

# Northside Christian College

## POLICY & PROCEDURES

### Complaints (Formal)

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<b>Issued by:</b>	Principal's Office
<b>Issue Date:</b>	16 May 2018
<b>Approved by:</b>	Principal
<b>Location:</b>	College website, Policy database, Policy Register and Parent Lounge
<b>Review Date:</b>	May 2020

#### Introduction

1. There will be times when members of Northside Christian College community (staff, students, parents) will wish to question aspects of College life, address concerns, or bring complaints against behaviours of persons or decisions.
2. The College website has a Feedback / Suggested Improvements Form which is available to our parents, students and community to provide feedback and ideas for improvements. This on-line form is available through the College "Contact Us" page.
3. Most complaints will be able to be satisfactorily remedied informally through communication with staff, curricular and pastoral leaders/Chaplain and College senior staff. Appointments can be made with College staff to discuss issues.
4. Additionally, College policies are in place to address and remedy behaviours of concern. They include the IT User Agreement, the Anti-Discrimination Policy, Workplace Harassment and Bullying Policy, Dispute Resolution Policy and Privacy Policy.

#### Purpose

This policy and accompanying procedure exist to provide a clear process for parents, students and staff should they wish to make a formal complaint about any matter (other than Industrial or a Child Protection matter). The complaint must be made in writing to the Principal.

#### Scope

This policy covers Formal Complaints about any matter other than an Industrial or Child Protection matter, brought by parents and staff of the College. Students over 18 years of age may bring complaints on their own behalf. Formal Complaints concerning Anti-Discrimination, Sexual Harassment and Bullying are also made using this policy and procedure.

#### Principles

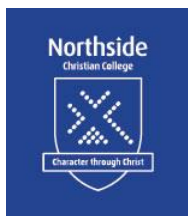
1. All members of the College community have a right to participate in College life in an environment conducive to their wellbeing and safety.
2. Natural justice will be accorded to all.
3. Appropriate confidentiality will be observed as an important principle of complaint resolution.
4. Complaints need to be handled in a consistent and timely manner.

#### Victimisation

1. Victimisation occurs if a person is treated detrimentally because they made or were involved in bringing a formal complaint.
2. Victimisation under this policy extends to the person who made the complaint, the person against whom the complaint was made, and any other party involved in the handling of the complaint. Victimisation under this policy and the law will not be tolerated and may be the basis of another complaint.

#### Policy Statement

1. The College acknowledges the right of parents (personally or on behalf of students), students and staff to seek remedy for concerns and problems they have as arising out of behaviour or decisions associated with the College.
2. All formal complaints will be addressed under this policy.
3. Natural justice and confidentiality will be stressed.
4. Outcomes for substantiated complaints will be put in place.



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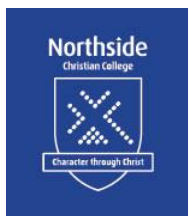
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5. Any person whose presence at the College is seen in the reasonable view of the Principal to be an unacceptable risk to others will either be directed to specific areas within the College Campus, or, be asked not to attend the College Campus or any of its associated facilities or activities.
6. Where this applies to a member of staff, the staff member concerned will still be entitled to their normal remuneration conditions during the time in which the complaint is being addressed.

#### Procedures

1. The complainant is required to make the complaint in writing to the Principal. The complaint and any other documentation are to be submitted to the Principal by the Complainant.
  - a. A complaint form (see Annexure A) is available, but not obligatory
  - b. In cases where the complaint is regarding the Principal, the relevant documentation is to be addressed to the Chairman of the Board of Directors, marked "Confidential – Formal Complaint". All documentation is to be handed to College Administration, which will document the receipt of the complaint and forward it on.
2. The Principal and another senior staff member (with, as necessary, external advice) will decide how best to manage the complaint. This may include:
  - a. handling the complaint under a specific College Policy – if applicable
  - b. mediation
  - c. internal investigation by appropriate senior staff
  - d. engaging an external person to investigate the complaint.
3. The Principal or their nominee will meet the alleged Offender/Respondent to inform him/her of the complaint and all details and copies of documents. The Principal or their nominee will invite the Respondent to respond then and there, if he/she wishes or at a later time.
4. The Principal or their nominee will inform both Complainant and Respondent of the Formal Complaint Management Plan decided upon, to address the complaint.
5. Both parties are invited to have support persons of their choice at all stages of the proceedings.
6. If mediation has been decided upon, an outside mediator or other mediator agreeable to both parties will be engaged.
  - a. The mediation will take place
  - b. Both parties will be requested to support any outcome
  - c. Both parties will be requested to sign on the outcome agreed upon
  - d. Apart from the agreed outcome, the mediation meeting will not be recorded in any form
  - e. The matter will be monitored at set intervals subsequently.
7. If the Principal or their nominee decides the matter needs to be looked into internally, a senior staff member will be delegated as Complaint Case Manager for the complaint in question.
  - a. Relevant members of staff will be interviewed.
  - b. The Complaint Case Manager will meet with College senior staff to give a summary of the matter.
  - c. The Principal and College senior staff (at the discretion of the Principal) and external adviser will decide on the outcomes.
  - d. The Principal will put such outcomes in place.
8. If an investigation by an outside investigator is decided to be appropriate:
  - a. the outside investigator will be engaged as the Complaint Case Manager
  - b. the investigator will attend the school to interview both parties and relevant witnesses as nominated by complainant, respondent and investigator.
9. Where a formal complaint has been lodged, the following type of evidence may be relevant, or required:
  - a. Supporting evidence from a medical practitioner, counsellor, family member, friend or co-worker
  - b. Supervisor's report and personnel records (e.g. sudden increase in sick leave)
  - c. Complaints or information provided by other employees about the behaviour of the alleged person causing the concern
  - d. Records kept by the person who has the concern
  - e. Whether the parties presented the evidence in a credible and consistent manner



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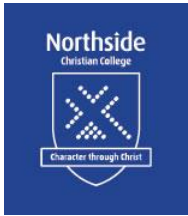
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- f. The absence of evidence where it should logically exist.
  11. The investigator will provide a report of the investigation including recommendations to the Principal.
    - a. The report is privileged to the Principal and Board.
  12. The Principal or their nominee will:
    1. decide on the most appropriate outcomes in view of the report and recommendations
    2. inform the Complainant and the Respondent of the outcomes
    3. put in place any outcomes of the investigation. These may include disciplinary outcomes for staff and students.
      - a. Outcomes may include any combination of the following:
        - counselling
        - disciplinary action against the person complained about (e.g. demotion, suspension, probation or dismissal)
        - official warnings that are noted on the personnel file
        - disciplinary action against the person who complained, if there is strong evidence that the complaint was vexatious or malicious
        - formal apologies
        - reimbursing any costs associated with the issue of concern.
      - b. Outcomes decided upon will depend on factors such as:
        - the severity and frequency of the issue causing concern
        - the weight of the evidence
        - the wishes of the person who is making the complaint
        - whether the person causing the problem could have been expected to know that such behaviour was a breach of policy/unprofessional conduct
        - the level of contrition
        - whether there have been any prior incidents or warnings.

### Other Considerations

1. Disciplinary outcomes will apply to anyone who brings a complaint, which is considered vexatious, or without any basis.
2. There may be times when a Complainant does not want to continue with any process or investigation. If the issues raised are such that the health and well-being of staff or students are being adversely affected, the College reserves the right to instigate an investigation, irrespective of the wishes of the Complainant or other parties.
3. The decision of the Principal or their nominee marks the end of the Formal Complaints Process offered by the College.
4. Where the Formal Complaint pertains to the Principal, the Board of Directors will appoint a suitable representative sub-committee to address the complaint, as per the guidelines outlined above.

### Related Documents

- Formal Complaint Notification Form
- Dispute Resolution Policy
- Unsatisfactory Work Performance Policy



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#### Annexure A - Formal Complaint Notification Form

##### TO BE COMPLETED BY PERSON LODGING FORMAL COMPLAINT

1. Full Name:\_\_\_\_\_

2. Daytime Phone:\_\_\_\_\_ After Hours / Mobile Phone:\_\_\_\_\_

3. Have you personally taken steps to try and resolve the issue before proceeding to lodgement of a Formal Complaint?

(Circle Yes or No)

YES

NO

4. If "YES": Please provide details and attach any supporting documentation:\_\_\_\_\_

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5. Nature / description of complaint:\_\_\_\_\_

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6. Names of any witnesses or support person/s (if applicable):\_\_\_\_\_

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I maintain that the above is true and accurate to the best of my knowledge.

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Name

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Signature

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Date