

# Complaints Policy

<b>Date Approved:</b>	20/06/2023
<b>Scheduled Review Date:</b>	30/06/2026
<b>Policy Owner:</b>	Principal

## 1. Context & Purpose

Our College community is primarily comprised of students, parents/carers and staff, who all contribute to providing a positive, engaging, safe and supportive learning environment.

The College recognises the importance of fostering supportive and respectful relationships with parents and families and developing strong partnerships within our community. It recognises there may be times when there are disagreements and issues of concern that may need to be resolved in a positive and professional way.

This policy seeks to provide clear and transparent information about how a student or parent/carer can raise concerns or complaints about the College, staff conduct, a student's education and/or student wellbeing, as well as how a concern or complaint will be managed and resolved. Our aim is to ensure that students and parents/carers:

- have access to an open, fair and responsive complaints handling process;
- have the opportunity to resolve concerns and complaints in an informal manner;
- know there is a clear process for escalating a complaint to a more formal procedure;
- know how to lodge an appeal to have a complaint addressed to an independent arbitrator should the internal processes not provide a satisfactory outcome;
- have confidence that complaints will be treated in a consistent and timely manner.

## 2. Application

This policy applies to all students, parents, carers and guardians of the College.

This policy does not apply to:

- Staff and volunteer concerns and complaints;

- Concerns about child abuse, reportable conduct and student safety, which will be addressed in accordance with the College's policies regarding student safety and mandatory reporting.

### **3. Statement of Policy**

The College recognises that from time matters will arise that cause concern for students or parents/carers. As valuable stakeholders of the College, we consider their feedback is critical to ensure we meet their needs and expectations, and so we continue to develop and maintain a positive learning environment. The College therefore welcomes concerns or complaints being raised, and we see it as an opportunity for learning and continual improvement.

We also understand that handling concerns or complaints in a fair, transparent and timely manner can ultimately improve relationships and enhance student satisfaction and engagement.

A clear process for grievance resolution also fosters the wellbeing of the College's students, staff and broader College community, knowing there is a process that enables feedback for future improvements. In doing so, we will seek to identify both the specific and (where applicable) systemic issues raised by a concern or complaint.

The College's approach to handling concerns and complaints is based on the following:

- building relationships between students, staff and parents/carer, and of creating a safe and supportive learning and working environment for students and staff. The College is committed to the development of professional, trusting and cooperative relationships between the College, parents and our community
- resolving issues in the first instance through discussion and conciliation and encouraging the aggrieved to speak directly with the relevant individual
- ensuring that complaints are handled fairly, with sensitivity and understanding confidentiality is important
- resolving matters in a timely manner, but knowing the timeframe for resolution may depend on the nature and complexity of the complaint
- the procedures are intended to be conciliatory, non-adversarial and non-legal

#### ***Expectations***

While a concern or complaint can lead to disagreement and tension, the College expects that all parties will act respectfully and in good faith, in a calm and courteous manner, and where the rights and responsibilities of all parties are considered and recognised.

When raising a concern or complaint with the College, a student or parent/carer can expect to:

- be treated with courtesy and respect
- have their concerns and complaints taken seriously, considered impartially, and dealt with on the merits
- have their concerns and complaints dealt with in a timely manner
- be kept informed of the progress and outcome of their concern or complaint
- not be victimised, or subjected to reprisal, for raising concerns or complaints in good faith.

In return, the College expects that students or parents/carers who raise a concern or complaint will:

- treat others (including staff and other students and parents, both former and present) with respect and courtesy
- raise concerns as soon as possible after the event giving rise to the concern or complaint has occurred
- provide complete and factual information about the concern or complaint
- act in good faith, listen and have an open mind to help achieve a reasonable outcome
- be understanding and accepting of any outcome reached, being mindful that the College must sometimes manage the interests of a number of students and other individuals when making decisions, and may be privy to confidential information not known to the person raising the concern or complaint.

Where a complaint relates to student behaviour or bullying, it is important to note that the College seeks to use a restorative justice approach to resolve issues that have impacted on other students, staff or the broader community. These outcomes are negotiated with the student as part of the restorative justice process. More information and the approach taken by the College to such matters is contained in the College's Behavior Management Policy and its Bullying Prevention & Intervention Policy.

#### **4. What is a concern or complaint?**

A concern is an issue or feedback which is raised informally in order to improve or change a situation. No resolution or outcome is sought by the student or parent/carer.

A complaint is an expression of grievance or dissatisfaction where the student or parent /carer is seeking a resolution or outcome. A complaint can be made about:

- any product or service provided by the College, including academic and non-academic matters;
- a staff member of the College
- a third party providing services to the College (such as an RTO providing training)
- a student of the College

## 5. Concern and Complaint Framework

The approach of the College is to create an environment where the people involved in a concern or complaint can come together with the hope that the matter can be resolved through conciliation and in a non-adversarial manner.

The College's approach for dealing with concerns and complaints involves a three-step process:

- **Stage 1** – A concern is raised with the College (usually with a direct staff member)
- **Stage 2** – A complaint is made to the Principal
- **Stage 3** – A review by the Board Chairperson is requested

Our aim is for the prompt resolution of concerns, ideally without there being a need for a formal complaint to be made. As the Board appoints the Principal to manage the day-to-day operations of the School, a review by the Board Chairperson should be a last resort.

Timeframes listed in this policy are for guidance only. The College will strive to deal with a concern or complaint within the timeframes listed, but this can vary due to the nature of the concern or complaint and surrounding circumstances. Where timeframes set out in this policy cannot be met, the College will strive to communicate with the affected parties about the status of the complaint, and the steps taken (or to be taken) to progress the matter.

### ***Stage 1- Raising a Concern***

The College believes that a concern is often best resolved closest to its source and, when a concern relates to a student, encourages concerns to be raised with the relevant classroom teacher in the first instance. However, depending on the nature and severity of an issue, and whether the classroom teacher has a conflict of interest, a person may instead be lodge a complaint directly with the Principal. Students and parents/carers may choose to bypass stage 1 and proceed to stage 2 in such circumstances.

The following matters should be considered when raising a concern:

- Clearly identify the issue or problem prior to contacting the teacher or College – a concern can be about academic or non-academic matters, and may be raised informally in writing (eg via email) or verbally.
- Identify the party or parties involved.
- If there is more than one concern, write a list so that you are properly prepared.
- We encourage a face to face or phone meeting with a classroom teacher to discuss the concern.

- Remain courteous and calm when conveying your concerns. College staff are able to terminate a conversation with the person raising the concern until such time that a courteous and calm conversation can continue.

### ***Stage 2 – Make a complaint***

If you are not satisfied with the way your concern has been handled or believe that the matter is more serious and requires a resolution or outcome, you may choose to make a formal written complaint. Complaints should ordinarily be made within one calendar month of the initial concern first being raised with the College.

A formal complaint should at first instance be addressed to the Principal. If the complaint concerns the Principal, the complaint should be made to the Board Chairperson, in which case the Chairperson will manage the process outlined below.

You may write to the Principal (via email), who will then acknowledge receipt of the complaint as soon as practical (being usually within three (3) business days).

Your written complaint should:

- Clearly identify the issue or problem, providing detailed information and any supporting evidence
- Identify the party or parties involved
- Consider the outcome or resolution you are after (while being realistic and open to other outcomes and solutions).
- Consider whether there are any interim measures you would like the College to consider whilst the College investigates and considers your complaint.

When the Principal is dealing with a complaint, the College's objective is to achieve a resolution by:

- Clarifying the substance of the complaint, and the steps taken by the College to address the initial concern.
- Identifying whether the complaint raises an issue regarding non-compliance with the College's policies or procedures.
- Identifying whether the complaint raises an issue that would be more appropriately addressed under the College's policies concerning student safety and wellbeing.
- Communicating with you and relevant parent(s), student(s) and staff, in an attempt to resolve the issue by agreement (where practicable).
- Failing agreement, investigating the complaint and deciding an outcome, in accordance with natural justice principles.

If the Principal arranges to speak with you, you may request to have someone else present as a support person. The support person can be a relative or a friend, but please note that the role of a support person is to provide you with support and not to act as an advocate.

After a complaint has been investigated, the Principal may decide that the complaint is substantiated in whole or in part, and then offer an appropriate remedy or action. A remedy or action may include, without limitation and at the discretion of the Principal, one or more of the following:

- an explanation or further information about the issue.
- acknowledgement of each other's perspective and an agreement on ways to manage differences.
- agreement on what constitutes acceptable behaviour.
- an undertaking that unacceptable behaviour will change.
- mediation, counselling or other support.
- an apology or expression of regret.
- a change in decision.
- a change to policy, procedure or practice.
- the cancelling of a debt.
- a fee refund.
- a re-assessment.

A remedy or action will be implemented as soon as practicable.

After a complaint has been investigated, the Principal may also decide to dismiss the complaint. A complaint may be dismissed if the Principal considers that the complaint cannot be substantiated. No remedy or action is required in such circumstances. If this is the decision of the Principal, you may accept the outcome or proceed to Stage 3 and request a review of the decision.

The Principal may delegate parts of the complaint-management process, and seek the assistance of third parties, however any ultimate decision will still be made by the Principal. The Principal will aim to communicate the outcome of a complaint in writing within twenty business days of the written complaint being lodged.

### ***Stage 3 – Requesting a Review***

If you are not satisfied that your complaint has been adequately resolved or decided by the Principal, you may request a review by writing to the Board Chairperson.

Requests for review must be made in writing within ten (10) business days of the date the Principal communicated the outcome of your complaint in writing. The grounds for the review, and in

particular any concerns you have with the way the relevant complaint was dealt with or decided, must be clearly identified in the request for review.

Consistent with the College's governance policy, the Board delegates to the Principal the day-to-day management of the College, and in particular matters relating staff, students and the overall delivery of the College's education programs. The Principal must act in good faith and in the best interest of the students and College, but he or she is able to exercise their discretion and professional judgement regarding such matters.

Accordingly, any review of the Principal's decision under this policy will be confined to the Board Chairperson deciding whether there is evidence that the College's procedures have not been followed in a way likely to have meaningfully influenced the Principal's decision, or that you were not given an opportunity to be heard, or the Principal did not act in good faith or unreasonably exercised his discretion in determining the matter.

The Board Chairperson may conduct the review as he or she sees fit, including meeting with any of the affected parties or seeking written submissions. The Board Chairperson may delegate parts of the review, or seek the assistance of third parties, however any ultimate decision will still be made by the Board Chairperson.

For the avoidance of doubt, the Board Chairperson will not delegate to the Principal a review of a decision he or she has already made. However, if the Chair is satisfied that a complaint has not been properly raised with the Principal (and the Principal does not otherwise have a conflict of interest), the Chairperson may refer the matter to the Principal to make an initial decision (noting that the decision would then create a right to request a review).

The Board Chairperson will aim to communicate the outcome of a request for review in writing within forty-five (45) business days where practicable.

## **6. Monitoring Complaints**

The Principal will report annually to the Board on the student complaint data. Reports will be de-identified of student information and will address common or recurring themes. Where relevant the outcome of a complaint will also be recorded on a student's or staff's file.

## **7. Withdrawal of a Complaint**

A complaint can be withdrawn at any stage during the processes outlined in this policy. A complaint can only be withdrawn by the person who made the complaint to the College.



Ideally, all complaints should be retracted in writing, however a dated notation on the College's student management system, stating the complaint has been withdrawn verbally by the appropriate person can be made by a staff member at the College responsible for managing the complaint.

The College will notify affected parties if a complaint is withdrawn, where considered appropriate.

Regardless of a person's wish to withdraw a complaint, complaints that have disciplinary implications for a member of staff may still be considered by the College.

## **8. Anonymous Concerns and Complaints**

The College treats concerns about the College, a staff member, a student's education and/or a student's wellbeing with the utmost importance, and will investigate concerns raised to the fullest extent practicable. However, anonymity can make it difficult to effectively resolve concerns and complaints (particularly where the College is being asked to accept an anonymous source's version of events). We therefore do not encourage anonymous concerns or complaints.

## **9. Vexatious Complaints and Unreasonable Conduct**

Vexatious complaints arise where a person makes inaccurate, misleading, malicious or false accusations, which can have negative consequences for the person(s) concerned, interpersonal relationships and the morale of the College. The College will cease to deal with vexatious complaints or where it is found that a complaint has been made in bad faith to cause distress to one or more people.

It is also important that people act reasonably when a complaint is being addressed and considered.

Unreasonable conduct is behaviour that:

- is victimising (complaints causes further disadvantage or in response to retaliation or threats)
- is vexatious (a complaint brought without merit, often to cause annoyance to another person)
- is oriented towards conflict or defamation
- is clearly and significantly outside the expectation of confidentiality, co-operation, courtesy and respect

The College discourages this type of conduct and may cease to deal with a complaint if this type of conduct occurs.



## **10. External Complaints and Redress**

The College acknowledges that complaints relating to the College can also be made to an external body, such as Independent Schools Victoria, the Victorian Registration & Qualifications Authority, or be the subject of legal action.

The College also acknowledges that external resources are available to assist in resolving a concern or complaint, including counselling, advocacy and professional wellbeing and support services. Where all parties to a complaint are interested in using external resources or services, the College will cooperate with that course of action.

However, the College encourages its community to raise any concerns and grievances, and work to resolve such matters in accordance with the procedures outlined in this policy.

## **11. Confidentiality**

Staff must ensure that students' needs and interests are not prejudiced when a concern or complaint is raised. For this reason, a concern or complaint may be kept confidential from staff and may not be entered on a student file while the complaint remains open.

At all other times, appropriate confidentiality will be maintained by the College when dealing with a concern or complaint, with information only being provided or sought from people directly impacted by the complaint, or who have a right to be heard to ensure procedural fairness.

## **12. Record Keeping**

The College will keep the following information on the relevant student or staff file:

- the written complaint or summary of the complaint
- a record of the complaints meeting
- a record of the resolution
- a record of the follow up meeting or email to the parents, if applicable.

## **13. Communication**

The policy is available and communicated to parents/carers, students and the College community via the College's website and student management system.

The policy is also referenced in the Staff Handbook and Student & Parent Handbook.

#### 14. Policy History

Version	Policy Owner	Approval Date	Summary of Changes
1	Principal	20/6/23	First Adopted