

# Complaints Handling Procedure



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# Complaints Handling Procedure

## 1. Purpose

Complaints and grievances are an important way for the College community to provide information and feedback to the College. The College considers that every complain provides a valuable opportunity for reflection and learning. The College recognises a person's right to make a complaint and its responsibility to provide a framework within which efforts can be made to resolve complaints.

The College is committed to effective complaints management by managing student, parent and guardian complaints in an accountable, transparent, timely and fair manner, while protecting the health and safety of College employees through proactive management of unreasonable complainant

## 2. Scope

Employees (including full-time, part-time, permanent, fixed-term and casual), contractors, volunteers and people undertaking work experience and/or vocational placement and students.

## 3. Complainant Responsibilities

Complainants must:

- provide all relevant information and documentation to the College when the complaint is made
- understand that resolving complaints may take some time
- inform the College of changes affecting the complaint
- ensure that their behaviour and conduct is respectful

## 4. College Responsibilities

It is the responsibility of the College to respond to and address written (letter and email) and verbal (face-to-face and phone) complaints.

The College shall:

- maintain fair procedures for complaint-handling. As a minimum, the procedures include:
  - who to contact when making a complaint
  - a description of the actions the College could take once the complaint is received
  - a time frame for acknowledging written complaints and an expected time frame for complaint resolution
  - the types of outcomes that the complainant could expect
  - information about what the College will do if the complaint is not able to be resolved by the College and the options the complainant has, to review the decisions of the College
  - the ability for a complainant to submit a written request for a review by the Principal
  - the ability for a complainant to submit a written request for a review by the College Board Chair after a Principal review

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- consider all complaints by:
  - raising the issues in the complaint with relevant staff and/or members of the College community
  - consulting, where appropriate, with relevant external stakeholders for technical or other advice
  - discussing the College's findings with the complainant in an attempt to reach an agreed resolution
  - considering the engagement of a mediator where a complaint has the potential to become intractable
- publicising the College's complaint-handling procedures within the College community and make them readily available
- reviewing the College's complaint-handling procedures regularly
- ensuring that formal complaints and grievances received are recorded and actions taken to resolve the complaint are well documented
- maintain records of all formal complaints, both written and verbal
- ensure that all College staff are aware of the College's complaint-handling procedures
- actively assist community members with the complaint process, informing them that at any point during the complaint process, they may be assisted by a support person. The complainant should inform the Principal if they want to include a support person in the complaint process and provide the name, contact details and the relationship to the complainant. A support person's role may include:
  - assistance for the complainant to clarify the issues in the complaint
  - discussion of difficulties being experienced by the complainant
  - assistance in the development of a co-operative and collaborative working relationship between the complainant and the College community
  - assistance for the complainant to understand the College's policy and guidelines and the resolution being proposed for the complaint

## 5. Resolving Complaints

The Principal may enlist the services of external bodies to help resolve a complaint. Outcomes for substantiated complaints may include:

- an apology or expression of regret
- a change of decision
- a change of policy, procedure or practice
- a refund of payments
- offering the opportunity for student counselling or other support

## 6. Procedure for Handling Complaints

There are two different ways of handling complaints: through an informal process or a formal process

### 6.1 Informal process

Most complaints, concerns and disputes raised with a staff member are of a minor nature, or the complaint is a result of misunderstanding or lack of communication. These kinds of complaints are better resolved through an informal process.

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- Where possible, complaints are to be resolved promptly and at the point of receipt.
- An informal discussion may occur between the complainant and the Principal or appropriate College Leader. This often leads to resolution (sometimes, the complainant may want the Principal or appropriate College leader to talk to the College staff member on their behalf). The College shall retain a file note of the complaint and the resolution.
- The Principal or appropriate College leader talks to both the complainant and the respondent separately and then reaches a resolution.
- The Principal or appropriate College leader can bring the complainant and respondent together for conciliation. Conciliation is not mandatory however, bringing the complainant and respondent together to discuss their different perspectives on the issue may encourage quick and simple resolution.

If, however, the informal process does not resolve the complaint, then formal procedures should be implemented. An informal process may be formalised at any time by the Principal, complainant or respondent.

## **6.2 Formal process**

There are three steps to the formal procedure. Each of these steps is outlined below.

### **6.2.1 Investigating the Complaint**

Formal procedures begin with obtaining the complaint in writing, including the date of the complaint and the complainant's signature (or via email). To investigate the complaint, the Principal or investigator must:

- establish the precise nature of the complaint
- investigate the complaint for substance
- notify the respondent in writing of the complaints against them
- notify both parties of the anticipated timeframe to resolution. Some matters may take some time to reach resolution
- advise both the complainant and respondent of their right to have a support person with them at all interviews and discussions
- interview the complainant and respondent separately
- keep written accounts of all interviews and discussions

### **6.2.2 Making a Finding**

To make a finding, the Principal or investigator must consider all the evidence. If it is established that the complaint has no substance and evidence is vague or ill-defined, then the complaint can be dismissed. A letter outlining the outcome of the investigation must be sent to both the complainant and the respondent.

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## **6.2.3 Determining Appropriate Action**

If the evidence is clear and the Principal or investigator can substantiate the complaint, appropriate action must then be determined by the Principal. A written response outlining the issues, the decision and the outcome of the complaint should be sent to both the complainant and the respondent. It may not always be possible to resolve all complaints to the satisfaction of the parties. This could happen when the nature of the issues raised in the complaint is governed by external authorities, other College policies or procedures or if there are unrealistic expectations about the outcome of the complaint.

## **7. Vexatious / Malicious Complaints**

Complaints found, in due course, to be of a vexatious or malicious nature may be dismissed with no further action. In these instances, counselling may be offered to both the complainant and the respondent.

## **8. Complaints about the Principal**

Complaints about the Principal, are to be submitted, in writing, to the Kimberley College Board Chair.

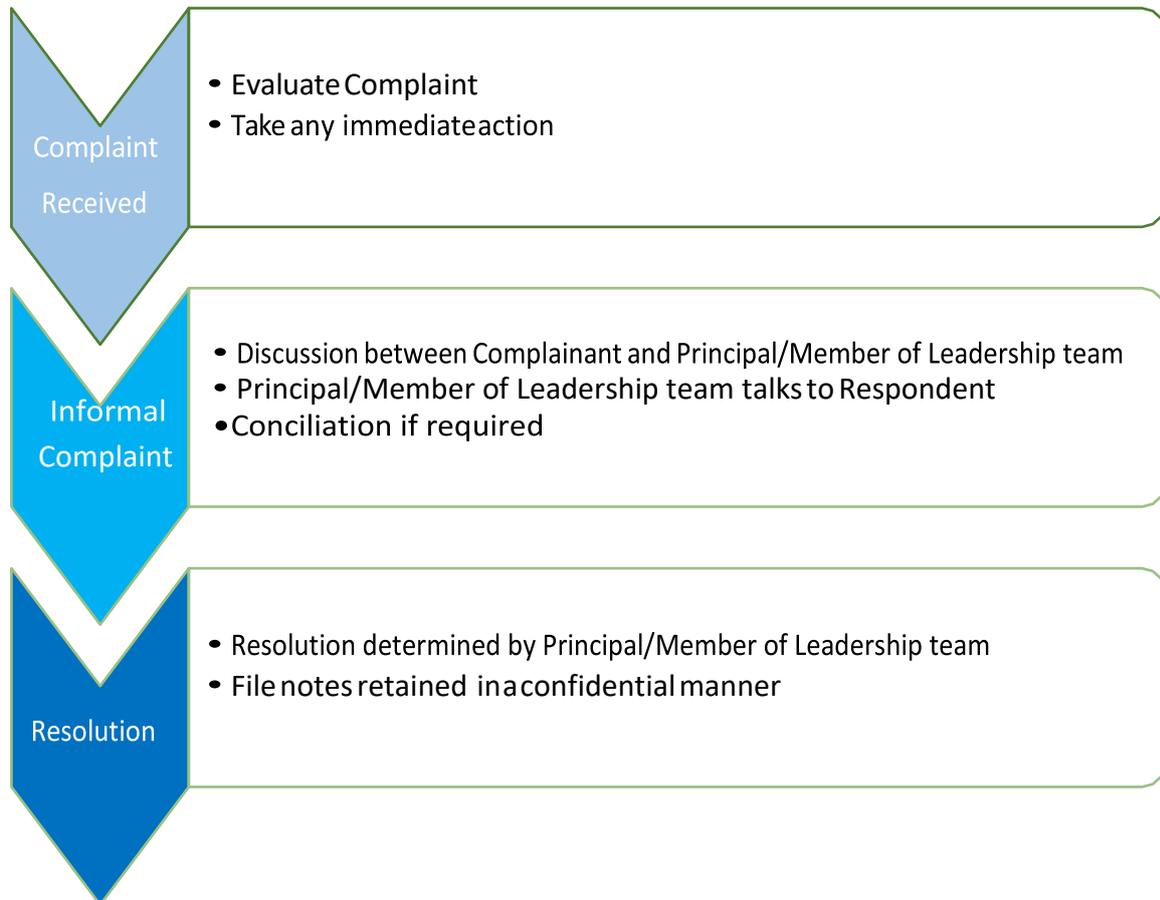
## **9. Confidentiality and Documentation Control**

Complaint handling procedures must be confidential in nature. It is the Principal's responsibility to ensure that all complaints are handled with absolute confidentiality and that all documents are confidentially and securely stored.

# Complaints Handling Procedure

## Flow Charts

### Summary of Informal Complaint Procedure



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## Summary of Formal Complaint Procedure

