

Bayside
Christian
College



COMPLAINTS HANDLING PROCESS

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Complaints Handling Process

1. Purpose

- 1.1 The purpose of this policy is to clearly articulate Bayside Christian College's (BCC) approach to handling complaints and grievances.

2. Principles

- 2.1 Underpinning this policy, is the notion that as Christians we are called to love one another and to live in peace with all others. As given in *Romans 15: 7* "Accept one another, then, just as Christ accepted you, in order to bring praise to God." This verse makes it very clear that we are called to not merely tolerate others, but truly called to accept them.
- 2.2 We recognise that we are not perfect and as fallen individuals, confronted by the challenges of daily life, we do not always behave in a manner in which God would have us behave, and as such it is appropriate for complaints, concerns or grievances to be aired and managed in a manner that preserves peace, unity and allows for the restoration of relationships.
- 2.3 The policy sets a reasonable standard expected of those wish to raise a complaint or grievance, the manner in which the complaint or grievance is received and the manner in which it is responded to.
- 2.4 The College will seek to resolve issues quickly and uses principles of conflict resolution to ensure that complaints are resolved with the least amount of stress for those involved. Processes for dealing with a complaint may be formal or informal depending on the nature of the complaint.
- 2.5 The College recognises the need to treat all parties with fairness.
- 2.6 The College regards Complaints as important.

3. Policy

3.1 Definitions

- 3.1.1 A Complaint is an expression of dissatisfaction made to the College about a real or perceived problem related to the College's services, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected.
- 3.1.2 Procedural fairness is concerned with the procedures used by a decision-maker, rather than the actual outcome reached. It requires a fair and proper procedure be used when making a decision.
- 3.1.3 Natural justice is technical terminology for the rule against bias and the right to a fair hearing and is associated with procedures used by courts of law. The terms procedural fairness and natural justice are commonly used interchangeably.

3.2 Scope

- 3.2.1 This policy is applicable to 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.

3.3 Policy Statement

3.3.1 Bayside Christian College is committed to ensuring that student, parent, employee, and other stakeholder complaints are dealt with in a responsive, efficient, effective, transparent, and fair way.

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

3.3.3 The College acknowledges the right of students, parents, employees, and other stakeholders to complain when dissatisfied with an action, inaction or decision of the College and encourages such feedback. The College recognises that time spent on handling disputes can be an investment in better service to students, parents, employees, and other stakeholders.

3.3.4 Issues Outside of this Policy

The following matters are outside of the scope of this policy and will be managed as detailed:

- a. Child protection concerns or risks of harm to children will be dealt with in accordance with the law and the College's Child Protection Policy;
- b. Student bullying complaints will be dealt with under the Student Bullying and Harassment Policy;
- c. Employee complaints of discrimination, sexual harassment or workplace bullying will be dealt with under the Discrimination, Sexual Harassment and Workplace Bullying Prevention policy;
- d. Student discipline matters, including matters involving suspension or expulsion, will be dealt with under the Code of Conduct for Students;
- e. Employee complaints related to their employment will be directed to the Principal;
- f. Student or employee violence or criminal matters will be directed to the Principal who will involve the police as appropriate; and
- g. Formal legal proceedings.

3.3.5 Complaint Handling Principles

The College is committed to managing complaints according to the following principles:

- a. Complaints will be resolved with as little formality and disruption as possible;
- b. Complaints will be taken seriously;
- c. Complaints will be dealt with fairly and objectively and in a timely manner;
- d. The College will determine the appropriate person to deal with the complaint in the first instance and complaints should be resolved with as little formality and disputation as possible;
- e. Mediation, negotiation, and informal resolution are optional alternatives;
- f. Procedural fairness will be ensured whenever practicable, including the right of interested parties to the complaint to be heard;
- g. Confidentiality and privacy will be maintained as much as possible;
- h. All parties to the complaint will be appropriately supported;
- i. All parties are entitled to reasonable progress updates;
- j. Appropriate remedies will be offered and implemented;
- k. Complainants, respondents, and people associated with them will not be victimised as a result of lodging a complaint, nor will they suffer any other reprisals; and
- l. The College will keep confidential records of complaints.

3.3.6 Notes on Confidentiality

Confidentiality is an important issue for all parties. It is essential that complaints are treated in a confidential manner, as much as possible, and with respect by all parties.

3.3.7 Anonymous Complaints

The College and/or Board will investigate anonymous complaints, however it must be understood that should there be insufficient information contained within the complaint, then the College and/or the Board may not be able to take any action or complete any commenced investigation if the complainant cannot be identified and contacted.

3.3.8 Responsibilities

The College has the following role and responsibilities:

- Develop, implement, promote, and act in accordance with the College's Complaint Handling Policy and Procedures;
- Appropriately communicate the College's Complaint Handling Policy and procedures to students, parents, employees, and other stakeholders;
- 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 Complaint Handling model prescribed in the procedures;
- Ensure that appropriate support is provided to all parties;
- Take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them;
- Appropriately implement remedies;
- Appropriately train relevant employees;
- Keep records; and
- Conduct a review/audit of the Complaints Register from time to time.

The complainant and respondent have the following role and responsibilities:

- Apply and comply with the College's Complaint Handling Policy and Procedures;
- Lodge complaints promptly as soon as possible after the issue occurs or as otherwise appropriate;
- Expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness; that natural justice principles will be observed; 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;
- Show respect and understanding of each other's point of view and value difference, rather than judge and blame;
- Act in a non-threatening manner;
- To be appropriately supported;
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties wherever possible;
- 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 complaint or any person associated with them; and
- To be prepared to examine their party to the complaint prior to seeking to blame others.

Employees receiving complaints have the following role and responsibilities:

- Act in accordance with the College's Complaint 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 Complaint Handling Policy and procedures;
- Maintain confidentiality;
- Keep appropriate records; and
- Forward complaints to the appropriate Head of School, or the Principal, as appropriate;

3.4 Procedures to be Followed

3.4.1 Dealing with a Complaint

All members of the College community are strongly encouraged to maintain respectful and collaborative working relationships and quickly address any misunderstandings should they arise. However, a person may feel aggrieved in the course of his/her engagement with the College and believe that the situation is serious enough to warrant a complaint under this policy remedy the issue.

The source of the complaint may be varied, ranging from conflict over professional or academic issues, or the application of a College policy.

A minor complaint may be remedied by the parties themselves but, if not dealt with, minor complaints can quickly escalate and become issues of a more serious nature. Therefore, if it cannot be remedied quickly, the person should raise the issue of complaint as soon as possible with the appropriate Head of School.

A complaint may be initially communicated in a phone call, written letter, email, or a meeting. Issues should be raised in the first instance as follows:

- Staff with their immediate supervisor, or if a grievance is with a supervisor, the issue should be raised with the Deputy Principal;
- Students with the class teacher, then the appropriate Head of School;
- Students or parents with academic complaints should first raise concerns with the class teacher, then the Head of Department or Junior School Coordinator, and then with the appropriate Head of School;
- Contractors with the person who has engaged them at the School;
- Parents and volunteers with the relevant member of staff overseeing the area of concern or with the appropriate Head of School;
- External stakeholders with the Principal.

It should be noted that Complaints made without substantiation or accusations made without any basis are unprincipled and this will be viewed by the College as a very serious matter.

3.4.2 Support

It is acknowledged that raising issues of conflict may be difficult for some people. Therefore, the option exists for a support person to be included in any meetings with the person investigating the complaint.

The role of a support person is to provide support to the complainant, for example by discussing the issue with him/her or taking notes in the meeting. In this situation, a support person is not an advocate for the complainant and should not become actively involved in the discussions.

A support person could be a colleague or friend and in the case of students, a parent or guardian.

3.4.3 Process for Complaint

On the initial receipt of a complaint (written or verbal), the staff member receiving the complaint will acknowledge receipt of the complaint, assess the nature of the complaint and either deal with the matter themselves or, if appropriate, pass the matter to a more senior member of staff in a position of leadership.

It is important that the complainant is advised of the process and provided with a timeframe for dealing with the complaint. Usually, action should be initiated within 7 – 10 working days, but the timeframe may vary according to the nature, complexity, or timing of the complaint.

Complainants should be kept informed of progress in resolving the complaint. Appropriate records should be kept.

If appropriate, the person dealing with the complaint may elect to seek to resolve the issue informally by meeting with the parties singly and/or together, providing advice or strategies for action. Such an approach is not an option for dealing with matters related to Child Protection or formal complaints of harassment, bullying or discrimination which should always progress immediately to the formal policy processes.

Where this informal process is not appropriate or does not lead to resolution, the formal complaint procedure will then apply.

Formal Complaints

The College regards formal complaints as serious matters that have the potential to affect the reputation and career of staff or the prospect of students continuing at the College. Therefore, formal complaints must be made in a formal manner according to the following guidelines:

- Formal complaints must be in writing, signed by the complainant;
- The written complaint should clearly outline the nature of the complaint and specify individuals involved. It should include all relevant supporting material available to them such as emails and notes of verbal communication including, where appropriate, the names of witnesses; and
The formal written complaint should be directed to the appropriate Head of School or the Principal/Should the complaint be about the Principal/, then the complaint should be addressed to the Chairman of the Board;

All complaints will be treated seriously. The College will determine the most appropriate method of dealing with the complaint in accordance with the procedures outlined in this policy.

Formal complaints will be tracked and recorded in a Complaint Register which is kept in the Principal's office. Details of the issue, dates and names of the parties involved, the investigation process, actions taken, location of file and the outcome will be recorded. A detailed file will be kept in confidential College records.

Escalation:

Escalation should only occur if the following circumstances occur:

- The issue has been raised with an employee's immediate supervisor, but action has not been initiated within a 7-10 working day period; or
- If the above process has been followed and the problem has not been satisfactorily resolved, the issue may be escalated to a higher level; or
- If the complaint is against the Principal/then it should be raised as a grievance with the Chairman of the College Board via a letter addressed to him/her via the College.

A complaint may be escalated to the Principal/or the Chairman of the Board if the above conditions apply and have been met.

3.4.4 Review

The College does not offer unlimited opportunities for review if a complainant is unhappy with the resolution of a complaint. Any appeal against the resolution of a complaint should be made in writing to the Principal.

An appeal is only likely to be considered if there is evidence that there was an absence or procedural fairness in the investigation, or should it be considered that critical evidence was not considered in the original complaint, or that the decision as provided was subject to an apprehension of bias.

The Principal, at his/her discretion, will consider the application for a review and will either direct that the complaint be re-examined or direct that the matter be closed.

Should the complainant remain unhappy with the outcome, they may raise the matter with the Chairman of the Board who will consider the application for a review and either direct that the complaint be re-examined or direct that the matter be closed.