

MOUNT ALVERNIA COLLEGE LIMITED

ABN 72 092 899 075

FILE CODE	
APPROVED	30 May 2018
SUPERSEDES	
REVIEW DATE	
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POLICY: COMPLAINTS MANAGEMENT POLICY

1. Mount Alvernia College is a community committed to developing the Franciscan values of trust in God and respect for the dignity of each person. The College acknowledges therefore that since conflict is part of the human condition and should be settled through respectful and compassionate processes, the need and right of community members to seek a remedy to a perceived wrong should be recognized through a published policy and procedures protocol on dealing with complaints.

We recognise concerns and complaints as a valuable part of a continuous process of improvement:

We are committed to developing and implementing processes so that concerns and complaints are managed efficiently and fairly with impartiality, confidentiality and transparency in a manner that is responsive to and respectful of the needs, rights and obligations of each person who is involved in the process.

In the first instance, the College has Communication Procedures for Students, Parents and Staff and it is the expectation that these processes be implemented and worked through prior to any complaint being lodged. These Communication Procedures are available on the College website.

2. What is covered by this policy?

This Complaints Handling Policy covers concerns and complaints relating to:

- (a) student behavior
- (b) parent behaviour
- (c) conduct of volunteers and other workers
- (d) incidents of bullying or harassment in the classroom or the College grounds
- (e) academic, sporting and cultural programs
- (f) student learning, reporting and assessment
- (g) communication with parents and guardians
- (h) College fees
- (i) non-compliance with student protection processes.
- (j) similar College-related matters except for the matters set out below

This Complaints Handling System does not cover concerns and complaints relating to:

- (k) Student protection concerns or risks of harm to children will be dealt with in accordance with the law and the College's Student Protection Policy
- (l) complaints by staff members relating to their employment

- (m) complaints that relate to Workplace Bullying will be dealt with under the College's Workplace Wellbeing Policy
- (n) Complaints against staff will be dealt with under the Guidelines for Dealing with Complaints against Staff

3. Our expectations of a person with a concern or complaint

The College expects a person raising a concern or complaint to:

- (a) do so promptly, as soon as possible after the issue occurs
- (b) provide complete and factual information about the concern or complaint
- (c) maintain and respect the privacy and confidentiality of all parties
- (d) recognise that it would not be appropriate to make comments about the matter on social media
- (e) acknowledge that a common goal is to achieve an outcome acceptable to all parties
- (f) act in good faith, and in a calm and courteous manner
- (g) show respect and understanding of each other's point of view and value difference, rather than judge and blame
- (h) deliver the complaint in a calm and reasoned manner
- (i) recognise that all parties have rights and responsibilities which must be balanced
- (j) recognise that, when a concern or complaint is raised about a person, the College has an obligation to afford natural justice to the person. The College must provide details of the concern or complaint to the person (which may include the name of the complainant together with details of the specific allegations that have been raised). The person will be given an opportunity to respond to the allegations
- (k) raise any concerns about the process promptly, directed to the College personnel managing the matter

4. Our expectations of the College

The College aims to address concerns and complaints:

- (a) courteously
- (b) efficiently
- (c) fairly
- (d) promptly or within the agreed timeline
- (e) in accordance with the principles of natural justice
- (f) in accordance with legislative and regulatory frameworks and guidelines

5. Confidentiality and Privacy Obligations

The College must afford privacy and confidentiality to all parties to the extent required by and permitted by law. Parties must afford privacy and confidentiality to one another to the extent required by law. The College requires and expects that all parties will, when addressing concerns and complaints:

- (a) maintain the confidentiality of all parties strictly in accordance with confidentiality and privacy policies and legislative requirements
- (b) observe the principles of natural justice
- (c) acknowledge that their common goal is to achieve an outcome acceptable to all parties
- (d) act in good faith and in a calm and courteous manner

- (e) show respect and understanding of each other's point of view and value difference, rather than judge and blame
- (f) recognise that all parties have rights and responsibilities which must be balanced
- (g) not derogate the other person
- (h) not retaliate against the other person in any way

6. Communication - Open Communication is Vital

Open communication is the key to addressing and resolving complaints. The College has in place Communication Procedures for students, parents and staff and it is the expectation that these processes be implemented and worked through prior to any complaint being lodged.

7. How to raise a complaint

Complaints should be lodged with the Principal, either by phone, email or in writing. If the complaint is regarding the Principal, the complaint should be lodged with the Chair of the Mount Alvernia College Board.

Contact details are on the College website.

The written complaint should clearly outline the nature of the complaints and specify individuals involved. It should include all relevant supporting material available to them such as emails and notes of verbal communication including, where appropriate, the names of witnesses.

8. Your commitment to engage in reasonable complainant conduct

All must commit to engage in reasonable conduct throughout this complaints process. This necessitates that all act with confidentiality, privacy, cooperation, courtesy and respect. The College may consider a complaint to be carried out unreasonably if the complainant's conduct:

- 8.1 is clearly and significantly outside the expectations of confidentiality, cooperation, courtesy and respect
- 8.2 calls for staff resources and time unjustified by the nature or significance of the complaint
- 8.3 is vexatious (that is, an action or complaint that is brought without merit, often to cause annoyance to another person)

If the College determines that a complainant's conduct is or may be unreasonable, the College will use reasonable endeavours to develop a plan to address the complaint and the complainant's interaction with the College; inform the complainant of the plan; and ensure that it adheres to the plan as closely as practicable.

The College may consider a person's response to a complaint to be carried out unreasonably if the respondent's conduct:

- 8.4 is clearly and significantly outside the expectations of confidentiality, cooperation, courtesy and respect
- 8.5 calls for staff resources and time unjustified by the nature or significance of the complaint
- 8.6 or appears to be retaliatory (that is, an inappropriate, hurtful or vindictive action in response to a complaint)

If the College determines that a respondent's conduct is or may be unreasonable, the College will address the matter under its Code of Conduct and related policies and procedures.

9. Process for addressing complaints

The nature of concerns and complaints differs widely and the process that will be adopted by the College must respond to the unique elements of the concerns and complaints. Upon receipt of a concern or complaint, the

College will assess the matter to determine the appropriate process to implement. The process may range from a telephone conversation with the person which resolves the matter, to a comprehensive investigation.

To the extent practicable, the process for addressing complaints will give consideration to the following elements:

- (a) Acknowledgment - The concern or complaint will be acknowledged
- (b) Assessment - The nature of complaints differs widely and the College may consider the following points:
 - What is the subject of the complaint?
 - Is further information required to clarify the subject of the complaint? What is the scope of the complaint?
 - Can the complaint be addressed by the College's internal processes or must it be referred to external sources under legislation or policy?
 - Is it time sensitive?
- (c) Planning - If an investigation is required, the investigation will be developed based on our Workplace Investigation Plan
- (d) Investigation- Investigate the complaint
 - In considering each allegation, the College must start with the presumption of innocence so that each person is presumed to be innocent in relation to any allegations that have been raised against them. The College must bear in mind the gravity of the issues in each allegation and consideration must be given to the seriousness of the allegations, the likelihood or inherent unlikelihood of an occurrence of the given description, and the gravity of the consequences flowing from a particular finding.
- (e) Determination - There are five determinations that may be made from an investigation of an allegation as follows:
 - (i) The allegation is "dismissed"- This determination will be made where the facts alleged by the complainant, even if established, fail to demonstrate the essential elements of the allegation.
 - (ii) The allegation is "neither substantiated nor unsubstantiated" -This determination will be made where there is inconclusive evidence by the complainant and the respondent and/or no independent corroborating evidence to add weight to either party's version of events.
 - (iii) The allegation is "unsubstantiated" -This determination will be made where there is independent evidence of sufficient weight and probative value to support a finding, on the balance of probabilities that the facts as alleged did not occur.
 - (iv) The allegation is "substantiated" -This determination will be made where there is independent evidence of sufficient weight and probative value to support a finding, on the balance of probabilities that the facts as alleged did occur.
 - (v) Further information or investigation required - This determination will be made where there is insufficient evidence to determine, on the balance of probabilities, whether the complaint should be dismissed, classified as substantiated, unsubstantiated or neither substantiated nor unsubstantiated, but there is an option reasonably available to seek further information or evidence which may assist the decision maker to make a determination.
- (f) Communication and Response - The outcome of the concerns and complaints will be communicated, where possible, to all relevant parties subject always to the legislative and common law obligations of privacy and confidentiality and College policy.
- (g) Review - If a complainant is unsatisfied with the process or the outcome the matter should be discussed with the College Principal.

11. Timeline for addressing complaints

The nature of concerns and complaints differs widely and the timeline that will be adopted must be responsive to the unique elements of the concerns and complaints. The timeline must also be flexible and the parties must be flexible. At times, events may occur that are out of the College's control and those events may extend the anticipated timeframes. For example, people may be uncontactable or key staff may be absent or unwell.

12. Information Statement to provide upon receipt of a concern or complaint

The College will prepare an Information Statement to provide to a person upon receipt of a concern or complaint. The Information Statement will contain general information about the Complaints Management System.

13. Training and support for staff

The College will endeavour to:

- (a) brief all members of staff (including volunteers) about its procedures to address concerns and complaints
- (b) address the Complaints Management System in the induction program for new staff members, workers and volunteers
- (c) provide staff with (or provide access to) training and support appropriate to their responsibilities under the Complaints Management System
- (d) reflect on the personal attributes necessary for staff selected to manage concerns and complaints

14. Communicating the complaints procedure

The College aims to communicate its policy and procedures for addressing concerns and complaints to parents and the College community clearly and regularly. The policy and procedures may be:

- (a) printed in the College handbook
- (b) published on the College website
- (c) provided to families in the enrolment pack.