



## Complaint 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	<b>Supersedes:</b> Parent Formal Complaint Policy Issued: 27/2/17 Staff Grievance Policy Issued: 20/7/14
<b>Authorised by:</b>	Executive	<b>Date of Authorisation:</b> 05/02/2018
<b>References:</b>	<ul style="list-style-type: none"> <li>• <a href="#"><i>Education (Accreditation of Non-State Colleges) Regulations 2017</i></a></li> <li>• <a href="#"><i>Australian Education Regulations 2013</i></a></li> <li>• <a href="#"><i>Fair Work Act 2009</i></a></li> <li>• <a href="#"><i>Work Health and Safety Act 2011 (Old)</i></a></li> <li>• <a href="#"><i>Privacy Act 1988 (Cth)</i></a></li> <li>• <a href="#"><i>Anti-Discrimination Act 1991 (Old)</i></a></li> <li>• <a href="#"><i>Australian Human Rights Commission Act 1986 (Cth)</i></a></li> <li>• <a href="#"><i>Sex Discrimination Act 1984 (Cth)</i></a></li> <li>• <a href="#"><i>Age Discrimination Act 2004 (Cth)</i></a></li> <li>• <a href="#"><i>Disability Discrimination Act 1992 (Cth)</i></a></li> <li>• <a href="#"><i>Racial Discrimination Act 1975 (Cth)</i></a></li> <li>• Redlands College Position Statement on the Integration of Faith, Practice &amp; Vocation</li> <li>• Redlands College Enterprise Bargaining Agreement</li> <li>• Redlands College Work Health and Safety Policy</li> <li>• Redlands College Privacy Policy</li> <li>• Redlands College Sexual Harassment Policy</li> </ul>	
<b>Review Date:</b>	Annually	<b>Next Review Date:</b> Feb/2019
<b>Policy Owner:</b>	Executive	

## **Policy Statement**

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

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

Redlands 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.

Redlands 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**

Redlands College encourage students, parents and employees to lodge promptly any concerns regarding sexual harassment, 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**

Redlands 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
- Redlands 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 complaint to be heard
- confidentiality and privacy will be maintained as much as possible
- all parties to the complaints will be appropriately supported
- Redlands 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 Complaint Handling Policy
- appropriately communicate the College's Complaint Handling Policy to students, parents and employees
- 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
- 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 Complaint 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 Complaint Handling Policy
- 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
- 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**

- (a) A complainant is required to make the complaint in writing.
- (b) The recipient of the complaint can be a member of staff, a member of the College Executive or the Principal.
- (c) The complaint should be resolved wherever possible by the staff member with immediate responsibility for the issue, with as little disruption and formality as possible.
- (d) Where the complaint is unresolved at the immediate level of responsibility, it may escalate through the College's organisational structure.
- (e) At each level of responsibility, it should be the primary goal to resolve the complaint with as little disruption or formality as possible.

- (f) When the complaint is unresolved at the Executive level, it then becomes a formal complaint to be dealt with by the Principal.
- (g) The formal complaint must be particularised to enable the alleged offenders to respond.
- (h) The complaint and any other documentation must be received by the Principal either directly from the complainant or through the College Executive.
- (i) The Principal will decide how best to manage the complaint. This may include:
  - i. handling the complaint under a specific College policy - if applicable;
  - ii. conciliation or mediation;
  - iii. commencing an internal investigation
- (j) The person managing a complaint (who may be the Principal or their delegate named the Complaint Manager) will meet the alleged offender/respondent promptly to inform him/her of the complaint and provide him/her with the written allegation and any other relevant documentation.
  - i. The respondent will be invited to respond then and there, if he/she wishes and at a later time when and if particularised allegation emerge.
  - ii. Both Complainant and respondent will be informed of the process decided upon to address the complaint.
  - iii. The respondent will also be given the opportunity and time to respond in writing by a stated time and date.
- (k) Both parties are encouraged to have support persons of their choice at all stages of the proceedings. Support persons are there to support the person, not to act as the person's advocate.
- (l) If conciliation or mediation is supported by both parties then a mediator, accepted as suitable by the parties, will be appointed. The following steps follow:
  - i. the mediation will take place;
  - ii. both parties will be requested to support and sign on the agreed outcome if any; and
  - iii. the matter will be monitored at set intervals subsequently.
- (m) If the parties do not agree that mediation is suitable then the matter needs to be investigated. This investigation will be overseen by the Principal, but may be delegated to a Complaints Manager.
  - i. relevant members of staff will be interviewed by the Complaints Manager;
  - ii. the Complaints Manager will meet with the Principal to give a summary of the written report;
  - iii. the Principal will decide on the outcomes and consequences;
  - iv. the Principal will put such consequences in place; and
  - v. names and statements made may not be shared with the parties.

## Evidence

Where a formal complaint has been lodged, the following type of evidence may be relevant, or required:

- (a) supporting evidence provided by a medical practitioner, counsellor, family member, friend or co-worker;
- (b) supervisor's report and personnel records;
- (c) complaints or information provided by other employees about the behaviour of the alleged person causing concern;
- (d) whether the evidence was presented by the parties in a credible and consistent manner; and or
- (e) the absence of evidence where it should logically exist.

## Outcomes/Consequences

The Principal will put in place any outcomes necessarily arising out of the investigation. These may include disciplinary outcomes for staff and students.

- a) Outcomes may include any combination of the following:
  - i. Counselling;
  - ii. disciplinary action against the person complained about (eg. demotion, suspension, probation or dismissal);
  - iii. official warnings that are noted on the personnel file;
  - iv. a finding that the complaint was vexatious or malicious;
  - v. formal apologies; and/or
  - vi. reimbursing any costs associated with the issue of concern.
- b) Outcomes decided upon will depend on factors such as:
  - i. the severity and frequency of the issue causing concern;
  - ii. the weight of the evidence;
  - iii. the wishes of the person who is making the complaint;
  - iv. whether the person causing the problem could have been expected to know that such behaviour was a breach of policy/professional conduct;
  - v. the level of contrition;
  - vi. whether there has been any prior incidents or warnings; and
  - vii. whether or not there are legislative obligations.
- c) Disciplinary outcomes will apply to anyone who brings a complaint which is considered vexatious or without any basis.
- d) The decision of the Principal marks the end of the Formal Complaint Process offered by the College.
- e) Where the Principal is the subject of the complaint, the complainant must inform a member of the school's governing body via [boardchair@redlands.qld.edu.au](mailto:boardchair@redlands.qld.edu.au). The complaint will be dealt with by a member of the College Board. The decision of the College Board marks the end of the Formal Complaint Process offered by the College.

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.