



Complaints and Grievances Policy

1.0: Policy Statement

Kardinia International College is committed to providing a safe, respectful and positive learning environment for all students. We have both a desire and a responsibility to ensure that high standards of conduct and communication are maintained at all times. We acknowledge that students and parents can sometimes feel aggrieved about something that is happening at the College which appears to be discriminatory, is unfair, unjust or unreasonable, constitutes harassment or causes concern.

In line with our stated College values, we aim to treat all persons within the College with respect and in a manner mindful of the diverse nature of our College. We acknowledge our overarching responsibility in responding to all matters concerning complaints and grievances ensuring they are managed and resolved fairly, efficiently, positively, and in accordance with relative legislation.

Kardinia International College endorses the guiding principles of the National Safe Schools Framework which states that Australian schools should:

- *Affirm the rights of all members of the school community to feel safe and be safe at school.*
- *Acknowledge that being safe and supported at school is essential for student wellbeing and effective learning.*
- *Accept responsibility for developing and sustaining safe and supportive learning and teaching communities that also fulfil the school's child protection responsibilities.*
- *Encourage the active participation of all school community members in developing and maintaining a safe school community where diversity is valued.*
- *Actively support young people to develop understanding and skills to keep themselves and others safe*
- *Commit to developing a safe school community through a whole-school and evidence-based approach*

National Safe School Framework: <https://www.education.gov.au/national-safe-schools-framework-0>

This policy sets out the internal procedures that apply within the College in addressing complaints and grievances. These procedures are designed to ensure that throughout the College there is a transparent process for ensuring complaints and grievances are dealt with fairly, consistently and promptly. Persons who may use these procedures include:

- Parents/caregivers of students at the College.
- Students within the College.

1.2 Relevant Legislation, Guidelines, Policies and Procedures

In conjunction with this Complaints, Grievances & Concerns procedure, note should be taken of relevant legislation, guidelines, policies and procedures pertinent to the issue, including for instance:

- Enrolment Policy and Procedures.
- Suspension and Exclusion Policy.
- Behaviour Management Policy.
- Privacy Policy.

The outcome of complaint investigations may be used to review College policies and risk management strategies.

1.3 Definitions

Definitions and examples of complaints and grievances covered by this procedure include:

- issues related to learning and teaching
- issues related to student discipline procedures
- damage/loss of personal property

For the purposes of the policy, the following definitions apply;

- A **'complaint'** is an issue of interest (because of its importance and effect) that is seen as unsatisfactory or unacceptable which is raised in order to improve or change the situation. For example:

I believe that the school's physical education policy and program is inadequate. I don't think that it caters for students who have well-developed skills and who need to be involved in competitive sport. I think the school should review its policy in this area.

- A **'grievance'** is an expression of resentment over something believed to be wrong or unfair where the complainant is seeking redress or justice. For example:

My daughter has been left out of the school's netball team for the third time in a row. She is an accomplished netballer and deserves to be included.

- A **'complainant'** refers to the individual making the complaint or grievance.
- An **'investigator'** refers to the person who may be asked to investigate allegations or details of a complaint or grievance, without personal interest or bias.

Note: Throughout this policy we recognise that, a grievance and complaint are likely to be dealt with under the same procedure.

2.0: Key Elements of the Policy

2.1 Impartiality and procedural fairness

If you make a complaint, it will be investigated in a fair and impartial manner. No judgements or assumptions will be made, and no action will be taken until the investigation is complete. If a complaint is made against you, your rights will be protected and you will be given an opportunity to respond. All persons involved will be kept informed of the details as appropriate. If the College obtains legal advice in connection with a complaint, however, the advice is privileged.

2.2 Confidentiality

Where possible, a complaint made under this procedure will remain confidential. People who will have access to information about the complaint will be the complainant, the investigator and any third party who may be involved if deemed appropriate. The person about whom the complaint is made will also be informed. Where a complainant asks to remain anonymous, the investigating officer will decide whether that request can be conceded and/or whether it is practical to do so. The investigator will ensure any documentation is kept in a secure location.

While investigating the complaint or grievance, the College will only collect information that is required for the investigation and will not share this information without permission from the complainant. Depending on the nature of the complaint or grievance, however, the College reserves the right to disclose details of the matter to any other persons who, in our opinion, need to know, in order to facilitate the resolution of the complaint.

2.3 No victimisation

The College will make every effort to see that a person who makes a complaint is not victimised in any way; refer to the College Bullying Policy.

2.4 Vexatious or malicious complaints

There is an underlying assumption that complaints are made in good faith and with an intention for resolution as opposed to retribution. Where the investigator believes the complaint is malicious, vexatious, frivolous or lacks substance, he or she may deem not to investigate or proceed but will document the complaint and inform the complainant.

2.5 Timelines

Each complaint will be finalised within as short a period of time as possible.

2.6 Subpoenas, Court Orders (see Legal Obligations 1.3 above)

The College must comply with the law and respond to any subpoenas issued. It must be informed of any court orders pertaining to a child and undertakes to do its best to support those court orders. The College, however, is not obliged to enforce court orders to the detriment of the safety of staff and other students. For example, if an attempt is made to remove a child from the College and this is in breach of an order, all reasonable efforts will be made to prevent this including the initiation of Lockdown procedure according to the Emergency Management Plan (EMP). The College will call police to enforce a current order.

2.7 Access and Transparency

The College will ensure that this policy is accessible to the public and that the policy is enforced in a clear and consistent manner. This Policy is available on the College's intranet.

2.8 Accountability

The College acknowledges the need to ensure that the complaint handling procedures are open to review and scrutiny by all stakeholders.

2.9 Consideration for persons of Aboriginal Background, Culturally Diverse, Family Diverse or Linguistically Diverse Background, or with a Disability

The College respects the diversity of the College and understands that a range of issues may affect a complainant. The College will make allowances for, or provide assistance with, the process as set out in this policy. For example, an interpreter may be required to ensure that the facts are accurate and the exchange of information is fairly represented. The College will endeavour to honour due diligence in this area and make every effort to accommodate diverse needs to ensure equality of process.

2.10 Making a Complaint, or expressing a Grievance

Some complaints, because of the seriousness of their nature, may be referred immediately to the Principal. All issues concerning the abuse of children will activate procedures outlined in the Child Safe Policy, located on the College intranet.

3.0: Procedure for Raising a Complaint or Grievance

3.1 Approach the person involved

In many situations the aggrieved person can address the issue by raising the complaint directly with the person involved. The most appropriate thing to do is to make an appointment with the person to inform them of the complaint. Telling the person will give them a chance to respond to the complaint and work towards a resolution.

If the complaint is able to be resolved immediately, and no further action is deemed necessary, the person receiving the complaint will document it appropriately in their personal file for future reference.

Note: Parents are advised not to approach the children of other families with a College related complaint nor should they approach the children of other families with a non-College related complaint on College grounds. This is often a sensitive area and in order to protect all the parties it is advisable to work through the relevant teacher or members of the College Leadership Team.

3.2 Contact the College

Where the aggrieved person feels they cannot approach the person directly or are not happy with the response or reaction, then they can explain the matter to the next appropriate person at the College. Refer to flow chart found on page seven and eight.

The complainant will be advised as to the person designated to deal with the nature of the complaint, the investigator. This person may be a classroom or subject teacher, House Coordinator, Director, Department Head, Head of School, Deputy Head of School, the Deputy Principal or Principal. The investigator will advise the complainant about the procedures if they make a formal complaint.

If a complainant contacts the College Board directly, they will be referred back to the Principal or College Leadership Team (CLT) as the College Board is not involved in the day to day running of the College.

4.0: Assessing the Complaint or Grievance

The complaint or grievance is initially assessed to ensure the most appropriate person addresses the concern. In cases of serious misconduct, such as sexual offences, criminal charges, child protection matters or other serious incident, the matter will be directed to the Head of Schools. In these instances, a Mandatory report may be made or situations referred to the police as a matter of urgency. The Principal will ensure this is done.

4.1 Interviewing the complainant

The investigator will conduct an interview with the complainant, giving the opportunity for the complainant to outline their complaint or grievance and for them to be supported if required.

The investigator will carefully check understandings of the issue raised to ensure full knowledge of the complaint or grievance. They will formally record written notes containing the information given. An outline of the likely action is outlined as well as an approximate timeline follow-up contact maybe expected.

4.2 Gathering data on complaint or grievance

The investigator will then explore the complaint or grievance. This includes gathering data from the person about whom the complaint is made (to understand their point of view on the complaint) and any witnesses. The person who had an allegation made against them, has the right to:

- know the allegations related to the complaint or grievance and any other information which will be taken into account in considering the matter;
- know the process by which the matter will be considered;
- respond to the allegations; and
- know how to seek a review of the decision made in response to the allegations.

All interviews will be conducted separately and impartially. Written reports about the complaint will be recorded. The importance of confidentiality will be stressed to all parties and they will be warned of the consequences if there is a breach of confidentiality, for example possible defamation action or, initiation of a complaint of harassment.

In reference to grievance issues, the investigator may also need to refer to College documentation such as policies and procedures, curriculum documentation and or other relevant guidelines.

4.3 Support person

During the interview process, any person may have a support person present during meetings or interviews. The support person would normally act as an observer, but may take a more active role with the mutual agreement of all parties. Support persons must maintain confidentiality and other principles as set out in this procedure. The Support person will be noted in all written notes. When meeting with the College Principal, they are to be advised of the attendance of a support person before any meeting or interview. Similarly, the Principal will advise of any other person he/she may invite to attend.

4.3 Option for resolution

The investigator will outline options for resolution with all parties. On most occasions, these options will also be discussed with the immediate line manager or other appropriate people involved. Every endeavour will be made to address all concerned within reasonable timeframes and under mutual agreement.

5.0: Responding to the Complaint or Grievance

5: 1 Outcomes

The complaint or grievance is either dismissed or accepted based on the implementation of resolution options. In the case where the complainant is not satisfied with the response or recommended resolution options, they may choose contact the VIT or VRQA or any relevant other statutory body for further advice.

If the complaint is upheld, the following are possible outcomes depending on the nature of the complaint:

- An agreement between the parties to resolve their differences;
- A reasonable compromise is agreed upon;
- A verbal or written apology is provided;
- Disciplinary action (student);
- Mediation and or
- Review of policies, procedures and practices.

Where staff members are the subject of a complaint, appropriate action may be taken in line with the College's Human Relations policies and or the College Collective Enterprise Agreement. Where students are the subject of a complaint, action may be taken as stated in the relevant student discipline and pastoral care policies.

5.2 If a complaint is not upheld or not substantiated (e.g. there is insufficient evidence) the College may choose to monitor the situation and or provide guidance for student and or staff involved.

6.0: Child Protection Procedures

None of the information within this document replaces procedures developed by the College in respect of the investigation of matters arising under the Child Safe Standards in the AGS Child Safe Policy (2016).

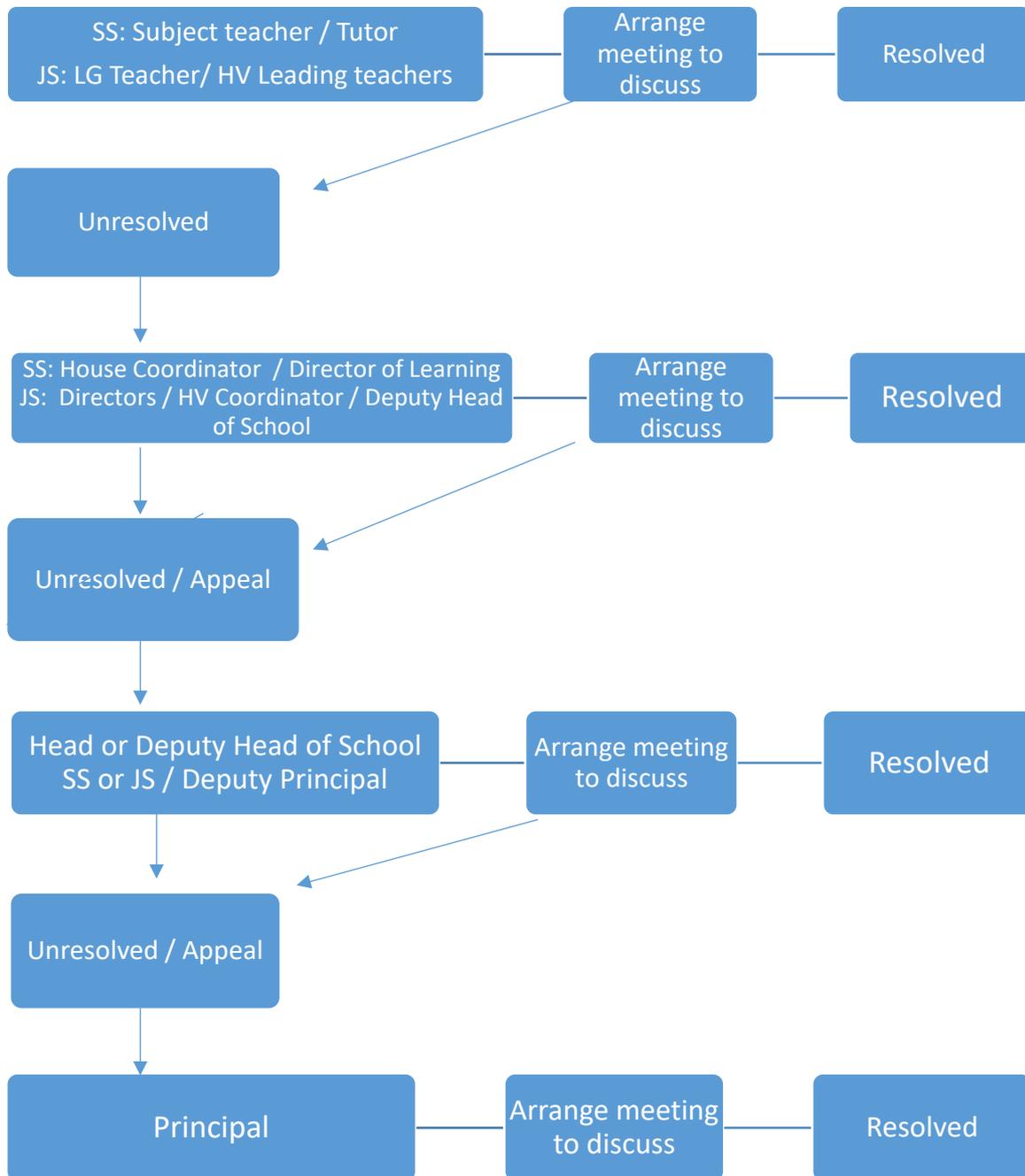
7.0: Record Keeping

Records of complaints, interviews and other documentation relating to a complaint are kept at the College (where dealt with at College level) in a secure location with restricted access.

8.0: Procedure Flow Charts

10.1 For Parents/Caregivers/ Families

This is the recommended process. The College recognises the right of any complainant to directly approach a member of the College Leadership Team should the complainant feel this is warranted.



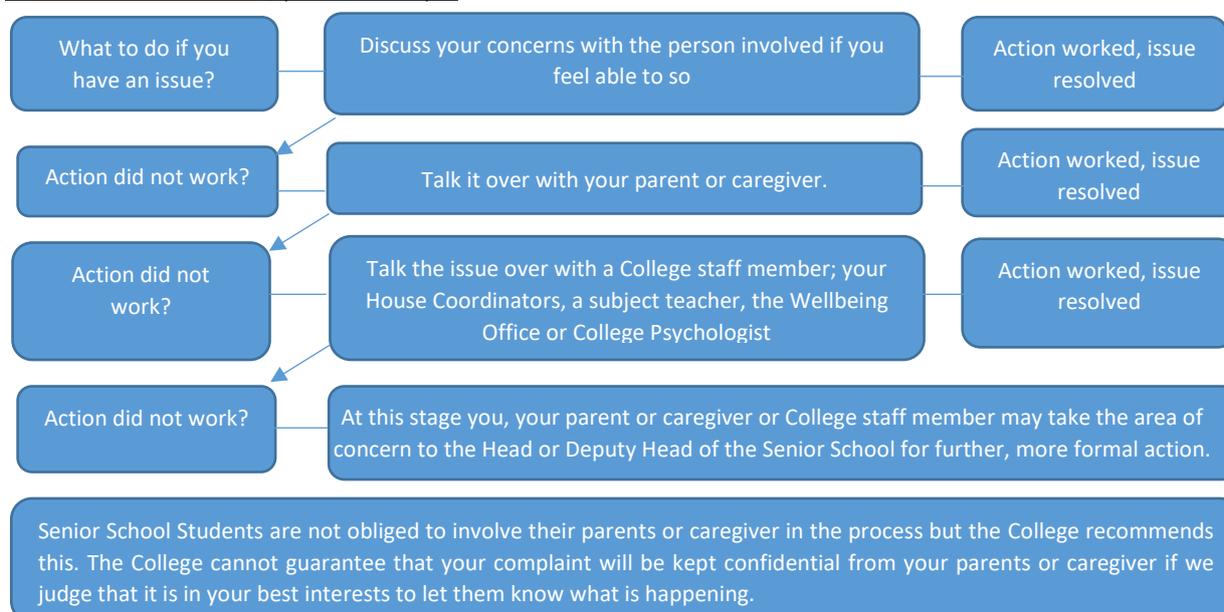
10.2: For Students

At Kardinia International College, we believe it is important that everyone feels happy and safe so that the best learning can take place. If a student has a problem, a concern or a complaint, we encourage them to speak to someone about it. Students have the right to be listened to, be heard and taken seriously. Below are some steps that the student may work through to help resolve their concern.

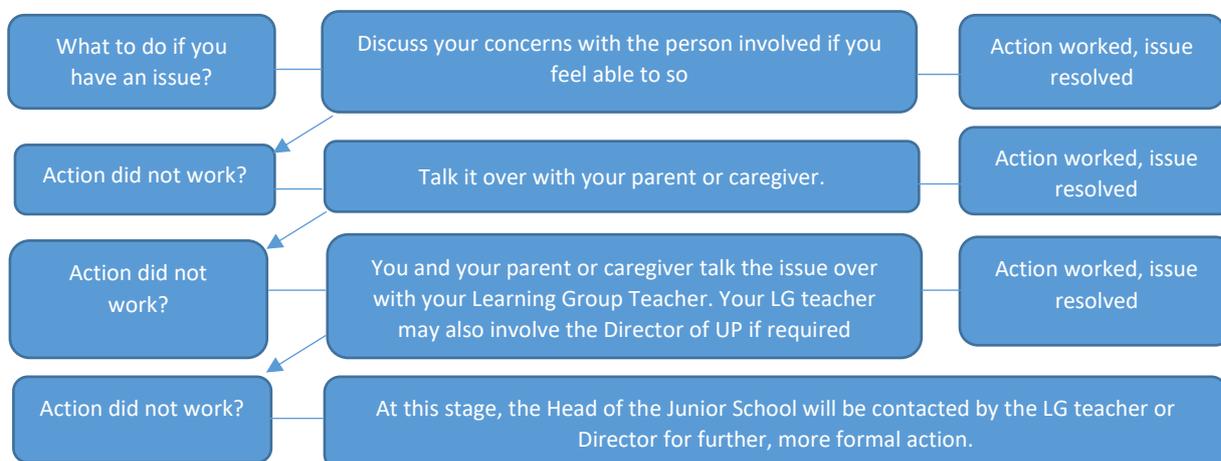
Suggestions to students if they have a problem or concern:

- Try to identify the problem that is upsetting you. If there is more than one problem, list them so that you are clear about what you feel or need.
- If you can, talk to the person you are having the problem with and if their behaviour is upsetting you, tell them to stop.
- If you do not feel that you could do this or, if your talk with the person does not solve your problem, talk to your parents or caregivers and or a trusted staff members and ask them to help you. They may be able to give you effective options on how to cope or take action.
- Try to stay calm when discussing your problem or concern. Even if you don't feel it, being calm will help you get your concerns across to them if you are upset or angry.

Senior School Student, possible steps:



Junior School Upper Primary Student, possible steps:



9.0: Compliance Documents

- Education and Care Services National Law Act 2010: Section 174(2)(b)
- Education and Care Services National Regulations 2011: Regulations 168(2)(o) and 176(2)(b)
- National Regulations 2011: Regulations 173(2)(b)
- Victoria Department of Education and Training: Parent Complaints Policy (Interim) guide, 2016
- Victorian Department of Education and Training – Guide 2 – Dealing with a complainant
- Australian / Standard AS/NZS 10002:2014 Guidelines for Complaint Management in Organizations
- Victorian Institute of Teaching
- Victorian Registration & Qualifications Authority, website

POLICY DATES			
<i>Written / updated</i>	May 2017	<i>Approved by Head of Schools</i>	June 2017
<i>Approved by College Leadership Team:</i>	July 2017	<i>Next Review Due</i>	May 2020