The Montessori School Kingsley Inc.

COMPLAINTS MANAGEMENT POLICY

1. VERSION MANAGEMENT

Version	Date Published/ Reviewed	Changes	Author	Date Ratified by School Board	Date Published
1	Reviewed Annually				
2	December 2017	To make policy child friendly, to align procedures with requirements for mandatory reporting and Principal notification to TRBWA, amendment to Complaints Log Form	Principal	January 2018	
3	December 2018	Reviewed	Principal	April 2019	
4	October 2019	Additional work to ensure complaints systems accessible and responsive to students	Principal	October 2019	
5	Up for review in 2022	Reviewed and Benchmarked + Separated Policy from Procedures	Principal	13 December 2024	
6	February 2026	Reviewed	Principal	23 February 2026	24 February 2026
7	September 2026	Raised for review against IB expectations and to include specifications for the process of investigation and unresolved complaints.	Principal and the International Baccalaureate Diploma/Careers-related Coordinators	26 October 2026	27 October 2026

2. COMPLAINTS MANAGEMENT POLICY

The Montessori School Kingsley (the School) is committed to fostering a safe, supportive, and respectful environment where concerns and complaints can be raised openly and managed fairly, consistently, and transparently. The School views complaints as an opportunity to listen, respond appropriately, improve practice and strengthen relationships within the School community.

3. PURPOSE AND LEGISLATIVE COMMITMENT

The purpose of this Policy is to ensure that complaints are accessible, child-friendly, appropriately responded to and managed in accordance with the principles of procedural fairness. The School is committed to ensuring that all complaints are taken seriously, handled respectfully and confidentially, and used, where appropriate, to support continuous improvement.

The School is committed to meeting its obligations under applicable Western Australian and Commonwealth legislation, regulations and standards, including the *School Education Act 1999 (WA)*, *Associations Incorporation Act 2015 (WA)*, *Fair Work Act 2009 (Cth)*, the Registration Standards and Other Requirements for Non-Government Schools, and the National Principles for Child Safe Organisations.

4. SCOPE AND APPLICABILITY

This Policy addresses complaints:

- About the School's services, decisions, actions or those of its staff, or about the complaint management process itself.
- Raised by parents, students, staff members, including the Principal, board directors, volunteers, or members of the public, in this Policy referred to as 'complainants'.

Certain complaints must be escalated to external authorities, such as allegations of:

- Child abuse or neglect
- Reportable conduct
- Serious breaches of safety or legal obligations

These will be handled in accordance with relevant laws and the School's Child Protection and Child Safety Policy.

5. GUIDING PRINCIPLES

The School's complaints management approach is guided by the following principles:

- **Accessible and Child-Friendly:** Complaints processes are accessible, understandable and responsive to the needs of all members of the School community, including students.
- **Safe and Respectful:** Everyone has the right to raise concerns without fear of retribution. Complaints are handled respectfully, with the safety, wellbeing and dignity of all parties considered.
- **Fair and Confidential:** Complaints are managed impartially and in accordance with procedural fairness, while maintaining appropriate confidentiality.
- **Responsive and Resolution-Focused:** Complaints are acknowledged and addressed in a timely manner, with a focus on constructive resolution wherever possible.
- **Continuous Improvement:** Complaints are valued as an opportunity to learn, improve practice and strengthen the School community.

6. DEFINITIONS

In this Policy, the term complaint, as well as others, has been defined below.

TERM	DEFINITION
Complainant	Parents, students, staff members, board directors, volunteers, or members of the public who raise a complaint.
Complaint	A complaint is an expression of dissatisfaction and may be referred to as a concern, problem, issue, conflict, or suggestion. It may relate to another individual, a decision, action, the services offered, or the complaint handling process itself.
Appeal	An appeal is a request for a School decision to be reviewed in relation to a matter, including assessment appeals.
Principal	The School's Principal or any of the Co-Principals, as may be relevant at the time.
Resolution	An outcome of a complaint or appeal that is satisfactory to both parties.
School	The Montessori School Kingsley.
Workers	A person is a worker if the person carries out work in any capacity for the School, including work as: a) an employee b) a contractor or subcontractor; c) an employee of a contractor or subcontractor; d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; e) an apprentice or trainee; f) a student gaining work experience; or g) a volunteer.

7. POLICY STATEMENTS

7.1. Implementation of the Policy

The School welcomes suggestions and comments from the School community, as well as members of the public and takes complaints and concerns that may be raised seriously. A complaint will be treated as an expression of genuine dissatisfaction that needs a response.

The Complaints Management Procedures include procedures for students, parents, staff, volunteers, community members, and members of the public, as well as details of various circumstances and types of complaints.

Children will be consulted, where appropriate, to ensure the process remains accessible and understandable. The child-friendly complaints management procedure will be regularly evaluated with reference to the resource, "Are You Listening?" (WA CCYP).

7.2. Complaints and Appeals Management Approach

Here are the key principles that guide our implementation.

A. Commitment to Safe and Respectful Process

- We aim to foster an environment where members of the School community feel comfortable raising complaints without fear of retribution or negative consequences.
- In particular, children are welcome and encouraged to make their complaint, whether written or verbal, to anyone in the School they trust or feel safe speaking to.
- All complaints will be taken seriously.
- Staff and board members will be supported and provided with the necessary resources to handle complaints professionally and impartially.
- The School is committed to maintaining a culturally safe environment for all members of the community, with particular respect to Aboriginal and Torres Strait Islander peoples. We respect their right to assess their own safety and capacity to engage on their own terms with a non-Indigenous person or institution. It is acknowledged that an individual's culture and cultural attitudes, including those arising from historical trauma and mistrust of authorities, may affect the Indigenous complainant's ability to engage with the complaints handling process, and therefore appropriate provisions must be made.

B. Approaches to Resolution

- The School takes a restorative approach to resolving complaints, encouraging open dialogue wherever possible.
- Face-to-face meetings are preferred and will be documented in writing.
- Every process strictly upholds principles of procedural fairness for respondents by providing formal written notice of allegations, a genuine opportunity to respond, and the right to a support person.
- Where complaints cannot be resolved internally, external mediation or referral to relevant authorities may be used.
    - Complainants should be aware that external bodies may have specific eligibility requirements and time limits, including the **Equal Opportunity Commission of WA (generally within 12 months)**, the **Australian Human Rights Commission (generally within 24 months)**, the **Fair Work Commission (within 21 days for dismissal-related general protections claims)**, and **WorkSafe WA for workplace health and safety concerns**.

C. Procedural Fairness

All complaints will be managed in line with procedural fairness, which includes:

- Allowing each party to share their perspective and respond to information before a decision is made.
- Making decisions free from bias.
- Basing decisions on evidence.
- Ensuring transparency in the process.

D. Communication and Accessibility

- The School values of respect, peace and integrity guide a cooperative and restorative approach to complaints management. Codes of conduct for students, staff and the community require that every party will demonstrate respect towards others in their manner and communications.
- Complaints can be made in writing (hardcopy or email), through meetings or discussions, over the phone, or reported via another person or staff member. Formal complaints should be made in writing.
- Anonymous complaints can be made and will be taken seriously. Although it may not be possible to obtain sufficient details when a complaint is made anonymously, such complaints will still be accepted, recorded, evaluated and actioned to the extent possible for any information they contain.

E. Investigation

In most cases where a complaint requires investigation, members of the Leadership Team will conduct the investigation while retaining the position of decision maker. The investigator/s will maintain a clear and transparent record of the investigation process and will seek advice from other parties as needed (for example, other members of the leadership team, AISWA, the Board, or legal advice).

Where the potential consequences of an investigation may include criminal charges or termination of employment, where there is a serious conflict of interest, or where the matter is particularly complex, sensitive or otherwise requires independent oversight, the School will engage an external investigator to conduct the investigation.

F. Continuous Improvement

- Complaints raised provide valuable information that can help us improve our operations and governance. We view complaints as an opportunity for continuous learning and enhancement.
- Details of complaints are kept in a confidential register managed by the Principal. They are responsible for reviewing complaints, identifying patterns or recurring issues, and presenting a summary of their findings to the Board. They will use findings to inform and support the School Improvement Plan, staff development or other initiatives.

G. Records and Confidentiality

- The complaints process requires strict confidentiality on behalf of all parties.
- Information will only be shared with relevant parties in a way that protects the wellbeing of the complainant and the party complained about, and only for the purposes of describing and resolving the complaint.
- The School maintains a Complaints Register, managed by the Principal.
- Other records, including meeting notes, copies of communications, written complaints or written resolutions, will be kept in the student/family file, or staff file, as appropriate.
- Complaints that are escalated will be reported to the Board Chair and added to the Board's Complaints Register.
- All records must be stored securely in line with privacy and legal requirements.
- Information may only be shared with those directly involved in resolving the complaint or where reporting to external authorities is legally required, including but not limited to:
  - Department of Education
  - Teachers Registration Board (TRBWA)
  - Reportable Conduct Ombudsman
  - WA Police

  - Department of Child Protection and Family Support
  - AISWA or other relevant bodies
- In some cases, the identity of the complainant may need to be disclosed to facilitate a fair and proper resolution of the issue. Any such disclosure must be limited to individuals who have a legitimate need to know and who are bound by appropriate confidentiality obligations.

The record will usually include:

- Date when the complaint was raised.
- Name of person raising the complaint
- Name of the person receiving the complaint and/or managing the complaint
- Brief statement of the issue, resolution and outcome.
- Information about any required reporting or disclosures to external organisations that were required because of the complaint.
- Any requested or needed review.

7.3. Intractable, Vexatious, and Anonymous Complaints and Appeals

While most complaints can be resolved, the School may conclude a matter where it is determined to be:

- Persistently unreasonable or malicious, or
- Unable to be resolved despite reasonable efforts.
  - Detailed steps for managing these complaints are outlined in the Complaints Management Procedures.

Anonymous complaints will be considered and assessed on the information provided. However, anonymity may limit the School's ability to conduct a thorough investigation or provide feedback on the outcome. As a result, it may be more difficult to fully resolve the complaint.

8. ACCOUNTABILITIES AND RESPONSIBILITIES

In relation to this Policy, the following positions are responsible for:

ROLE	RESPONSIBILITY
Director General of the Department of Education	Ensures the School complies with registration standards, including complaint handling. Members of the public can contact the Director General if concerned about how a complaint was handled. The Director General does not intervene in individual complaints.
Policy Owner	The Policy Owner, the School Board, has overall responsibility for the content of this Policy and its operation in the School.
Principal	Responsible for ensuring that the requirements of this Policy are implemented, monitored and reviewed. The Principal has specific responsibility for managing the Complaints Register and for reviewing and reporting trends and patterns to the Board. They also bear responsibility for reporting necessary information to various authorities.
Workers	Ensuring they understand the information presented in this Policy and comply with their obligations to handle complaints accordingly.

9. RELATED AND SUPPORTING DOCUMENTS:

Legislation	• School Education Act 1999 (WA) • School Education Regulations 2000 (WA) • Associations Incorporation Act 2015 (WA) • Fair Work Act 2009 (Cth)
Mandatory Standards and Frameworks	• Registration Standards for Non-Government Schools (WA) • National Principles for Child Safe Organisations
Policy	• Communication, Email, and Social Media Policy • Information Security Policy
Procedures	• Communication Procedures • Complaints Management Procedures • Email Procedures • Incident and Breach Management Procedures • Privacy Management Procedures • Records Management Procedures
Local Protocol	• Community Code of Conduct • Complaints Log Form • Complaints Meeting Form • Staff Code of Conduct • Student Complaint Form • Student Code of Conduct
Forms	N/A
Relevant External Documents/Websites	• Commissioner for Children and Young People – Western Australia: https://www.ccyp.wa.gov.au/ • National Office for Child Safety: https://pmc.gov.au/child-safety