



## Disputes and Complaints Policy

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# COMPLAINTS AND DISPUTES POLICY

## Introduction

Australian Islamic College complaints and disputes policy endeavours to solidify the three-way partnership of parents/community, staff and students with the aim of creating a harmonious and productive educational environment in which healthy relationships are nurtured and Allah (SWT) is revered.

The College is committed to taking concerns seriously and resolving them at the earliest stage possible. Individuals who wish to make a complaint are asked to follow the College's formal complaints procedure.

The primary aim of this Complaints and Disputes Policy is to resolve the complaint as quickly as possible. All complaints will be dealt with in a sensitive, impartial and confidential manner.

A complaint may be made about the College as a whole, about a specific department in the College or about an individual member of staff.

All complaints will be handled seriously and will be recorded.

For further advice and guidance about the College's Complaints and Disputes Policy please contact the Head Office on 9362-5340.

## Islamic guidelines

All parties involved in the resolution process are reminded to uphold the following Islamic injunctions to ensure a fair and just process is enforced.

﴿يَتَأْتِيهَا الَّذِينَ ءَامَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلّٰهِ وَلَوْ عَلَىٰ  
أَنفُسِكُمْ أَوِ الْوَالِدِينَ وَالْأَقْرَبِينَ إِن يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللّٰهُ أَوْلَىٰ بِهِمَا  
فَلَا تَتَّبِعُوا الْهَوَىٰ أَن تَعْدِلُوا وَإِن تَلَوْتُمْ أَوْ نُسِيتُمْ فَلِإِنَّ اللَّهَ كَانَ  
بِمَا تَعْمَلُونَ خَبِيرًا﴾

*O ye who believe! stand out firmly for justice, as witnesses to Allah, even as against yourselves, or your parents, or your kin, and whether it be (against) rich or poor: for Allah can best protect both. Follow not the lusts (of your hearts), lest ye swerve, and if ye distort (justice) or decline to do justice, verily Allah is well-acquainted with all that ye do.*

يَتَأَيُّهَا الَّذِينَ ءَامَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ  
 شَتَانُ قَوْمٍ عَلَىٰ ءَلَا تَعْدِلُوا ءَعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَىٰ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ  
 خَبِيرٌ بِمَا تَعْمَلُونَ ﴿٨﴾

*O ye who believe! stand out firmly for Allah, as witnesses to fair dealing, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just: that is next to piety: and fear Allah. For Allah is well-acquainted with all that ye do. (5:8)*

Making peace and resolving a complaint or dispute is an Islamic duty. A Muslim should be careful not to harm others and there is great reward for those who strive for peace and preserve brotherhood:

إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ فَأَصْلِحُوا بَيْنَ أَخَوَيْكُمْ وَاتَّقُوا اللَّهَ  
 لَعَلَّكُمْ تُرْحَمُونَ ﴿١٠﴾

*The believers are but a single Brotherhood, so make peace and reconciliation between your two contending brothers; and fear Allah that you may receive mercy (49:10)*

﴿ وَسَارِعُوا إِلَىٰ مَغْفِرَةٍ مِّن رَّبِّكُمْ وَجَنَّةٍ عَرْضُهَا السَّمَاوَاتُ وَالْأَرْضُ  
 أُعِدَّتْ لِلْمُتَّقِينَ ﴿١٣٣﴾ الَّذِينَ يُنْفِقُونَ فِي السَّرَّاءِ وَالضَّرَّاءِ وَالْكَاظِمِينَ  
 الْغَيْظَ وَالْعَافِينَ عَنِ النَّاسِ ۗ وَاللَّهُ يُحِبُّ الْمُحْسِنِينَ ﴿١٣٤﴾

*Be quick (speed up, rush, compete) in the race for forgiveness from the Creator of heaven and earth and for Paradise whose width is that (of the whole) of the heavens and of the earth prepared for the Pious people. Those who spend (freely), whether in prosperity, or in adversity; who restrain anger, and pardon (all) mankind; for Allah loves those who do good (3: 133, 134)*

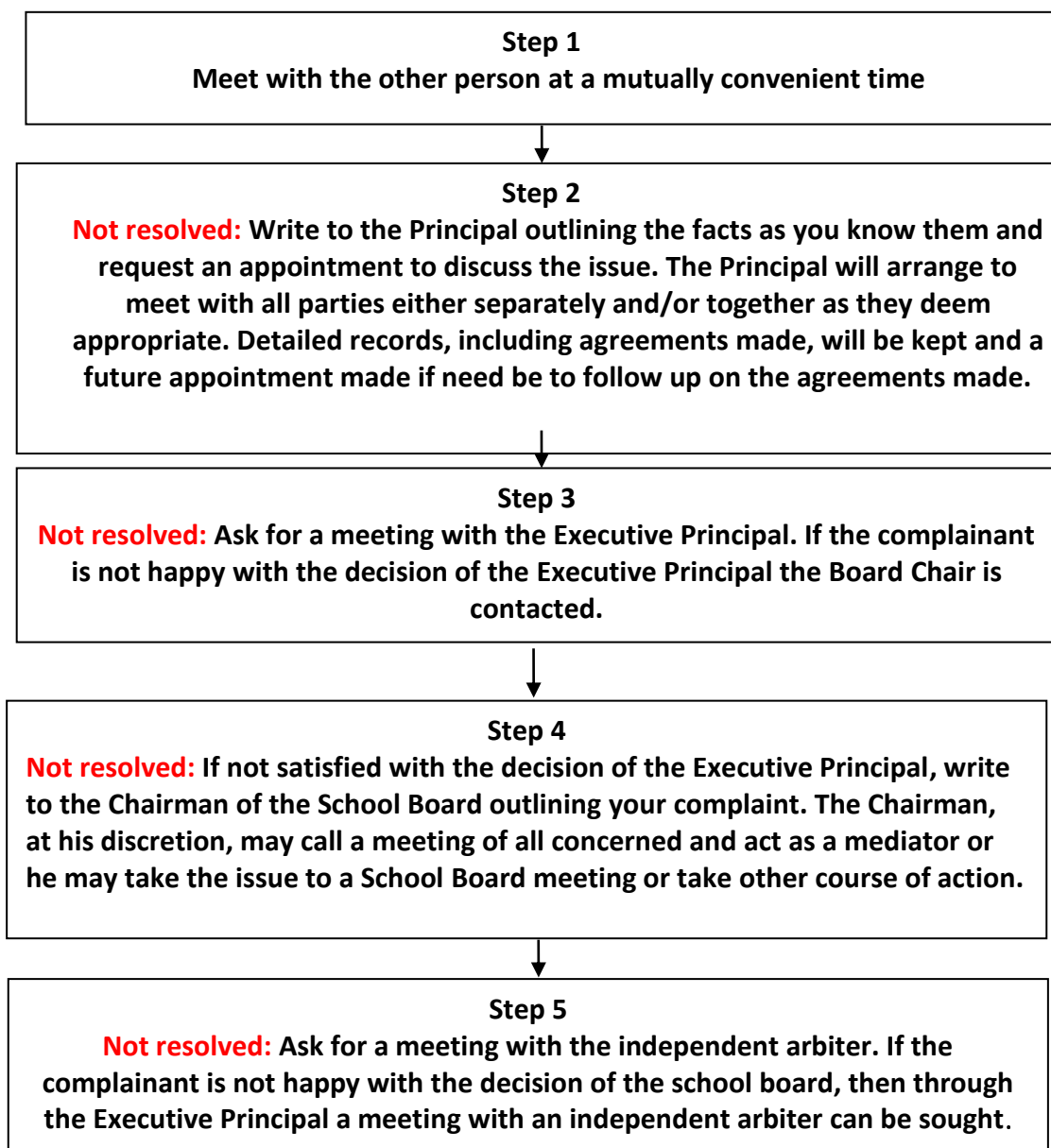
## General principles

All complaints will be dealt with in a confidential and respectful manner by College staff. It is College policy that complaints made by parents should not rebound adversely on their children and similarly that complaints raised by pupils should not rebound on them or on other pupils.

Members of staff will be told about any complaints that might be damaging to their reputation. Such complaints will be known only to themselves and to those who have to be consulted. The College will provide support for staff against whom a complaint is made.

If there is a situation involving the Police, the Principal, or next most senior staff member if the Principal is unavailable, must take responsibility for action in the school.

Any person who has a complaint or dispute should follow the procedure below to ensure that the appropriate people are approached. The general principles for seeking resolution are listed below. If a resolution cannot be reached at Step 1 then the next step should be taken.



*NB: Complainant can seek legal advice at any stage of the process.*

## **1. Complaint by a Parent (Guardian)**

Parents are valued members of the College community and are encouraged to voice any concerns. We prefer parents to direct complaints to the College for rectification rather than sharing their dissatisfaction with others.

Complaints will be treated as constructive as all suggestions can be used to improve standards and may prevent further complaint.

Step by step procedures are described below however the following principles apply in all circumstances.

Normally all complaints or disputes a parent has with a staff member would be brought to the Principal, however if the complaint or dispute concerns the Principal or any member of the Principal's family then the concern should be taken to the Executive Principal.

### **1.1 Complaint about a staff member by a parent**

Please feel confident to approach staff members about any issue.

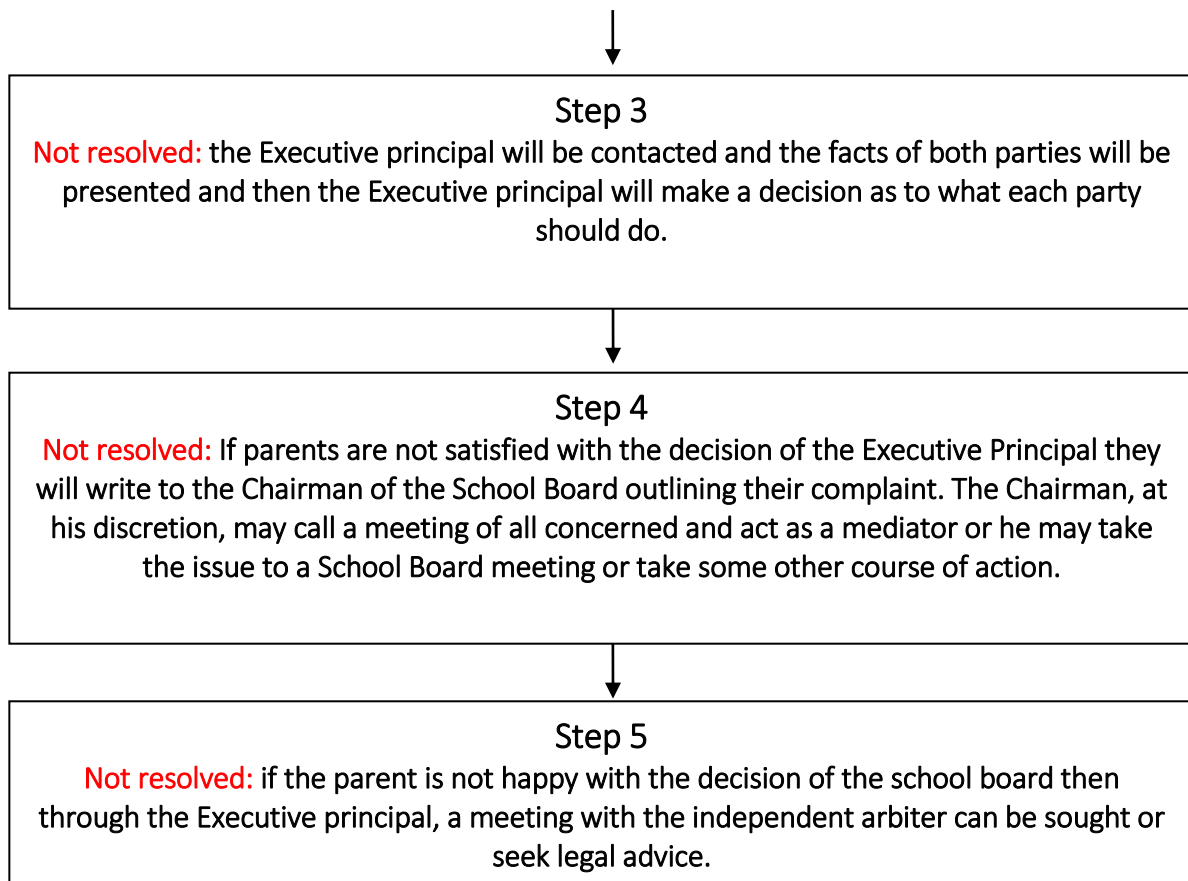
#### **Step 1**

If the parent is not comfortable meeting with the staff member alone they should contact the Principal or Deputy Principal who will sit in on the meeting as an observer/mediator as is appropriate. If after meeting with the staff member, without the Principal or Deputy Principal present, a resolution is not reached the parent should make an appointment to see the Principal. A letter containing all the facts should be sent to the Principal so that any necessary inquiries can be made before the meeting.

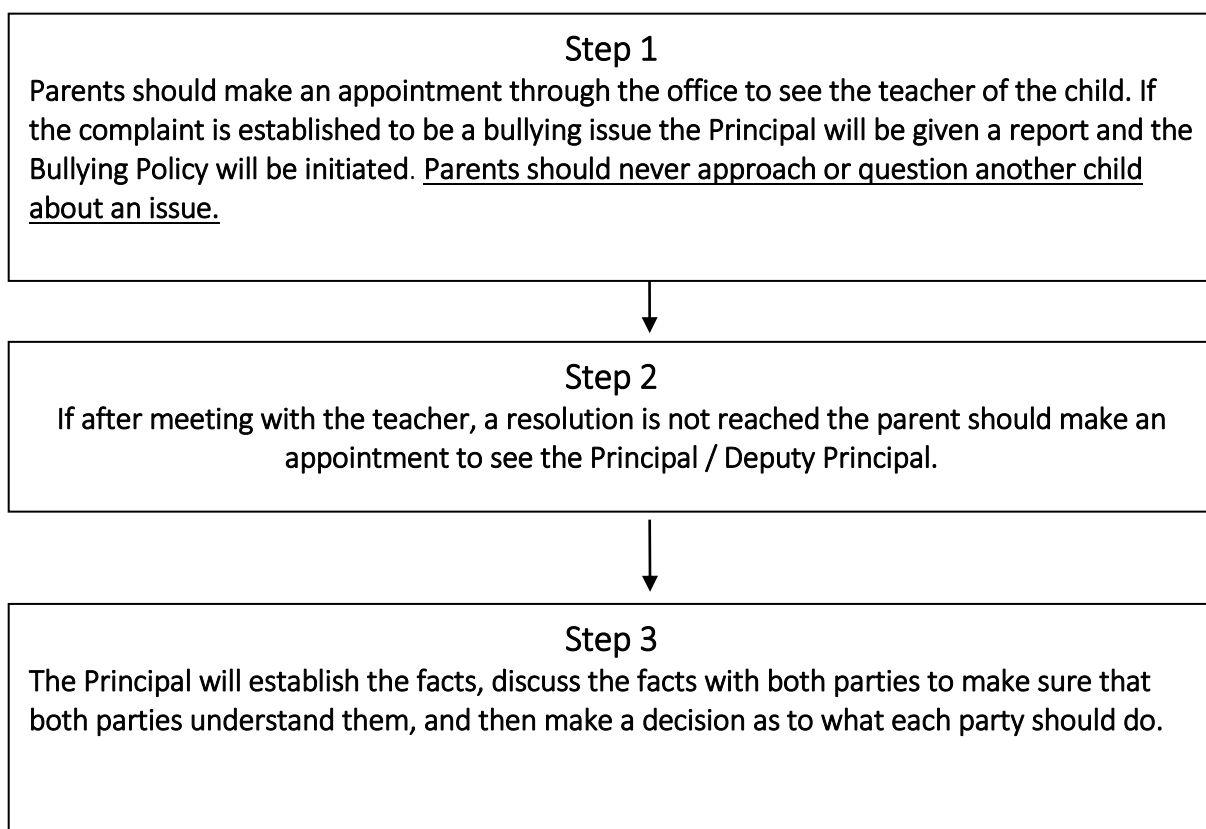


#### **Step 2**

The principal will establish the facts, discuss the facts with both parties to make sure that both parties understand them, and then make a decision as to what each party should do.



## 1.2 Complaint about a child by Parents





**Step 4**  
**Not resolved:** the Executive Principal will be contacted and the facts of both parties will be presented and then the executive principal will make a decision as to what each party should do.



**Step 5**  
**Not resolved:** If parents are not satisfied with the decision of the Executive Principal they will write to the Chairman of the School Board outlining their complaint. The Chairman, at his discretion, may call a meeting of all concerned and act as a mediator or he may take the issue to a School Board meeting or take some other course of action.



**Step 5**  
**Not resolved:** if the parent is not happy with the decision of the school board then through the executive principal, a meeting with the independent arbiter can be sought or seek legal advice.

**1.3 Complaint about the Principal by a parent.**

**Step 1**  
Parents should make an appointment, through the office, to see the Principal.



**Step 2**  
**Not resolved:** Parents should make a second appointment with the Executive Principal. At this meeting both parties may have at least one witness present so that all relevant information is discussed properly discussed and another attempt at a resolution made.





### Step 3

**Not resolved:** Parents write to the Chairman of the school board outlining their complaint. This may be done through the school office or posted to PO Box 252, Cloverdale, WA 6985. The Chairman, at his/her discretion, may call a meeting of all concerned and act as a mediator or he may take the issue to a school board meeting or take some other course of action.



### Step 4

**Not resolved:** Parents may request, through the Executive Principal, a meeting with the independent mediation and if then not satisfied they can seek legal advice.

#### **1.4 Complaint about a parent by a parent.**

Parents are encouraged to settle disputes between themselves by arranging a suitable time to discuss the issue. Meetings to discuss an issue should be private and not discussed with anyone else. The Deputy Principal or Principal are happy to meet with both parties and act as a mediator at a time convenient for all.

#### **1.5 Complaint about a non teaching staff member**

### Step 1

All complaints about non-teaching staff should be brought to the Business Manager and complaints against the Business Manager should be brought to the attention of the Principal.



### Step 2

An appointment should be made through the school office.



### Step 3

**Not resolved:** The Executive Principal will be contacted and the facts of both parties will be presented and then the Executive Principal will make a decision as to what each party should do.



#### Step 4

**Not resolved:** Parents should write to the Chairman of the School Board outlining their complaint. This may be done through the school office. The Chairman, at his/her discretion, may call a meeting of all concerned and act as a mediator or he may take the issue to a School Board meeting or take some other course of action.



#### Step 5

**Not resolved:** If the parent is not happy with the decision of the School Board then through the Executive Principal, a meeting with the independent arbiter can be sought, or seek legal advice.

## **2. Disputes between staff members.**

- All complaints or disputes a staff member has with a fellow staff member that cannot be resolved should be brought to the Deputy Principal. If necessary the Deputy Principal will involve the Principal to help resolve the complaint or dispute. The Executive Principal will be the final school based arbiter.
- If the complaint or dispute concerns the Deputy Principal or a family member of the Deputy Principal then the complaint or dispute should be taken to the Principal at the appropriate stage of the process. If the complainant is a family member of the College Principal then they should contact the Executive Principal if resolution cannot be reached.
- If the complaint or dispute concerns the Principal or any member of the Principal's family then the Executive Principal will be the final school based arbiter.
- If staff are not happy with the final decision of the Deputy Principal or the Principal having followed the process described below the staff member should contact the Executive Principal and if the Executive Principal requires he/she then contacts the Chairman of the College Board.
- External Arbiter.

## 2.1 Complaint about a staff member by a staff member

**Step 1**  
The staff member feeling wronged should arrange to meet with the other staff member at a time and place convenient to both so that the issue can be openly discussed and resolved.



**Step 2**  
**Not resolved:** If the staff members cannot resolve their dispute they should discuss the problem in the presence of the Deputy Principal who will endeavour to suggest a way forward.



**Step 3**  
**Not resolved:** The Principal will be contacted and the facts of both parties will be presented and then the Principal will make a decision as to what each party should do.  
If the matter is not resolved the Executive Principal is to be contacted.

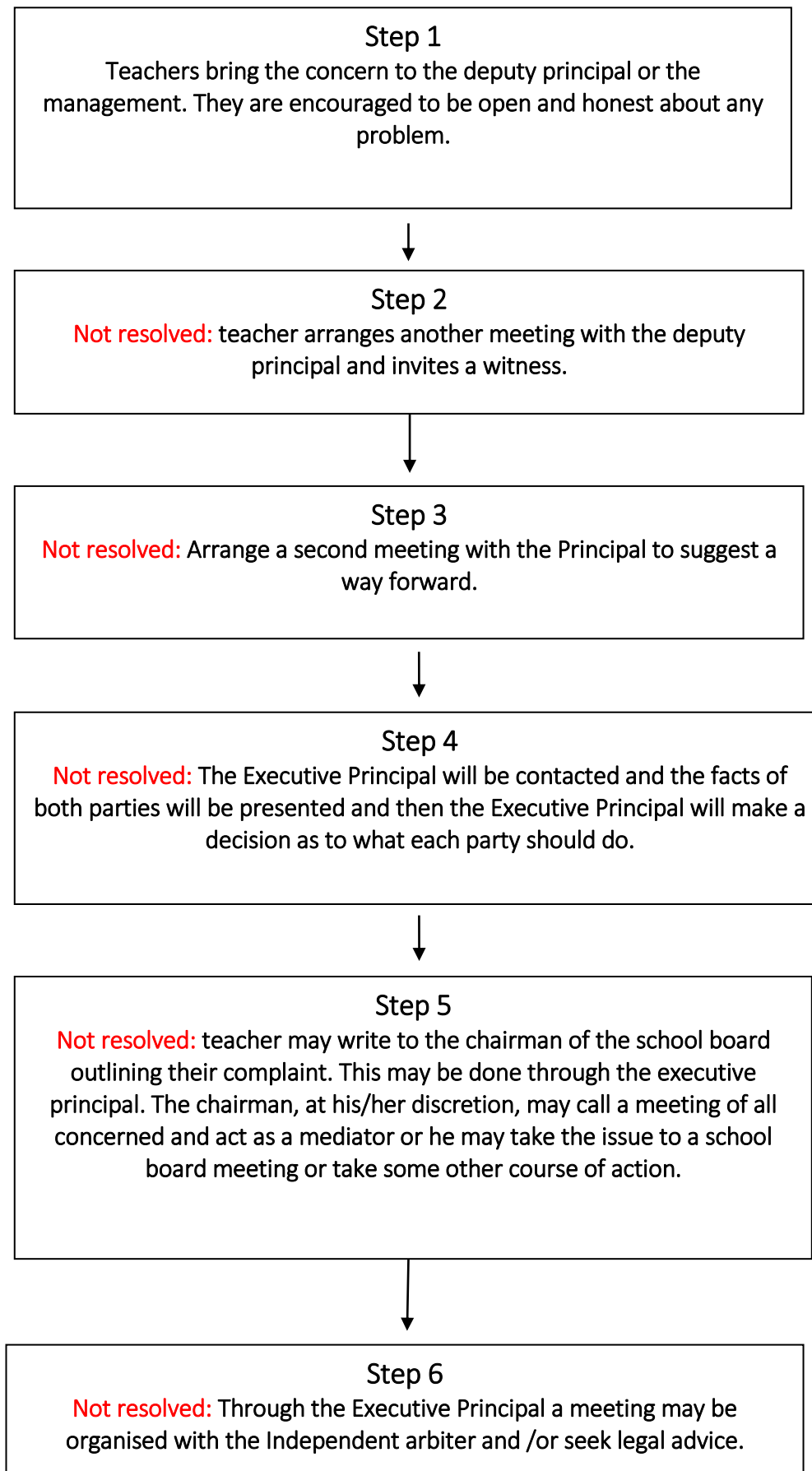


**Step 4**  
**Not resolved:** Staff write to the Chairman of the School Board outlining their complaint. This may be done through the Executive Principal. The Chairman, at his/her discretion, may call a meeting of all concerned and act as a mediator or he may take the issue to a School Board meeting or take some other course of action.  
A decision by the School Board will be the schools final decision.

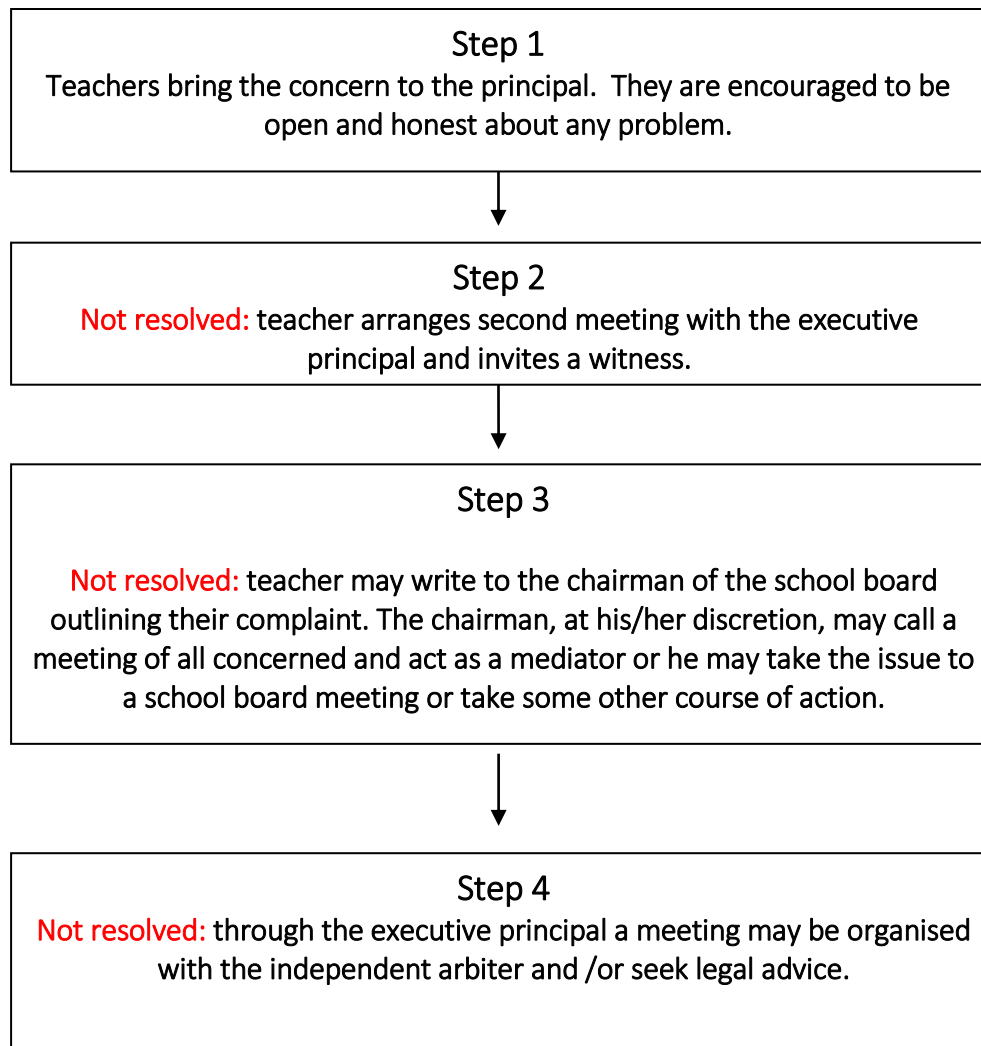


**Step 5**  
**Not resolved:** If the staff member is not happy with the decision of the School Board then through the Executive Principal, a meeting with the independent arbiter can be facilitated, or seek legal advice.

## 2.2 Complaint about the Deputy Principal by a teacher



### 2.3 Complaint about the Principal by a staff member



## 2.4 Other Complaints

All complaints and disputes should be settled using the General Principles stated at the beginning of this policy statement. The Deputy Principal and Principal are always available to help settle any complaints or disputes.

## 3. Recording

- Complaints will be acknowledged within a week. The complainant will be informed as to what is happening to their concern or complaint and, if a more detailed response is needed, by what date it will be received. The issue should be dealt with as quickly as possible.
- The Complaint Intake Form (page 17) will be used to process all complaints received.
- The Principal will keep a log of complaints and other parental concerns because:
  - it may become the cause of legal action in the future;
  - patterns in the record may indicate a need for action;
  - the Principal should be able to check the log and report on it to the Executive Principal
  - the Principal will submit the log to the Executive Principal on a termly basis.

The log should contain the following information:

- date when the issue was raised;
- name of parent;
- name of pupil;
- brief statement of issue;
- location of detailed file;
- member of staff handling the issue; and
- brief statement of outcome.

Confidential files on all complaints will be maintained and kept together, cross-referenced with other files as necessary. The files should contain simple but clear notes of all conversations with parents **about any source of dissatisfaction**. There should be a clear statement of what is concerning the complainants.

- Should the parties be issued a report letter the following information should be included:
  - the issues raised
  - how the issues were considered
  - the people consulted
  - the action that is to be taken
  - an apology, if appropriate.

### **3. Anonymous Complaints**

Anonymous complaints may be where there is no indication of either name or address, or where the complainants say that they do not wish to be identified. They may come from members of the public, from parents or from pupils. Complaints from the public about the behaviour of a group of pupils will be dealt with on a general basis, with reminders to all about the College's expectations.

Parents and pupils will be encouraged to give their names and should be given reassurance on the issue of confidentiality. If they persist in wishing to remain anonymous, it is at the Executive Principal's discretion as to what action, if any, should be taken, depending on the nature of the complaint.

Anonymous complaints should be recorded in the log.

**Anonymous allegations about child abuse should be monitored closely but no action taken until there is more certainty about the veracity of the allegation.**

Implementation date: [February 2017]

Approved by: [Executive Principal]

Next review: [February 2018]



**COMPLAINT INTAKE FORM - CONFIDENTIAL**

Date: \_\_\_\_\_ Phone \_\_\_\_\_  
Email \_\_\_\_\_ Letter \_\_\_\_\_ Other \_\_\_\_\_

Person making  
complaint: \_\_\_\_\_

Contact: \_\_\_\_\_

Nature of  
matter: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Person concerned in the  
matter: \_\_\_\_\_

Information received by:  
\_\_\_\_\_

Matter referred  
to: \_\_\_\_\_

Date: \_\_\_\_\_

Assessment Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Follow Up Notes:  
\_\_\_\_\_  
\_\_\_\_\_



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