



Reviewed 03.2023 KS

Complaints Policy: General Principles

1. We are committed to having an effective system to manage any formal complaints, which responds to complaints in a positive and timely manner and which contributes to the continuous improvement of the College's teaching and learning environment and administrative procedures and processes.
2. Both parents and students are encouraged to resolve their concerns informally in the first instance and before any issue becomes more serious. The way to prevent serious issues is to deal with matters before they intensify. Should it be deemed that informal resolution is not possible, appropriate or satisfactory, the complainant may submit a formal complaint.
 - A **concern** is the expression of something that has caused a parent/student to be troubled or anxious about a matter. Both parents and students are encouraged to raise a concern with the relevant teacher at an early stage with the aim of resolving the concern informally before it becomes more serious and requires formal action under the complaints procedure.
 - A **complaint** is a formal expression of dissatisfaction with a perceived problem, received in writing and is usually dealt with in a formal manner.
 - A **dispute** is where an argument or disagreement has occurred and may be the result of an unresolved complaint.
3. A complainant has the right, at any time, to withdraw their complaint. If a complaint is withdrawn, any processes arising out of the complaint may, at the discretion of the College Principal, either be continued or discontinued.
4. A complainant, or members of their family, will not be treated less favourably, victimised, or otherwise discriminated against as a result of making or withdrawing a complaint.
5. Complaints will be resolved in a timely manner as detailed in the procedures below.
6. Confidentiality must be maintained at the highest level during all stages of the complaint management process. Communication must be limited to persons to whom disclosure is consistent with their official position and responsibility, or with specific responsibility to assist in the resolution of the complaint.
7. Parties to a complaint will conduct themselves honestly and courteously and seek to achieve an amicable resolution of the complaint where possible.



8. Complaints are to be registered in the College register accessible by College admin, business manager or Principal.
9. The complaint resolution process will be conducted in accordance with the principles of natural justice.
10. Parties to a formal complaint will be kept informed of the progress of the complaint or appeal, and, within a reasonable timeframe as detailed below, will be provided with written advice of the decisions(s) in relation to the complaint and the reason for the decision(s).
11. The College has a Child Protection Policy with an associated Code of Conduct and Reporting Processes. These policies, and their procedures, take precedence over the Complaints Policy at all times.



Complaints Procedure

a) From time to time, concerns may arise about aspects of the education we provide. The majority of these tend to fall into the following categories:

- Child Protection/Safeguarding issues
- Financial and/or Administrative
- Pastoral
- Academic

Each of these categories has an associated route for dealing with complaints or concerns from parents.

- **Child Protection issues** should be referred immediately to the College Principal. The College Principal will deal with the matters according to the Child Protection Policy.
- **Financial and Administrative** matters should be reported to the College Secretary.
- **Academic** and/or **Pastoral** matters should be raised initially with the relevant teaching staff or the Diploma Coordinator.

Procedures: Informal

Informal concern resolution

- a) Parents and/or students are encouraged to resolve their initial concerns informally in the first instance by making an initial approach to the relevant staff member to discuss the matter. This informal method of resolution allows the parties to explore options and make their own decisions about how to resolve a concern rather than having a third party make and enforce a decision.
- b) The procedure for dealing with informal concerns is as follows:
- Issues are raised informally with the relevant teacher. Any matters raised by email should not be dealt with by a return email. This method of communication often leads to misunderstanding in these cases and is not appropriate when an open discussion is necessary. A positive resolution will most often arise where there is clear and open communication, an opportunity for all parties to express their views and to be heard.



- If the matter is within the competence of the member of staff to resolve quickly this should be done. Otherwise, the complainant should be reassured that the matter will be referred to a senior member of staff, as detailed below, and dealt with within one working day.
 - The teacher to whom a referral is made should seek to resolve the matter if it is within their powers to do so. Should this not be possible or if assistance is required, the member of staff should refer the issue to the College Principal. This will be dealt with in three working days.
- c) It is hoped that these informal procedures will deal with issues quickly and effectively. However, should the concern remain unresolved then the matter should be handled as a formal complaint.
- d) At each stage, members of staff should keep accurate records of the procedures and appropriate confidentiality will be observed. All concerns should be handled in an appropriately respectful manner.



Procedures: Formal Complaint

- a) If a resolution has not been achieved by the informal route, the matter should be referred to the College Principal by means of a formal written complaint.
- b) The College will not accept a formal complaint submitted more than 12 months after the latest relevant action, notification of a decision, or omission with regard to the matter that is the subject of the complaint, other than in exceptional circumstances as determined by the College Principal.
- c) The formal complaint statement must include, where relevant, the following details:
 - The name of the person about whom the complaint is being made;
 - A description of the events that have occurred, including efforts made to informally resolve the complaint;
 - The basis for the complaint;
 - The name and contact details of any witness or supporting party;
 - The outcome the complainant seeks.

Relevant documentary evidence should be attached to and referenced within the statement.

- d) Formal complaints are resolved according to the following procedures:
 - Either the teacher and/or DP Coordinator will provide the Principal with a written report or the parent will raise an unresolved concern/complaint officially in writing.
 - The Principal will investigate the matter, consulting relevant staff and making appropriate investigations, to resolve the matter. The aim should be to resolve the matter within three working days.
 - Should the matter require longer time, the complainant should be informed and another date set.
 - If the Principal deems that a complaint is frivolous, trivial or vexatious, they may dismiss the complaint and notify the complainant. The decision of the Principal is final and not subject to further review.
 - The Principal should discuss the results of their findings and communicate these in writing and, preferably, in a face to face meeting. The Principal shall ensure all parties are afforded natural justice, which includes providing the respondent with the opportunity to respond in writing to the complaint.



- e) Should this procedure still leave the matter unresolved, the Principal will inform the complainant that the matter is being referred to the College's Governing Body.
- f) The Chairman should deal with the matter in the following way:
- A written report should be submitted by the Principal to the Chairman. The complainant will also be requested to submit a written report giving details of the complaint also to the chairman.
 - The chairman will convene a panel of no less than three persons not connected to the incident in order to hear the complaint. The panel should include at least one member who has not been involved in the details of the complaint. The panel will include at least one member who is not involved in the daily management and running of the school. The hearing should be held within ten days.
 - The complainant shall be allowed to attend the hearing, and to be accompanied, if they so wish.
 - The panel will hear the complaint, conduct its own investigation and decide the outcome.
 - In general, the chairman will take one of the following courses of action:
 - i. dismiss the complaint in whole or in part;
 - ii. uphold the complaint in whole or in part;
 - iii. decide on appropriate action to resolve the complaint; or
 - iv. recommend changes to the College systems or procedures.
 - The final outcome, which will be binding, will be communicated to the complainant and the Principal, and, where relevant, to the person being complained about, in writing within three working days of the matter being discussed.
- g) General Guidance**
- In all cases, it is important for the those involved in the process to use the school's 'Complaints Form' so that records of the complaint and the action taken can be recorded and traced.



- All matters discussed and recorded will be kept confidential and only released, as necessary, to those parties who have right of access to the information.
- Staff should be ready to listen to parental concerns and complaints, reassuring them that they will be dealt with as soon as possible by the appropriate member of staff according to these guidelines.
- All decisions and investigations will be carried out with procedural fairness at all times. This principle governs the procedures used to handle the complaint rather than the outcome reached. Thus, the principle of procedural fairness requires that there is an appropriate hearing of any complaints, there is a lack of bias, there is clear evidence to support a decision and that there is a right for an inquiry into matters of dispute.
- Complaints, which are of a serious nature should be referred straight to the College Principal.

h) Confidentiality

- Maintenance of confidentiality, to the greatest possible extent, at all stages of these procedures, is essential to the best interests of the parties to a complaint. Communication about the complaint must be limited to persons to whom disclosure is consistent with official position and responsibilities.
- Many accusations are potentially defamatory. In order that defences to a defamation action are available a person making a complaint under these procedures must act honestly and in good faith;
- any staff member or student wishing to communicate with another person about a matter coming under these procedures must protect the privacy of all personal information;
- all correspondence should be marked "personal and confidential";

Complaints of staff misconduct/reportable conduct

- a) A complaint which respects an accusation of staff misconduct should be made to the Principal alone. If the Principal is the subject of the complaint, it should be made to the College Chairman, Mark Peters.



- b) The College has Child Protection Policy with a stated Code of Conduct and related reporting procedures. These policies, and their procedures, always take precedence over the Complaints Policy.
- c) We will ensure that the requirements to prevent, identify, report and investigate allegations of reportable conduct of employees in compliance with the Children's Guardian Act will be observed and that any such investigations will be made known to staff annually, whilst observing appropriate confidentiality.
- d) The Principal (or Chairman) will inform parents of the outcome of any investigations at their conclusion.

This policy and related procedures and any formal complaints will be evaluated by the College Governing Body on an annual basis.

Complaints Procedure: Students

- a) The above procedures will be implemented but with due sensitivity for students who may feel reticent to raise matters under this policy.
- b) If a student has a concern or a complaint which refers to any Child Protection or Safeguarding issues, they should refer immediately to the College Principal. If the matter concerns the Principal, matters should be raised with the College Chairman.
- c) If a student has a concern or complaint in relation to academic or pastoral concerns the complaints procedure as detailed above should be used; however, students may feel more comfortable referring matters either to the year tutor, DP Coordinator or to the Principal. We encourage students to raise concerns with the member of staff with whom they feel most comfortable.
- d) Students may raise concerns in a manner with which they feel comfortable: verbally, in writing or by email.
- e) Appropriate sensitivity and care will be shown to students who use the complaints procedures and there will be no negative repercussions for any student who raises a valid complaint or concern.

Review Process



- a) As well as reporting formally to the Chairman on an annual basis any complaints made under these procedures, the policy and procedures will be reviewed annually by the Principal.
- b) Informal evaluations of the College's complaints procedures will be made in discussions with parents, students and staff throughout the course of the academic year. Specific actions and improvements where identified will be made and reported as part of the annual reporting noted in a) above.
- c) The complaints policy and procedures will be communicated to the College community by means of their inclusion in the College Handbook, the staff drive and public website www.westboournecollege.com.au and will be available from the College office and the Principal by request.

Publication

The College will make information about procedures for addressing concerns and complaints readily available via the College website, in the parents' handbook and a copy will be available from the College Office by request.



Formal Complaint Form

Member of Staff receiving the complaint OR Parent making the complaint:

.....

From: (Name)

Name of Pupil and Year Group:

Date & Time of Complaint:

Complaint Type: (Formal or informal)

.....

Complaint description:

.....
.....
.....
.....

Action Taken:

.....
.....
.....
.....
.....
.....



Outcome:

.....

.....

.....

.....

.....

Issue passed to:

Date & Time:

Staff member receiving this complaint is to please update the Complaints Register with this information for formal record keeping.