

Australian Islamic College Adelaide

Complaints & Disputes Policy

Address: 22A Cedar Ave, West Croydon, SA 5008

Ph: (08) 8340 7799 Email: info@aic.sa.edu.au Website: aic.sa.edu.au

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COMPLAINTS AND DISPUTES POLICY

Policy Statement

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. All complaints will be handled seriously and will be recorded.

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.

The Minister for Education nor the Department of Education have any power to directly intervene in any complaints in relation to the operations of the school.

For further advice and guidance about the College's Complaints and Disputes Policy, please contact the Head Office on 08 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.

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ
أَنفُسِكُمْ أَوِ الْوَالِدِينَ وَالْأَقْرَبِينَ إِن يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللَّهُ أَوْلَىٰ بِهِمَا
فَلَا تَتَّبِعُوا الْهَوَىَٰ أَنْ تَعْدِلُوا وَإِنْ تَلُوتُمْ أَوْ تُعْرِضُوا فإِنَّ 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.

يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُونُوا قَوَّامِينَ لِلّٰهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ
 شَنَاَنُ قَوْمٍ عَلَىٰ ءَلَّا تَعْدِلُوا ءَعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَىٰ وَاتَّقُوا اللّٰهَ إِنَّ اللّٰهَ
 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 اللّٰهَ
 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 السَّمٰوٰتُ وَالْاَرْضُ
 أُعِدَّتْ لِلْمُتَّقِينَ ﴿١٣٣﴾ الَّذِينَ يُنْفِقُونَ فِي السَّرَّاءِ وَالضَّرَّاءِ وَالْكٰظِمِينَ
 الْغَيْظَ وَالْعَافِينَ عَنِ النَّاسِ ۗ وَاللّٰهُ 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)

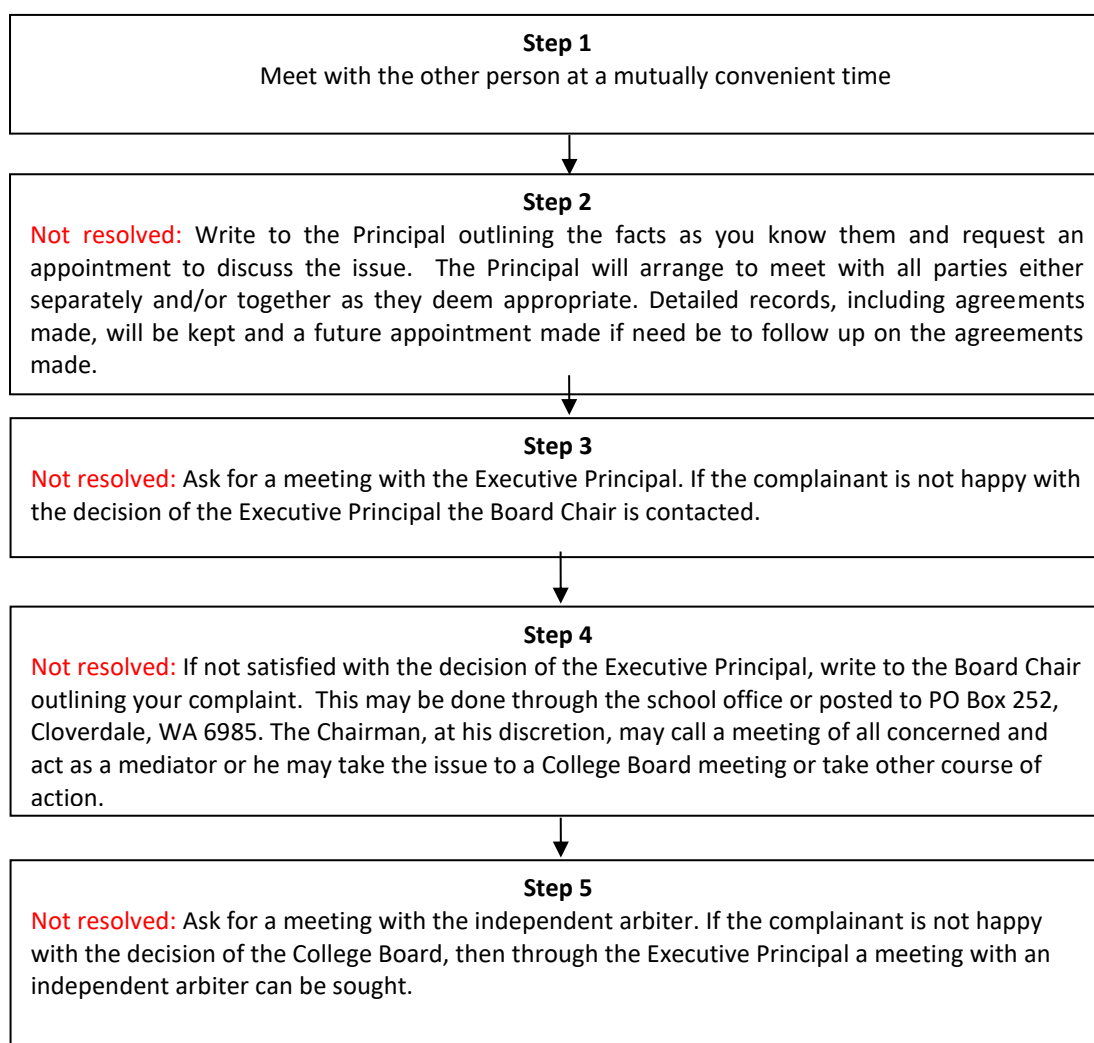
Procedures

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 may 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 as this is a productive way to resolve concerns, rather than sharing dissatisfaction with others.

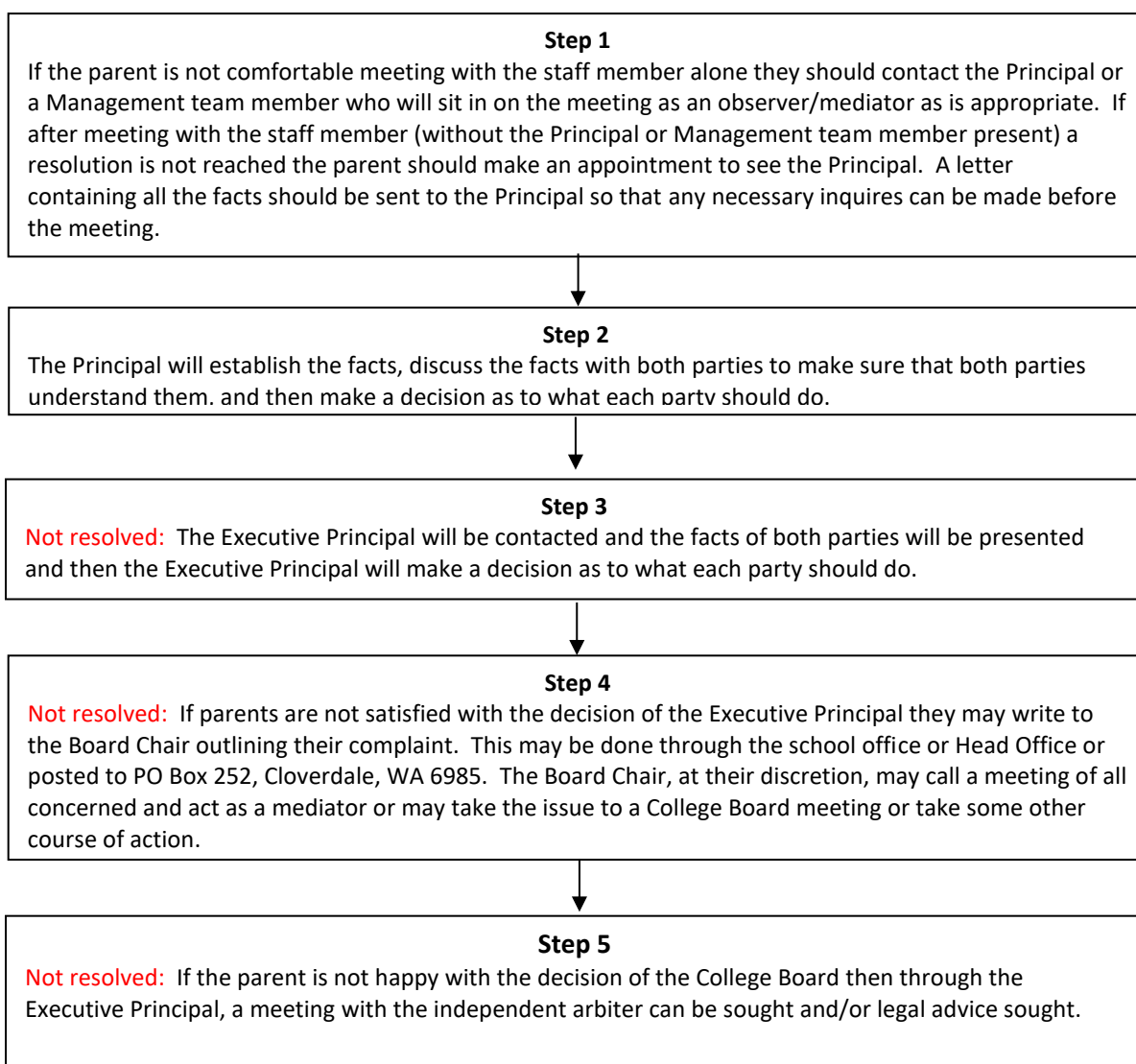
Complaints will be treated as constructive, as all suggestions are viewed as an opportunity to improve standards and may prevent future complaints.

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

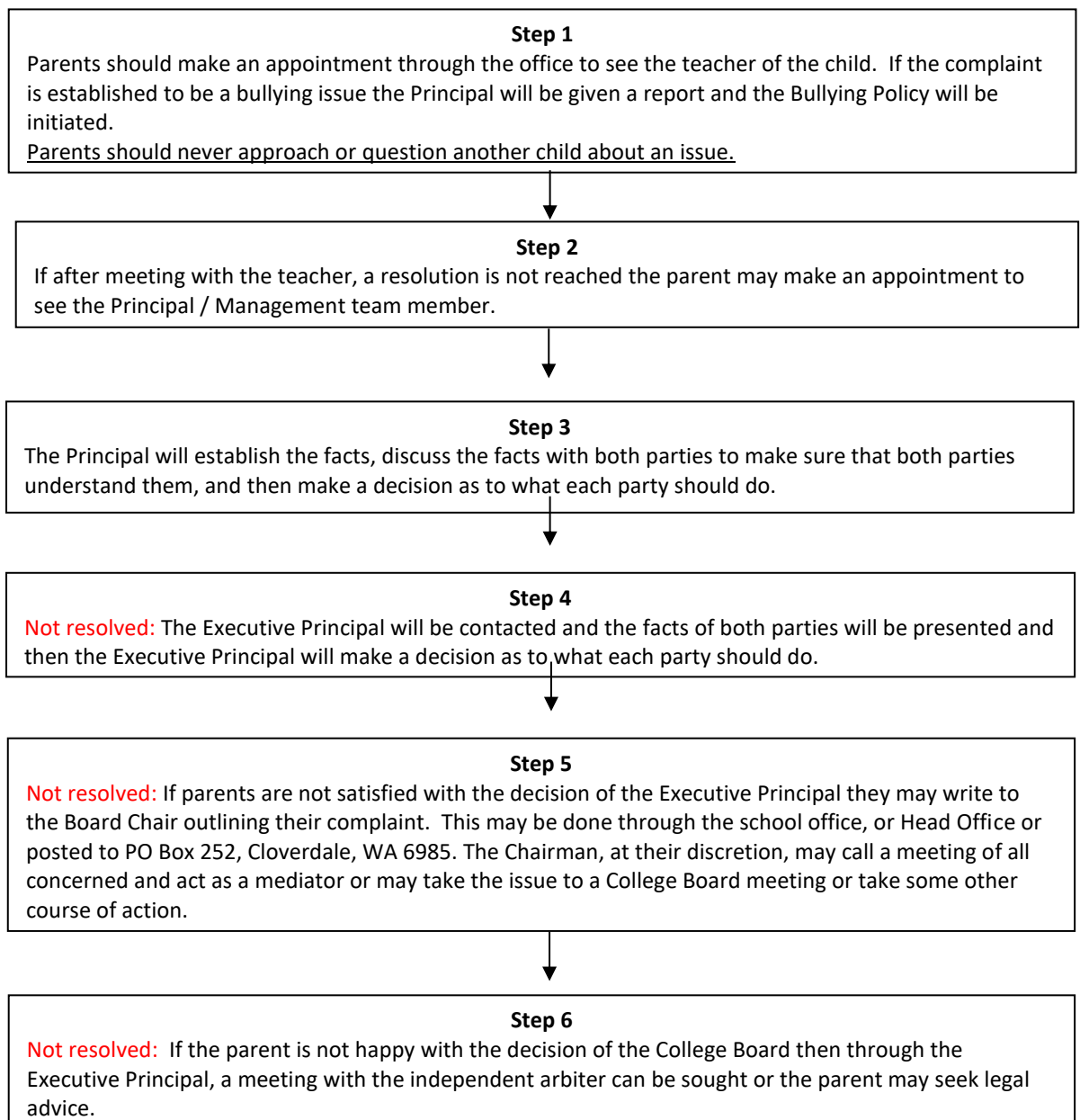
Normally all complaints or disputes a parent has with a staff member would be brought to the Principal, however if the complaint or dispute concerns the Principal or any member of the Principal's family then the concern should be taken to the Executive Principal.

1.1 Complaint about a staff member by a parent

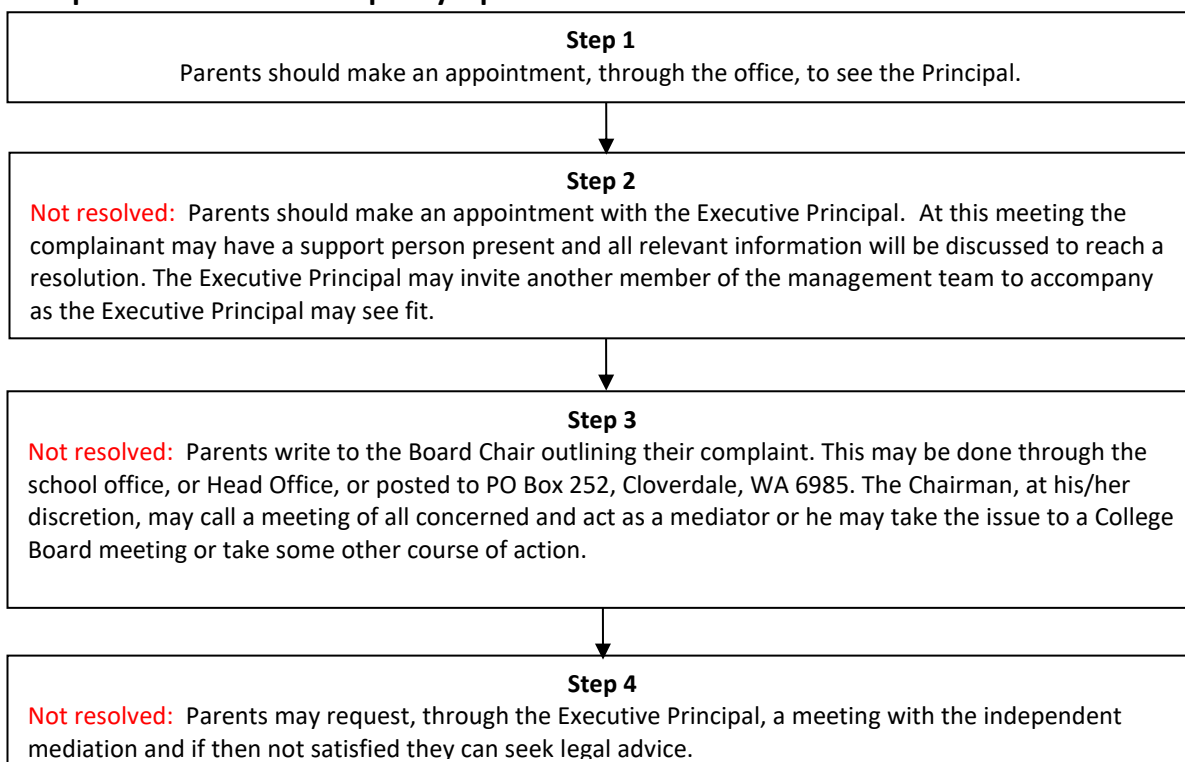
Please feel confident to approach staff members about any issue in the first instance.



1.2 Complaint about a child by Parents



1.3 Complaint about the Principal by a parent



1.4 Complaint about a parent by a parent

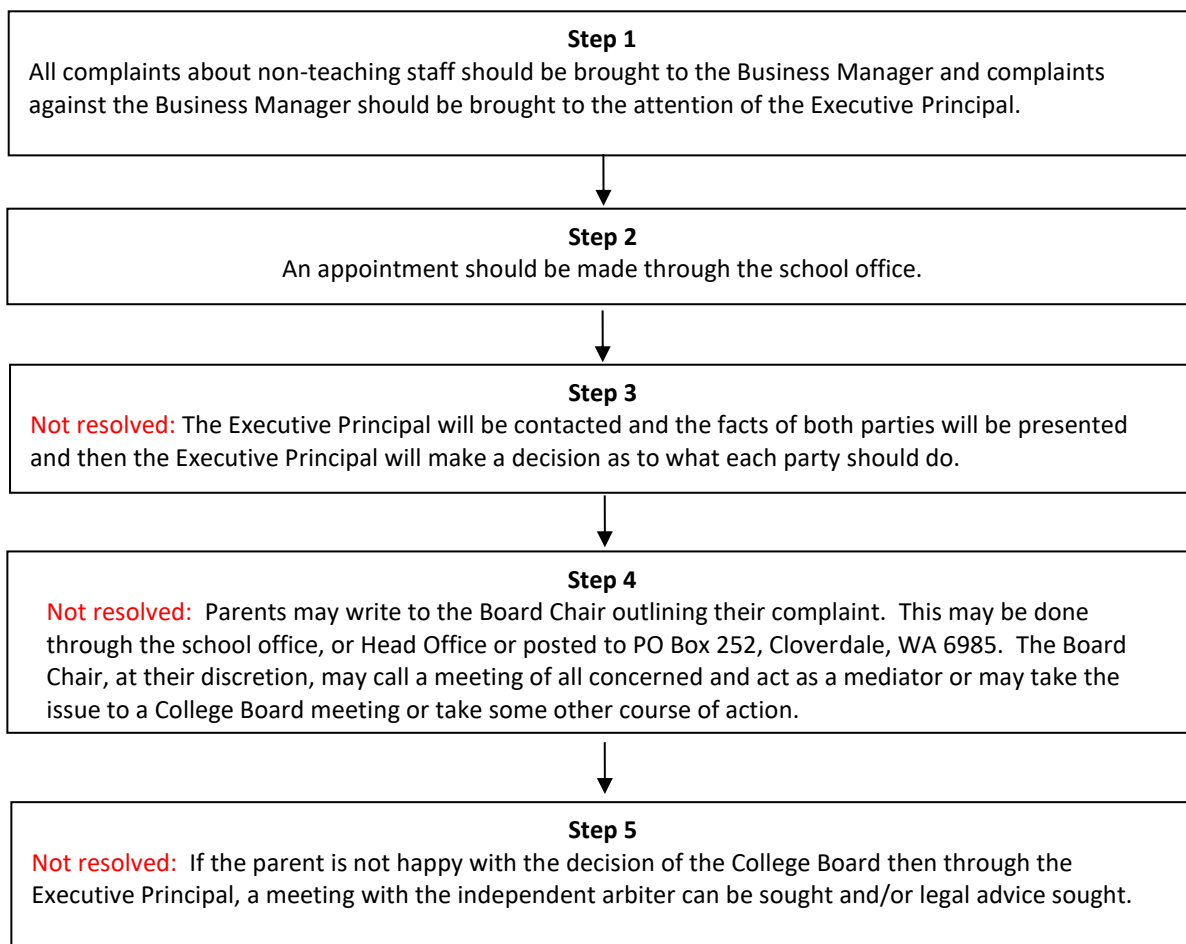
Parents are encouraged to settle disputes between themselves by arranging a suitable time to discuss the issue.

Meetings to discuss an issue should be private and not discussed with anyone else (as this is counter-productive to resolving issues).

Management team members or Principals are happy to be requested to meet with both parties and act as mediators at a time convenient for all.

This can be arranged through the relevant front office staff.

1.5 Complaint about a non-teaching staff member

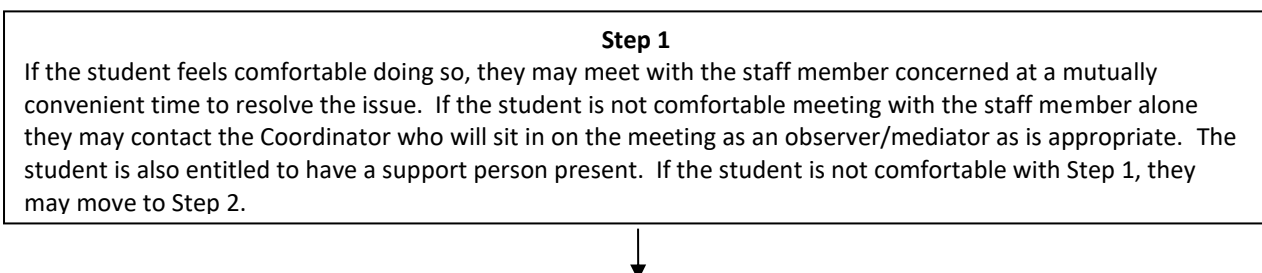


2. Complaints by Students

If a student wishes to complain without involving their parents, the following steps have been developed for students. At any stage during this complaint process, the student feels uncomfortable, they may involve their parents, or they can move to the next available step.

Throughout the process of a student complaining, staff will ensure Child Protection is paramount in their minds to ensure the emotional well-being of the student is maintained and protected.

The College takes seriously the Children's Protection Act 1993 (SA) and the Children and Young People (Safety) Act 2017 (SA) legislation designed to protect children and young people from harm and the need for children and young people to be heard and to have their views considered, along with their need for self-esteem, and to achieve their full potential.



Step 2

Not resolved: If after meeting with the staff member, a resolution is not reached the student should make an appointment to see the Principal. A letter containing all the facts from the point of view of the student should be given to the Principal so any necessary inquiries can be made before the meeting. The Principal will arrange to meet with all parties either separately and/or together as they deem appropriate. Detailed records, including agreements made, will be kept and a future appointment made if need be to follow up on the agreements made. The student is also entitled to have a support person present.



Step 3

Not resolved: If the student is not happy with the steps taken above, or does not feel comfortable with following the above steps, the student may ask for a meeting with the Executive Principal. A letter containing all the facts from the point of view of the student should be given to the Executive Principal. The Executive Principal will seek the facts of both parties and then the Executive Principal will make a decision as to what each party should do. The student is also entitled to have a support person present at any meetings.

3. 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 a Management team member. If necessary the Management team member 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 Management team member or a family member of the Management team member, 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 Management team member or the Principal having followed the process described below the staff member should contact the Executive Principal and if the Executive Principal requires will then contact the Board Chair.

3.1 Complaint about a staff member by a staff member

Step 1

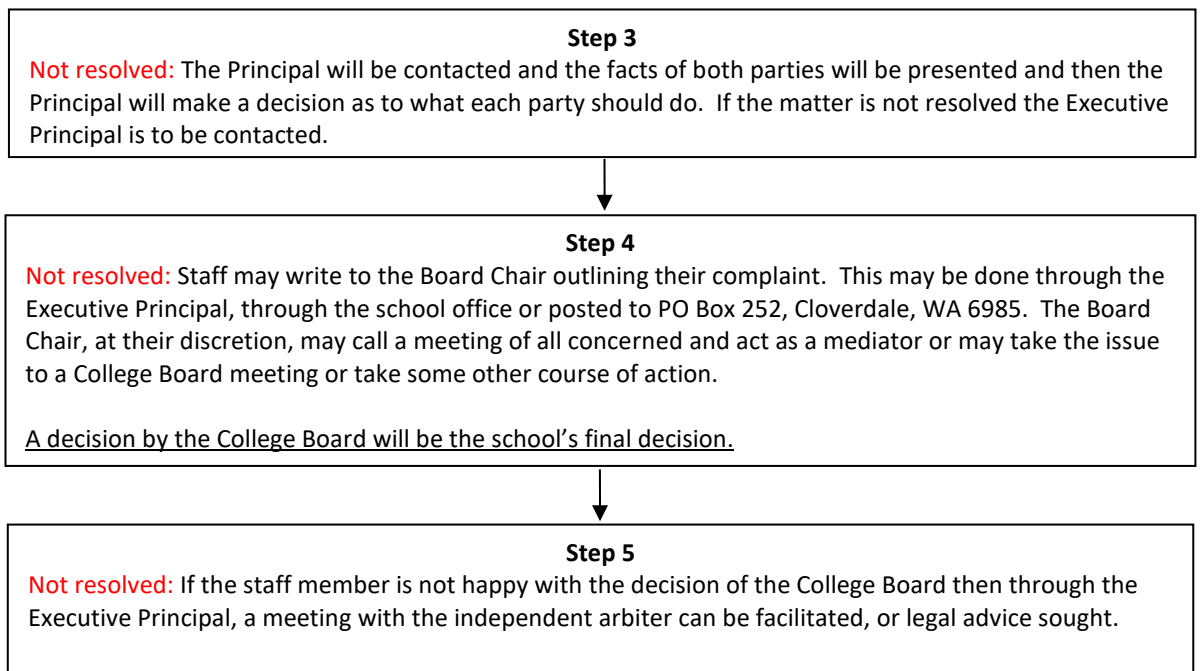
The staff member feeling wronged should arrange to meet with the other staff member at a time and place convenient to both so that the issue can be openly discussed and resolved.



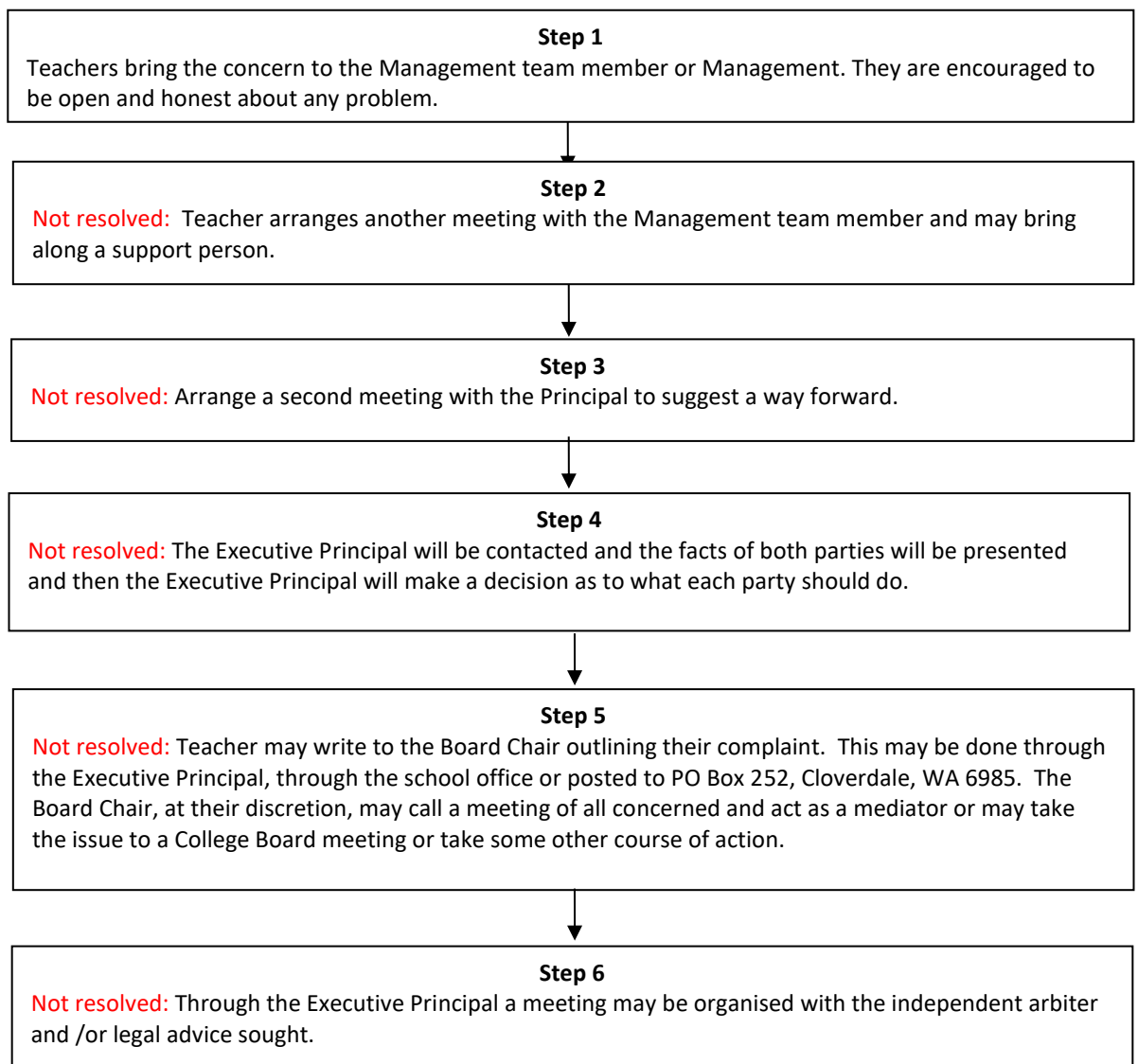
Step 2

Not resolved: If the staff members cannot resolve their dispute they should discuss the problem in the presence of a Management team member who will endeavour to suggest a way forward.

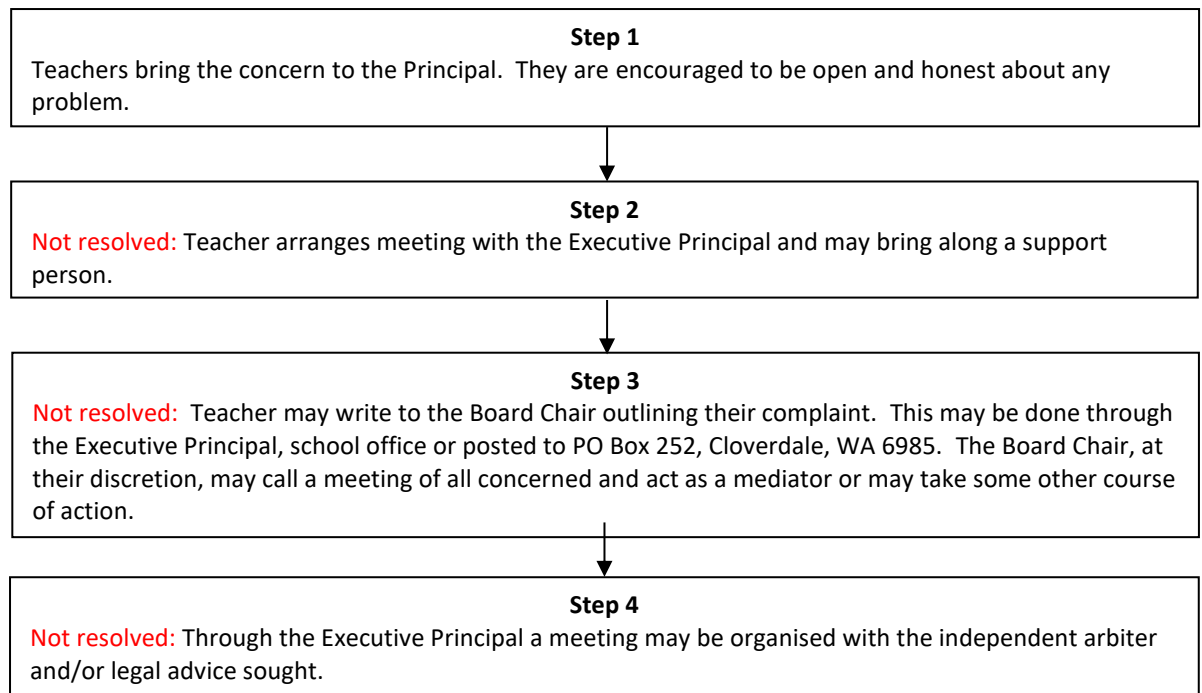




3.2 Complaint about a Management team member by a teacher



3.3 Complaint about the Principal by a staff member



Where a complaint is elevated to a mediator or independent arbiter, the costs are to be paid by the party or parties who requested the appointment of the mediator or independent arbiter, unless otherwise negotiated or ordered.

3.4 Other Complaints

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

4. Recording of Complaints

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 (Appendix A) 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 monthly basis.

The log should contain the following information:

- Date when the issue was raised
- Name of parent
- Name of student

- Brief statement of issue
- Location of detailed file
- Member of staff handling the issue
- Brief statement of outcome

Confidential files on all complaints will be maintained and kept together, and 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.

5. **Anonymous Complaints**

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

Parents and students 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 and the Child Protection Policy should be referred to for guidance on steps required to be taken by legislation.

6. **Reportable Conduct**

If at any time a student, parent, staff member or other person involved with the College wishes to report "reportable conduct" they may choose to do so by using the provisions of the Whistleblower Policy:

- Fraudulent, corrupt or unethical conduct
- Illegal acts including theft, drug sale or use, violence or threatened violence and criminal damage against property
- Dishonesty
- Breaches of relevant laws, regulations, by-laws
- Serious breaches of College policies and Codes of Conduct
- Discriminating, harassing or bullying behaviour of any kind
- Child abuse
- Any conduct which is detrimental to the College's reputation and could cause financial or non-financial loss.

APPENDIX 1 – COMPLAINT INTAKE FORM



COMPLAINT INTAKE FORM - **CONFIDENTIAL**

Date:		Phone:		In Person:	
Email:		Letter:		Other:	

Person making complaint:	
Contact:	
Nature of Complaint:	
Person concerned in the matter:	
Information received by:	
Matter referred to:	
Date referred:	
Assessment Notes:	
Follow-up Notes:	