



# Complaints Policy

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*St Bernard's College is committed to a culture of "zero tolerance" for child abuse. We promote a culture that prioritises the safety and wellbeing of all young people and continue to respond positively and proactively to Ministerial Order 1359 in relation to related policies, procedures, strategies, risk mitigation and our responsiveness to emerging issues. St Bernard's College is committed to the establishment of a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal and Torres Strait Islander young people are respected and valued.*

## Rationale

St Bernard's College is committed to providing students with an education of the highest possible quality. However, from time to time, students or parents may raise concerns, complaints or grievances about matters or issues relating to their experiences at the school. This procedure deals specifically with complaints raised by either students or parents.

This policy sets out the internal procedures that apply within the College for addressing student or parent complaints and grievances. These procedures are designed to ensure that throughout the College there is a transparent process for ensuring complaints are dealt with fairly, consistently and promptly.

## Definitions

**Complaint** is defined as an "expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legal required" (AS/NZS 10002:2014).

The term complaint is used to refer collectively to any enquiry, comment, complaint or dispute raised by a person expressing dissatisfaction as to a particular circumstance or situation related to our services or operations.

There are separate (EREA) policy and guidelines to deal with Internal Grievances (see Related Documents below). Internal grievances are managed under the oversight of the Deputy Principal in the first instance, and thereafter the Principal.

**Concern** is a matter or query that can be resolved either at the time it is made and received, or very shortly after it's received. The majority of matters of concern are addressed by frontline or first point of contact staff.

When a concern cannot be resolved and needs to be referred on to a member of the Senior Leadership Team (SLT) of the College, then it is classified as a formal complaint. A formal complaint is a matter that requires further investigation and/or a written acknowledgment and response.

**Complaints register** is a centralised, written record of formal complaints lodged and the actions taken by a member of the SLT to resolve the matter.

A "**person**" includes students, parents/carers, former students, parents/carers of former students, members of the wider College community, strategic partners, regulators, and can even extend to competitors and members of the public generally. A person may be a natural person, an organisation, or a representative of an organisation.

[Protocols for Home-School Communication](#) is a guiding document, available on the College public website (Contact Us | To Whom Should I Speak?), which provides advice about the appropriate member of staff to whom matters of concern should be addressed in the first instance.

## Procedures

The following key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve concerns informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

These procedures have been developed for handling complaints made by staff, parents, students and members of the public. The benefits of having a complaint handling procedure ensures that the College:

- takes complaints seriously;
- can prevent an issue escalating further;
- helps ensure that complaints are dealt with in a consistent manner;
- reduces the likelihood that it will become necessary for an external agency to become involved, which can be time consuming, costly and damaging to the public image of the College;
- enables the College to recognise patterns of unacceptable conduct, and respond to the need for prevention strategies in particular areas;
- reduces the rise of liability being incurred under state or federal anti-discrimination legislation.

Formal procedures may need to be invoked when initial attempts to resolve an issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The Protocols for Home-School Communications document indicates the process by which matters of concern can be escalated to a nominated the SLT member. Once a matter is escalated to a nominated member of the SLT, they will discern whether the matter is a complaint. If not, the member of the SLT will refer the matter to the most appropriate member of staff for resolution.

## General Principles

The complaints procedure will:

- Encourage resolution of problems by informal means wherever possible;
- Be easily accessible and publicised;
- Be simple to understand and use;
- Be impartial;
- Be non-adversarial;
- Allow swift handling with established time-limits for action and keeping people informed of the progress;
- Ensure a full and fair investigation by an independent person where necessary;
- Respect people's desire for confidentiality;
- Address all the points at issue and provide an effective response and appropriate redress, where necessary;
- Treat all complaints with sensitivity;
- Provide information to the SLT so that services can be improved;
- Ensure that no person is victimised as a result of raising a complaint.

## What To Do If You Have A Complaint

In all instances, it is an expectation that complainants conduct themselves in a respectful and courteous manner. Correspondingly, complainants can expect to be responded to in a respectful and courteous manner. Unacceptable behaviour from a complainant may result in the College withdrawing from engagement with the complainant, to the fullest extent that may be necessary.

Complaints may be made via telephone, email, letter, or in person. The complainant is expected to disclose their name and contact details. The College cannot effectively deal with anonymous complaints.

### **General Principles (continued)**

There are five stages of complaint handling:

- Stage 1: matter of concern heard by Teacher or other relevant member of the College staff (although not if that person is the subject of complaint);
- Stage 2: matter of concern heard by the appropriate Year Level, Subject or Domain Leader ;
- Stage 3: complaint heard by a member of the SLT as appropriate;
- Stage 4: complaint heard by the Deputy Principal;
- Stage 5: complaint heard by the Principal.

In some rare cases it may not be possible to resolve the complaint to the satisfaction of the complainant using these procedures. In such a case the complainants should discuss the options for further action with the Principal. This may include the involvement of external dispute resolution consultants.

### **Investigating Complaints**

At each stage, the person investigating the matter of concern or complaint makes sure that they:

- Establish what has happened so far, and who has been involved;
- Clarify the nature of the matter or complaint and what remains unresolved;
- Meet with the person or persons raising the matter or contact them (if unsure or further information is necessary);
- Clarify what the person or persons raising the matter feels would put things right;
- Interview those involved in the matter and/or the subjects of the matter, allowing them to be accompanied if they wish;
- Conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of the interview.

### **Resolving Complaints**

Once a matter of concern reaches the level of a complaint, the following action must occur:

- Written acknowledgement of the complaint and the response to it.

One or more of the following actions may also be appropriate:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance that the event complained of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking of review College policies in light of the complaint.

All formal complaints must be recorded in the centralised Complaints Register.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues. Depending on the issue, the designated person may need to take immediate and appropriate corrective action.

Complaints will be considered and resolved as quickly and efficiently as possible. To be effective the SLT member will need to set realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant given details of the new deadline and an explanation for the delay.

## Related Policies

- Child Protection Reporting Obligations (CEM)
- Schools Guide Mandatory Reporting
- EREA Internal Grievance Policy
- EREA Internal Grievance Guidelines
- Protocols for Home-School Communication

## Policy Review

<b>Ratified:</b>	June 2017
<b>Last Reviewed:</b>	November 2019
<b>Next Review Date:</b>	November 2022