of Independent Schools NSW (AISNSW)

The purpose of Linuwel Steiner School's Complaints Resolution Policy is to:

- afford complainants the right and means to voice feedback, concerns and complaints
- enable the resolution of concerns and complaints via means that are confidential, fair and just.
- recognise the rights of a person who is the subject of a complaint (the respondent).
- outline procedures for the timely management of complaints, including prompt communication of a response, in a way that is procedurally fair.
- provide clear information on the complaints handling process, including the right of review.

This policy applies to the management of all concerns and complaints from students, parents, community members, and staff members in respect to School actions or decisions.

VERSION: 8th May_Post feedback Board Chair and Staff

POLICY PRINCIPLES

Confidentiality

All parties involved in the management of a complaint are required to maintain appropriate confidentiality, including in relation to the handling and storage of records.

The School commits to maintaining confidentiality within the constraints of the need to fully investigate the matters relating to the complaint.

The obligation to maintain confidentiality extends to both the complainant and the respondent. It is expected that parties involved discuss the matter only with the Complaint Manager.

A staff member may be able to make certain complaints as a protected disclosure, including those relating to corrupt conduct, fraud, maladministration or a serious and substantial waste of public money. For these types of complaints, please refer to Linuwel's *Whistleblower Policy.*

Natural justice

Natural justice is served when complaints are managed in line with fair and unbiased procedures (procedural fairness) that ensure decisions are made openly, consistently, and with respect for the rights of everyone involved.

Natural justice involves giving all parties to a complaint an opportunity to be heard, providing clear information about concerns or allegations, and ensuring that decisions are made by people who act impartially and without conflict of interest.

In a school setting, natural justice helps maintain trust, transparency, and fairness in all processes that affect students, staff, and the wider community.

Complaints must be made in good faith. Complaint resolution procedures are not to be used for revenge, retribution or mischief. If a person makes a complaint that is frivolous, vexatious or in bad faith, disciplinary action may be taken.

KEY TERMS

Feedback

Giving feedback involves making comments that do not require a formal response. For example, suggestions to help a teacher or colleague improve their practice or make adjustments that might enhance your working relationship or home-school partnership.

If feedback relates to a matter that has caused distress or harm, it is reasonable to communicate your feelings to the person with whom you are sharing feedback. If doing so, it is right and fair to give that person an opportunity to respond, either straight away or at an agreed time.

Feedback can be verbal or written, invited or uninvited. Uninvited negative feedback can cause hurt or distress, so those providing feedback are encouraged to consider how, when and why their feedback is delivered.

Verbal and written feedback is not generally managed as a formal complaint and is not further addressed in this policy.

Concerns

A concern is a worry or unease about a potential issue, often expressed in a more general manner without necessarily implying a fault or problem that needs imme diate correction.

Concerns are typically raised in a preventive context, aiming to address an issue before
it escalates. They might involve a sense of care, responsibility, or precaution, ocusi ng on potential risks or the need for clarification.

Where a community member attempts to raise and address a concern through Direct Resolution, but is unsuccessful in achieving resolution, they may consider trying other ways to resolve their concern or choose to seek Supported Resolution (see Complaints Resolution Procedures below for further details on Direct and Supported Resolutions).

Complaints

A complaint or grievance is a formal expression of dissatisfaction made to the School about an educational or operational matter concerning the School or the behaviour of a staff member, contractor or volunteer, including misconduct.

Complaints may be raised about any policy or procedure, decision, behaviour, act or omission considered to be unsatisfactory, unfair or unreasonable.

The investigation and resolution of complaints is conducted as per the Linuwel Complaints Resolution procedures, outlined below.

Complaint Manager

The Complaint Manager is the person responsible for overseeing the process of receiving, handling and resolving a complaint.

At Linuwel School, this may be a Realm Coordinator, Facilities Manager, Business Manager, Head of School or the Board, or in rare circumstances an external complaints assessor. Complainants are to be informed who the Complaint Manager is, if different to the person to whom the initial complaint was made.

Reportable conduct

Under the *Children's Guardian Act 2019*, reportable conduct is defined as:

- a sexual offence
- sexual misconduct
- an assault against a child
- ill-treatment of a child
- neglect of a child
- an offence under section 43B (failure to protect) or section 316A (failure to report) of the Crimes Act 1900 and
- behaviour that causes significant emotional or psychological harm to a child under 16.

RELATED POLICIES

Complaints about reportable conduct will be addressed in accordance with the School's Child Protection Policy.

Complaints regarding unlawful discrimination, harassment or bullying between staff are generally managed in line with the School's *Anti-Bullying Statement*.

Complaints about alleged misconduct, an improper state of affairs of circumstances, or illegal activity, made by a Member of the Board, staff member, a person who supplies goods or services to the School, including a volunteer, an employer of a supplier or a relative of any of these people, are managed in accordance with the School's *Whistleblower Policy.*

If a complaint is to be handled under another policy or procedure, the complainant will be advised, and the information will be passed on to the person responsible for managing the matter under that procedure.

POLICY COMMITMENTS

1. Ensuring procedural fairness

1.1 Complainants should be aware that in order to ensure procedural fairness, the supervisor handling their complaint will generally need to disclose relevant details with the respondent (if there is one). This allows all parties the opportunity to understand the concerns raised and respond appropriately.

1.2 Anonymous complaints, with the exception of Whistleblower matters, can limit the fair and consistent application of the Complaints Resolution procedures.

This is because of problems associated with:

- Limited information: Anonymous complaints may lack detail and do not allow for follow-up questions that would help clarify or strengthen the concern.
- Assessment of context: Without knowing the source, it can be harder to understand the circumstances surrounding the complaint.

1.3 Anonymity limits open communication and can therefore affect the level of trust within the School community.

1.4 Anonymity can also make it more difficult to conduct a thorough investigation in line with principals of natural justice, due process and fairness.

2. Complaints about professional boundary violations and/or potential reportable conduct

2.1 If a complaint about the behaviour of a staff member may constitute a breach of professional boundaries or potential reportable conduct, the matter will be managed in line with the School's *Child Protection Policy*.

2.2 Complaints relating to reportable conduct may involve current or historical matters. Timeframes for investigation of these concerns vary depending on the individual matter and may extend over longer periods, particularly in the case of an historical allegation.

2.3 The School is bound to comply with privacy and other confidentiality requirements when conducting investigations into reportable conduct., This may limit the amount of information that can be shared with the complainant regarding the outcome of the investigation.

2.3 Complainants are not required to assess whether their concern meets the threshold of reportable conduct before making a complaint. Any concern about a

child's safety, wellbeing or the behaviour of an employee, volunteer, contractor or member of the School community may be reported under this policy.

3. Availability of support persons

3.1 At any stage during the process an individual can obtain advice or support from a representative (such as a legal advisor or union organiser) or from a support person.

3.2 The role of the representative or support person is to provide advice and support to the individual.

3.3 The support person acts as a witness to the process but may not direct the process, nor answer questions on behalf of or act as an advocate for the employee.

3.4 However, the Complaints Manager maintains their right to directly communicate with and obtain information from an individual (for example, obtaining an account of what happened from the individual in their own words).

3.5 Representatives and support persons must not obstruct the process and are obliged to comply with relevant School Codes of Conduct.

3.6 Complainants wishing to bring a support person to a meeting are to provide the name of the support person to the Complaints Manager at least 24 hours before a scheduled meeting or interview, unless otherwise agreed with the Complaint Manager.

3.7 Complaints Managers are to consider whether any conflict of interest exists that might jeopardise the fair conduct of the investigation and ensure the support person is accommodated in the meeting. Conflicts of interest include situations where the support person is involved in the complaint, is a witness, or is a decision-maker or has authority over the complaint.

4. Outcomes of complaints resolution processes

4.1 Outcomes of complaint resolution processes vary depending on whether the complaint has been substantiated (upheld), the seriousness of the matter, the wishes of the complainant and the nature of the relationship of the persons involved.

4.2 A complaint is said to be upheld if the person investigating it believes that, on the balance of probabilities given evidence provided, that matters raised did occur.

4.3 After managing a formal complaint, the Head of School or the Board is responsible for determining outcomes and advising the complainant and respondent.

4.4 It may also be appropriate for the Complaints Manager to discuss with the relevant supervisor about any outcomes that might impact the complainant and/or respondent.

4.5 If a complaint is upheld, possible outcomes could include:

- an explanation and agreement between the complainant and respondent (e.g. the parties getting a better understanding of the issue; a commitment to change behaviour)
- a verbal and/or written apology
- restorative practice or mediation
- targeted professional development or training
- dissemination of information where relevant
- guidance, counselling or warnings being issued
- a change in working arrangements
- a review of a School policy, guideline or procedure
- where a staff member is involved, disciplinary action or termination of employment.

4.6 If a complaint is not upheld or not substantiated (that is, the evidence is insufficient on the balance of probabilities), but some issue is identified as needing further management, possible actions or outcomes could include:

- guidance or counselling for the parties involved
- restorative conversation or mediation
- targeted professional development or training
- review of a School policy, guideline or procedure.

5. Withdrawal or discontinuation of complaint

5.1 At any stage during the complaint resolution process, a complainant may withdraw or discontinue their complaint.

5.2 If the complaint was made in writing or escalated to the Head of School or Board for management or review, the withdrawal or discontinuance should be made in writing.

5.3 If a complaint is withdrawn or discontinued the School may still take action to address the issues raised in the complaint, if the School considers it appropriate to do so.

6. Support for complainants, respondents and other parties involved in complaint resolution

6.1 Linwuel School offers a confidential counselling service for all staff through its Employee Assistance Program or by calling 0408 615 155.

Students can access free counselling through the school counsellor service. If preferring to access support external to the School, services available include:

* Child and Adolescent Mental Health Services (CAMHS), which support children and young people under 18 who are experiencing emotional, behavioural, or mental health difficulties, such as depression, anxiety, self-harm, eating disorders, ADHD, autism, or more severe conditions. CAMHS is accessible by calling the 1800 011 511 Mental Health Line.

* Kids Helpline (1800 55 1800): Offers 24/7 free, confidential, phone and online counselling for young people (5–25) and resources for parents.

Free, confidential counselling for parents and community members regarding school concerns (bullying, anxiety, or performance) is available through specialised services like:

* Parent Line NSW (1300 1300 52): Provides free, confidential telephone counselling and support for parents and carers of children aged 0-18 in NSW.

* Lifeline (13 11 14): 24-hour crisis support for families.

* 13YARN (13 92 76): Culturally safe, 24/7 crisis support for Aboriginal and Torres Strait Islander peoples.

7. Record keeping and process reviews

7.1 The Head of School and the Board will maintain secure complaints registers with restricted access.

7.2 Records of complaints, interviews and other documentation relating to a complaint investigated at the School will be kept at the School in a restricted access file.

7.3 Records related to complaints must be kept for a minimum of seven years, or as long as a staff member is employed (if longer than seven years).

7.4 The Head of School is to undertake regular reviews of complaints received to ensure that complaints have been responded to in line with policy and procedures.

7.5 The Head of School will provide the School's Board of Directors with regular reports on complaints received (without sharing identifying information), underlying trends and issues, remedial actions taken and potential risks to the school.

LINUWEL COMPLAINTS RESOLUTION PROCESS

In line with Linuwel Steiner School's commitment to restorative practices, complainants are encouraged to give feedback or raise concerns directly with the person involved in the first instance, unless related to child safety or staff misconduct, in which case concerns should be raised directly with the Head of School in the first instance.

DIRECT RESOLUTION

All Linuwel staff are empowered to respond to constructive feedback and minor concerns or complaints.

Unresolved concerns and complaints are referred to the relevant supervisor for Supported Resolution.

SUPPORTED RESOLUTION

The relevant supervisor (Realm Coordinator or other Manager) supports the parties to resolve concerns not previously resolved.

The relevant supervisor may also act as Complaint Manager, investigating and responding to minor concerns and complaints.

Concerns and complaints unresolved after supported resolution may be referred to Head of School.

HEAD OF SCHOOL MANAGEMENT

Concerns not resolved through direct or supported resolution, as well as formal complaints, are managed by the Head of School.

The Head of School can be contacted at hos@linuwel.nsw.edu.au or by calling 4933 3095.

BOARD MANAGEMENT OR REVIEW

If a complainant considers an outcome unjust or procedurally unfair, they may refer the matter to the Linuwel Board.

Complaints unresolved after Board consideration may be referred to an outside agency for review or mediation.

Allegations of misconduct or 'reportable conduct' on the part of the Head of School should be made directly to Board@linuwelnsw.edu.au

COMPLAINTS RESOLUTION PROCEDURES

1. Direct resolution

In line with Linuwel Steiner School's commitment to restorative practices, complainants are encouraged to give feedback or raise concerns directly with the person involved in the first instance, unless the concern relates to potential reportable conduct, in which case it must be reported directly to the Head of School (or Board of Directors) in the first instance.

At Linuwel, this means:

- If a concern relates to a teacher, classroom matter, or School action or decision that has impacted you or your child, you are encouraged to first raise the issue directly with your child's teacher or the staff member most closely involved.
- If a concern relates to other aspects of School operations (eg: facilities, administration or business management), complainants should first contact the School office, on office@linuwel.nsw.edu.au, who will redirect their communication to appropriate manager.
- Staff members raising a concern about another staff member should first try to raise their concern with the person/s concerned.
- If a concern relates to the Head of School (other than reportable conduct), it should first be raised with the Head of School, either in person or by emailing HOS@linuwel.nsw.edu.au
- Concerns about bullying, whether involving problematic interaction between students, students and staff or among staff will initially be managed in line with the School's Anti-Bullying Framework. Where application of policies and procedures does not lead to satisfactory resolution, then a complainant may with to make a complaint in line with Linuwel's Complaint Resolution Framework.

Direct resolution is most suited to less serious issues, such as interpersonal conflict or the application of policies and procedures. Direct Resolution is also a good option when the parties to a concern/complaint are likely to continue working together.

The advice to seek resolution with the person concerned does not apply to allegations of staff misconduct or reportable conduct.

All allegations, concerns or complaints related to staff misconduct or 'reportable conduct' must be reported directly to the Head of School or, where allegations relate to the Head of School, directly to the Board by emailing board@linuwel.nsw.edu.au.

How to seek direct resolution

When communicating directly with the person about whom a concern relates:

- State the purpose of the conversation (e.g. “I want to talk to you about…”)
- Describe the incident, action or behaviour of concern clearly and the effect or impact this has had on you
- Communicate respectfully, allowing the respondent an opportunity to respond and share their perspective
- State the outcome you are seeking (e.g. what you would like them to do differently) and ask if they are agreeable or if they have other suggestions.

All members of the Linuwel community with concerns are asked to refrain from gossip, aggression or any form of negative communication that may cause reputational damage or distress to the respondent or the School, in line with the Staff, Student and Community Codes of Conduct.

Where, after raising directly with the person concerned, a concern complaint remains unresolved, or where a complainant does not feel comfortable raising a concern directly with the person concerned, the complainant can seek supported resolution, request that the Head of School manage their concern, or make a formal complaint (see 3 and 4 below).

2. Supported resolution

When, after attempts to voice feedback, raise a concern or make an initial complaint are unsuccessful, a complainant should seek assistance from the relevant supervisor (e.g. Realm Coordinator, Facilities Manager, Business Manager or Head of School)

The relevant supervisor will support the complainant to articulate their concerns and then act as Complaint Manager, seeking to work alongside the Complainant and other parties towards resolution.

The relevant supervisor may use a variety of methods to support resolution of the concern or complaint, including:

- the supervisor meeting with the complainant and respondent (separately or together) to discuss the issues and explore possible resolutions
- the supervisor writing to the complainant and respondent to obtain further information about the complaint and explore possible resolutions
- the supervisor arranging a restorative conversation or (where there is a power imbalance) mediation.

During Supported Resolution, the relevant supervisor acts as Complaint Manager and is responsible for determining outcomes through discussion and consultation with the complainant and respondent.

The relevant supervisor should inform the Head of School of the matter under management, ensure records are made and retained of meetings, interviews, related conversations or determinations.

If the matter is resolved to the satisfaction of all parties, the matter will be concluded. If the matter is not resolved, the relevant supervisor will, in consultation with the Head of School, determine whether any further action is required.

If unsatisfied with the outcome of Supported Resolution, a complainant may also choose to make a formal complaint for management by the Head of School. In such cases, information collected during the informal complaint procedure may be provided to the person handling the formal complaint.

3. Head of School managed complaints

When a concern or less serious complaint is not resolved after Direct and/or Supported Resolution, the concern or complaint may be referred to the Head of School by any of the parties (Complainant, Respondent, Realm Coordinator, Manager, other staff or community member).

Complainants may also choose to make a formal complaint to the Head of School in the first instance.

Complaints referred directly to the Head of School in the first instance generally relate to serious issues, such as sexual harassment, discrimination or other unlawful conduct, or where a complainant considers a School action or decision to be unaligned with the values of the School and likely to negatively impact students, staff or the School's safety and/or wellbeing.

Formal complaint processes may also be appropriate for sensitive matters or where there is a high level of factual dispute.

If a complainant wishes for their complaint to be managed by the Head of School, the complaint should be made in writing to hos@linuwel.nsw.edu.au

Complainants who need support to make a written complaint may request a meeting with the Head of School or any member of the School Executive, who will assist the complainant to make a written record of their complaint.

The School may choose to address a concern in the absence of a written complaint, where the Head of School or the Board considers student or staff health, safety or wellbeing to be in jeopardy, if the School considers that misconduct or serious misconduct may have occurred, or if the School stands to be brought into disrepute without appropriate management of the concern or complaint.

When a complaint is referred or allocated to the Head of School (for example by the Board), the Head of School will manage the complaint as per the procedures below.

4. Board Management or Review

4.1 If a concern relates to the Head of School, and has not been resolved after raising directly with the Head of School, or you do not feel safe approaching the Head of School directly, a formal complaint may then be made in writing and send to the Board board@linuwel.nsw.edu.au

4.2 If your concerns involve allegations of misconduct or 'reportable conduct' on the part of the Head of School, you should not raise directly with the Head of School, but immediately communicate your concerns in writing directly to the School Board.

4.3 Complainants or respondents involved in the management of a complaint who have concerns regarding the management of that complaint, or who believe the School's response to be incorrect or unfair, may seek a review of the decision.

4.4 Requests for a review of decisions in respect to complaints should be directed to the Board.

4.5 The Board will consider the determination that has been made and determine whether a review is necessary and/or appropriate in the circumstances. This may involve referring the matter to an external complaints assessor.

4.6 All complaints to the Board should be submitted in writing. Please see Appendix A for the Written Complaints Form. While use of the form is not required, complainants are encouraged to address the information outlined in the form to ensure the Board has sufficient detail to assess the complaint.

All formal complaints will be passed on to and managed by the Head of School or the Linuwel School Board.

COMMITMENTS: COMPLAINTS MANAGERS

When assessing and responding to a complaint, the Complaint Manager or delegate is to maintain impartiality and guard against bias.

When assessing a complaint, a Complaint Manager will:

- Communicate information about the complaint to the respondent (person complained about).
- Invite the respondent to be heard, usually by convening a meeting to which the respondent may bring a support person.
- Document any meetings held with the respondent in respect to the complaint.
- If appropriate, speak to others (e.g. witnesses, others impacted by a situation) to gather information. This is done with due regard to privacy and confidentiality to manage any potential reputational risks and wellbeing concerns.
- Consider all available information and make a determination, which involves communicating with the complainant their findings in relation to the initial subject of the complaint.
- Where a complaint is upheld, collaborate with the complainant and respondent to identify potential remedial actions.
- Communicate the determination and any remedial actions to both the complainant and respondent, informing the Head of School of the process and determination.
- Make, retain and securely store records of correspondence, meeting, interviews and other matters pertaining to management of the concern or complaint, including determinations.

HEAD OF SCHOOL MANAGED COMPLAINTS: Procedures

1. **COMPLAINT MADE TO HEAD OF SCHOOL**
   Where a concern/ complaint not resolved via direct or supported resolution, or when a complainant elects to immediately escalate a serious matter, the complainant makes a formal complaint to the Head of School. .

2. **ACKNOWLEDGEMENT OF COMPLAINT**
   Upon receipt of a formal complaint, the Head of School sends a written acknowledgement to the complainant as soon as practicable, within not more than 2 business days.

3. **VERIFICATION OF PARTICULARS**
   The Head of School liaises with the complainant to verify particulars of the complaint.

4. **ASSESSMENT OF COMPLAINT**
   Where Direct or Supported Resolution has not been attempted and may be possible/suitable, the Head of School will support the complainant to seek Direct or Supported Resolution, by working with the person concerned or the relevant Realm Coordinator/Manager.

5. **RESPONDENT ADVISED OF COMPLAINT**
   Once the particulars of the complaint have been verified and agreed, the Head of School communicates the particulars to the Respondent and offers a right of reply, taking care to offer the Respondent the opporuity to have a support person with them during any meeting where particulars are discussed.

6. **DELEGATION TO COMPLAINT MANAGER**
   The Head of School then appoints a Complaint Manager, usually the Realm Coordinator or relevant Manager of the Respondent, unless the Head of School deems it best to conduct the investigation.

7. **INVESTIGATION OF COMPLAINT**
   The Complaint Manager will interview students, staff, parents or others involved or impacted by the particulars of the complaint, and otherwise gather evidence, then present to the Head of School.

8. • **DETERMINATION**
   The Head of School will make a determination about the complaint (upheld or not upheld) and any required remedial actions, then communicate that determination and required remedial actions to both the Complainant and the Respondent

9. • **COMMUNICATION AND DOCUMENTATION**
   The Head of School will make a determination about the complaint (upheld or not upheld) and any required remedial actions, then communicate that determination and required remedial actions to both the Complainant and the Respondent.

FORMAL COMPLAINTS FORM

Your Name	Click or tap here to enter text.
Role	☐ Parent ☐ Staff Member ☐ Community Member ☐ Other _____
rYour Contact Details	Click or tap here to enter text.
Date of complaint	Click or tap to enter a date.
Who or what is your complaint about?	Click or tap here to enter text.
Description of complaint (i.e. what is the issue or matter you seek to have resolved and the circumstances upon which it occurred). Try to be as specific as possible with details of events, examples of behaviour, dates, witnesses and any other relevant evidence (e.g. copies of correspondence, relevant policies/documents)	
Click or tap here to enter text.	
What impact has this had on you?	
Click or tap here to enter text.	
Please provide details of any action you have taken to attempt to resolve your complaint.	
Click or tap here to enter text.	
What outcome are you seeking? (e.g. an explanation, a verbal and/or written apology, mediation, targeted professional development, a review of School policy, guideline or procedure, disciplinary action).	
Click or tap here to enter text.	
Is there any other information you would like to include?	
Click or tap here to enter text.	
Do you require any support whilst the complaint is being assessed and resolved?	
Click or tap here to enter text. Staff are encouraged to contact Linuwel School's Employee Assistance Program Provider www.wiseguy.xyz by calling 0408 615 155 to access counsellor support.	

*Please be aware that if the complaint involves another individual, procedural fairness requires that they be informed of the complaint and the specific allegations against them and be given an opportunity to respond. All information provided will be kept confidential, with only those directly involved in the incident being informed as necessary and appropriate.

Once completed, please forward to: HOS@linuwel.nsw.edu.au OR board@linuwel.nsw.edu.au