




COMPLAINTS HANDLING POLICY

Purpose:	The purpose of this Policy is to ensure that student, parent and employee complaints are dealt with in a responsive, efficient, effective and fair way.		
Scope:	This Policy is to be adhered to by all stakeholders which include all staff, directors, managers, workers, parents, students, volunteers, contractors, suppliers and visitors at the College.		
References and Legislation:	<ul style="list-style-type: none"> • <i>Age Discrimination Act 2004 (Cth)</i> • <i>Anti-Discrimination Act 1991 (Qld)</i> • <i>Australian Human Rights Commission Act 1986 (Cth)</i> • <i>Disability Discrimination Act 1992 (Cth)</i> • <i>Fair Work Act 2009</i> • <i>Human Rights Act 2019 (Qld)</i> • <i>Information Privacy Act 2009 (Qld)</i> • <i>Privacy Act 1988 (Cth)</i> • <i>Sex Discrimination Act 1984 (Cth)</i> • <i>Racial Discrimination Act 1975 (Cth)</i> • <i>Work Health and Safety Act 2011 (Qld)</i> • <i>Australian Education Regulations 2013</i> • <i>Education (Accreditation of Non-State Schools) Regulation 2017</i> • <i>Qld Government Information Security Procedure</i> • <i>Qld Government Excluded Complaints Fact Sheet</i> • <i>Qld Government's Managing Unreasonable Complainant Conduct Procedure</i> 		
Ormiston College Related Documents:	<ul style="list-style-type: none"> • Anti-Bullying Policy • Anti-Discrimination Policy • Child Protection Policy • Disability Discrimination Policy • Privacy Policy • Sexual Harassment Policy • Staff Code of Conduct Policy • Student Behaviour Management Strategy • Student Expectations and Behaviour Code • Workplace Agreement • Workplace Health and Safety Policy 		
Policy Owner:	College Governing Body	Version:	V151223
Status:	Approved	Supersedes:	V120321
To be reviewed:	Every 2 years	Next Review Date:	December 2025
Authorised by:	BRETT WEBSTER	Date of Authorisation:	23/01/2024
Signature:			

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POLICY STATEMENT

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

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

Ormiston 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.

Ormiston 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

Ormiston College encourages students, parents and employees to promptly lodge 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 have done something wrong.
- the College, its employees or students have failed to do something that they should have done.
- the College, its employees or students have acted unfairly or impolitely.
- issues of student or employee behaviour that are contrary to the Ormiston College Code of Conduct
- 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 school fees and payments.
- general administrative issues.

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

Issues 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 College's Child Protection Policy.
- Student bullying complaints should be dealt with under the Expectations and Behaviour Code for Ormiston College Students.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Ormiston College Student Behaviour Management Strategy.
- Employee complaints related to their employment should be directed to their supervisor.
- Student or employee violence or criminal matters should be directed to the Headmaster who will involve the Police as appropriate.
- Formal legal proceedings.

Complaints Handling Principles

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

- complaints will be resolved with as little formality, disruption and disputation as possible.
- complaints will be taken seriously.
- anonymous complaints will be treated on their merits when possible.
- Ormiston College will determine the appropriate person to deal with the complaint in the first instance.
- mediation, negotiation, and informal resolution are optional alternatives.
- procedural fairness will be ensured wherever practicable, including the right of interested parties to the complainant to be heard.
- confidentiality and privacy will be maintained as much as possible.
- all parties to the complaint will be appropriately supported.
- all parties are entitled to reasonable progress updates.
- appropriate remedies will be offered and implemented.
- a review mechanism will be offered if warranted.
- complainants, respondents, and people associated with them will not be victimised as a result of lodging the complaint, nor will they suffer any other reprisals.
- the College will keep confidential records of complaints.
- the College's insurer will be informed if a complaint could be connected to an insured risk.

College Responsibilities

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 Complaints Handling Procedures.
- 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
- 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 Complaint

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

- apply and comply with the College's Complaints Handling Policy and Procedures.
- lodge the complaint as soon as possible after the issue occurs.
- 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 Headmaster, as appropriate.
- to be appropriately supported.
- not victimise or act in reprisal against the complainant, respondent or any person associated with them.

IMPLEMENTATION

Ormiston 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.

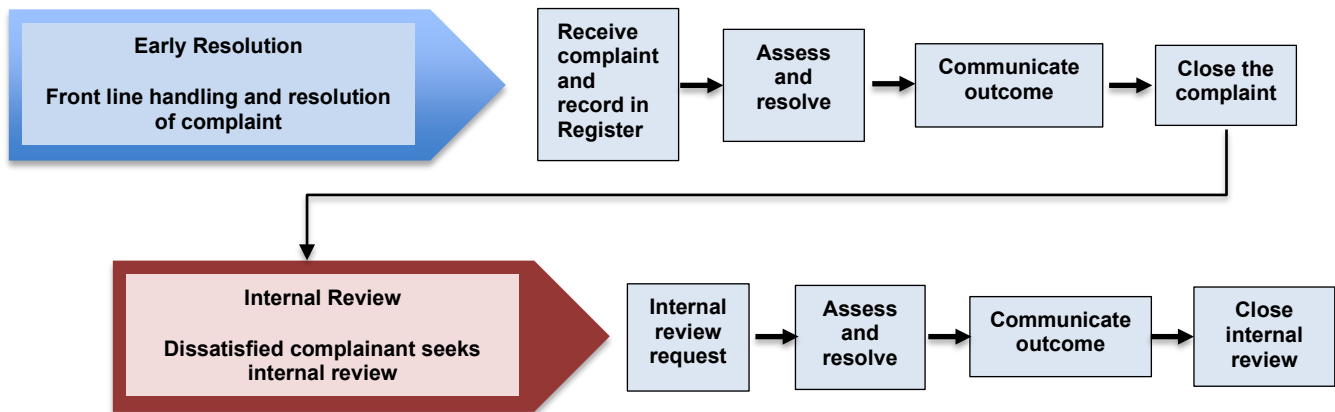
Ormiston College is also committed to appropriately training relevant employees (especially senior staff) on how to resolve complaints in line with this Policy and the related Procedures.

Ormiston College will keep appropriate records of complaints, will monitor complaints and their resolution, and will report on a high-level basis to the College's governing body on complaint handling at the College.

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



COMPLAINTS HANDLING PROCEDURE



EARLY RESOLUTION

Receive Complaint and Record in Register

- The complainant will raise an issue with the College, either in writing, over the phone, or in person.
- The designated Senior Executive member who will handle the complaint must decide if the issue is a customer complaint.
 - It will be a customer complaint if the complainant is dissatisfied with the service or action of the College or its staff, the complainant is directly affected by the service or action, and some outcome is sought.
 - It will not be a customer complaint if the customer is:
 - requesting more information
 - requesting a change in services or requesting a new service
 - making a suggestion for improving the College's services
 - expressing a concern about a situation
 - providing feedback on the College's performance
 - not directly affected by the decision or action of the College
 - providing information (for example, reporting an incident).
- If the issue is a customer complaint, the designated Senior Executive must record the customer complaint in the Register. Protected information must not be entered into the Register.

- Refer to the Qld Government Information Security Procedure for information security classifications.
<https://www.forgov.qld.gov.au/information-and-communication-technology/qgea-policies-standards-and-guidelines/information-security-policy-is18-2018>
- If the issue is not a customer complaint, it must still be actioned, but it will either be dealt with as standard correspondence or under one of the approaches in the Qld Government Excluded Complaints Fact Sheet.
<https://ppr.qed.qld.gov.au/attachment/excluded-complaints-factsheet.pdf>
- The designated Senior Executive must provide acknowledgement to the complainant that their customer complaint has been received. Acknowledgement can be provided in writing or verbally.
- The designated Senior Executive should consider if any health, safety, wellbeing or resourcing issues are raised by the complaint or the complainant's conduct, and if they are concerned, they should escalate to the Headmaster to determine any action to take.

Assess and Resolve

- The designated Senior Executive should consider if the customer complaint is frivolous or vexatious.
 - If not frivolous or vexatious, proceed to assess and resolve the complaint.
 - If the complaint is frivolous or vexatious, the designated Senior Executive should advise the complainant that the complaint will not be examined. This must be recorded in the Register or College's records management system. The remainder of this procedure does not need to be followed and the complaint is closed.
- The designated Senior Executive must also decide if the complaint engages or limits human rights contained in Part 2 of the Human Rights Act 2019 (Qld) by considering the following questions:
 - Are any human rights engaged or impacted by the decision or action complained about?
 - If so, did the decision or action being complained about limit those human rights?
 - If so, was the limitation lawful, justified and reasonable in the circumstances?
 - The Guide: Customer Complaints Management and Human Rights provides more information about assessing if a complaint engages human rights.
 - The designated Senior Executive must document their assessment and decision-making process for human rights complaints. The early resolution outcome report template (DoE employees only) can be used for this purpose.
- Customer complaints should be assessed and resolved at the point of receipt, where possible. The designated Senior Executive should assess the customer complaint and determine the best way to resolve it by:
 - identifying each complaint issue
 - identifying relevant benchmarks, standards or criteria to assess the complaint against (for example, legislation, policies, or procedures)
 - gathering relevant information or documentation, including from the complainant.
- The complainant should be contacted by the designated Senior Executive if additional information is required to confirm the complaint issues or the outcome sought, or to provide information about the customer complaints management process, such as timeframes and complainant responsibilities.

- Subject to the complexity and nature of the customer complaint and when the complaint is received (for example, in school holidays), the designated Senior Executive should aim to resolve the customer complaint within the following framework timeframes:
 - simple complaint: up to 20 days
 - complaints requiring some inquiry: up to 45 days
 - complaints requiring investigation and referral: up to 90 days, or longer in some cases
 - complaints involving human rights issues: up to 45 business days.
- The designated Senior Executive should keep the complainant informed of any changes or emergent issues that impact the resolution of their customer complaint.
- Options for resolving the customer complaint that may apply include:
 - providing an explanation to the complainant about the decision, action, etc. and reasons if not previously provided
 - dismissing the customer complaint (for example, if the decision complies with legislation, or policies or procedures)
 - concluding that the customer complaint has been substantially resolved
 - reaching a compromise solution
 - upholding the customer complaint and implementing specific action, such as overturning a decision, giving an apology, or providing a service not previously provided
 - addressing or referring the issue for system improvement.
- The designated Senior Executive must record appropriate notes in the Register throughout the assessment and resolution phase.
- Procedural fairness must be afforded to a person who is the subject of the customer complaint and the complainant.

Communicate Outcome

- The designated Senior Executive must advise the complainant of the outcome of the assessment and resolution process. This should include:
 - a clear explanation of the final decision
 - any recommendations
 - any review options available to the complainant, including internal review.
- The designated Senior Executive must ensure they keep appropriate records about the information provided to the complainant. This should be stored in the register.

Close the Complaint

- The designated Senior Executive will close the complaint and record information in the register about the complaint outcome and any further activities that need to occur.
- If further activities are recommended, the designated Senior Executive is responsible for implementing and monitoring the recommended action or referring the matter to the responsible area for attention.

Internal Review

- If the complainant is dissatisfied with the outcome of their customer complaint and/or the way the customer complaint was handled by the College, the complainant can request an internal review. This request should be submitted within 28 days of receiving the complaint outcome.

Definitions

Complainant	<p>A person, organisation or their representative/advocate making a customer complaint.</p> <p>A complainant is a 'customer' for the purposes of the customer complaints management framework if they are directly affected by the issue they are complaining about (e.g. a student complaining about something that has happened to them at school), or they are an authorised representative of someone who has been directly affected (e.g. a parent complaining on behalf of their child).</p>
Complaint category	<p>Categories used to report on customer complaints at the organisational level:</p> <ul style="list-style-type: none"> • health and safety • staff and volunteers • services • policy and procedure • assets, infrastructure and information technology • procurement, fees and charges • third parties • privacy • other.
Designated Senior Executive	<p>A designated Senior Executive is a College employee who is involved in managing customer complaints. The management of a customer complaint may involve one or more designated Senior Executives.</p>
Complaints requiring further action	<p>A reporting status applied when the complaint is closed. This is used in College reporting. Customer complaints will require further action if the complaint:</p> <ul style="list-style-type: none"> • is subject to internal review • has resulted in changes to College policies, procedures or practices. •
Complaints requiring no further action	<p>A reporting status applied when the complaint is closed. This is used in College reporting. Customer complaints require no further action if the College has resolved/finalised the complaint at the point of service and there is no request for further action by the complainant or others (for example, Queensland Ombudsman or Queensland Human Rights Commission).</p>
Complaints requiring investigation and referral	<p>A customer complaint that is complex or involves serious issues of complaint. It may require specialist advice or support to resolve. It should be possible to resolve within 90 days, but may take longer subject to complexity.</p>
Complaints requiring some inquiry	<p>A customer complaint that involves multiple issues of complaint or a complicated situation (for example, historical issues, factual disputes, multiple parties). It should be possible to resolve within 45 days.</p>

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Customer complaint	<p>A customer complaint is defined as a complaint about the service or action of the College, or its staff, by a person who is apparently directly affected by the service or action.</p> <p>Examples may include complaints about:</p> <ul style="list-style-type: none"> • a decision made, or failure to make a decision • an act, or failure to act • the formulation of a proposal or intention by the College • the making of a recommendation by the College • the customer service provided by a College employee.
Days	Depending on the nature of the complaint and the area managing the complaint, customer complaints will be managed within either working days (i.e. business days) or school days (i.e. days during the school term).
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly to or about the College, its products, services, staff or its handling of a complaint. Feedback is not a customer complaint.
Frivolous complaint	A frivolous complaint is one that is trivial or meritless in nature and does not justify the resources that would be required to action it.
Human rights complaint	<p>A complainant can make a human rights complaint if the College has:</p> <ul style="list-style-type: none"> • acted or made a decision in a way that is not compatible with human rights; or • failed to give proper consideration to a relevant human right when making a decision.
Internal review	A process conducted by appropriately trained College staff on request from the complainant which examines if the complaint management process for the original customer complaint was appropriate and/or if the outcome reached was reasonable. An internal review is not a re-investigation of the original customer complaint.
Internal review officer	<p>An Internal Review Officer is a College employee who conducts an internal review. The officer must be:</p> <ul style="list-style-type: none"> • independent from the original customer complaint; and • in a position equal to, or higher than, the original decision-maker and authorised to make internal review decisions, including recommendations, or be nominated by someone with this authority. <p>Internal Review Officers will be regional or divisional staff. An internal review may involve more than one internal review officer.</p>
Privacy complaint	A complaint by an individual about an act or practice of an agency in relation to the individual's personal information that is a breach of the agency's obligation under the Information Privacy Act 2009 (Qld) to comply with the privacy principles or an approval under section 157 of the Act.

Procedural fairness	Providing any party who may be affected by a customer complaint with a fair hearing and a reasonable opportunity to respond to any claims. Procedural fairness is also known as natural justice.
Protected information	Very sensitive and confidential information, where unauthorised and/or premature disclosure might cause damage to one or more parties.
Register	A tool used to capture and record customer complaints data, including information about the complainant, their complaint, how the College has resolved the matter, and any reviews undertaken.
Reporting status	An assessment of the customer complaint completed at the point of resolution which identifies if the complaint requires no further action or requires further action.
Request for service	An application for a service related to an interest or a concern made directly or indirectly, explicitly or implicitly to or about the College, its products, services, staff or its handling of a complaint. A request for service is not a complaint.
Resolution	A customer complaint is resolved when the issue raised is dealt with in line with the College's customer complaints management approach. The resolution may or may not be to the complainant's satisfaction.
Simple complaint	A customer complaint that involves an uncomplicated matter or only one complaint issue. It should be possible to resolve within 20 days and will require no or limited inquiry to address.
System improvement	System improvement may involve one or more of the following: <ul style="list-style-type: none"> • referral for consideration of legislative or policy change • policy or program development, review or revision • process improvement (i.e. changes to procedures and workplace practices) • expert assistance, staff development or performance improvement • improved implementation (for example, issuing updated documentation or reminders) • monitoring compliance • other action to ensure that the matter is handled appropriately in future.

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<p>Unreasonable complainant conduct</p>	<p>Conduct is likely to be unreasonable where it involves actions or behaviours which because of the nature or frequency, raises substantial health, safety, wellbeing, resource or equity issues for the College, its staff, other service users or the complainant themselves. Examples include:</p> <ul style="list-style-type: none"> • unrelenting contact (e.g. excessive and unnecessary phone calls or emails) • demanding conduct (e.g. demanding more reviews than College procedures allow, or demanding a different outcome without showing the original decision was incorrect) • unreasonable lack of cooperation (e.g. refusing to identify the issue of complaint or providing disorganised information) • unreasonable arguments (e.g. making irrational claims) • unreasonable behaviour (e.g. aggression or violence to staff, or threatening harm to self and others). <p>The QLD Government's Managing Unreasonable Complainant Conduct Procedure provides more information. https://ppr.qed.qld.gov.au/pp/customer-complaints-management-managing-unreasonable-complainant-conduct-procedure</p>
<p>Vexatious complaint</p>	<p>A vexatious complaint is a complaint that is not brought in good faith, and is instead designed to harass, annoy, or create a resource burden for the College.</p>