

PARENTS' and/or STUDENTS' GENERAL COMPLAINTS and GRIEVANCES RESOLUTION PROCEDURE

The School has in place the following Procedure to deal with complaints and grievances of a general nature that may be held by parents and /or students.

The School recognises that parents and/or students may have a complaint or grievance over a School related issue and through the following Procedure the School is providing a mechanism by which parents and/or students can seek to have that complaint or grievance addressed. An outcome of the procedure may be that the complaint or grievance is found to be groundless.

The Procedure is not intended to be overly prescriptive nor impose unreasonable time limits upon any party. It does seek to raise parent's and/or students' awareness that the School acknowledges that such issues do arise from time to time and the following describes the arrangements that should be observed in order to assist parents and/or students to resolve them.

The School will seek to ensure that any complaint or grievance is resolved at the earliest opportunity and in a timely manner. However, reasonable periods of time must be allowed for discussion at each level of the Procedure.

Level 1 – Local

The complaint or grievance must initially be dealt with as close to its source as possible, with graduated steps for further discussion and resolution at higher levels of authority.

Any complaint or grievance which arises shall, where possible, be settled by discussion at its source between the parent and/or student concerned and the responsible staff member eg Housemaster, Subject Teacher, year Co-ordinator, Head of an Academic Department, etc. Should it be inappropriate for one of these staff members to be approached eg that person is the perceived source of the complaint or grievance then the parent and/or student should approach that staff member's supervisor or manager or another senior member of staff.

The parent and/or student shall notify the senior staff member, preferably in writing, as to the substance of the complaint or grievance, request a meeting with the senior staff member for bilateral discussions and state the remedy sought.

Level 2 – Higher Internal

Every opportunity should be given to resolving the complaint or grievance at the Local Level before the matter proceeds to Level 2. A more senior staff member approached to commence the Level 2 process needs to satisfy themselves that the Local Level process has been exhausted.

If the matter is not resolved at the Local Level, then the parent and/or student may raise the matter with the more senior staff member eg Deputy Headmaster, Head of Preparatory School, Bursar. At this stage the parent and/or student must make a written submission if they have not already done so. The more senior member of staff will then convene a meeting involving the parent and/or student concerned, and other staff deemed necessary by the senior staff member to progress the matter.

At the conclusion of the discussions, the senior member of staff may, make a finding themselves as to a suitable outcome or refer the matter to the Headmaster to determine. In either eventuality the parent and /or student must be provided with a written response as to the findings of the senior member of staff in respect of the complaint or grievance.

Level 3 – Final Internal

In the event that the matter has not been referred to the Headmaster and the parent and/or student do not agree with the outcome at the Higher Internal Level they may make a further written submission to the Headmaster requesting that he review the matter. At this stage the parent and/or student should provide reasons why the Headmaster should review the outcome of the earlier procedure together with any new and additional information that may be available. The Headmaster may take whatever action he deems appropriate eg convening meetings, interviewing staff etc in order to determine the matter. Upon the conclusion of the Headmaster's deliberations

on the matter he will inform the parent and/or student in writing of his determination of the complaint or grievance.

Level 4 – External

If the parent and/or student remains dissatisfied then it is acknowledged that they may be entitled to seek assistance from an external person or other appropriate authority. Should that action be taken by the parent and/or student then the School may also seek external advice in respect of the matter.

STUDENT SUSPENSION AND EXPULSION POLICY KINDERGARTEN TO YEAR 12

1 Purpose of Policy

- 1.1 The behavior of individual students at the School can underpin and influence the overall tone and success of the School. It can have a significantly positive or detrimental impact upon other students. It is the responsibility of the staff and ultimately the Headmaster to assist students to behave correctly and within the bounds of the School's rules and ethos. There will be occasions when the behavior of a student may lead to his being suspended for a period or suffer the most serious punishment of expulsion.
- 1.2 This Policy articulates the context in which the School exercises its right to suspend or expel a student. It also describes the Procedure observed by the School when suspending or expelling a student. Whilst describing the significant elements of that Procedure it is not intended to be exhaustive or overly prescriptive particularly in respect to the time period in which the Procedure may take place. The need for procedural fairness to be observed by the School towards students is acknowledged within this Policy.
- 1.3 The Headmaster or Acting Headmaster retains sole authority to expel a student from either the Preparatory or Senior School.

2 Discipline Generally

- 2.1 The School's Policies and Procedures related to the discipline of students generally are available within a number of School publications including the Student Diary, Staff Handbook, Parent Information Booklets and Student Enrolment Forms. A copy of the Rules and Regulations applying to students and their behavior can be found in the Memoranda section of the School Diary given to each student in the Preparatory school (Years 2 to 6) and Senior School (Years 7 to 12).
- 2.2 Students are required to abide by the School's rules and to follow the directions

of teachers and other people acting with the School's authority. In general, no student shall say or do anything contrary to good order, decency and common sense. Students are expected at all times to behave courteously, to show consideration for others and for the community as a whole, to value self respect and the good name of the School. Where disciplinary action is required, penalties imposed vary according to the nature of the breach of discipline and a student's prior behavior.

2.3 In accordance with those several Policies and Procedures corporal punishment is not permitted under any circumstances at The King's School.

3 Legal Obligations

3.1 Education Amendment (Non-Government School's Registration) Act 2004

The Board of Studies has set out its expectations of Non Government Schools registered by the NSW Minister for Education in its Manuals, viz:-

Board of Studies Manual for Registration and Accreditation of Non Government Schools

"3.7 Discipline

3.7.1 A registered non government school must have Policies relating to discipline of students attending the school that are based on principles of procedural fairness.

3.7.2 A registered non government school must have Policies related to discipline of students attending the school that do not permit corporal punishment of students."

The most serious disciplinary sanctions against a student enrolled at the School are suspension or expulsion and the School acknowledges the need to ensure these sanctions are imposed only after a correct Procedure is observed.

3.2 Contract with Parents

Each student's parents or guardians have entered a contract with the School Council. One of the conditions of this contract addresses the suspension and expulsion of students, viz:-

"Students enrolled at The King's School are bound by all rules and regulations authorized by the Headmaster for the conduct of the School. The School reserves the right to suspend or expel a student if the Headmaster (or any person authorized to act in his place) in his discretion considers this action is advisable."

Or

“If the Headmaster (or any person authorized to act in his place) considers that:

- (a) A student has seriously breached the school rules;
- (b) A student has otherwise engaged in conduct which is prejudicial to the School or its students or staff;
- (c) A student is not making satisfactory progress; or
- (d) A mutually beneficial relationship of trust and co-operation between the parent and the School has broken down to the extent that it adversely impacts on that relationship, the School may exclude the student permanently or temporarily from the School at its absolute discretion and no remission of fees will be granted.”

3.3 Judicial Review

The School is aware that, like all institutions, it can be subject to judicial review and through the implementation of this Policy it seeks to eliminate any need for such review to occur.

4 School’s Values

4.1 The School promotes a number of values as stated within the publication

Entitled “The School’s Mission Statement and Goals 2008 – 2012 and includes the following value:-

“Integrity

Integrity encompasses propriety, honesty and a commitment to upholding that which is right. It includes the obligation to act fairly and to exercise proper governance. It requires The King’s School to be responsible in the management of all its assets. This means that the School will seek to be just in all its dealings.”

The School will strive to reflect the qualities described within this Value and uphold the high standards expected of an institution based in the Christian faith.

5 Risk Management in Respect to Suspension and Expulsions

5.1 Safeguarding the welfare of all students in the School’s care is of paramount importance to the School. The adverse impact the suspension and/or expulsion can have on a student is not underestimated. Equally, the School recognizes that each student, staff member or visitor to the School has a right to undertake their activities at the School in an appropriate environment and that the behavior of a student cannot be permitted to place that in jeopardy. Therefore, the School reserves the right to deal with a student, whose behavior is determined to be in breach of the various disciplinary publications mentioned above, by way of suspension or expulsion in accordance with the Policy.

Of these sanctions, suspension is far less serious and may be for a period as little as one day.

The School often needs to impose this measure almost immediately in certain circumstances in

order to ensure the benefit to the student, his fellow students, staff and the School. Therefore, the School reserves the right to pursue the Procedure below in a more expedient manner in light of all the circumstances leading to a suspension.

Where a boarding student is suspended or expelled the School acknowledges its duty of care to that student whilst ever he is in the School's care prior to his collection by his parents or his departure to travel home eg overseas flight.

6 Definition

6.1 For the purposes of this Policy the following meanings apply:-

School – Kindergarten to Year 12, The King's School Parramatta

Suspension – the temporary exclusion of a student from the School's premises and participation in any School activities wherever they occur. Suspension does not include those disciplinary measures resulting in any period of detention at School or sending a student home for the remainder of a day. In exceptional circumstances, for example where the safety of a person may be in jeopardy, the School reserves the right to suspend immediately a student before the completion of the Procedure below. The Procedure will be observed as closely as possible, in view of that suspension, by the School at the earliest opportunity. As mentioned above a "Suspension" is viewed as a far less serious sanction than "Expulsion" and is more often the outcome of a disciplinary process than expulsion.

It has to be recognized that the need for the less serious sanction of suspension has to be imposed by the School without undue delay to ensure effectiveness. Therefore, in exceptional circumstances, this may mean not all of the procedural steps described below will be able to be always strictly observed by the School.

Expulsion – the expulsion of a student means the conclusion of any educational services being provided by the School to that student from a point in time. A student will generally be first suspended, in the appropriate circumstances, before being expelled subject to the completion of the following Procedure. Expulsion is the most serious disciplinary sanction and the School will ensure the student is afforded all appropriate pastoral support and care whilst the Procedure below is pursued.

7 Procedure in Respect to Suspension and Expulsion of Students

The following is a summary of the several steps that the School observes to seek to ensure natural justice when the suspension or expulsion of a student is a possible outcome of a disciplinary process. Students boarding at the School form a large component of the student population. The School is mindful of the practical constraints upon it when seeking to observe all aspects of the following Procedure caused by some parents not generally being immediately available. The School does undertake to ensure a parent is informed, at the earliest opportunity, of developments in respect to the suspension or expulsion of their son along with a parent's involvement, where possible in this Procedure. In the absence of a parent, particularly in the case of a boarding student, the student's Housemaster or the Director of Boarding would be closely involved in the Procedure.

- 7.1 The School will inform a student and his parents of the allegations against him that have warranted the disciplinary process to commence. Exceptional circumstances may exist eg jeopardizing the safety of others, along with maintaining the integrity of any ongoing investigation into related matters, that may warrant only certain information being initially revealed. The student and his parents would subsequently be told further, and usually all, relevant information if deemed appropriate by the School. The exceptional circumstances referred to above may remain for some time.
- 7.2 The School will inform a student and his parents that his misconduct has been sufficiently serious as to warrant the School to consider his suspension or possibly expulsion.
- 7.3 The student and his parents will be given opportunity to respond to the allegations that have been made known to them by the School. That response may be in the form of an explanation, new and additional information not known to the School or other mitigating information.
- 7.4 The School will ensure proper investigation of the allegations made, that relevant parties are heard and relevant submissions considered. Usually a senior member of the teaching staff will be set the task of interviewing appropriate persons, inspecting relevant documents and making relevant enquiries to enable a finding based on the balance of probabilities.

7.5 The Headmaster or Acting Headmaster will make the final determination as to whether a student is suspended or expelled. In the case of suspension, his authority may be delegated to his nominee. To assist him in reaching a fair and unbiased decision, other senior staff would usually undertake the investigation in 7.4 and arrive at a recommended course of action.

7.6 Where a student is the subject of the disciplinary process and may be facing suspension or expulsion, he will be permitted to have contact with a parent or other support person at the appropriate point in the process if that is reasonably practicable. That point will generally be when sufficient progress has been made in the investigation process to enable the School to form the view that the student may be facing suspension or expulsion.

7.7 The School will seek to ensure that the student is given a chance to deal with all allegations or assertions adverse to his interests. The aim is to ensure that student and his parent/support person is aware of all the information available to the School that is contributing to the student's suspension or expulsion. In exceptional circumstances where, for example, the safety of others may be jeopardized, the School reserves the right to not reveal all details of the allegations or assertions made to the student or his parent/support person.

7.8 In respect to expulsions, the Headmaster, or his nominee, will provide the student and his parents with a preliminary finding in respect to the disciplinary process and an opportunity to provide him with any new and compelling information that may warrant that finding being altered. Should such information not be forthcoming, then the Headmaster will confirm his finding. In respect to the less serious sanction of suspension the School will generally not provide a preliminary finding for the reasons described in 5.1 above. However, as mentioned in 7.3 the student and parent will be provided with an opportunity to provide any new and additional information.

8 Conclusion

8.1 It is expected that the publication of this Policy will assist the School Community to better understand the steps that are observed when the suspension or expulsion of a student is the potential outcome of a disciplinary process.

8.2 The School seeks to uphold the highest standards and continually improve its practices as one of Australia's leading educational institutions.

8.3 This Policy will be subject to ongoing review and comments and suggestions upon its contents can be referred to Dr Andrew Parry, Deputy Headmaster amp@kings.edu.au or Mr Kevin Lee, Deputy Bursar kjlee@kings.edu.au.