



Complaints and Appeals Policy

Saplings Nature School

August 2022

Rational

At Saplings we value respect for each other. We feel it is important that everyone has an equal voice. This allows students, staff, families and Board members to feel safe and to develop a sense of belonging within the Saplings community. With this sense of community, we can maintain respectful relationships, and teaching and learning will thrive.

Fair procedures reassure students, parents/caregivers and staff that they and their interests will be treated with respect and dignity. Saplings respect the fact that parents and/or students may sometimes strongly disagree with decisions made by school employees. In this rare case a formal appeal process may be launched but only when an attempt has been made to resolve the issues at school.

Policy

Saplings expects that all students and staff will be treated with respect and courtesy. We believe that it is important for each member of our community to have an equal voice.

Decisions that are made by the Board of Directors that affect the rights of a student, staff or parent/caregiver shall be made by the following procedures that are both fair and seen to be fair.

When disagreements lead to complaints or appeals of decision these shall be addressed using a procedure that is both fair and seen to be fair.

Procedure

All complaints and appeals of decisions made by a staff are to be resolved internally, if possible, by following this policy. The complainant or appellant may be a student, parent/caregiver or staff.

This policy covers disciplinary, educational, and administrative decisions that have a significant effect on the educational program of a student.

Awareness

Procedures for raising and addressing complaints shall be communicated to students, parents/ caregivers and staff.

Principles of procedural fairness

When staff are making a decision that may affect the rights of a member of the Saplings community, the expectation of procedural fairness is more likely to be met by adhering to the following principles:

- a. Inform the person whose rights may be affected that a decision on a matter is being considered.
- b. Provide an opportunity for the person to make an oral or written submission on the matter.
- c. Provide an opportunity for the person to present witnesses.
- d. Provide an opportunity for the person to respond to all other information submitted that might influence the decision, before the decision is made.
- e. Act in a manner that is unbiased, fair and open-minded. This may include taking steps to ensure that the potential for bias is avoided and seen to be avoided.
- f. After the decision is made, inform the person about the reasons for the decision.

- g. Assure the person that there will be no retribution for pursuing a review or appeal.

Procedures for bringing forward and addressing complaints and appeals

Taken from Procedural Fairness Best Practice Guidelines for Independent Schools, Federation of Independent School Associations.

A complainant is encouraged to begin by talking to the decision-maker about why they disagree with a decision. A discussion may help to clarify the reasons for, and lead to acceptance of, the decision. If initial discussion does not lead to acceptance or satisfactory adjustment of the decision, the next step would be to appeal for a review of the decision at the next higher stage. To ensure a lack of bias in a review, a complainant/appellant may request, or staff may suggest, that an appeal be brought to a higher stage.

Stage 1

The complaint is resolved by the complainant and the staff that made the initial decision.

Stage 2

A decision by the Head of School or staff leads to a complaint to the Head of School, or an unresolved complaint from Stage 1 is appealed to the Head of School and the complainant/appellant and the Head of School resolve the issue. The Head of School shall document a summary of these events, including names, times, and methods of communication, and retain a copy in administrative files. The Head of School may choose to inform the Board.

Stage 3

A complaint or appeal from Stage 2 is not resolved and is moved to the Board. The complainant/appellant and Board agree to involve other authorities to help resolve the issue. For example, they may agree to use a mediator, panel of other educators or psychologists with relevant experience/expertise that can provide an unbiased review of the matter. The decision on how to proceed shall be documented in a formal plan. A representative from the Board shall document a summary of these events, including names, times, and methods of communication, and retain a copy in administrative files. A copy of all written submissions to the review shall also be retained in administrative files.

Stage 4

A Stage 2 complaint or an appeal from Stage 2 or Stage 3 is unresolved, and the complainant/appellant appeals the matter in writing to the Board of Directors. The Board or a subcommittee of the Board reviews the matter and makes a final internal decision. Board members with close out-of-school or family ties to, or adversarial relationships with the appellant shall not participate in the review. Board members who made or participated in a previous decision on the matter being appealed may provide testimony but should not participate in the decision. All parties to the matter, or their representatives, shall be in attendance for all evidence that is presented to the review. The Board shall document a summary of these events, including names, times and methods of communication, and retain a copy in administrative files. A copy of all written submissions to the review shall also be retained in administrative files.

Stage 5

If the appellant is unsatisfied with the Board's decision, they may contact the appointed Ombudsperson to review the processes used to determine whether those processes were fair and impartial. The Ombudsperson does not provide a judgement on the matter being appealed.

Process and Timelines

To enable timely responses to complaints and appeals as they arise, the Head of School may delegate their authority under this policy to another staff member for periods when the Head of School is unavailable. Time is of the essence in dealing with some complaints and appeals, since undesired effects of the decision being appealed may continue during the appeal process.

Stages 1 and 2

Proceed in a timely manner at discretion of staff and Head of School.

Stage 3

Once the appellant and Board agree on a Stage 3 response, a plan for the review shall be completed within 5-10 working days.

Stage 4

The Board shall acknowledge receipt of a written appeal within 5 working days and initiate a formal review process within 30 calendar days of receiving a written appeal.

Stage 5

The Board shall offer a written response to the appellant within 5 working days of the decision by the Board. This response shall include information about the appellant's right to appeal the Board's decision to the Ombudsperson appointed to Saplings by FISABC . The appellant will also be informed that the role of the Ombudsperson is to determine if the processes used have been fair and impartial, not to substitute his/her judgement for that of the Board of Directors.