



## Complaints Handling Policy

<b>Purpose:</b>	The purpose of this policy is to ensure that student, parent and employee complaints and disputes are dealt with in a responsive, efficient, effective and fair way.	
<b>Scope:</b>	Students, parents and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.	
<b>Status:</b>	Approved 4/08/20	<b>Supersedes:</b> Complaints, Grievances and Disputes Procedure Issued: 2017
<b>Authorised by:</b>	Board Chair	<b>Date of Authorisation:</b> 04/08/20
<b>References:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Education (Accreditation of Non-State Schools) Regulations 2017</a></li> <li>• <a href="#">Australian Education Regulations 2013</a></li> <li>• <a href="#">Fair Work Act 2009</a></li> <li>• <a href="#">Work Health and Safety Act 2011 (Qld)</a></li> <li>• <a href="#">Privacy Act 1988 (Cth)</a></li> <li>• <a href="#">Anti-Discrimination Act 1991 (Qld)</a></li> <li>• <a href="#">Australian Human Rights Commission Act 1986 (Cth)</a></li> <li>• <a href="#">Sex Discrimination Act 1984 (Cth)</a></li> <li>• <a href="#">Age Discrimination Act 2004 (Cth)</a></li> <li>• <a href="#">Disability Discrimination Act 1992 (Cth)</a></li> <li>• <a href="#">Racial Discrimination Act 1975 (Cth)</a></li> </ul> <p>Choose those appropriate from list below</p> <ul style="list-style-type: none"> <li>• Discovery Christian College Work Health and Safety Policy</li> <li>• Discovery Christian College Privacy Policy</li> </ul>	
<b>Review Date:</b>	Annually	<b>Next Review Date:</b> February 2021
<b>Policy Owner:</b>	College Governing Body – Executive Management Committee  Chairperson	

## Policy Statement

Discovery Christian College is committed to ensuring that student, parent and employee complaints are dealt with in a responsive, efficient, and effective and fair way.

Discovery Christian College views complaints as part of an important feedback and accountability process.

Discovery Christian College acknowledges the right of students, parents and employees to complain when dissatisfied with an action, inaction or decision of the College and the College encourages constructive criticism and complaints.

Discovery Christian College recognises that time spent on handling complaints can be an investment in better service to students, parents and employees.

### Complaints that may be Resolved under this Policy

Discovery Christian College encourage students, parents and employees to lodge promptly any concerns regarding sexual harassment, child protection, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- the College, its employees or students having done something wrong
- the College, its employees or students having failed to do something they should have done
- the College, its employees or students having acted unfairly or impolitely
- issues of student or employee behaviour that are contrary to expectations
- issues related to learning programs, assessment and reporting of student learning
- issues related to communication with students or parents or between employees
- issues related to College fees and payments
- general administrative issues.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

### Issues Outside this Policy

The following matters are outside the scope of this policy and should be managed as follows:

- Child protection concerns or risks of harm to children should be dealt with in accordance with the law and the College's Child Protection Policy.
- Student discipline and bullying matters, including matters involving suspension or expulsion, should be dealt with under the Behaviour Management Policy.
- Employee complaints related to their employment should be directed to their supervisor.
- Student or employee violence or criminal matters should be directed to <<the Principal>> who will involve the Police as appropriate.
- Formal legal proceedings.

## Complaints Handling Principles

Discovery Christian College is committed to managing complaints according to the following principles:

- complaints will be resolved with as little formality and disruption as possible
- complaints will be taken seriously
- anonymous complaints will be treated on their merits complaints will be dealt with fairly and objectively and in a timely manner
- Discovery Christian College will determine the appropriate person to deal with the complaint in the first instance. Complaints should be resolved with as little formality and disputation as possible
- mediation, negotiation and informal resolution are optional alternatives
- procedural fairness will be ensured wherever practicable, including the right of interested parties to the complaint to be heard
- confidentiality and privacy will be maintained as much as possible
- all parties to the complaints will be appropriately supported
- Discovery Christian College will give reasonable progress updates
- appropriate remedies will be offered and implemented
- provide a review pathway for parties to the complaint if warranted
- complainants, respondents and people associated with them will not be victimised as a result of lodging the complaints and they will not suffer any other reprisals
- the College will keep records of complaints
- the College's insurer will be informed if a complaint could be connected to an insured risk.

## Responsibilities

### College

The College has the following role and responsibilities:

- develop, implement, promote and act in accordance with the College's Complaints Handling Policy and procedures
- appropriately communicate the College's Complaints Handling Policy and procedures to students, parents and employees
- ensure that the Complaints Handling procedures are readily accessible by staff, students and parents
- upon receipt of a complaint, manage the complaint in accordance with the process
- ensure that appropriate support is provided to all parties to a complaint
- take appropriate action to prevent victimisation or action in reprisal against the complainant, respondent or any person associated with them
- appropriately implement remedies
- appropriately train relevant employees
- keep records
- conduct a review/audit of the Complaints Register from time to time
- monitor and report to the governing body on complaints
- report to the College's insurer when that is relevant
- refer to the College's governing body immediately any claim for legal redress.

## **All Parties to a Dispute**

The complainant and respondent both have the following role and responsibilities:

- apply and comply with the College's Complaints Handling Policy
- lodge the complaint as soon as possible after the issue arises
- expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that confidentiality and privacy will be maintained as much as possible
- provide complete and factual information in a timely manner
- not provide deliberately false or misleading information
- not make frivolous or vexatious complaints
- act in good faith, and in a calm and courteous manner
- act in a non-threatening manner
- to be appropriately supported
- acknowledge that a common goal is to achieve an outcome acceptable to all parties
- recognise that all parties have rights and responsibilities which must be balanced
- maintain and respect the privacy and confidentiality of all parties
- not victimise or act in reprisal against any party to the dispute or any person associated with them.

## **Employees Receiving Complaints**

Employees receiving complaints have the following role and responsibilities:

- act in accordance with the College's Complaints Handling Policy and procedures
- inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required
- provide the complainant with information about any support or assistance available to assist them in lodging their complaint
- provide the complainant with a copy of the College's Complaints Handling Policy and procedures
- maintain confidentiality
- keep appropriate records
- to forward complaints to more senior employees, including the Principal, as appropriate
- not victimise or act in reprisal against the complainant, respondent or any person associated with them.

## **Implementation**

Discovery Christian College is committed to raising awareness of the process for resolving complaints at the College, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

Discovery Christian College is also committed to appropriately training relevant employees on how to resolve complaints in line with this policy and the related procedures.

Discovery Christian College will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the College Board on complaint handling at the College.

Discovery Christian College will act to encourage students, parents and employees to contribute to a healthy College culture where complaints are resolved with as little formality and disruption as possible.

### **Dispute Procedure**

1. The complainant is required to make the complaint in writing to the Principal.
  - In cases where the complaint is regarding the Principal, the relevant documentation is to be addressed to the Chairman of the Executive Management Committee, marked “Confidential – Formal Complaint”. All documentation is to be handed to College Administration, which will document the receipt of the complaint and forward it on.
2. The complaint and any other documentation are to be submitted to the Principal by the Complainant.
3. The Principal and another senior staff member (with, as necessary, external advice) will decide how best to manage the complaint. This may include:
  - Handling the complaint under a specific College Policy – if applicable
  - Mediation
  - Internal investigation by appropriate senior staff
  - Engaging an external person to investigate the complaint.
4. The Principal will meet the alleged Offender/Respondent to inform him/her of the complaint and all details and copies of documents.
  - The Principal will invite the Respondent to respond then and there, if he/she wishes or at a later time.
5. The Principal will inform both Complainant and Respondent of the Formal Complaint Management Plan decided upon, to address the complaint.
6. Both parties are invited to have support persons of their choice at all stages of the proceedings.
7. If mediation has been decided upon, an outside mediator or other mediator agreeable to both parties will be engaged.
  - The mediation will take place.
  - Both parties will be requested to support any outcome.
  - Both parties will be requested to sign on the outcome agreed upon.
  - The matter will be monitored at set intervals subsequently.
8. If the Principal decides the matter needs to be looked into internally, a senior staff member will be delegated as Complaint Case Manager for the complaint in question. •
  - Relevant members of staff will be interviewed.
  - The Complaint Case Manager will meet with College senior staff to give a summary of the matter.

- The Principal and College senior staff (at the discretion of the Principal) and external adviser will decide on the outcomes.
  - The Principal will put such outcomes in place.
9. If an investigation by an outside investigator is decided to be appropriate:
- The outside investigator will be engaged as the Complaint Case Manager
  - The investigator will attend the College to interview both parties and relevant witnesses as nominated by complainant, respondent and investigator.
10. Where a formal complaint has been lodged, the following type of evidence may be relevant, or required.
- Supporting evidence provided by a medical practitioner, counsellor, family member, friend or co-worker.
  - Supervisor's report and personnel records (e.g. sudden increase in sick leave).
  - Complaints or information provided by other employees about the behaviour of the alleged person causing the concern.
  - Records kept by the person who has the concern.
  - Whether the parties presented the evidence in a credible and consistent manner.
  - The absence of evidence where it should logically exist.
11. The investigator will provide a report of the investigation including recommendations to the Principal.
- The report is privileged to the Principal and Executive Management Committee.
12. The Principal will:
- Decide on the most appropriate outcomes in view of the report and recommendations
  - Inform the Complainant and the Respondent of the outcomes
  - Put in place any outcomes of the investigation. These may include disciplinary outcomes for staff and students.

Outcomes may include any combination of the following:

- Counselling
- Disciplinary action against the person complained about (e.g. demotion, suspension, probation or dismissal)
- Official warnings that are noted on the personnel file
- Disciplinary action against the person who complained if there is strong evidence that the complaint was vexatious or malicious
- Formal apologies
- Reimbursing any costs associated with the issue of concern.

Outcomes decided upon will depend on factors such as:

- The severity and frequency of the issue causing concern
- The weight of the evidence
- The wishes of the person who is making the complaint

- Whether the person causing the problem could have been expected to know that such behaviour was a breach of policy/unprofessional conduct
- The level of contrition
- Whether there have been any prior incidents or warnings.

NB: There may be times when a complainant does not want to continue with any process or investigation. If the issues raised are such that the health and wellbeing of staff or students is being adversely affected, the College reserves the right to instigate an investigation, irrespective of the wishes of the complainant or other parties.