



Complaints and Dispute Resolution Guide

Cranbrook School welcomes feedback from all members of the School community and takes all complaints or concerns that may be raised seriously. This *Complaints and Dispute Resolution Guide* is designed to assist members of the School community to understand the School's complaints and dispute resolution process.

What is a Complaint?

A complaint is a grievance, a formal allegation, or an expression of dissatisfaction made to Cranbrook School, related to the School's services or operations, or the complaints handling process itself, and where a response or resolution is explicitly or implicitly expected.

Complaints and allegations of staff misconduct or Reportable Conduct are managed separately to other complaints. Refer to the section **Complaints and Allegations of Staff Misconduct or Reportable Conduct** below for more information.

Cranbrook School's Commitment

Cranbrook School is committed to handling complaints effectively and efficiently. To this end, the School has established a program that includes the capture, management and reporting of complaints. Analysis of complaints received and the implementation of rectification action where deficiencies are identified are key to Cranbrook School's commitment.

The School's internal complaints handling process is available at no cost.

Informal Complaints Resolution

Teaching and learning works best when parents and teachers work together to solve any problems. The vast majority of issues causing concern in schools come from misunderstandings or incomplete understandings. In most cases these issues can be resolved quickly through informal discussions or meetings with the relevant staff members.

Likewise, as part of the broader community, Cranbrook School prefers to resolve issues in a collaborative manner, and encourages other community members to contact the School informally in the first instance to discuss issues or concerns.

How Can You Make a Formal Complaint?

If you have been unable to resolve a matter informally, or simply wish to make a formal complaint, you can do so by any of the following means:

- Emailing the relevant Complaints Officer or complaints@cranbrook.nsw.edu.au
- Writing a letter to the School addressed to the relevant Complaints Officer or to the Complaints Manager
- Telephoning the School and asking to speak about a complaint to the relevant Complaints Officer or the Complaints Manager.

Complaints Officers

The following senior staff members are designated Complaints Officers and are authorised to manage formal complaints.

Pre-schools	Educational Leaders Co-ordinator of Pre-Schools Deputy Heads of Junior School Head of Junior School
Junior School	Year Level Co-ordinators Assessment & Data Co-Ordinator Educational Development Team Co-Ordinator Deputy Heads of Junior School Head of Junior School
Senior School	Housemasters Counsellors Heads of Department Members of the Senior School Leadership Team Members of the Co-Curricular Committee Director of Academics Director of Students Head of Senior School
All Other Matters	Chief Operating Officer

Complaints and Dispute Resolution Procedure

All formal complaints will be logged and managed in accordance with the procedures below.

Step 1

All formal complaints are logged in the Complaints Register and then screened by the Complaints Manager, or, in the case of complaints against the Headmaster, by the President of the School Council.

Step 2

All valid complaints will be acknowledged in writing, as soon as practicable and allocated a status, priority and target resolution date.

It is Cranbrook School's policy to use its best endeavours to complaints and disputes within 10 business days, if possible however this will depend upon the substance of the complaint.

Step 3

A Complaints Officer will be appointed by the School. They will conduct an investigation into the issues raised, following principles of procedural fairness, and make a determination.

Step 4

Following the determination, the investigating Complaints Officer will formulate a resolution if appropriate.

The School will then provide a written response to the person making the complaint.

The matter will be closed if this response is accepted.

Step 5

If the initial response is not accepted and the person making the complaint requests a review, the matter will be reviewed internally by an Appeals Panel. The Appeals Panel is selected by the Headmaster and comprised of a minimum of three senior staff with the requisite independence from the issue at hand to address the appeal on its merits.

The School aims to initiate this review process within 5 business days of the person making the complaint advising the School that they do not accept the initial response and requesting the response be reviewed.

The Appeals Panel may make seek additional information or submissions from the relevant parties.

The Appeals Panel will review the matter, following principles of procedural fairness, and make a determination. The Appeals Panel will formulate a resolution if appropriate.

The Appeals Panel aims to make a determination about a dispute within 20 business days from the date that the review process is initiated, however this will depend upon the substance of the complaint.

The School will then provide a written response to the person making the complaint.

The matter will be closed if the response of the Appeals Panel is accepted.

Step 6

The outcome of the investigation, the response, and any review by the Appeals Panel will be entered in the Complaints Register.

Where appropriate, corrective actions will be implemented to address any underlying processes which the investigation revealed may require improvement.

Step 7

If the matter remains unresolved after the appeals process, the person making the complaint may pursue external dispute resolution alternatives.

There is no avenue of appeal to the School Council (except where a complaint is in relation to the Headmaster).

Where a complaint relates to decisions regarding the International Baccalaureate programmes, including the Primary Years Programme, the Middle Years Programme and the International Baccalaureate Diploma Programme, there is no avenue of appeal to the International Baccalaureate Organization. The School and the International Baccalaureate Organization are independent, particularly with regard to the responsibility for implementation of programmes and quality of teaching.

Overseas Students External Appeals Process

There are specific appeals procedures which apply to overseas students.

Should an overseas student not be satisfied with the outcome of an internal complaints and dispute resolution process, they may lodge an external appeal through the Commonwealth Ombudsman.

The Commonwealth Ombudsman investigates complaints about problems that overseas students or intending overseas students may have with private education and training in Australia. The services of the Commonwealth Ombudsman are free.

The Commonwealth Ombudsman will determine whether the School followed the rules and its policies and procedures correctly, and treated the overseas student fairly. The Commonwealth Ombudsman cannot make decisions regarding academic merit. The Commonwealth Ombudsman will also not investigate if the complaint has not been first raised with the School.

The Commonwealth Ombudsman may require that the School issues an apology, changes or reviews a decision, changes policies or procedures, issues a refund, or takes some other action.

Cranbrook School agrees to be bound by the recommendations of the Commonwealth Ombudsman and will implement the decision or recommendation made by the Commonwealth Ombudsman immediately and take any preventative or

corrective actions required by the Commonwealth Ombudsman.

You can make a complaint to the Commonwealth Ombudsman by:

- Telephone on 1300 362 072 if within Australia or +61 2 6276 0111 if outside Australia
- On the online complaint form found at www.ombudsman.gov.au/How-we-can-help/overseas-students

You can make a complaint in your own language. To do so, call the Translating and Interpreting Service (TIS) in Australia on 131 450 if within Australia or +61 3 9203 4027 if outside Australia. The Commonwealth Ombudsman will pay for the interpreter.

The contact details for the Commonwealth Ombudsman are:

Email	ombudsman@ombudsman.gov.au
Telephone	1300 362 072 if within Australia or +61 2 6276 0111 if outside Australia
Fax	02 6276 0123 if within Australia or +61 2 6276 0123 if outside Australia
Postal Address	GPO Box 442 Canberra ACT 2601
Website	www.ombudsman.gov.au

Complaints and Allegations of Staff Misconduct or Reportable Conduct

Complaints and allegations of staff misconduct and/or Reportable Conduct are managed by Cranbrook School in a different manner to other complaints. This is because the School has legal obligations to report certain staff conduct to external authorities.

Staff misconduct is a broad term that could include breaches of professional boundaries, codes of conduct or standards of behaviour, whereas Reportable Conduct is a term defined in law and means the following conduct, whether or not a criminal proceeding in relation to the conduct has been commenced or concluded:

- a sexual offence;
- sexual misconduct;
- ill-treatment of a child;
- neglect of a child;
- an assault against a child;
- an offence under section 43B or 316A of the *Crimes Act 1900* (NSW) (failing to prevent child abuse or concealing child abuse); or
- behaviour that causes psychological harm to a child.

If your complaint relates to alleged staff misconduct or Reportable Conduct please make your complaint to the Headmaster, Head of Senior School, Head of Junior School or the Chief Operating Officer. If the Head of Senior School, Head of Junior School or the Chief Operating Officer is the subject of your complaint, please notify the Headmaster. If the Headmaster is the subject of your complaint please notify the President of the School Council.

For more information about how Cranbrook School's complaints handling procedures regarding allegations of staff misconduct or Reportable Conduct, please refer to the [Handling Allegations of Staff Misconduct and Reportable Conduct Policy](#) available on the School's public website.

Timeframes

Whilst the School will endeavour to respond within the timeframes specified above, during or close to school holiday periods this may not be possible due to the absence of relevant staff. In such cases, the School will respond as soon as is reasonably practicable and will advise the person making the complaint of the likely timeframe for responding to the complaint.

Confidentiality and Anonymity

Information in relation to a complaint will be treated confidentially as far as is reasonably practicable with respect to both a person making a complaint and, if relevant, any person against whom a complaint is made. Access to information in relation to a complaint will be limited to authorised staff only.

Personally identifiable information about a person making a complaint will only be made available for the purpose of investigating and addressing the complaint, unless the person making the complaint consents, or the disclosure is required or authorised by law.

Cranbrook School recognises that a person making a complaint may want to raise concerns in confidence and will endeavour to protect the identity of any such person who does not want their name disclosed. This may, however, place limitations on the ability of the School to properly investigate and/or address the complaint.

A complaint may also be made anonymously. Anonymous complaints are much less powerful and are very difficult, if not impossible, for the School to investigate and/or address properly. As such, the School encourages any person making a complaint to provide his or her name.

Expectations of Complainant Conduct

The School expects a person making a complaint to:

- Do so promptly, as soon as possible after the issue arises;
- Provide complete and factual information about the complaint;
- Maintain and respect the privacy and confidentiality of all parties;
- Act in good faith;
- Communicate and act in a calm, courteous, respectful and co-operative manner;
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties; and
- Recognise that all parties have rights and responsibilities which must be balanced.

If a person making a complaint is abusive, aggressive, bullying, violent or threatening towards staff, or otherwise acts outside the expectations above, the Headmaster may determine the complaint will not be further investigated. The person making the complaint will be informed of this decision in writing.

The Headmaster may also determine a complaint is invalid and will not be further investigated if the complaint is:

- vexatious, malicious, or brought without merit;
- frivolous or trivial;
- requiring significant resources and time unjustified by the nature or significance of the complaint;
- not made in good faith; or
- an abuse of the complaints process.

In any of these circumstances, the person making the complaint will be informed of this decision in writing.