

Complaints and Grievance Policy 2020

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Policy Owner		Deputy Principal		

Revision History

Date	Changes

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1. Introduction and Context

At Penrith Anglican College, we believe that all people are made in the image of God (Genesis 1:26), and so all human life is valuable, deserving of care and respect. We believe that humans were created to be in relationship with God and with each other.

Motivated by the example of our Lord and Saviour Jesus Christ, our ultimate model, we encourage all members of our community to value themselves, relationships with others and ultimately their relationship with God.

2. Application of Policy

This policy applies to all members of the Penrith Anglican College community.

3. Purpose and Objectives

The purpose of this policy is to assist College staff in responding to all complaints and grievances in an appropriate, respectful and timely manner.

4. Policy

Complaints Management

Penrith Anglican College is committed to providing a safe, fair and honest environment where complaints and grievances are dealt with promptly and sensitively. Parents, guardians and students are encouraged to come forward with their concerns and grievances in the knowledge that the College will hear their complaints, and that action will be taken in terms of their potential seriousness, rather than on the basis of the category of person who is making the complaint. This means that students or community members should be treated on similar terms.

Implicit in this policy and procedures document is an understanding that all matters will be treated in a manner appropriate to the type of complaint.

This policy outlines a framework for staff of the College (and, as applicable, members of Council and its committees) to respond where students, parents, customers, contractors, local residents, visitors or others have a complaint.

Exceptions include specific issues that are dealt in accordance with:

- Student Suspension, Transfer, Expulsion, Exclusion Procedures.
- Child Protection – Risk of Harm and Significant Harm and/or Allegations.*
- Bullying.
- Criminal Jurisdictions.

*If a complaint or allegation is about a person's behaviour and concerns the protection of children and young people or any other behaviour which, if substantiated, could amount to an internal investigation (and possibly a crime), then the Principal is to be notified immediately.

All members of staff are responsible for receiving complaints, treating them seriously and dealing with them promptly and courteously.

Wherever possible, complaints should be resolved by a process of discussion and joint cooperation. The aim is to reach an acceptable outcome that minimizes any potential detriment to ongoing relationships.

Making the Complaint

The College has determined that any issue raised in writing (by email or letter) that is an expression of dissatisfaction, should be considered a complaint and managed in accordance with complaints handling procedures.

Complaints can be addressed to the Principal or Executive Staff member depending on who is the most relevant point of contact for the nature of the complaint.

If a Complainant is in any doubt of the best person to contact, the complaint should be addressed to the Principal.

The receiving party may refer the complaint to a more appropriate person for further information and explanation.

In many cases, matters can be resolved by discussion and explanation.

Any staff members receiving a complaint verbally should encourage the Complainant to present them to the College in writing. They should also notify the most relevant Executive staff listed above about the discussion so that the matter can be received appropriately when it does arrive.

Acknowledging and Handling the Complaint

On receipt, The Principal, or Executive staff member, will acknowledge the complaint and advise an approximate time frame to investigate the matter.

They also should:

- Carefully listen to the Complainant's concerns and their desired outcomes.
- Request further information from the Complainant and/or from third parties if required.
- Keep appropriate, confidential records of the matter.**
- Refer the complaint to a more senior staff member or the Principal where appropriate
- Keeping all informed in regards to the progress of the complaint.

**Penrith Anglican College keeps a Complaints Register that is shared with the College Executive. The Personal Assistant to the Principal administers the Register.

5. Legislative Requirements

The NSW Registration Manual (3.6.2) requires the College to have in place and implement policies and procedures in relation to complaints and grievances with specific reference to processes for raising and responding to matters of concern identified by students, parents, contractors, local residents and visitors.

6. Definitions

Complaint: A complaint is defined as “an expression of dissatisfaction made to an organisation, related products, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.”

Complainant: The person making a complaint is referred to as “the complainant”.

Respondent: The person about whom the complaint is made is “the respondent”.

Parties: The “parties” refer to both complainant and respondent.

Complaint Manager: The person handling the complaint is the ‘complaint manager’, usually a Principal, Director or Manager.

Witnesses: Persons who directly witness an alleged incident are referred to as ‘witnesses’.

Please note: Deputy Principal will denote Deputy Principal (Primary) for all Primary school related issues or complaints, all other instances it will denote Deputy Principal (Secondary).

7. Related Legislation, Documents and Website References

Appendix A- Procedures

Complaints from Parents

The College holds many meetings throughout the year and we encourage parents to attend these and to meet with staff.

There will be times when parents need to contact the College on an individual basis and we also encourage parents to follow the process below:

Informal Parental Concerns and Grievances

- In the Pre-K to Year 6 area the class teacher would be your first point of reference.
- Years 7 – 12 the Mentor or the Subject teacher would be your start point.
- If urgent then in the Pre-K to Year 6 area the Stage Coordinator would be next. In years 7 – 12 the students Head of House or in relation to a subject specific concern then the Head of that Department.
- Clearly matters that require significant intervention would be addressed by Deputy Principal (Primary) or Deputy Principal (Secondary).

Formal Parental Grievances

Matters of reportable or significant risk or those unresolved should be addressed to the Deputy Principal or the Principal. If the grievance is against the Principal then the matter must be referred to the Chair of The College Council.

Note: Grievances made anonymously, whilst noted, will not be dealt with.

Formal Parental Complaint Process

- Initially a phone call may take place and a parent may wish to express a concern with respect to a staff member or an issue with another aspect of the College.
- The parent will be asked to put their concerns in writing and address these to the Deputy Principal.
- The Deputy Principal will contact the parent and discuss the matter and ascertain the depth and breadth of any enquiry.
- Should an enquiry be called for, open lines of communication are to be maintained informing the parent of a specific timeline.
- An investigation must take place to ascertain the severity of the complaint or if the complaint is unfounded. Procedural fairness will be expected at all times.
- If founded or within the bounds of probability the following will occur.
- Depending upon the nature of the complaint a member of the Executive will be delegated to ascertain facts.
- When findings are collated the Deputy Principal will inform the staff member of these and then determine, with the Head of Department, an appropriate course of action.
- The parent will be notified that an investigation has taken place and the outcome of the investigation. This may be communicated either by email, phone or in person.
- The details of the persons interviewed or the content will not be made available to the parent. However, if founded the parent will be informed of the process put in place to improve the professional standing of the staff member and his or her relationship with the child.
- An appropriate Risk Assessment will be put in place should the need arise.
- If unfounded the parent will be contacted by the Deputy Principal and the reasons why explained.
- A parent can, if they wish, communicate with the Principal if they are not satisfied with the outcome.

- If they wish to take this further then a written letter to the Chair of the College Council can be sent.

Matters of Reportable Conduct

Matters of Reportable Conduct will be investigated by qualified staff. A matter of reportable conduct is investigated with the support and guidance of the Association of Independent Schools – Child Protection Unit.

In cases where allegations are made, reasonable steps should be taken to protect the interests of both the complainant and any respondent (for example, a member of staff about whom a complaint is being made) by not disclosing their identity or the details of their information, except to those with a reasonable need to know.

Acknowledging and Handling the Complaint

On receipt, The Principal or Executive Staff member will acknowledge the complaint and advise an approximate time frame to investigate the matter.

They also should:

- Carefully listen to the Complainant's concerns and their desired outcomes.
- Request further information from the Complainant and/or from third parties if required.
- Keep appropriate, confidential records of the matter.
- Refer the complaint to a more senior staff member or the Principal where appropriate.
- Keeping all informed in regards to the progress of the complaint.

Student Concerns and Grievances Informal Process

The College recognizes the right of an individual student to feel free to make a complaint and will ensure that every effort is made to resolve the complaint in an open and fair manner. Students should bring concerns to staff members they are comfortable with noting that, depending on the concern, it may be looked at by more senior staff.

Primary School Pre-K to Year 6

- Class Teacher
- Stage Coordinator
- College Chaplain
- Deputy Principal (Primary)
- Principal

Secondary School

- Class Teacher
- Mentor Teacher
- Head of House/ Department
- College Chaplain
- Deputy Principal (Secondary)
- Principal

Formal Process

A formal complaint should be in a detailed written form outlining a full account of the nature of the complaint and be addressed to the Deputy Principal.

The matter will be investigated fully and a resolution found.

If mediation is required then that process will be undertaken by the Deputy Principal.

Outcomes

The outcome of a complaint will vary on a case by case basis depending on the circumstances surrounding the grievance.

However, outcomes could include:

- The Complainant understanding the situation and no longer feeling aggravated or upset.
- The Complainant receiving a written response, and where appropriate an apology.
- Where appropriate the respondent receiving disciplinary action where a College Policy or Code of Conduct has been breached.
- Where the complaint is regarding the actions of another parent, if appropriate a mediation process may be initiated by the College in an attempt to address the concerns.
- An acknowledgment that the College cannot enforce an outcome.
- Where the complaint is regarding the actions of students, the involvement of the College Counsellors may be recommended.
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Internal Grievance Resolution Procedures

Purpose

The purpose of Penrith Anglican College's Internal Grievance Resolution Procedure is to establish a consistent approach in dealing with conflicts in the workplace, internal complaints about the work environment and issues of misconduct.

This procedure is designed to allow staff to air their legitimate complaints knowing that ad hoc, vindictive or arbitrary action will not be taken against them or the person to whom the complaint is directed.

By providing a clear set of guidelines it should be possible to deal with grievances quickly and promptly. This should prevent a minor grievance turning into a major problem.

Staff v Staff Grievance

- The resolution of a grievance, in the first instance, should be undertaken between the immediate parties involved. All care and consideration should be exhibited between both parties even if a resolution cannot be attained.
- Should the immediate parties involved fail to reach a resolution the matter is brought in writing to the Principal who will direct this to the Deputy Principal. The Deputy Principal is responsible for undertaking a procedure to resolve any grievance within the school.
- This procedure will only be initiated following a written complaint addressed to the Principal.
- The Deputy Principal shall ensure that the dispute is made clear by the complainant to the staff member and in writing. Dependent on the outcome, said records may be discarded.
- The Deputy Principal shall ensure that records are maintained throughout the

- proceedings in accordance with Privacy Legislation.
- The Principal may call upon an outside mediation to assist in the resolution of a dispute or complaint.
- Based on the findings of the Deputy Principal a recommendation is put to the Principal. The Principal makes a decision based on the facts established.
- Any party may appeal the Principal's decision to the Chair of the College Council.
- The parties of the dispute will be notified of the findings of the appeal.
- Where a dispute or complaint involves the Principal, the matter shall be referred in writing directly to the Chair of School Council.

Procedures: Staff

- Concern or complaint is brought to the attention of the staff member. Depending on the nature of the concern in the first instance it could be a staff member to a staff member with no third party.
- If the concern requires intervention, in the form of a third party, then the person brings the concern to the Deputy Principal.
- A meeting will be arranged between the Deputy Principal and the person concerned to outline the concern / complaint.
- A meeting will then occur between the Deputy Principal and the two parties. At this point it is hoped that a resolution will occur.
- If a resolution is attained, then a letter will be sent to the various parties outlining the concern and the resolution.
- If there is no resolution, then it may be deemed necessary by the Deputy Principal that an inquiry be undertaken. At this point the Principal is informed.
- After the inquiry the Deputy Principal puts in writing the findings and recommendations. This is issued to the two parties.
- A meeting is called where the findings are discussed and hopefully a resolution attained.
- If no resolution, then the AIS is notified and an external mediator contracted.
- The findings of the mediation process are discussed with the Deputy Principal and the Principal and a final decision arrived at.
- If the dispute is against the Principal, then the Chair of the College Council is informed in writing. The Chair of Council then investigates the matter.
- Where no resolution occurs then all documentation is removed. The Principal will then refer parties to the Staff Code of Conduct and there will be an expectation that this is adhered to.

Appendix B COMPLIMENTS AND COMPLAINTS FORM

If you have a complaint, compliment or suggestion about any aspect of our College we would like to hear from you.

Please select from the following. This is a:

- Complaint
 Compliment
 Suggestion

Your relationship with the College:

- Student Parent/Guardian Supplier/Contractor Member of Public
 Staff Other _____

Acknowledgement of this complaint will be sent within 2 working days (during College terms).

Date you are lodging this form:	
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Your details: Please only provide the details that you are happy for our staff to use to contact you

Family Name:			
Given Name/s:			
Address:			
Phone Numbers:	Mobile:	Home:	
Email:			

Please complete the Form and return it for the attention of:

Deputy Principal (Primary)	Deputy Principal (Secondary)	Principal
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