

Complaints Management Policy

Rationale

Children learn best when they are in a healthy, happy and safe community. Australian Christian College (ACC) aims to maintain a community where parents, students, staff and community members have respectful, selfless relationships. From time to time areas of concern or complaints may be raised and are viewed by ACC as opportunities to listen, to review and respond. The college is open to receiving concerns and complaints with the view to improving the education services provided and protecting the wellbeing of our students, staff and families. ACC is committed to handling complaints sensitively, professionally and confidentially.

Policy Statement

Australian Christian College sets high expectations for the behaviour and relationships of members of the community. At all times, the safety and well-being of the child/young person is the priority. ACC staff are responsible to maintain respectful, caring and professional conduct in their interactions. Staff, students, parents and community members have the right to express a complaint of allegation where they are concerned or unhappy regarding the conduct of another member of the community. Children are afforded additional interest and time to express their complaint, and staff are required to note and mitigate any disadvantage a child might have in expressing a complaint.

Principles

3.1 This policy should be interpreted and implemented with reference to the full suite of ACC policies, procedures and practices.

3.2 Bullying complaints or concerns will be handled as outlined in the Behaviour Management Policy and/or the Bullying and Harassment Policy.

3.3 Matters to do with physical, sexual, neglect or emotional abuse are to be referred to the Child Protection & Mandatory Reporting Policy. The procedure for reporting alleged abuse within the school is found in this policy.

3.4 General complaints will follow the Complaints Management Procedures. Complaints will be received and recorded, assessed, resolved, communicated to the complainant, closed by the recipient or escalated for further investigation with all parties able to participate and be considered.

3.5 Complaints may be made by a student, parent, staff member or member of the community. A staff member hearing a student complaint is required to be aware of the power imbalance in a meeting between an adult and child/young person. They may seek to help mitigate this imbalance by (for example) asking if the students would like to have a friend or adult with them. Child friendly/student appropriate communication is to be employed in any meeting between the student and staff member.

3.6 Complaints will be recorded including the issues, evidence, process and action that has

been taken as a result of the complaint.

3.7 The College reserves the right to appoint an independent, external conciliator, moderator, or arbitrator if it feels this is required.

3.8 The College has a duty to act fairly including; allowing all parties to be heard, timely handling of the complaint and to investigate and make decisions around a Complaint without bias or the perception of bias.

3.9 If the complaint is about the Principal, the Complaint is to be addressed to the Chairman of the Board.

Associated Policies and documents

- 1.1.** Child Protection and Mandatory Reporting Policy
- 1.2.** Behaviour Management and Discipline Policy
 - 1.2.1. Suspension
 - 1.2.2. Expulsion
 - 1.2.3. Bullying and Harassment Policy
 - 1.2.4. Community Code of Conduct
- 1.3.** Complaints Management Procedures
 - Staff Handbook and Code of Conduct
 - Student Handbook and Code of Conduct
 - Parent Handbook and Code of Conduct

Policy Administration

- 5.1. Version
 - 2.1 July 2018
- 5.2. Author
 - ACC Policy Working Group
- 5.3. Date Approved
 - 27th November 2018
- 5.4. Legislative Framework/Requirements
 - Appropriate State Legislation
 - ISO 1002-2014 (International Standard)
- 5.5. Scope
- 5.6. **Delegations/Responsibilities**
 - ACC Board
 - College Principal to ensure training and management of staff and volunteers
- 5.7. **Planned Review**
 - 2019

Complaints Management Procedures

1. Complaint made by a staff member, child or college community member

A complaint is made to an ACC staff member. A complaint may be communicated by many means, including:

email darlingdowns@acc.edu.au,
letter 10 Ninth Road, Hilbert, WA, 6112,
in person (at the school Administration or by phone 9395 1500).

Wherever possible, a copy of the ACC Complaints form [ACC Complaint Form](#) should be filled in and emailed to darlingdowns@acc.edu.au

Minor concerns should be managed by the person receiving the information e.g. staff member involved. A staff member receiving a complaint is deemed trustworthy by the complainant to receive their complaint and should be the person to initiate and resolve the complaint where possible and all parties are satisfied with the outcome. A note should be made of the interaction in the SIS and a clear resolution of the issue communicated to the child or person making the complaint.

2. Receive, Record, Communicate

Once a formal complaint is received it will be acknowledged as a complaint and the complainant encouraged to complete the official ACC Complaint Form; a response will be communicated to the complainant. During the Receive and Record phase, the complainant will be provided with a clear understanding of the ACC complaints handling process. Treatment of all communication during this process is to be confidential to enable a fair and just response to the complaint.

The person or persons about whom the complaint is made, will be notified, including the main points of the complaint unless there is a risk to the health and safety of the child(ren) as a victim; the knowledge or information of a complaint is unlawful; or the investigation becomes a matter for the police.

The process of a complaint through the Complaints Handling Procedure is tracked in the Complaints Register in Sentral. The staff member involved will track the complaint through Well-Being Module - Incidents - Data Record - 'Complaint' tag and the recordings made will enable the detection of any patterns of potential grooming that may emerge over time. As the complaints move through Accessing, Resolving, Communicating outcome, escalating any stage should be recorded in the SIS in order for the College to identify stages of a complaint and all complaints made to the College.

3. Assess, Investigate

An investigation into the complaint will be triggered with formal and confidential notes, including dates, person(s) interviewed (including the complainant). The Investigator is not to be the final arbitrator to resolve the complaint and should not intervene with counselling,

instruction or discipline. Their role is to investigate; to listen, record and ask factual questions, and to provide a full and frank report on the complaint. This may require taking initiative e.g. interviewing an additional person; researching and documenting social media communication.

4. Resolve, Recommend, Communicate

The investigation will be resolved by the appropriate senior manager who may request additional clarification and factual questions of the report in order to resolve whether the complaint is upheld, or not upheld, and why.

The Arbiter (person resolving the complaint and making the final determination) will ensure that the outcome of the complaint is communicated to both parties. As a guide, resolution of complaints should take up to **5 working days**; if a longer period of time is required, the College will notify the complainant of the extended time frame.

If the complaint is resolved to both parties satisfaction, the person resolving the complaint will close the complaint in the Complaints Register in the SIS with a note describing the outcome and complainant communication. A copy of document/s sent can be attached to the Complaint entry in the SIS.

Complaint closed (Restore/Reconcile) or escalate >> 5.

5. Receive, Record, Communicate

If the complaint is unresolved (either party is not satisfied with the outcome) the complaint may be escalated to the next level and the Complaints Appeals form is to be completed (Appendix 2). The procedure of receive, record, assess, resolve and communicate will again be followed, including initial documentation and any new documentation. Information will be filed/stored on SIS and communication with the complainant and the person receiving the complaint. **The Principal is to be informed of any escalated complaints.**

6. Assess, Investigate

An escalated investigation into the complaint will be triggered with formal and confidential notes including dates, person(s) interviewed (including the complainant). The person completing the investigation will be a different person than the original Investigator and the final Arbiter is to be a different and more senior person than the original person making the final decision. The Investigator is not to be the final arbitrator to resolve the complaint and is not to intervene with counselling, instruction or discipline. Their role is to investigate and to provide a full and frank report on the complaint. This may require taking initiative e.g. interviewing an additional person; researching and documenting social media communication. The Investigator does not draw conclusion, but collates information, does not ask leading questions or make suggestions. Their role is to listen and record and ask factual questions.

7. Resolve, Recommend, Communicate

The investigation will be resolved by the Principal who may request additional clarification and factual questions of the report in order to resolve whether if the complaint is upheld or

not upheld and why.

The Principal (person resolving the complaint and making the final determination) will ensure that the outcome of the complaint is communicated to both parties. As a guide, resolution of complaints should take up to **5 working days**; if a longer period of time is required, the College will notify the complainant of the extended time frame.

If the complaint is resolved to both parties satisfaction, the Principal will close the complaint in the Complaints Register in SIS with a note describing the outcome and complainant communication. A copy of document/s sent can be attached to the Complaint entry in the SIS.

Complaint closed (Restore/Reconcile) or escalate (unresolved complaint)

Unresolved complaint

ACC will always endeavour to resolve, restore and reconcile those who have a complaint, but respect the decision of the complainant and their rights. The parties involved in the complaints procedure, have the right to present their complaint to a relevant statutory body including (for example) the Human Rights Commission. The legal entitlement of any person to request for an external body to hear their complaint remains.

Complaint or Allegation against the Principal

A complaint or allegation made against the Principal will be dealt with by the College Board.

Any complaint should be placed in a sealed envelope, marked Private and Confidential and addressed to the Board Chair, Ian Stone. The letter should be handed to the ACC Administration Office, marked PRIVATE AND CONFIDENTIAL and the initial complaint form (Appendix 1) completed and any additional material to be attached.

1. Complaint received by the Board Chair

2. Receive, Record, Communicate complaint
Complaint recorded, presented and minuted at next Board Meeting

3. Assess, Investigate complaint

The Board Chair will initiate the process of assessment by appointing a person to conduct an investigation. This will include establishing a timeframe for a report to be returned to the Chair. The investigator will have full access to all previous notes and documents on file regarding the complaint against the Principal.

4. Resolve, Recommend, Communicate outcome of the complaint

The Board Chair will make a final determination and recommendations. The Chair will communicate the final outcome to the complainant and the Principal. The final determination and recommendations will be tabled at the next available ACC Board Meeting.

5. Restore/Reconcile and close complaint OR Escalate to senior management

Should all levels of a complaint have been exhausted, a complainant may initiate a review with the State Ombudsman or relevant Commissioner or Authority if the Board outcome stating how the decision made was incorrect or the complaint handling process was unfair.

Explanatory Notes

What is a Complaint?

A complaint is any issue raised that is an expression of dissatisfaction made to the school related to its services, or the complaints-handling process itself. A response or resolution that is explicitly, implicitly or legally expected to be an issue should be considered a complaint and managed in accordance with the College's complaints handling procedures.

Complaints may relate to (for example); staff conduct; conduct of volunteers and other workers; bullying and harassment in the classroom or school grounds; academic, sporting and cultural programs; student learning, reporting and assessment; communication with parents and guardians; school fees; other school-related matters.

It is not a complaint when a community member (for example); requests information, requests a change in services or requests a new service; makes a suggestion for improving our services; expresses a concern about a situation; provides feedback on the College's performance; is not directly affected by the decision or action of the College; provides information e.g. reporting an incident; raises matters that must be referred to external sources under legislation and policy e.g. suspected abuse; makes a complaint regarding their employment (relating to college staff); is a staff member involved in a performance management issue.

Fair Access to Complaints

The receiver of the complaint must establish if the complainant's English language skills do not enable them to accurately voice or write their complaint. This may include, for example, a community member with a disability or a person who does not speak fluent English. The College will ensure the complainant is provided with assistance to communicate their complaint e.g. engaging a translator; offering a carer or support worker to assist with the language skills.

If the person making the complaint is a child, additional and sensitive measures will be engaged by the person receiving the complaint and the safety and health of the child is determined and updated through the process. This will include ensuring the child is reassured that they are being listened to, their report is important and being treated seriously, and there will be no adverse response by the college due to their complaint. Child friendly and appropriate language will be used and clarity around the next steps will be explained to the child.

Natural Justice

The College Principal is responsible to ensure a timely resolution of College related complaints for all members of the College community; complaints are handled confidentially, courteously, efficiently and fairly; handled promptly within an agreed timeline; handled in conjunction with natural justice, regulatory and legislative frameworks and guidelines. College staff are provided with training on the Complaints Management Process and, in particular, to employ a child friendly opportunity for students to raise a complaint that is accessible for students of all ages.

The Complainant is responsible to ensure the complaint is raised promptly after an issue occurs and communicate directly and only with the college through the complaints procedure; provide complete and factual information regarding the complaint; maintain and respect the privacy and confidentiality of all parties; ensure that they, and their family, refrain from influencing the complaints process by commenting regarding the issue or persons involved on social media; act in good faith, in a calm and courteous manner; recognise that all parties have rights and responsibilities which have to be balanced to ensure a just outcome is possible.

Anonymous Complaints

If a complainant persists in wishing to remain anonymous, it is at the Principal's discretion as to what action, if any, should be taken, depending on the nature of the complaint. Irrespective of whether any action is taken, anonymous complaints should be recorded in the Sentral Data Record - Complaint for review, as over time, they may contribute to an identifiable pattern. Sentral's Complaints can be run as a Report and acts as the College's Complaints' Register.

Risk Assessment

Any complaint or allegation is to be mapped against the risk for the child and/or others at the point of receiving the allegation. If the staff member considers there is a potential risk to the child's safety and well-being, they should take appropriate immediate action that may include contacting Department for Child Protection, the police or health services. Refer to the Child Protection Policy.

If health and safety issues are raised by staff, students or parents, staff and managers should assess the level of risk and any other relevant factors and speak immediately with our Health and Safety Officer to determine the action to take.

Minor concerns should be managed by the person receiving the information (e.g. staff member involved). A staff member receiving a complaint is deemed trustworthy by the complainant to receive their complaint and should be the person to initiate and resolve the complaint. A note should be made of the interaction in Sentral SIS and a clear resolution of the issue communicated to the child or person making the complaint.

1: Initial Formal Complaint Form

Name:

Date:

Contact details:

1. Please state (one sentence) your formal complaint

2. Persons involved

3. Outline the facts relevant to the complaint

4. Possible solutions to the problem

5. What outcome are your seeking?

Signed:

Date:

2: Formal Complaint Appeals Form

Name:

Date:

Original complaint statement and the resolution communicated to you:

Appeal statement: What facts lead you to believe the findings are unsatisfactory?

Signed:

Date:

3: Complaints Frequently Asked Questions

The College welcomes suggestions and comments from parents/guardians, staff and students and takes seriously complaints and concerns that may be raised. Please see below for information about our complaints system.

A complaint will be treated as an expression of genuine dissatisfaction that needs a response.

We wish to ensure that:

- parents and guardians, staff and students wishing to express a concern know how to do so;
- we respond to complaints within a reasonable time and in a courteous and efficient way;
- complainants realise that we listen and take complaints seriously; and
- we take action where appropriate.

‘How should I make a complaint?’

You can contact a trusted staff member at the College in person, by telephone (school Administration number), by email, or by letter. Be as clear as possible about what is troubling you. Please ask if you require some assistance in expressing your concern. We encourage all complainants to complete the official ACC Formal Complaints Form.

Members of staff will be happy to help. It may be best to start with the person most closely concerned with the issue e.g. the classroom teacher, or subject teacher. They may be able to sort things out quickly, with the minimum of fuss. However, you may prefer to take the matter to a more senior member of staff.

‘I don’t want to complain as such, but there is something bothering me’

The school is here for you and your child, and we want to hear your views and your ideas. You can start by contacting a member of staff, as described above.

‘I am not sure whether to complain or not’

If as parents you have concerns, you are entitled to raise them. If in doubt, you should contact the school, as we are here to help.

‘What will happen next?’

If you raise something face-to-face or by telephone, it may be possible to resolve the matter immediately and to your satisfaction.

If you have made an official complaint, we will contact you within five (5) working days, to respond to your concerns and explain how we propose to proceed.

In many circumstances, the person you contact will need to discuss the matter with a colleague and consider it further before responding. You will be given a date by which time you will receive a response. If a detailed exploration of the issue is needed, a letter or report will be sent to you as quickly as possible. This will tell you of the outcome of your complaint. It will explain the conclusion, the reasons for it, and any action taken or proposed.

Please be aware that in some cases the college will not be able to discuss the details of action taken as it would be inappropriate. For example if the action involved staff discipline. Under its legal obligation the school is also not able to divulge information on matters that require the involvement of a relevant government authority, without the permission of that government authority.

'What happens about confidentiality?'

Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Principal and those directly involved. It is the college's policy that complaints made by parents, guardians, students or community members should not rebound adversely on the family.

We cannot entirely rule out the need to make third parties outside the college aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child's safety was at risk or it became necessary to refer matters to the Police or other external authority. If information is passed to a third party, you will be informed, unless this is prevented by legal obligation.

'Can I remain anonymous?'

We would prefer to know the identity of a person making a complaint as it can help in investigation and resolution. Anonymous complaints will be noted and dealt with in accordance with the circumstances, available information and the action required. The Principal will determine how best to handle anonymous complaints and what action is to be taken.

'What if I am not satisfied with the outcome?'

We hope that you will feel satisfied with the outcome, or at least that your concerns have been fully and fairly considered.

If you are not satisfied, the Principal will offer to refer the matter to the Chair of the college. The Chair will call for a full report from the Principal, and will examine matters thoroughly before responding to ensure that the complaint has

been handled in accordance with the college's policy and procedure as well as to give further consideration.

ACC recognises and acknowledges your entitlement to complain and we hope to work with you in the best interests of the children and young people in our care.

4: Student poster

We love our school and want to listen to you on how to be the best!

Any Problems, Complaints, or Suggestions?

If so, the college would like to hear.

How do I make a complaint, note a problem or make a suggestion?

- By talking about it, writing it down or emailing
- You can do it by yourself, with a friend or trusted person, as part of a group, or through your parents

To Whom?

- To anyone on staff who is associated with the school that you feel comfortable with

Does it matter what the issue is?

- No, it can be a big issue or a small one. Talking things over can often help to find solutions

What will happen next?

- If possible, the staff member will deal with it in person. If not, he or she will go on your behalf to someone who can help.
- Keep at it: Don't be afraid to complain further if you are still not safe or feel the matter has not been resolved fairly

Do others have to know?

- The teacher or the person you talk to will not talk to anyone else about your issue unless they have to, for your safety and well-being

Even if you find the issue hurtful or embarrassing, we encourage you to talk to us as we want to make sure you feel safe and happy at our school



We love our school and want to listen to you on how to be the best!

Any Problems, Complaints, or Suggestions?
If so, the college would like to hear.

01

How do I make a complaint, note a problem or make a suggestion?

- By talking about it, writing it down or emailing
- You can do it by yourself, with a friend or trusted person, as part of a group, or through your parents

02

To whom?

- To anyone on staff who is associated with the school that you feel comfortable with

03

Does it matter what the issue is?

- No, it can be a big issue or a small one. Talking things over can often help to find solutions

05

Do others have to know?

- The teacher or the person you talk to will not talk to anyone else about your issue unless they have to, for your safety and well-being

04

What will happen next?

- If possible, the staff member will deal with it in person. If not, he or she will go on your behalf to someone who can help
- Keep at it: Don't be afraid to complain further if you are still not safe or feel the matter has not been resolved fairly

Even if you find the issue hurtful or embarrassing, we encourage you to talk to us as we want to make sure you feel safe and happy at our school.

Appendix 5A: Initial Complaint Response form (complainant)

ACC Letterhead

[Name]

[Address]

[Date]

Dear [Name],

The College has received your complaint regarding [NAME] and [NAME] on [DATE].

We would like to reassure you that this complaint is being treated seriously and in confidence. The College will be proceeding with an investigation into this matter and will contact you by [DATE] to provide you with details of the outcome. While the matter is under investigation, we are bound by the process of natural justice which demands confidentiality and respect for all parties. This includes no written, digital or verbal communication regarding this complaint with other members of the community by college staff or parents and family.

Our goal is to ensure that all our community members are treated with dignity and any complaint is regarded seriously. Thank you for working with us to see our community learn and grow together as a family.

Yours Sincerely,

XXXXX

Appendix 5B: Initial Complaint Information form (person around whom a complaint has been made)

ACC Letterhead

[Name]

[Address]

[Date]

Dear [Name],

The College has received a complaint involving you in regard to a situation that occurred on [DATE] stating that you [details of the allegation e.g. acted unfairly, behaved inappropriately etc.]

We would like to reassure you that the complaint is being treated seriously and in confidence and that you will have the opportunity to speak to the complaint and record your response. You may choose to bring a support person with you during the interview process. The College will be proceeding with an investigation into this matter as a matter of urgency and will seek to deal with the allegation within [appropriate time frame] to provide you with details of the progress/outcome of any investigation.

While the matter is under investigation, we are bound by the process of natural justice which demands confidentiality and respect for all parties. This includes no written, digital or verbal communication regarding this complaint with other members of the community by college staff or parents and family.

Our goal is to ensure that all our community members are treated with dignity. We look forward to a speedy resolution of this issue.

Yours Sincerely,

XXXXX

Appendix 7A: Investigation and Response form

[Name]
[Address]
[Date]

Dear [Name],

The College writes to inform you that your complaint regarding [NAME] and [NAME] on [DATE] has now been concluded.

We want to thank you for your co-operation and assistance in the investigation of this matter. The investigation has found that your complaint is [upheld or not upheld] due to the investigation including [interview, statements etc] that [supported/were unable to support] your allegation. There has been insight and opportunity for learning through this investigation and there are some areas of adjustment the college has chosen to explore as a result including [*examples an adjustment to our ACC privacy policy and procedure, an additional staff professional learning session on bullying intervention and friendship program for the Year 5 girls in 3rd term etc].

As a way forward in working toward healthy relationships in our community, an opportunity for a resolution process including a mediation meeting will be organised if both parties agree. We would encourage participation as a way of confirming your concern to maintain good relationships in our Christian college.

If, at the end of this process, you do not believe there has been a satisfactory outcome; you may appeal the decision by requesting a Formal Complaint Appeals Form.

Thank you for working with us to see our community learn and grow together as a family.

Yours Sincerely,

[Principal Name]

Appendix 7B: Investigation and Response form (person around whom a complaint has been made)

[Name]

[Address]

[Date]

Dear [Name],

The College writes to inform you that the complaint in regard to a situation that occurred on [DATE] stating that you [details of the allegation e.g. acted unfairly, behaved inappropriately] has now been concluded.

We want to thank you for your co-operation and assistance in the investigation of this matter. The investigation has found that the complaint is [upheld or not upheld] due to the investigation including [interview, statements etc] that [supported/were unable to support] the allegation. There has been insight and opportunity for learning through this investigation and there are some areas of adjustment the college has chosen to explore as a result including [*examples an adjustment to our XXX privacy policy and procedure, an additional staff professional learning session on XXXX a bullying intervention and friendship program for the Year 8 girls in 3rd term etc].

As a way forward in working toward healthy relationships in our community an opportunity for a resolution process including a mediation meeting will be organised if both parties agree. We would encourage participation as a way of confirming your care and competency for [Name of person] and a genuine desire to maintain good relationships in our Christian college.

Thank you for working with us to see our community learn and grow together as a family. Should you have any further concerns, please contact me.

Yours Sincerely,

[Principal Name]

Staff Training Scenarios:

Scenario 1: Moyra comes to you (Year 4 class teacher) at the end of the day and is in tears. Moyra tells you she is missing her new (and expensive) set of colouring in pencils. She says she saw Jacob in the classroom at lunchtime yesterday and claims he was at her desk and that he took the pencils. Moyra tells you that her mum will be 'so, so angry' with her as she was not meant to bring the pencils to school and her mum will accuse her of losing the pencils and she will miss out on dinner as punishment.

Scenario 2: Isaac is a bright and clever Year 6 student, well behaved and a keen to please student. His parents come from China and are very anxious that Isaac does well academically. Isaac learns two instruments, the piano and violin. He has violin lessons at school that mean he sometimes misses a class, but he is always willing and able to catch up on any missed work. The Semester 1 Report card is posted home and to Isaac's distress, he sees that he has scored a C grade in Mandarin. Isaac's parents ring the school in the holidays as Isaac has not slept well at all since receiving this grade and the parents make a complaint about the teacher stating that the staff member is negligent and a bad teacher.

Scenario 3: Mr Kay is a well loved Year 3 teacher. The children and parents are thrilled when they hear that Mr Kay will be their class teacher for the year. Mr Kay is friendly and can often be seen walking with his class across the playground where the girls in his class want to walk beside him and hold his hand. Mr Kay allows the girls to hold his hand and says that he does this impartially and for many of the girls in his class who don't have an adult male in the home, that this is helpful for their well-being and social adjustment. Mrs Knox comes to speak to you (classroom teacher) about her Year 4 son's detention and in the conversation mentions how her friends who have children in Mr Kay's class have talked about how the children say that sometimes Mr Kay sits on a small chair and has the children rotate giving him a neck massage - sometimes he massages their neck/shoulders too. Mrs. Knox thinks this is kind and good and wishes her children had the same opportunity of such a friendly teacher.

QUESTIONS:

1. Is this a complaint? Explain:
2. How would you rate the safety risk of this scenario?
3. Who should manage this situation/complaint? Explain
4. How should the matter be dealt with?
5. What should be recorded? Where?

Complaints Procedures

