

Section of Manual:	9. MANAGEMENT & OPERATION 9.3 NOTIFICATION TO THE AUTHORITY		
Document	POLICY 9.3.3: COMPLAINTS OR GRIEVANCES RECEIVED BY THE SCHOOL		
Date of Endorsement:	June 2022	Review Date:	June 2024
Review Panel	Board, CEO/Principal, Head Teachers must be a part of the review of this Policy		
Purpose:	To ensure: the School has processes in place for the receipt of complaints, grievances and compliments		
Scope:	Relates to: Students; staff; parents; key stakeholders		
RANGS Manual:	3.9 Management & Operation		
Policy	<p>The School views complaints, as well as compliments and other constructive feedback as a way of creating opportunities for the school to improve its services and prevent future problems.</p> <p>Moreover, this policy's foundation nests within the ideology that all feedback will be appropriately addressed using the organisation's policy and procedures. Additionally, that the implementation of this policy will also centre on procedural fairness. This policy addresses a broad range of complaints and grievances. There are specific procedures relating to grievances made by staff in the final section of this document.</p> <p>In the first instance, individuals making a complaint to the School can be assured feedback will be received and formally actioned. The aggrieved individual will receive formal written advice aligned to the outcome.</p> <p>In respect to complaints related to School employees involving the school's ability to provide a safe and supportive environment or any concern about a staff member, the organisation will follow the process as follows:</p> <p>Where a complaint aligns to reportable conduct, the complaints process will be managed in line with the organisation's policy 5.1.1 Protecting and Supporting Children and Young People.</p> <p>There are various categories under which complaints can be made or received, and these may include but are not limited to;</p> <ul style="list-style-type: none"> • Protecting and Supporting Children and Young People (Policy 5.1.1) • Harassment, Discrimination and Anti Bullying (Policy 5.3.5) 		

- Staff members
- Other Alleged breaches of Legislation, Policy, Procedure or Contract
- Other Suggestions and Complaints

In reference to the first two categories listed above the School will implement the specific policies and procedures identified. The Principal or delegates identified within the above policies are responsible for ensuring the intents of the policies are followed in accordance with procedure.

For matters not relating to the specific policies identified above, the organization policies which are most relevant to the nature of the complaint or grievance will be consulted as required (e.g. WHS policy, Mobile Phone policy). In the absence of a policy relating to a specific complaint or grievance, the procedures outlined in this policy (9.3.3 Complaints and Grievances received by the School) shall act as a generic cover for all complaints or grievances not already addressed.

A suggestion or complaint can be lodged by any person who is a user or potential user of the School services. The suggestion or complaint can be about any aspect of the service provided or not provided, the behaviour or decisions of current students & staff, or about workplace practices, policies or procedures. The complaint may include reference to any member of the school community including staff, students, parents/carers, or other members of the community associated with the school in any way.

In the initial form, complaints should be forwarded to the **Principal – David Martin** eo@wrcc.nsw.edu.au or phone **02 6964 5334**.

If the complaint is in regard to the Principal, or the Principal deems it necessary, the complaint should be forwarded to the Chairperson, of the Western Riverina Community College Inc. **WRCC current Chairperson - Sue Golsby-Smith** sgolsbysmith@wrcc.nsw.edu.au or phone: **0427 626 502**.

The following process will be applied to complaints with the exception of a matter that warrants a formal investigation.

In the first instance, attempts should be made to resolve the problem at the earliest possible opportunity and engaging a mediator if necessary.

We suggest the following;

The receiver of the complaint will acknowledge the complainant in the following way;

- Allow the party to state the cause of their concern

- Exchange facts and beliefs in a civilised manner
- Clarify events
- Listen
- Consider all points of view in the matter
- Apologise for any behaviour that may have distressed the other party and consider actions that may prevent the issue occurring again in the future
- Document the conversation

A complaint can be made orally or in writing. If oral, the staff member receiving the complaint will document the nature of the complaint. An oral complaint when put into writing should be signed and dated by the complainant. It is preferable but not essential that the documented version of the complaint includes the complainant's name and signature.

After the complaint has been received the CEO/Principal will then decide between options as follows:

1. Dismiss the complaint as the complaint refers to a decision in accordance with existing policy, procedure, legislation or monitored best practice.
2. Conclude that the complaint has been substantially resolved through the discussions regarding the complaint.
3. Undertake a systems improvement.
4. Negotiation.
5. Investigation.

After the resolution of the complaint, the CEO/Principal will contact the complainant in writing to notify them of the outcome.

The outcome of the Complaint should also be recorded. In the case of minor complaints (noise, mess etc.) this recording can be as a diary note in the CEO/Principal's diary. In regard to anything that requires negotiation or investigation, confidential files should be kept on the matter and stored with the CEO/Principal.

False and Malicious Complaints or Allegations

Where a complaint or allegation is found to be false, and there is evidence of malicious intent on the part of the complainant, then remedies are possible.

Note that establishing that a complaint is false is not the same as establishing that the complaint cannot be substantiated. The former implies there is evidence to show the allegation is false. The latter implies a lack of evidence either way.

Where a School employee makes a complaint or allegation that is both false and malicious, disciplinary action will be considered, especially where there is evidence that they knew the complaint or allegation to be false or where they continue to make the complaint or allegation after being instructed to cease.

However, the making of protected disclosures (Protection of Children and Young People) cannot be grounds for defamation. Where the complaint or allegation is made in good faith and through the proper channels, employees who complain and those investigating a complaint have a defence against defamation action.

Where a student makes a complaint or allegation that is both false and malicious, action may be taken under the student discipline policy. Use of discipline procedures should only occur where there is evidence that the student knew the complaint or allegation was false.

Where a parent or other member of the public makes a complaint or allegation that is false and malicious, civil remedies such as defamation action may be suggested to the person who is the subject of the complaint or allegation.

Staff Grievance Procedure

This section of the policy is adapted from the document 'Grievance Procedure' provided by AISNSW.

The grievance Procedure is intended to be provided to the staff of the school in order to provide a mechanism for resolving disputes and/or grievances about matters at work. The Procedure document specifies a process to be applied to such grievances when raised with the school and also makes clear that the school will decide the most appropriate method of dealing with the matter on a case by case basis.

1. Introduction

The School recognises that staff members may have grievances about matters at work, including about:

- work relationships; and
- decisions made by other staff members which impact on their work.

2. Who does this grievance procedure apply to?

This grievance procedure applies to all employees and contractors across the School and applies to general grievances.

If you have a grievance about unlawful discrimination, harassment or bullying please see Policy 5.3.5 Harassment, Discrimination, and Anti Bullying.

3. How should a grievance be raised?

If you have a grievance, you should, if it is appropriate, try in the first instance to address the grievance directly with the person involved.

If you have a grievance that cannot be resolved directly with the person involved you should:

- a) In the first instance, raise it with the **Deputy Principal** or
- b) If it is not appropriate that it be raised with **Deputy Principal**, raise your grievance with the **CEO/Principal**.
- c) If you have any queries about using this grievance process, you should contact **Association of Independent Schools of NSW (AISNSW – phone (02) 9299 2845)** for advice.

4. What will the School do if a grievance is raised?

The School will determine the most appropriate method of dealing with the grievance. This could include (among other things):

- a) requesting further information from you;
- b) requesting information from other co-workers or third parties;
- c) meeting with you or others involved in the grievance;
- d) reviewing and responding to the grievance or arranging for an appropriate person to review and respond to the grievance; or
- e) facilitating a meeting between you and the person(s) that the grievance is about.

On receipt of a grievance, the School will generally take the following steps:

- a) determine the best method of handling the grievance;
- b) advise you of the likely steps that will be undertaken by the School in relation to the grievance;
- c) advise the person(s) that the grievance is about of the nature of the grievance and seek their response;
- d) collect any additional information the School considers necessary to properly review the grievance; and

	<p>e) advise both you and the person(s) that the grievance is about, of the School's response to the grievance and if appropriate, any proposed action to be taken.</p> <p>However, there may be circumstances in which some of the steps outlined above are not appropriate and the School will determine, in its absolute discretion, on a case by case basis the most appropriate method of handling the grievance.</p> <p>A staff member who raises a grievance and the person(s) that the grievance is about may elect to have an appropriate support person present at any meeting with representatives of the School about the grievance. However, depending on the nature of the grievance it may not be appropriate for the support person to be a work colleague.</p> <p>5. General</p> <p>This grievance procedure is not a term of any contract, including any contract of employment. This grievance procedure may be varied from time to time.</p>
Supporting Documentation	<p>Policy 5.1.1: Protecting and Supporting Children and Young People</p> <p>Policy 5.3.5: Harassment, Discrimination and Anti Bullying</p>