



# COMPLAINTS POLICY

## Rationale

As a School in the Edmund Rice Tradition, St Joseph's Nudgee College seeks to fulfil its mission to provide a holistic education grounded firmly in the four Touchstones of the Edmund Rice Charter. Integral to the mission of the College is the imperative to continuously improve outcomes for its students and promote a professional and enriching work environment for its staff.

## Application

- Students, parents/carers and members of the public.
- All complaints with respect services offered by the College as a School in the Edmund Rice Tradition.

## Definitions

- **Complaint** – an expression of dissatisfaction made to the College with respect to services offered by the College as a School in the Edmund Rice Tradition where a resolution is explicitly or implicitly expected.
- **Complainant** – any person who makes a complaint.

## Publication

This policy is readily available in the staff handbook and also sits on the College website for easy access.

***Where a complaint relates to a report about harm (whether physical/emotional/sexual) of a student please refer to EREA Student Protection Processes.***

# Managing Complaints and Grievances Procedures

## Procedures

The following is the appropriate procedure for managing all complaints and grievances at the College. This policy covers complaints made by staff, students, parents and guardians. It reflects our commitment to the positive restoration of relationships which encourages people with a complaint or grievance against another to, in the first instance, discuss with the other person of their grievance or concern.

## Raising a complaint or grievance at the initial level

Complaints made at the initial level should be resolved by the appropriate Nudgee College representative. Early action at the informal level generally provides the best opportunity for a position resolution.

The following guidelines relate to the process:

1. Complaints may be raised verbally or via written correspondence, including email. All complaints must be raised in a respectful manner that is open, non-offensive and unbiased.
2. The complainant will be advised that the respondent is entitled to receive full details of the complaint, including the name of the complainant.
3. Every endeavour will be made to handle complaints in a confidential, timely and supportive manner, utilising conflict resolutions actions in accordance with the values and ethos of Nudgee College.
4. The complainant and respondent should attempt to resolve the matter personally through a discussion of open and honest dialogue.
5. A third party may be required to assist with a resolution, such as a relevant line manager.
6. The outcome and remedies should be determined by mutual agreement between both parties.
7. It is expected that most complaints will be resolved at this stage.

In the first instance parents or guardians are encouraged to directly raise their concern with the member of staff their complaint is about. This is best achieved through making an appointment to meet with the individual member of staff.

If the complaint or grievance is about an educational, behavioural or school environment matter, the following table offers some guidance:

<b>Learning and Teaching Concern</b>	First instance: Subject Teacher Then: Head of Subject Then : Director or Dean of L and T
<b>General Pastoral Concern (camps, buses etc)</b>	First instance: Pastoral Care Teacher Then: House Dean Then: Director or Dean
<b>Activity Concern</b>	First Instance: Director of the activity Then: Director of Activities
<b>Service/Support Staff Concern</b>	First instance: Line Manager Then: HR Department Then : Deputy Principal
<b>Financial Concern</b>	Dean of Operations

In all instances, the College's representative will record the issues and steps which have been taken to resolve the complaint. The College's representative may choose to meet with the student/s, without a parent being present, as part of due process and natural justice.

**Once a complaint has been received, all interested parties have a right to be heard. This includes both the complainant and the person being complained about.**

### **In the first instance if the source of the complaint is a student**

In the first instance, the student should act to resolve a minor complaint by discussing the matter with the staff member concerned. If the student does not feel he can raise the matter directly with the staff member concerned, he may approach his Pastoral Care teacher, House Dean, Director of Students, or a College Counsellor.

If a resolution is not achieved in the first instance, the matter should be deferred to the appropriate member of staff, as indicated in the table above.

### **In the first instance if the source of the complaint is a staff member**

In the first instance, complaints should be resolved between the staff member and the respondent. Another staff member may be called upon by either party to act as an impartial facilitator. The facilitator should be agreed upon by both parties. If the complaint is not resolved the complaint should be raised with their relevant line manager. At any stage of process, the Complainant or Respondent may nominate a support person to attend meetings or interviews.

Complaints relating to discrimination, harassment, sexual harassment, workplace bullying, vilification, and occupational violence should be dealt with in accordance with the College Policy.

In all instances, the College's representative will record the issues and steps which have been taken to resolve the complaint.

### **If the complaint or grievance remains unresolved**

If the matter remains unresolved after following the first instance procedures, or the complaint is of a very serious nature, the Complainant may make an appointment to see the relevant Dean or the Deputy Principal. If this meeting brings about no resolution, the Complainant may make an appointment to meet with the Principal. If the complaint is against the Principal, the matter should be referred directly to the EREA Northern Region office, in writing.

When complaints or grievances are raised with the relevant Dean, Deputy Principal or Principal the following guidelines should be followed.

1. Complaints must be signed and made in writing. It must contain sufficient detail for it to be addressed and recorded, including:
  - the full names of both the Complainant and Respondent;
  - the Complainant's contact details;
  - the nature and details of the complaint, including dates, times, and any witnesses ;
  - any previous attempts to resolve the matter; and
  - the Complainant's desired outcome or suggestions for resolution.
2. Upon receipt, the relevant member of staff may contact the Complainant to arrange a meeting to accompany the written complaint.

3. The relevant member of staff will determine how best to investigate and manage the complaint. This may include handling the complaint under a specific College policy; investigating the complaint internally or through an external provider; or mediation.
4. The relevant member of staff will meet with the Respondent to notify them of the complaint and supply a copy of the written complaint.
5. During the investigation, the relevant member of staff may meet with the Complainant for further discussions.
6. All parties are encouraged to have support persons at any stage of the process.
7. The relevant member of staff (or nominated external provider) will assess the evidence to establish whether the complaint is substantiated or not.
8. The relevant member of staff will inform the complainant and respondent in writing of the consequences, outcomes and remedies of the investigation.

**NOTE:** If the complaint or grievance remains unresolved, the ultimate decision maker will be guided at all times by principles of procedural fairness.

### **1.1. Documentation of Complaint**

- All complaints are to be documented
- Complaints are to be recorded and reported to the Principal or appropriate delegate as soon as practicable after receiving the complaint.
- Complaints can be made directly to the principal.

#### 1.1.a. the record of the complaint:

- uses objective language clearly stating the facts;
- contains information in chronological order as practically possible;
- uses quotation marks, where appropriate and necessary;
- includes, where necessary, initialled and dated corrections;
- includes signature, designation of the author, and time and date of the incident/complaint.

1.1.b. If the complaint is not resolved at the first point of contact, the complaint is acknowledged within five working days by telephone, in person or by email.

1.1.c. Documents related to the complaint are kept and stored in accordance with the relevant College policies and procedures.

### **1.2. Complaints Management Phases**

There are four key phases in handling a complaint, with the option of a fifth phase for review of a complaint outcome:

- Receiving and clarifying the complaint
- Deciding how to handle the complaint
- Finding out about the complaint
- Making a decision about the complaint
- Review

### 1.3. Receiving and clarifying the complaint

#### Receiving a verbal complaint (whether face to face or over the phone)

The manner for receiving verbal complaints is be characterised by:

- being respectful and helpful;
- giving the person undivided attention;
- not being defensive, apportioning blame;
- remaining positive;
- not perceiving anger as a personal attack.

When a staff member receives a verbal complaint the staff member should;

- listen carefully to the issues being raised;
  - summarise the issues to clarify and check that they understand what the complainant is saying;
  - empathise and acknowledge the complainant's feelings;
  - find out what the complainant wants to happen as a result of the complaint;
  - resolve the complaint if possible, or assure the complainant that an appropriate staff member will address their complaint;
  - advise the complainant what will happen with their complaint;
  - thank them for their complaint.
- 
- If a complaint cannot be resolved immediately, the complaint is referred to the principal or appropriate delegate soon as is practicable.
  - A member of staff who receives a verbal complaint that cannot be resolved informs the complainant of the further options of:
    - putting their complaint in writing (in general, if the complainant agrees to put the complaint in writing, the member of staff takes no further action unless or until a written complaint is received), or
    - assisting the member of staff receiving the complaint to record, in writing, the particulars of the complaint.

***Where a complaint relates to a report about harm (whether physical/emotional/sexual) of a student refer to EREA Student Protection Processes.***

#### If the complainant indicates that they would like to register a formal complaint verbally:

- the member of staff makes a written outline of the issues concerned;
- The record is read to the complainant, with opportunity for appropriate amendments the complainant is asked to sign, where possible, the written version of the complaint.
- The staff member also signs and dates the complaint.

For verbal complaints recorded over the phone, no signature is required, however, the complainant is asked to confirm the complaint by providing a name and contact details as well as an endorsement of the issues as recorded.

If a complainant refuses to sign or confirm a written recording of a verbal complaint, the staff member notes the refusal on the written complaint. The complainant is told that this refusal will be noted and that the process will be reliant on the staff member's interpretation only.

## Receiving a written complaint

When a written complaint is received, it is date-stamped and forwarded to the Principal or appropriate delegate.

### **1.4. Deciding how to handle the complaint**

1.4a. When a staff member receives a complaint, they:

- i. make an assessment in the first instance about whether the issue can be dealt with as a concern or a complaint;
- ii. attempt to resolve the complaint;
- iii. If they are unable to resolve the complaint, refer the complainant or the complaint to the Principal or appropriate delegate for addressing.

1.4b. The Principal or delegate decides whether to:

- i. take no further action;
- ii. attempt to resolve the complaint by taking appropriate action or through resolution strategies such as mediation;
- iii. refer the complaint to the relevant internal or external agency if required;
- iv. initiate an investigation of the complaint, within the school, if further information is required.

1.4c. Coordination of complaints

The Principal or delegate has the final responsibility for the management of all complaints that relate to school management issues under his/her jurisdiction.

1.4d. Record of complaint

The Principal or delegate ensures that records of a complaint and any referral of a complaint are kept for either internal or external review.

### **1.5 Finding out about the complaint**

1.5.a. The Principal or delegate gathers all the necessary facts about the complaint while keeping in mind the principles of natural justice of all parties concerned.

1.5.b. The Principal or delegate investigates complaints by:

- i. collecting and analysing information relevant to the matter;
- ii. working collaboratively with all people involved;
- iii. finding the facts relating to the matter;
- iv. identifying any contributing factors to the matter;
- v. where required documenting the investigation report or outcome.

## **1.6 Making a decision about the complaint**

1.6.a. Based on the facts gathered about the complaint, the Principal or delegate makes a decision on the complaint.

1.6.b. Notifying the complainant of the decision

Within 14 days of the receipt of the complaint, the College provides the complainant with an appropriate response either:

- a verbal response via a phone call;
- a written response, including reasons for the decision, or
- a written notification that their complaint has been referred to an internal or external agency.

## **1.7 Review Phase**

If the complainant is not satisfied with this response, they are encouraged to discuss it further with the school principal and/or advised to contact the EREA Northern Region Office.