

# Complaints and Grievances Policy and Procedures

## 1. PURPOSE

Kingswood College is committed to providing students with an education of the highest possible quality. However, from time to time, students, parents, guardians and carers (“parents”), teachers or others may raise concerns, complaints or grievances about matters or issues relating to their experiences at the school.

This document sets out the internal procedures that apply within the school for addressing complaints and grievances. These procedures are designed to ensure that throughout the school there is a transparent process for ensuring complaints and grievances are dealt with fairly, consistently and promptly.

This policy does not address complaints relating to staff employment matters. The relevant awards provide information on the management of such issues.

## 2. SCOPE

This policy applies to the whole College Community (including staff, students and parents).

## 3. KEY RESPONSIBILITIES

Position/Roles	Responsibilities
Council	<ul style="list-style-type: none"> <li>• Ensure appropriate policy and procedures exist to deal with concerns and complaints.</li> <li>• Deal with complaints related to the actions or decisions of the Principal.</li> </ul>
Executive Team	<ul style="list-style-type: none"> <li>• Ensure that the College conducts proper and transparent grievance processes to investigate and resolve any such complaints.</li> <li>• Ensure this policy is easily accessible, by publishing it on Compass and on the College website.</li> </ul>
Staff	<ul style="list-style-type: none"> <li>• Adhere to this policy and procedure to ensure consistent and fair treatment of all concerns and complaints.</li> </ul>
Parents and Students	<ul style="list-style-type: none"> <li>• Raise a concern or complaint directly with the person involved in an attempt to resolve the matter initially informally.</li> <li>• Raise any unresolved issues following the procedures detailed in this policy.</li> </ul>

## **4. KEY ELEMENTS OF THE POLICY**

### **4.1 Definitions**

A 'concern' is an issue of interest (because of its importance and effect) which is raised informally in order to improve or change a situation.

A 'complaint' is an expression of grievance or resentment where the complainant is seeking redress or justice.

### **4.2 Principles**

This policy and our procedure for managing complaints is intended to be clear, and understood by children and young people, families, staff and volunteers, in accordance with the Child Safe Standards, and particularly Standard 7.

As a College, we take the concerns of students and families seriously, and we will seek to understand the concerns presented. To fulfil this intention, we will:

- focus on the best outcomes for children and young people
- consider the needs of the College community as a whole
- train our staff in respectfully managing complaints
- listen to and empower our students, in an age-appropriate way
- investigate complaints promptly and thoroughly
- communicate respectfully regarding the processes we will put in place, and the outcomes of any investigation
- support vulnerable students and families, including by being culturally sensitive. **Y**

The complaints procedure will be committed to ensuring confidentiality and privacy of information, and will:

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to understand and use
- be impartial
- be non-adversarial
- be managed within established time-limits for action
- keep people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- treat all complaints with sensitivity
- provide information to the school's senior management team so that services can be improved
- ensure that no person is victimised as a result of raising a complaint
- offer support and assistance to the complainant where appropriate.

Concerns and complaints are welcomed and can assist the College to review and improve its processes.

Where complaints are elevated to the Principal, the Principal will keep a log of those complaints, and provide a summary of the complaints to the College Council via the Principal Review Committee (see Section 5).

Where the complaints are about the Principal, another member of the College Executive will be responsible for listening to the complaint, and will offer the contact details of an appropriate member of the College Council to the complainant.

Where the complaint or concern relates to a breach of our staff, volunteer and contractor '*Code of Conduct*', or is in relation to Child Safety or protecting children from child abuse or neglect, the College will follow the procedures outlined in our document '*Responding to Concerns of Child Abuse, Neglect, or Safety, and the Child Safety Officers' Role*'. We will report appropriately to, and cooperate fully with, external authorities including Victoria Police, the Department of Families, Fairness and Housing (particularly Child Protection), The Orange Door, and the CCYP. Reports to authorities and cooperation with authorities may occur, even when not required by law.

Documentation will be comprehensive and be stored as prescribed by our '*Records Management Policy*'. Where the concern relates to risks for children, including family violence risks, we will communicate with other Information Sharing Entities (ISEs) in accordance with the Victorian Child Information Sharing Scheme and the Family Violence Information Sharing Scheme.

Where the complaint is in relation to bullying or student behaviour, the College will follow the procedures outlined in our document '*Behaviour Management Policy*'. A log of bullying complaints is kept by the Principal.

Privacy principles and employment law obligations will be observed when complaints and grievances are received and investigated.

### **4.3 Raising Concerns or Complaints**

All members of the College community (including students, parents and staff) are entitled to voice concerns or make a complaint in order to ensure a safe, harmonious and effective learning environment is maintained.

Most concerns or complaints are raised informally with members of the College staff in the first instance, and often the concern or complaint can be managed by the staff member. Staff are encouraged to offer apologies where such an approach will restore a positive learning environment.

Where the concern relates to the safety or wellbeing of a child, the concern needs to be immediately escalated to one of the College's Child Safety Officers. Note that escalating the concern does not remove the legal obligation of all adults to report child abuse as per the Crimes Act 1958 (Vic) to Police, or under Mandatory Reporting requirements to Child Protection or any other legal or legislated reporting requirement.

Where the concern relates to a breach of the College *Code of Conduct*, the concern needs to be immediately escalated to the College Principal.

Many concerns and complaints cannot be resolved immediately. Staff are trained to listen to the concern and complaint, and offer to make further inquiries so that they can subsequently respond. This will typically involve conversations with the Deputy Head in Junior School, or a Year Level Coordinator in the Middle and Senior Schools. More serious concerns will be discussed with Heads of Schools.

Other than for Child Safety matters, or breaches of the *Code of Conduct*, most matters will ideally be managed informally. Taking informal concerns seriously at the earliest stage, responding promptly, and communicating respectfully and thoroughly will reduce the number of matters that develop into formal complaints. The requirement to have a formal complaints procedure need not undermine efforts to resolve the concern informally.

## **Formal Procedures**

Formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The school has nominated members of staff to have responsibility for the operation and management of the school complaints procedure, beginning with the Year Level Coordinator or Head of School and moving to the Principal (see section 4.6 below).

## **4.4 Responding to and Investigating Complaints**

As stated previously, where the complaint or concern relates to a breach of our staff, volunteer and contractor '*Code of Conduct*', or is in relation to Child Safety or protecting children from child abuse or neglect, the College will follow the procedures outlined in our document '*Responding to Concerns of Child Abuse, Neglect, or Safety, and the Child Safety Officers' Role*'.

For other matters, at each stage, the person responding to or investigating the complaint should:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview.

## **4.5 Resolving Complaints**

At each stage in the procedure it is important to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues. Based on the issue, the designated person shall take immediate and appropriate corrective action.

Every effort shall be made to provide appropriate support to all relevant parties. This support may include the provision of information about counselling or mediation. Depending on the circumstances, this may be offered at any stage of the process, including where the matter remains unresolved.

Disciplinary action may be warranted and implemented, depending on the findings of the investigation. Any such action would be in accordance with the student *Behaviour Management Policy*, the staff *Enterprise Agreement*, or the *Parent Code of Conduct*.

#### **4.6 The Stages of Complaints**

Stage 1: Informal concerns heard by Class/Subject teacher

Stage 2: Complaint heard by Year Level Coordinator (or in Junior School, the Deputy Head)

Stage 3: Complaint heard by Head of School

Stage 4: Complaint heard by Deputy Principal

Stage 5: Complaint heard by Principal

In some rare cases it may not be possible to resolve the complaint to the satisfaction of the complainant using these procedures. In such a case complainants should discuss the options for further action with the Principal. Options may include review by the Chair of the College Council. The Chair will review the processes undertaken and policies applied with whatever parties are deemed appropriate to ensure that these policies and procedures have been appropriately applied. Should any of these requirements not be evident, the Chair may, at its sole discretion, investigate the facts and require the Principal to revisit the case.

If the matter still remains unresolved, then the individuals concerned or the College Council may refer the matter to the relevant body, such as Victorian Registration and Qualifications Authority (VRQA), Victorian Institute of Teaching, Consumer Affairs Victoria, or Human Rights Commission.

#### **4.7 Timeframes**

Complaints will be considered, and resolved, as quickly and efficiently as possible. To be effective, staff members will need to set realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant given details of the new deadline and an explanation for the delay.

Realistic timeframes would include:

- A maximum of 3 working days (72 hours) to acknowledge a written complaint (via email or letter). This acknowledgement would normally include some indication of the next steps and reasonable time frames related thereto.

### **5. MONITORING AND RECORD KEEPING**

When the complaint is made verbally and is simple and easily resolved in a telephone call, a brief note made by the staff member recording details of the issue and the resolution of the issue may be all that is required.

The Principal will ensure a record is maintained of all written complaints / the response / outcome in a secure location within the school.

Depending on the nature of the complaint and the outcome of any investigation, a record may be kept on a student file, and/or on a staff file.

The Principal and College Council, as appropriate to their roles, will monitor concerns and complaints and consider issues raised through the complaints process. The Principal and College Council, as appropriate to their roles, will review its information about complaints made over time to identify common or recurring issues that may need addressing and assess the effectiveness of these and other procedures and whether they are being followed.

The College Council will review its policy and procedures to effectively address concerns and complaints as part of its cyclic policy and procedures review schedule.

## **6. RELATED POLICIES**

- Child Safe Policy
- Responding to Concerns of Child Abuse, Neglect, or Safety, and the Child Safety Officers' Role
- Behaviour Management Policy
- Parent Code of Conduct
- Privacy Policy
- Respectful and Safe School Policy and Guidelines
- Code of Conduct
- Whistleblower Policy
- Records Management Policy

## **7. REFERENCES**

- Ministerial Order No. 1359 (Child Safe Standards)
- Victorian Registration & Qualifications Authority – *Guidelines to the Minimum Standards and Requirements for School Registration* (from 1 July 2022).
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Education and Care Services National Law Act 2010: Section 174(2)(b)
- Education and Care Services National Regulations 2011: Regulations 168(2)(o) and 176(2)(b)
- Information Privacy Act 2000 (Vic)
- National Quality Standard, Quality Area 7: Governance and Leadership
- Privacy Act 1988 (Cth)
- Privacy Regulation 2013 (Cth)