

SAC COMPLAINTS AND GRIEVANCES POLICY

1. Policy statement

Sholem Aleichem College welcomes feedback from all members of the College community and takes all complaints or concerns that may be raised seriously. Sholem Aleichem College:

- Recognises the rights of its students, employees, parents and guardians to register a complaint or grievance about any decision, behaviour, act or omission that they feel is unfair, discriminatory or unjustified.
- Provides an environment of mutual trust and open communication where the expression of opinions is encouraged.
- Considers situations from all perspectives and responds in a manner that promotes an environment conducive to collaborative problem solving.
- Enables the resolution, where possible, of complaints to be of mutual satisfaction for those involved.
- Promotes fairness and equity in dealing with disputes, complaints and complainants.
- Ensures compliance with all legislative and statutory requirements.
- Assures the confidentiality, where practicable, of the information provided by any person involved with a complaint.

2. Statement of Commitment to Child Safety

Sholem Aleichem College is committed to ensuring a child safe environment exists throughout our College. The safety, wellbeing and rights of all children attending the College are paramount. Sholem Aleichem College's commitment to creating a safe environment for all students who attend the College is endorsed at the highest level by the College Council and the Principal. For more information please refer to our Child Protection Policy.

3. Background/ Sources

Sholem Aleichem College is committed to handling complaints effectively and efficiently. To manage complaints effectively, we have established a Complaints Handling Policy and Procedure in line with:

- Principle 6 of the National Principles for Child Safe Organisations, using the Office of Child Safety's "Complaints Handling Guide: Upholding the Rights of Children and Young People"
- the international complaints handling standard (ISO 10002:2018 Quality management – Customer satisfaction – Guidelines for complaints handling in organizations), and
- the Australian/New Zealand complaints handling standard (AS/NZS 10002:2014 Guidelines for complaint management in organisations
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011

- Information Privacy Act 2000 (Vic)
- National Quality Standard, Quality Area 7: Governance and Leadership
- Privacy Act 1988 (Cth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)
- Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth)
- Privacy and Data Protection Act 2014 (Vic)
- Privacy Regulations 2013(Cth)

Please note that complaints concerning the unacceptable behaviour of a specific child/ren may also be handled under the resolution procedures set out in the *Student Behaviour Management Policy and Code of Conduct Policies* if deemed appropriate. All complaints, under any policy, need to be assessed as to whether they are a general or a notifiable complaint.

4. Aim

This Complaints and Grievances Policy is designed to assist staff, students, volunteers and members of the community understand how to make a complaint. This policy will provide guidelines for:

- Receiving and dealing with complaints.
- Compliance with legislative requirements.
- Investigating complaints.
- Attempting to resolve the complaint to the mutual satisfaction of those involved in a respectful, professional and collaborative manner.

This policy does not apply to complaints alleging criminal or unlawful behaviour, which shall be referred to the appropriate authorities.

5. Scope

This policy applies to all staff, students, volunteers, contractors, Council members and families or any member of the community who may come into contact with Sholem Aleichem College.

6. Related policies and documents

College:

- SAC Privacy Policy
- SAC Diversity and Inclusion Policy
- SAC Child Protection Policy and Code of Conduct
- SAC Staff Code of Conduct
- SAC Parent/ Guardian and Volunteer Code of Conduct
- SAC Student Code of Conduct
- SAC Student Behaviour Management Policy and Procedures
- SAC Prevention and Response to Bullying
- SAC Compliance and Risk Management Policy

ELC:

- SAC Child Safe Environment and Wellbeing Policy
- SAC Governance & Management of the Service Policy
- SAC Incident, Injury, Trauma and Illness Policy
- SAC Inclusion and Equity Policy
- SAC Interactions with Children Policy
- SAC Privacy and Confidentiality Policy
- SAC Staffing Policy
- SAC Staff Grievance and Dispute Resolutions Policy
- SAC Supervision of Children Policy

7. Definition

What is a complaint?

A complaint is an expression of dissatisfaction made to Sholem Aleichem College, related to our services or operations, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.

Complaints about child abuse, grooming or other harm, or other breaches of our Child Safe Codes of Conduct, relating to conduct by:

- current or former staff members
- current or former students
- other people on College premises or at College events are managed differently to other complaints

refer to our Child Protection Policy, section on Complaints About Child Safety Incidents or Concerns At or Involving the College or its Staff Members.

8. Key roles and responsibilities

The students/parents/guardians/staff are responsible for:

- As soon as practicable communicating any concerns relating to the College:
 - In the first instance, preferably and in most instances, raising any concerns directly with the person/persons involved in order to resolve the concerns without recourse to the complaints procedure
 - Raising the concerns with a staff member
 - Raising any concerns with the Assistant Principal after discussion with staff member involved.
 - If resolution is still not achieved, then the complaint needs to be raised with the Principal.

The staff are responsible for:

- Where possible/practicable responding to and resolving issues as they arise
- As soon as practicable, referring unresolved issues to the Assistant Principal or Principal.
- Informing the Principal as soon as practicable if a complainant has been referred to them.
- Informing the Principal as soon as possible after a complaint is received, regardless of whether the staff member believes the complaint to be true or not.
- Recording and reporting major complaints to Principal as soon as practicable. Major complaints include but are not limited to situations impacting somebody's health and wellbeing or their ability to participate or perform in schooling or work

9. Policy Implementation

Dealing with minor complaints from students:

Children learn best in a caring, friendly and safe environment. At Sholem Aleichem College, the Peer Mediation Program assists with the development of positive relationships, conflict resolution and open communication between the whole school community.

It aims to enable students to advance their skills in communication, problem solving and conflict

resolution, improve the social and learning environment while decreasing hostility, violence and anti- social behaviour.

If students have a minor complaint, they are encouraged to:

- Seek out the Student Peer Mediators, who wear orange vests to be visible to both students and teachers in the yard.
- Student Peer Mediators will act as neutral persons who lead the mediation process. They help the disputants to communicate and try to reach an agreement.
- Peer Mediation is a voluntary program. Not all playground conflicts will be resolved through Peer Mediation. More serious conflicts will be dealt with by the yard duty teacher.
- Teachers may direct minor matters to Peer Mediators.
- The School Captains will organise a timetable for the Student Peer Mediators including a regular meeting time to discuss problems, complete new rosters and plan goals for the future.
- The Student Peer Mediators will be encouraged to promote the Peer Mediation program via displays, school newsletter articles, reporting at assembly etc.
- Teachers should discuss Peer Mediation or Conflict Resolution in class.
- Teachers will receive Peer Mediation Agreement forms from the peer mediators at the end of recess and lunch. These identify students involved in disputes and discussions with Peer Mediators. If possible, teachers should have a short discussion with disputant letting them know how proud they are that the student(s) has/have tried to resolve conflict with the help of Peer Mediators.
- Teachers should keep a record of these Peer Mediation Agreement forms.

Evaluation:

- Direct observation by supervising teachers.
- Survey Student Peer Mediators.
- Survey the students.

Raising major and minor concerns or complaints from students/parents/guardians/staff:

A complaint is any verbal or written grievance from parents/guardians, staff or person involved with the College. The nature of the complaint will determine the appropriate policy or mechanism to deal with it.

Complaints, including general and notifiable complaints that relate to the operation of the College, including the delivery of the program, would be dealt with under this complaints policy. A notifiable complaint is when it alleges a breach to the Act or Regulations, or that the health, safety and wellbeing of a child or member of staff may have been compromised.

It is good practice to keep a record of major and minor complaints received. These can be recorded and kept in a secure file. The entries should include details of information received and how the issue was resolved. This ongoing record can provide valuable information when reviewing work practices as common minor complaints can help identify ways we can better meet the needs of children and families.

In the first instance, a complaint should be made to the school by telephone, in person or in writing to:

- the student's class teacher or specialist teacher about learning issues and incidents that happened in their class or group
- the Assistant Principal about issues relating to staff members or complex student issues
- the Principal about issues relating to school policy, school management, staff members or

very complex student issues.

Confidentiality

Confidentiality applies to both information relating to the person making the complaint, and, if relevant, to a person against whom a complaint is made. The College is committed to maintaining the confidentiality of information throughout the complaints process.

Personally identifiable information about a complainant will only be used for the purpose of addressing the complaint and (unless the complainant consents) will be actively protected from disclosure.

Procedure for all complaints

Step 1: Receiving the complaint

- Informing the complainant of the College Complaints and Grievances Policy.
- Receiving the complaint and encouraging the complainant to submit their complaint in writing in order to make the terms or basis of any complaint as clear as possible.
- Complying with the *Privacy Policy* in regard to all meetings, discussions or negotiations in relation to a complaint.

Step 2: Informal resolution of the complaint

- Where appropriate, complainant is encouraged to first raise the matter directly with the relevant staff member. If the staff member has been unable to resolve a matter informally, or simply wishes to make a formal complaint they can do so by any of the following means:
 - Sending an email to the Principal at principal@sholem.vic.edu.au
 - Sending an email to the HR Manager at sachr@sholem.vic.edu.au
 - A meeting will be held with the HR Manager and/or Principal in attempt to resolve the matter.

If not resolved, the Assistant Principal, Director of ELC or Principal will organise a meeting as soon as possible

Step 3: Assessment of the complaint

Meeting with the Principal or Assistant Principal or Director of ELC – general and notifiable complaints

- Meeting with the Principal to deal with the complaint as soon as possible.
- This meeting may include the College Psychologist or another staff member/advocate.
- Considering the nature and the details of the complaint.
- The Principal will inform the staff member if their involvement is required. For example, where a complaint involves an incident with a child and a staff member, it may require the involvement of other staff members (refer also to Child Protection Policy for notifiable incidents).
- If required, invite the complainant to meet with the Principal to discuss the complaint and to provide additional information where relevant.
- If a meeting is not required, the Principal is to inform the complainant of the procedure for dealing with the complaint. Time, date and details of this conversation are to be recorded
- Maintaining appropriate records of the information and data collected. This includes minutes of meetings and copies of relevant documentation relating to the complaint. This is to be

provided to the Assistant Principal or Director of ELC if it relates to a student and the HR Manager if it relates to a staff member.

- Respecting the confidential nature of information relating to the complaint. The Principal and anyone involved in the complaints process will handle any complaint in a discrete and professional manner. Personally identifiable information about a complainant will only be made available for the purpose of addressing the complaint and (unless the complainant consents) will be actively protected from disclosure.

Step 4: Investigating the complaint and gathering relevant information

- Appointing who will serve as the investigator/s.
- Ensuring any conflict of interest is disclosed by the investigator/s.
- Considering the nature and details of the complaint.
- Identifying which policies (if any) the complaint involves.
- Meeting with individual witnesses to any alleged incident, giving right of reply to the person or persons against whom the allegations are made in relation to any accusation or information relating to an alleged incident.
- offer the complainant the opportunity of meeting with the investigator/s to discuss the complaint and provide additional information where relevant
- document the time, date and detail of meetings/discussions, and follow this up with a letter to the complainant outlining the information discussed
- Reviewing relevant information and documents.
- Obtaining any other relevant information or documentation that will assist in trying to resolve the complaint.
- Maintaining appropriate records of the information and data collected, including minutes of meetings, incident reports and copies of relevant documentation relating to the complaint
- Respecting the confidential nature of information relating to the complaint. The Principal, their delegate and the investigator/s must handle any complaint in a discreet and professional manner
- Storing all written information relating to the complaint securely and in compliance with the College *Privacy Policy*.
- Seeking advice, where appropriate, from individuals and organisations that may be able to help resolve the complaint. (Any cost in seeking advice would require prior approval by the Principal).

Step 5: Resolving the complaint

- General complaints: Endeavouring to resolve the complaint by mutual agreement of the parties involved. Reporting outcomes and, where required, setting out the terms of any recommendations to be considered by the Principal. Confidentiality of complainants will be maintained and the *Privacy Policy* will be complied with.
- Referring the complaint to the Principal in the event that the complaint has not been resolved to the satisfaction of the parties involved, or particular decisions require Principal approval.

Step 6: Further Involvement of the Principal

- Providing a report to the Principal, including relevant information gained in investigations and consultations relating to the complaint.
- The Principal reviews the report and any recommendations and makes a decision on the action, if any, to be taken, including relevant review mechanisms.

Step 7: Reporting back and follow-up

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
- The investigator/s will meet with the Principal to discuss the information gathered and determine further action, including recommendations. The investigator/s will ensure that any recommendations or actions are in accordance with relevant legislation and funding requirements including, but not limited to:
 - The Kindergarten Guide report outcomes that may include relevant information gained in investigations and consultations to the Principal and, where required, provide any recommendations for consideration by the Principal
- Advising the complainant and other relevant parties, of any decisions the Principal has made relating to the complaint. Where appropriate, the Principal will set in place relevant review mechanisms and/or procedures to monitor progress.
- Principal and staff to provide feedback and decisions in writing. If the response is accepted, the complaint will be closed.
- Recording complaints (including minor complaints) and providing a report to the Principal, or vice versa, on the number and nature of any complaints received. Confidentiality will be maintained at all times. If the initial response is not acceptable the matter will be reviewed internally by the Principal or the Principal's delegate, who may seek additional information or submissions from the relevant parties.
- The Principal or their delegate seek to resolve all disputes within 14 days from the date that the review process is initiated. The matter will be closed if the response of the Principal, or their delegate, is accepted.
- The complaint will be recorded in the College Complaints Register.

Step 8. External resolution alternatives

- If the matter remains unresolved and/or the complainant is not satisfied with the outcome or the way the complaint has been managed, the complainant may pursue external resolution alternatives.
- External agencies to which complaints may be made include the Victorian Regulations and Qualifications Authority (VRQA) (vrqa.vic.gov.au) and the Victorian Ombudsman (ombudsman.vic.gov.au). For general information on mediation, counselling, advocacy and support, refer to the Dispute Settlement Centre of Victoria (disputes.vic.gov.au).

Notifiable Complaints

A notifiable complaint is a complaint alleging that a serious incident has occurred while the child is educated and cared for or complaints alleging that the Law has been contravened ([National Law: Section 174\(2\)\(b\)](#)). Any complaint of this nature relating to the Early Learning Centre must be reported by the Principal or their delegate to the Department of Education (DE) within 24 hours of the complaint being made.

The Principal or their delegate must notify DE within the specified timeframes below ([National Law: Section 174\(2\)\(b\)](#), [National Regulation 176\(2\)\(b\)](#))

- serious incidents in writing within 24 hours of the incident or the time the person becomes aware of the incident
- any circumstance arising at the service that poses a risk to the health, safety or wellbeing of a child or children attending the service - Within 7 days of the relevant event or within 7 days of the Principal becoming aware of the relevant information
- any incident where the Principal reasonably believes that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the service - Within 7 days of the relevant event or within 7 days of the approved provider becoming aware of the relevant information.
- any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the service.

In addition, the Principal must take reasonable steps to ensure that these incidents and complaints are adequately addressed.

The written report to DE needs to be submitted using the appropriate forms from ACECQA and will include:

- details of the event or incident
- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
- contact details of a nominated member of the Complaints Subcommittee/investigator
- any other relevant information

If the Principal is unsure if the complaint is a notifiable complaint, it is good practice to contact DE for confirmation.

Notifications should be made to the regulatory authority (DE) through the NQA IT System. If this is not practicable, the notification can be made initially in whatever way is best in the circumstances.

If the complaint is a notifiable complaint, the Principal or their delegate should inform the complainant of the requirements to notify the DE of the complaint and explain the role that DE may take in investigating the complaint

Complaints about the Principal

Grievances or Complaints involving the Principal will be brought to the attention of the College Council in email or letter form via the HR Manager at sachr@sholem.vic.edu.au or 11 Sinclair Street, Elsternwick VIC 3185.

Conducting Investigations Involving Children and Young People

- Complaints affecting children are properly investigated and their rights are safeguarded throughout the investigation process.
- A specific plan is developed for involving a child in the investigation, and adjusted as necessary throughout the investigation. Plan makes clear how child safety and wellbeing will be prioritised.
- Where possible, one person should be identified to be responsible for liaising with the child or young person throughout the entire process. This person may or may not be the investigator, but it should be someone appropriate and trusted by the child.
- Regardless of whether or not an external investigator is appointed, the College will be involved in key aspects of the investigation process, such as making final determinations, risk management, communicating with stakeholders and supporting the child or young person.
- Always consider obtaining a version of events from the affected child. Also consider whether there is the potential for an interview to have any adverse impact. The child's parents, carer or guardian should be consulted unless there are good reasons not to do so.
- Build and maintain rapport with children during the interview; encourage them to provide an explanation of what happened in their words.
- Decide what actions should be taken following the investigation.

Evaluation

In order to assess whether the policy has achieved the values and purposes, the Principal will:

- Monitor complaints received, assess and evaluate any risks and whether a satisfactory resolution has been achieved.
- If appropriate, conduct a survey in relation to this policy or incorporate relevant questions within the general student/parents/guardians survey.
- Take into consideration feedback on the policy from students, staff, parents/guardians and the Principal.

10. Review date

Policy reviewed and endorsed: February 2026
Next review February 2028.

ATTACHMENT 1. SAMPLE TERMS OF REFERENCE FOR A COMPLAINTS INVESTIGATOR

DATE ESTABLISHED: [Date]

PURPOSE

[Choose one that is appropriate]

An investigator/s has been appointed by the Principal of Sholem Aleichem College to investigate and resolve a complaint lodged with Sholem Aleichem College

NOMINATED INVESTIGATOR/S

_____ has been nominated by the Principal as the investigator/s for the complaint.

TIME PERIOD NOMINATED

The investigator/s shall be appointed for [insert time frame e.g., one year].

MEETING REQUIREMENTS

The investigator/s is responsible for organising meetings as soon as is practicable after receiving a complaint.

DECISION-MAKING AUTHORITY

The investigator/s is required to fulfil only those tasks and functions as outlined in these terms of reference.

The Principal may decide to alter the decision-making authority of the investigator/s at any time.

BUDGET ALLOCATION

All expenditure to be incurred by the investigator/s must be approved by the Principal. A request in writing must be submitted by the investigator/s.

REPORTING REQUIREMENTS OF THE COMMITTEE

- The investigator/s is/are required to keep minutes of all meetings held. These are to be kept in a secure file.
- The person who received the complaint is required to present a written report to the approved provider about the complaint, ensuring that privacy and confidentiality are maintained according to the service's *Privacy Policy*.

TASKS AND FUNCTIONS OF THE INVESTIGATOR/S

- Responding to complaints in a timely manner
- Investigating all complaints received in a discreet and responsible manner
- Acting fairly and equitably, and maintaining confidentiality at all times
- Informing the Principal if a complaint is assessed as notifiable
- Keeping the Principal informed about complaints that have been received and the outcomes of investigations
- Providing the Principal with recommendations for action
- Ensuring decisions are based on the evidence that has been gathered
- Reviewing the terms of reference of the investigator/s at commencement and on completion of their term. Suggestions for alterations are to be presented to and approved by the Principal.

