
COMPLAINTS HANDLING POLICY & PROCEDURE

PURPOSE

The purpose of this policy is to ensure that student, parent/carer, and employee complaints are dealt with in a responsive, efficient, effective and fair way.

SCOPE

Students, parents/carer, and current employees. In this policy, a reference to employee/s includes full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at the College.

POLICY STATEMENT

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

Hillcrest Christian College views complaints as part of an important feedback and accountability process, and an opportunity to strive to improve as part of the Hillcrest commitment to Excellence in Christ.

Hillcrest Christian College acknowledges the right of students, parents/carers and employees to make a complaint when dissatisfied with an action, inaction or decision of the school and the school encourages constructive criticism and complaints.

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

REFERENCES

Education (Accreditation of Non-State Schools) Regulations 2017
Australian Education Regulations 2013
Fair Work Act 2009
Work Health and Safety Act 2011 (Qld)
Privacy Act 1988 (Cth)
Anti-Discrimination Act 1991 (Qld)
Australian Human Rights Commission Act 1986 (Cth)
Sex Discrimination Act 1984 (Cth)
Age Discrimination Act 2004 (Cth)
Disability Discrimination Act 1992 (Cth)
Racial Discrimination Act 1975 (Cth)
Hillcrest Christian College Enterprise Bargaining Agreement
Hillcrest Christian College Work Health and Safety Policy, B209
Hillcrest Christian College Anti-Discrimination Policy, B217
Hillcrest Christian College Harassment - Sexual Policy, B207
Hillcrest Christian College Disability Discrimination Policy, B216
Hillcrest Christian College Harassment - Workplace Bullying Policy, B208
Hillcrest Christian College Privacy Policy, B210

Types of complaints that may be Resolved under this Policy

Hillcrest Christian College encourage students, parents/carers, and employees to promptly lodge concerns regarding sexual harassment, discrimination, workplace bullying, privacy breaches and non-compliance with child protection processes as well as more general complaints that include areas such as:

- the school, its employees or students, have done something wrong
- the school, its employees or students, have failed to do something that they should have done
- the school, its employees, or students have acted unfairly or impolitely
- issues of student, or employee behaviour that are contrary to their relevant code of conduct
- learning programs, assessment and reporting of student learning
- Communication with students or parents /carers or between employees
- School fees and payments
- General administrative issues

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

Types of complaints outside of this Policy

The following matters are outside of 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 Hillcrest Christian College Child Protection Policy, B104 (with the exception being a complaint about a failure to comply with the Child Protection Policy).
- Student bullying complaints should be dealt with under the Hillcrest Christian College - Harassment - Student Bullying Policy, B209 or Positive Behaviour Management Policy.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Discipline Policy
- Student, parents/carer or employee violence or criminal matters should be directed to the Executive Head of College who will involve the Police as appropriate

DEFINITIONS

Complainant: any person who has a grievance. This may include any current employee, parent/carer or student

Grievance: any concern or complaint about any act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified or inappropriate

Dispute Resolution Policy: the procedure and objectives set out in this document

Dispute Resolution Procedure: the procedure defined in this dispute resolution policy

Respondent: any person against whom a grievance is brought

College Board: means governing body of the College

The College: Hillcrest Christian College

CONFIDENTIALITY

- The College is committed to maintaining confidentiality in respect of all complaints, at all steps in the process of their dispute resolution subject to requirements of natural justice and governance requirements.
- Only the College and persons directly involved in a grievance will have access to information the subject of the grievance. It is expected that parties involved will discuss the matter only with their support persons or the other parties involved in the grievance. Where possible, the College recommends that support persons are not other employees of the College so as to maintain confidentiality. Support persons are required to agree to maintain confidentiality, and if they refuse to do so, may be excluded from involvement. In such cases, the party will be entitled to choose another support person who is agreeable to maintaining confidentiality.
- Complainants and respondents ordinarily must not publicise the grievance or the progress of its resolution unless authorised by the School Board. The School considers any breach of confidentiality a serious issue that may warrant disciplinary action including termination of employment. By way of example (and without limitation), upon being made aware of a complaint, a Respondent must not disclose to persons other than their support person or professional advisers the nature of the complaint, the identity of the complainant, nor the progress of the resolution unless authorised by the Board.
- Any documents created or dealt with during the course of the complaints procedure will be marked "confidential" and stored in a secure electronic location accessible only by College HR staff and those who have a role to play in considering and responding to any complaint. These documents may only be accessed by the parties involved in the grievance or by the College if authorised to do so. Unauthorised access may warrant disciplinary action including termination of employment.
- Although the College is committed to maintaining the confidentiality of all complaints to the extent possible, the College may disclose confidential information for the purposes of obtaining advice, ensuring natural justice, or for the purposes of protecting a person from harm or complying with a legal obligation. In these circumstances, the College will always prioritise the safety and wellbeing of the students, staff and wider community.
- The College may disclose information to the extent it is required to comply with law.
- The College may also disclose information to Board Members about complaints for the purposes of ensuring appropriate governance.

TIME LIMIT

The College will try to resolve all grievances as quickly as possible. However, the timeframe for resolution of a grievance will depend on the complexity, nature and scope of the grievance. For matters that are not complex, the College will aim to resolve matters within a calendar month of receipt where possible.

COMPLAINT HANDLING PRINCIPLES

The College is committed to managing complaints according to the following principles:

- complaints will be resolved promptly with as little formality and disruption as possible
- complaints ordinarily ought to be made promptly, and unless lodged within 6 months of the complaint arising, may be dismissed unless the Executive Head of College or Board Chair determines it would be inappropriate to do so

- complaints will be taken seriously
- complaints are sometimes the result of conflict – we are called to seek to live peacefully with all men where possible¹ and this policy seeks to restore peace to those involved in a complaint where possible
- where possible and appropriate, complaints ought to be handled in a manner which accords with the principles set out in Matthew 18, and all parties are encouraged to act in a manner which seeks to restore damaged relationships where possible and appropriate
- anonymous complaints will be treated on their merits, however if, without the identity of the complainant or further information a respondent can not be afforded procedural fairness, the complaint must be dismissed
- complaints will be dealt with fairly and objectively and in a timely manner – where possible, complaints will be finalised within 30 days. Where there are unavoidable delays, these should be communicated to both the Complainant and Respondent.
- Hillcrest 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 options that will be considered as options to resolve a complaint 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
- steps will be taken where possible to ensure that all parties to the complaints have appropriate pastoral support and care in place through the process
- Hillcrest Christian College will give reasonable progress updates
- appropriate remedies will be offered and implemented
- there is a review pathway for parties dissatisfied with the manner in which the complaint has been dealt with by the Executive 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 school will keep records of complaints
- the school's insurer may be informed if a complaint could be connected to an insured risk.

RESPONSIBILITIES

The College

The College has the following role and responsibilities:

- Develop, implement, promote and act in accordance with the school's Complaints Handling Policy and Procedures
- Ensure that the College's Complaints Handling Policy and procedures is available on the College website (via the parent portal) to students, and parents/carers, and to employees (via the Staff Portal)
- Upon receipt of a complaint, manage the complaint in accordance with the Complaints Handling procedures

¹ Romans 12:18
Complaints Policy and Procedure

- Ensure that appropriate support is provided to all parties to a complaint
- Take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them
- Appropriately implement remedies
- Appropriately train relevant employees annually
- Keep appropriate records
- Monitor and report on complaints to the governing body
- Report to the school's insurer when that is relevant
- Refer to the school's governing body immediately any claim for legal redress
- Consider and implement changes that might be warranted in light of complaints to further the College's pursuit of Excellence in Christ.

All Parties to a Complaint

The complainant and respondent have the following role and responsibilities:

- apply and comply with the school's Complaints Handling Policy and procedures
- lodge the complaint as soon as possible after the issue arises
- 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.

All parties may expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness; and that confidentiality and privacy will be maintained as much as possible

Employees Receiving Complaints

Employees receiving complaints have the following role and responsibilities:

- act in accordance with the school'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 school's Complaints Handling Policy and procedures
- maintain confidentiality

- keep appropriate records
- to forward complaints to more senior employees, including the Executive Head of College, as appropriate
- not victimise or act in reprisal (or allow or encourage another person to do so) against the complainant, respondent or any person associated with them.

IMPLEMENTATION

Hillcrest 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.

Hillcrest Christian College is also committed to appropriately training relevant employees (especially senior staff and Executive) on how to resolve complaints in line with this policy and the related procedures.

Hillcrest 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.

Hillcrest 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.

COMPLAINTS PROCEDURE

Person(s) with a complaint concerning the manner that the College conducts its responsibilities have access to the following procedure:

Informal Complaint

Step 1: The initial stage of any informal complaint shall be for the complainant to communicate directly with the operational representative of the College, e.g. the teacher, who will endeavour to resolve the matter.

It should be noted that should the complainant(s) not feel comfortable approaching the person they have the complaint against, then the complainant(s) shall be able to raise the complaint with the most relevant member of the College Leadership team.

Step 2: The complainant(s) dissatisfied with the outcome of the complaint as outlined in Step 1, may then forward their complaint to the relevant member of the Executive team (that is, if the complaint is about something occurring in the Junior School, to the Head of Junior School and so on). The relevant member of the Executive Team must:

1. inform the Executive Head of College or their nominee that they have received an informal complaint;
2. endeavour to resolve the issue; and
3. Advise the complainant, respondent, and Executive Head of College of the outcome of the complaint.

The Executive Head of College or their nominee must record the complaint in the College Complaints register. To be clear, complaints resolved directly with the staff member under Step 1 would not, ordinarily, be recorded in the Complaints Register.

Step 3: Person(s) dissatisfied with the outcome of the complaint outlined in Step 2, may initiate a ‘formal complaint.’

Formal Complaint

- Formal complaints may be made in writing to an Executive member including the Executive Head of College.
- Formal complaints about the Executive Head of College may be made in writing to the Board Chair.
- The complaint and its outcome shall be recorded in writing and include the name and contact details for the complainant (ideally a phone number and email address at a minimum). If the complainant requires assistance to do so, the Executive member will assist the complainant by recording the complaint in writing.
- On receipt of a formal complaint the Executive member shall, as soon as possible, provide the written complaint to the Executive Head of College or their nominee.
- The Executive Head of College (or their nominee) shall:
 - Write to the complainant confirming receipt of the complaint and advising the complainant who they can contact in respect of the complaint – this should happen within 3 business days of receiving the complaint;
 - Confirm with the complainant that they want the matter to be investigated/considered, and to that end, are willing for the complaint to be disclosed, in full, to the respondent and to those persons tasked to investigate/consider the complaint;
 - Ensure that the complainant has a copy of the Complaint Policy and Procedure;
 - Ascertain whether there is further information/evidence that will need to be gathered/preserved (for example, security footage, documentation, etc) for consideration and take any necessary steps to preserve the evidence that may be available;
 - Consider any notifications that need to be made or steps required to be taken to ensure the safety and wellbeing of any person affected;
 - Consider what steps should be taken to address the complaint, including obtaining advice where appropriate.

Ordinarily, the Executive Head of College or their nominee is required to consider which of the following options to resolve the complaint are appropriate (without limitation):

- Meeting with the complainant personally to hear and assess the complaint before taking further steps (noting that the decision may be not to progress any further steps. For example, where a staff member has taken steps that they are legislatively required it might not be appropriate to hear a complaint about that staff member taking those steps);
- Appointing a person to investigate the complaint, including communicating with the complainant, potential witnesses, the respondent and preparing a report as to the outcome of the complaint and any recommendations;
- Seeking to arrange a mediation between the complainant and the respondent where appropriate;
- Convening an independent panel of at least 2 people (there being no requirement that these people be employees or associated with the College if it would be more appropriate

to have one or more external persons on the panel) to hear the complaint and determine the appropriate manner of resolving it.

The Executive Head of College or nominee shall then progress the appropriate option to seek to resolve the complaint as soon as possible.

If a panel is to be convened, then:

- The complainant shall be given an opportunity to provide all relevant information about the complaint to the panel and may be accompanied by one other person as support person.
- The panel may receive or request information from third parties in their discretion
- The respondent must be provided with a summary of:
 - The name of the complainant;
 - The nature of the complaint/s made by the complainant; and
 - All relevant evidence that has been provided.
- The Respondent must be given sufficient time to consider the summary provided by the panel before they provide any response to the panel that they wish to provide. If the Respondent needs more than a summary of relevant matters in order to respond, they are at liberty to seek additional information from the panel.
- The complaint panel is at liberty to seek counsel from the College's lawyers or other consultants such as ISQ or CSA where they consider it is necessary or desirable to do so;
- The panel shall determine the outcome of the complaint as soon as reasonably practicable, and shall keep the complainant and the respondent updated as to the likely time it will take for the matter to be resolved
- The complaint committee will communicate its decision on the complaint to all parties in writing within 5 working days of making its decision.
- The Executive Head of College or their nominee shall record the complaint outcome in the complaints register.
- Copies of the Complaints register shall be available to the Board if requested by the Board (noting that requests of an individual Board Member to view the complaints register would not be made without the consent of the Board as a whole)
- Copies of the Complaints register for the period since the last Board report will be included in Board Reports of the Executive Head of College;
- The College shall maintain a Complaints Register which includes brief information as to:
 - Date complaint received;
 - Nature of the Complaint;
 - Date of Resolution of the Complaint; and
 - Outcome of the Complaint
- At the conclusion of determination of a complaint, the Executive Head of College or nominee shall send to the complainant and respondent correspondence outlining the outcome of the complaint. Such correspondence may not include specific details as to steps taken where that would be a breach of obligations owed to another person (such as privacy obligations).

- Where a complaint is made about the Executive Head of College, such complaint must be forwarded to the Board Chair. The complaint is to be dealt with in accordance with this policy, except that the words “Board Chair” replaces references to “Executive Head of College.”
- For clarity, complaints that are received by the Board Chair in respect of purely operational matters (for example, a decision made by the Executive Head of College about a discretionary pay decision) are not required to be actioned or provided to the full Board, and the Board Chair may take such action as they see fit.
- Complaints that would ordinarily be disclosed to the full Board by the Board Chair in respect of the Executive Head of College would be complaints (other than complaints that appear to be vexatious or frivolous, or are unsupported by reasonable evidence) that relate to, for example:
 - Breaches of Code of Conduct, Bullying or Harassment policies;
 - Breaches of professional obligations or duties;
 - Breaches of legal obligations; or
 - Conduct that appears to have the character of a very serious impropriety.
- Should the complainant not be satisfied with the process applied to responding to any formal complaint determined by the Executive Head of College or a Panel convened in the College, the complainant may seek to appeal by forwarding a complaint to the Board Chair. The Board Chair’s decision is final.

Policy Owner | College Board