



# Complaints Handling Policy

<b>Purpose:</b>	The purpose of this policy is to ensure that student, parent and employee complaints and disputes are dealt with in a responsive, efficient, effective and fair way.	
<b>Scope:</b>	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.	
<b>Status:</b>	Approved	<b>Supersedes:</b> policy dated 25/08/2022
<b>Authorised by:</b>	Board Chair	<b>Date of Authorisation:</b> 04/05/2023
<b>References:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Education (Accreditation of Non-State Schools) Regulations 2017</a></li> <li>• <a href="#">Australian Education Regulations 2013</a></li> <li>• <a href="#">Fair Work Act 2009</a></li> <li>• <a href="#">Work Health and Safety Act 2011 (Old)</a></li> <li>• <a href="#">Privacy Act 1988 (Cth)</a></li> <li>• <a href="#">Anti-Discrimination Act 1991 (Old)</a></li> <li>• <a href="#">Australian Human Rights Commission Act 1986 (Cth)</a></li> <li>• <a href="#">Sex Discrimination Act 1984 (Cth)</a></li> <li>• <a href="#">Age Discrimination Act 2004 (Cth)</a></li> <li>• <a href="#">Disability Discrimination Act 1992 (Cth)</a></li> <li>• <a href="#">Racial Discrimination Act 1975 (Cth)</a></li> <li>• <i>The Rainforest School Work Health and Safety Policy</i></li> <li>• <i>The Rainforest School Complaints Handling Procedure (Appendix 1)</i></li> <li>• <i>The Rainforest School Privacy Policy</i></li> <li>• <i>The Rainforest School Anti-Discrimination, (Sexual) Harassment &amp; Bullying Policy</i></li> <li>• <i>The Rainforest School Behaviour Management Policy</i></li> </ul>	
<b>Review Date:</b>	Annually	<b>Next Review Date:</b> May 2024
<b>Policy Owner:</b>	School Governing Body – The Rainforest School (ACN 653 868 547)	

## Policy Statement

The Rainforest School is committed to ensuring that student, parent and employee complaints are dealt with in a responsive, efficient, and effective and fair way. The Rainforest School views complaints as part of an important feedback and accountability process. The Rainforest School acknowledges the right of students, parents and employees to complain when dissatisfied with an action, inaction or decision of the school and the school encourages constructive criticism and complaints. The Rainforest School recognises that time spent on handling complaints can be an investment in better service to students, parents and employees.

## Complaints that may be Resolved under this Policy

The Rainforest School encourages students, parents and employees to lodge promptly any concerns regarding sexual harassment, child protection, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- the school, its employees or students having done something wrong
- the school, its employees or students having failed to do something they should have done
- the school, its employees or students having acted unfairly or impolitely
- issues of student or employee behaviour that are contrary to their relevant code of conduct
- issues related to learning programs, assessment and reporting of student learning
- issues related to communication with students or parents or between employees
- issues related to school fees and payments
- general administrative issues.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.



## **Issues Outside this Policy**

The following matters are outside the scope of this policy and should be managed as follows:

- Child protection concerns or risks of harm to children should be dealt with in accordance with the law and the school's Child Protection Policy.
- Student bullying complaints should be dealt with under the Positive Behaviour Management Policy.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the Positive Behaviour Management Policy.
- Employee complaints related to their employment should be directed to their supervisor.
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate.
- Formal legal proceedings.

## **Complaints Handling Principles**

The Rainforest School is committed to managing complaints according to the following principles:

- Complaints will be resolved with as little formality and disruption as possible
- Complaints will be taken seriously
- Anonymous complaints will be treated on their merits
- Complaints will be dealt with fairly and objectively and in a timely manner
- The Rainforest School will determine the appropriate person to deal with the complaint in the first instance. Complaints should be resolved with as little formality and disputation as possible
- Mediation, negotiation and informal resolution are optional alternatives
- Procedural fairness will be ensured wherever practicable, including the right of interested parties to the complaint to be heard
- Confidentiality and privacy will be maintained as much as possible
- All parties to the complaints will be appropriately supported
- The Rainforest School will give reasonable progress updates
- Appropriate remedies will be offered and implemented
- Provide a review pathway for parties to the complaint if warranted
- Complainants, respondents and people associated with them will not be victimised as a result of lodging the complaints and they will not suffer any other reprisals
- The school will keep records of complaints
- The school's insurer will be informed if a complaint could be connected to an insured risk.

## **Responsibilities**

### **School**

The school has the following role and responsibilities:

- Develop, implement, promote and act in accordance with the school's Complaints Handling Policy and Procedure
- Appropriately communicate the school's Complaints Handling Policy and Procedure to students, parents and employees
- Ensure that the Complaints Handling Procedure are readily accessible by staff, students and parents
- Upon receipt of a complaint, manage the complaint in accordance with the Complaints Handling Procedure as outlined in Appendix 1
- Ensure that appropriate support is provided to all parties to a complaint
- Take appropriate action to prevent victimisation or action in reprisal against the complainant, respondent or any person associated with them
- Appropriately implement remedies
- Appropriately train relevant employees
- Keep records
- Conduct a review/audit of the Complaints Register from time to time



- Monitor and report to the Governing Body on complaints
- Report to the school's insurer when that is relevant
- Refer to the school's Governing Body immediately any claim for legal redress.

### **All Parties to a Dispute**

The complainant and respondent both have the following role and responsibilities:

- Apply and comply with the school's Complaints Handling Policy and procedures
- Lodge the complaint as soon as possible after the issue arises
- Expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; 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
- Act in a non-threatening manner
- To be appropriately supported
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties
- 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 dispute or any person associated with them.

### **Employees Receiving Complaints**

Employees receiving complaints have the following role and responsibilities:

- Act in accordance with the school's Complaints Handling Policy and Procedure
- 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 school's Complaints Handling Policy and Procedure
- Maintain confidentiality
- Keep appropriate records
- To forward complaints to more senior employees, including the Principal, as appropriate
- Not victimise or act in reprisal against the complainant, respondent or any person associated with them.

### **Implementation**

The Rainforest School is committed to raising awareness of the process for resolving complaints at the school, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

The Rainforest School is also committed to appropriately training relevant employees (especially senior staff) on how to resolve complaints in line with this policy and the related procedures.

The Rainforest School will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the School Board on complaint handling at the school.

The Rainforest School will act to encourage students, parents and employees to contribute to a healthy school culture where complaints are resolved with as little formality and disruption as possible.



## **Appendix 1**

### **The Rainforest School | Complaints Handling Procedure**

#### **1. Statement**

The Rainforest School aims to provide a fair, equitable, legal and ethical environment for all employees, staff and students. The aim of this policy is to ensure there is a transparent and consistent process to resolve issues as quickly and fairly as possible.

This document outlines the procedures undertaken at this school to manage complaints. Complaints management at this school is also underpinned by section 46 of the *Education (General-Provisions) Act 2006 (Qld)*. It has been adapted from the Queensland Government's Department of Education and Training's complaints management template version 2.4 created 30/09/2016.

Complaints come to Principals and other school staff in many forms. Complaints can be from parents/carers, community, staff or students. All complaints are handled in a positive and open way.

#### **2. Documentation**

The Rainforest School documents all complaints (see Appendix 2 – Complaint Record Form). Complaints are recorded and reported to the Principal as soon as practicable after receiving the complaint.

Complaints can be made directly to the Principal. 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,
- is neatly and legibly written in biro/pen or in print in clear unambiguous language,
- includes, where necessary, initialled and dated corrections,
- includes signature, designation of the author, and time and date of the incident/complaint.

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

#### **3. 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:

- |          |  |
|----------|--|
| Phase 1. | Receiving and clarifying the complaint |
| Phase 2. | Deciding how to handle the complaint   |
| Phase 3. | Finding out about the complaint        |
| Phase 4. | Making a decision about the complaint  |
| Phase 5. | Review                                 |

#### **PHASE 1 - Receiving and clarifying the complaint**

Any member of staff can receive a complaint. All complaints are received in the following manner:

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

When a staff member receives a verbal complaint, they:

- listen carefully to the issues being raised,
- summarise the issues to clarify and check that they understand what the complainant is telling you,
- empathise and acknowledge the complainant's feelings,



- find out what the complainant wants to happen as a result of the complaint,
- tell the complainant that they may use the support of a third party in progressing the complaint, if they feel this is needed,
- 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.

Complaints are sometimes made with the assistance of an advocate, interpreter or by a third party (as agreed between the complainant and the principal). In this case staff will receive and clarify a complaint from more than one person.

Many complaints are resolved at the first point of contact with information and/or an explanation, together with an apology and recognition of the effect the situation has had on the person. Some complainants may also want an undertaking that action will be taken to prevent the problem recurring.

When the complaint is not resolved immediately, the complaint is referred to the principal as soon as is practicable.

A member of staff, who receives a verbal complaint that is not resolved, informs the complainant of the further options of:

- putting their complaint in writing, or,
- assisting the member of staff to record, in writing, the particulars of their complaint.

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.

However, if the complaint relates to a report about harm (whether physical/emotional/sexual) of a student under 18 years, the process should be directed to the The Rainforest School Child Protection Policy – all action will be as per legislated requirements and acted upon without delay.

Once 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 (see Appendix 2 – Complaint Record Form). The record is read to the complainant, with opportunity for appropriate amendments and the complainant is asked to sign, where possible, the written version of the complaint. The staff member also signs (indicating their personal designation) and dates the complaint.

No signature is required for verbal complaints taken over the phone, but the complainant is asked to provide verbal confirmation of the issues that have been 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 and notes only. The complainant may not, at a later date, make another complaint based on a lack of satisfaction with this record of complaint.

### **Receiving a written complaint**

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

### **Receiving an anonymous complaint**

When an anonymous complaint is received, the complainant is told of the possible limitations associated with making an anonymous complaint.



## **PHASE 2 - Deciding how to handle the complaint**

### **When a staff member receives a complaint, they:**

- begin the process of making an assessment about a complaint from the moment the complaint is received,
- make an assessment in the first instance about whether the issue can be dealt with as a concern or a complaint,
- if they are not the Principal, refer the complainant or the complaint to the Principal for addressing.

### **The Principal decides whether to:**

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

### **Co-ordination of complaints**

The Principal has the final responsibility for the management of all complaints that relate to school management issues under his/her jurisdiction. The complaint can be referred to another staff member in the school for action (for example, Business Manager or nominated staff member).

### **Record of complaint**

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

## **PHASE 3 - Finding out about the complaint**

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.

### **The Principal or delegate investigates complaints by:**

- collecting and analysing information relevant to the matter,
- working collaboratively with all people involved,
- finding the facts relating to the matter,
- identifying any contributing factors to the matter,
- consulting the relevant legislation, recommendations or governing body procedures on issues that relate to the complaint,
- documenting the investigation report or outcome.

## **PHASE 4 - Making a decision about the complaint**

Based on the facts gathered in Phase 3 about the complaint, the Principal or delegate makes a decision on the complaint.

### **Notifying the complainant of the decision**

Within 28 days of the receipt of the complaint, the Principal provides the complainant with either:

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

## **PHASE 5 - Review Phase**

If the complainant is not satisfied with this response, they are encouraged to discuss it further with the school Principal, or to pursue the matter with external authorities if they wish. If at any stage throughout the process if the matter is considered an emergency, legal, ethical or safety issue, The Rainforest School staff is encouraged to use their best judgment to expedite the complaint process.



## Appendix 2

### The Rainforest School | Complaint Record

<b>Name of Complainant:</b>		
<b>Date Complaint Made:</b>	<b>Time:</b>	<b>Verbal/Written</b>
<b>Summary of Complaint:</b>		
<b>Summary of Discussion:</b>		
<b>Name of second person present (if applicable):</b>		
<b>Summary of resolution:</b>		
<b>Further action required by management?</b>	<b>Yes / No</b>	
<b>Employee Name:</b>		
<b>Signatures of those present:</b>		
<b>Date:</b>		
<b>Date Management made aware of the complaint:</b>		