

# Complaints Handling Policy



Authorised by: Board Chair	Date of Authorisation: 01/09/2020
Name: Mike Millard	Review Frequency: 2 years
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# Complaints Handling Policy

## 1. Purpose

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.

## 2. Scope

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.

## 3. References

- Education (Accreditation of Non-State Schools) Regulations 2017
- Australian Education Regulations 2013
- Fair Work Act 2009
- Work Health and Safety Act 2011 (Qld)
- Privacy Act 1988 (Cth)
- Anti-Discrimination Act 1991 (Qld)
- Australian Human Rights Commission Act 1986 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Age Discrimination Act 2004 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Kimberley College Complaints Handling Procedure
- Kimberley College Work Health and Safety Policy
- Kimberley College Anti-Discrimination Policy
- Kimberley College Disability Policy
- Kimberley College Privacy Policy

## 4. Policy Statement

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

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

Kimberley 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.

Kimberley College recognises that time spent on handling complaints can be an investment in better service to students, parents and employees.

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## 5. Complaints that may be Resolved under this Policy

Kimberley College encourages students, parents and employees to lodge promptly any concerns regarding sexual harassment, child protection, 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 their relevant <<code of conduct>>
- 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.

## 6. 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 bullying complaints should be dealt with under the Student Anti-Bullying Policy or Positive Behaviour Management Procedure
- student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Behaviour Management Procedure
- 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

## 7. Complaints Handling Principles

Kimberley 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
- Kimberley College will determine the appropriate person to deal with the complaint in the first instance. Complaints should be resolved with as little formality and disputation as possible
- 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

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- all parties to the complaints will be appropriately supported
- Kimberley 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

## 8. Responsibilities

### School

The College has the following role and responsibilities:

- develop, implement, promote and act in accordance with the College's Complaints Handling Policy and procedures
- appropriately communicate the College's Complaints Handling Policy and procedures to students, parents and employees
- ensure that the Complaints Handling procedures are readily accessible by staff, students and parents
- upon receipt of a complaint, manage the complaint in accordance with the Complaints Handling procedures
- 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
- conduct a review/audit of the Complaints Register from time to time
- 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 Complaints Handling Policy and procedures
- 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

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- 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 Complaints Handling Policy and procedures
- 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
- provide the complainant with a copy of the College's Complaints Handling Policy and procedures
- 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

## 9. Implementation

Kimberley College is committed to raising awareness of the process for resolving complaints at the College, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

Kimberley College is also committed to appropriately training relevant employees (especially senior staff) on how to resolve complaints in line with this policy and the related procedures.

Kimberley College will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the College Board on complaint handling at the College.

Kimberley College will act to encourage students, parents and employees to contribute to a healthy College culture where complaints are resolved with as little formality and disruption as possible.

## 10. Managing this Policy

This policy will be reviewed annually or earlier if necessary. The Human Resources Manager is responsible for reviewing or making approved modifications to this policy and distributing.