

COMPLAINTS HANDLING POLICY AND PROCEDURES

PURPOSE OF THIS POLICY

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.

SCOPE

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 at Hubbard's School.

RESPONSIBILITY

Hubbard's School Governing Body

POINT OF CONTACT

Hubbard's School Principal

REFERENCES

Education (Accreditation of Non-State Schools) Regulations 2017

Australian Education Regulations 2013

Fair Work Act 2009

Work Health and Safety Act 2011 (Qld)

Privacy Act 1988 (Cth)

Anti-Discrimination Act 1991 (Qld)

Australian Human Rights Commission Act 1986 (Cth)

Sex Discrimination Act 1984 (Cth)

Age Discrimination Act 2004 (Cth)

Disability Discrimination Act 1992 (Cth)

Racial Discrimination Act 1975 (Cth)

REVIEW DATE Annually

NEXT REVIEW DATE December 2023

CROSS-REFERENCE

The Hubbard's School:

'Anti-Bullying Policy'

'Anti-Discrimination Policy'

'Child Protection Policy'

'Disability Policy'

'Employee Code of Conduct' & 'Senior External Student Handbook'

'Sexual Harassment Policy'

'Privacy Policy'

POLICY STATEMENT

Hubbard's School is committed to ensuring that all student, parent and employee complaints are dealt with in a responsive, efficient, effective and fair way.

Hubbard's School views complaints and disputes as part of an important feedback and accountability process.

Hubbard's 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.

Hubbard's 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

Hubbard's 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:

- a. the School, its employees or students have done something wrong;
- b. the School, its employees or students have failed to do something that they should have done;
- c. the School, its employees or students having acted unfairly or impolitely;
- d. issues of student or employee behaviour that are contrary to the 'Code of Behaviour';
- e. issues related to learning programs, assessment and reporting of student learning;
- f. issues related to communication with students or parents or between employees;
- g. issues related to school fees and payments; and
- h. general administrative issues.

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

ISSUES OUTSIDE OF THIS POLICY

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

- a. 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'.
- b. Student bullying complaints should be dealt with under 'Anti-Bullying Policy' or 'Anti-Discrimination Policy'.
- c. Student discipline matters, including matters involving suspension or expulsion, should be dealt with in accordance with the 'Code of Behaviour'.
- d. Employee complaints related to their employment should be directed to the School's Principal.
- e. Student or employee violence or criminal matters should be directed to the School's Principal who will involve the Police as appropriate.
- f. Formal legal proceedings.

DISPUTE RESOLUTION PRINCIPLES

Hubbard's School is committed to managing disputes according to the following principles:

- a. complaints will be resolved with as little formality and disruption as possible
- b. complaints will be taken seriously
- c. anonymous complaints will be treated on their merits, complaints will be dealt with fairly and

- objectively and in a timely manner
- d. Hubbard's 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
 - e. mediation, negotiation and informal resolution are optional alternatives
 - f. procedural fairness will be ensured wherever practicable, including the right of interested parties to the complaint to be heard
 - g. confidentiality and privacy will be maintained as much as possible
 - h. all parties to the complaints will be appropriately supported
 - i. Hubbard's School will give reasonable progress updates
 - j. appropriate remedies will be offered and implemented
 - k. provide a review pathway for parties to the complaint if warranted
 - l. 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
 - m. The School will keep records of complaints
 - n. 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:

- a. develop, implement, promote and act in accordance with the school's 'Complaints Handling Policy and Procedures';
- b. appropriately communicate the school's 'Complaints Handling Policy and Procedures' to students, parents and employees;
- c. ensure that the 'Complaints Handling Policy and Procedures' is readily accessible by staff, students and parents;
- d. upon receipt of a complaint, manage the complaint in accordance with the 'Complaints Handling Policy and Procedures';
- e. ensure that appropriate support is provided to all parties to a complaint;
- f. take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them;
- g. appropriately implement remedies;
- h. appropriately train relevant employees;
- i. keep appropriate records;
- j. conduct a review/audit of the Complaints Register from time to time;
- k. monitor and report to the governing body on complaints;
- l. report to the school's insurer when that is relevant; and
- m. 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:

- a. apply and comply with the School's 'Complaints Handling Policy and Procedures';
- b. lodge the complaint as soon as possible after the issue arises;
expect that the dispute will be dealt with fairly and objectively, in a timely manner, with procedural fairness wherever practicable;
2. that confidentiality and privacy will be maintained as much as possible;
- a. provide complete and factual information in a timely manner;
- b. not provide deliberately false or misleading information;
- c. not make frivolous or vexatious complaints;
- d. act in good faith, and in a calm and courteous manner;
- e. act in a non-threatening manner;
- f. to be appropriately supported;
- g. acknowledge that a common goal is to achieve an outcome acceptable to all parties;
- h. recognise that all parties have rights and responsibilities which must be balanced;
- i. maintain and respect the privacy and confidentiality of all parties; and
- j. 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:

- a. act in accordance with the School's 'Complaints Handling Policy and Procedures';
- b. inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required;
- c. provide the complainant with information about any support or assistance available to assist them in lodging their complaint;
- d. provide the complainant with a copy of the School's 'Complaints Handling Policy and Procedures';
- e. maintain confidentiality;
- f. keep appropriate records;
- g. to forward complaints to more senior employees, including the Principal, as appropriate; and
- h. not victimise or act in reprisal against the complainant, respondent or any person associated with them.

IMPLEMENTATION

Hubbard's 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.

Hubbard's School is also committed to appropriately training relevant employees (especially senior staff) on how to resolve disputes in line with this policy and the related procedures.

Hubbard's 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 resolution at the school.

Hubbard's 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. The school will appoint an

appropriate employee as an Equity Contact Officer to provide confidential and impartial information about the school's relevant policies and processes.

1. PROCEDURE

There are 4 steps in the 'Complaints Handling Policy and Procedures'. All matters should be pursued through these steps in an effort to appropriately resolve the complaint. For formal complaints of sexual harassment or unlawful discrimination please also refer to the Hubbard's School 'Sexual Harassment' and 'Anti-Discrimination' policies.

STEP 1

- 1.1 Students who wish to present a grievance under the Policy should first advise verbally:
 - i. a Teacher (who will then pass the information onto the Principal); or
 - j. an Administrative Staff Member (who will then pass the information onto the Principal); or
 - k. the Principal.
- 1.2 Staff members who wish to present a grievance under the Policy should firstly advise the Principal verbally.
- 1.3 Parents who wish to present a grievance under the Policy should firstly advise the Principal verbally.

The Principal shall attempt to resolve the grievance by negotiation between the parties concerned. Discussions are to begin as soon as reasonably possible after the referral of a grievance. Conducting discussions as soon as possible is suggested to retain legitimacy to recollections of events.

STEP 2

If the matter still remains unresolved, students, staff, and parents should make a formal complaint, in writing and hand it directly to the Principal. If this is not possible, email correspondence, or a letter directed specifically to the School Principal are substitute options to make a formal written complaint.

- 1.4 The grievance must include:
 - a. The name of the complainant;
 - b. The name of other parties involved; and
 - c. Details of the grievance.

The Principal shall attempt to resolve the grievance by negotiation between the parties concerned. Discussions are to begin as soon as reasonably possible after the referral of a grievance. Conducting discussions as soon as possible is suggested to retain legitimacy to recollections of events.

STEP 3

If the matter still remains unresolved, or if the complaint is about the Principal, the complaint may be referred to the Hubbard's School Board by the complainant.

- 1.5 The complaint must be confirmed in writing identifying the person aggrieved, all other parties to the complaint and give details of the grievance or complaint. Such written notification must be signed by the aggrieved person or the complainant.
- 1.6 The Hubbard's School Board, or their representative, will consult with the aggrieved person, the Principal and any other person involved in the grievance/complaint in an attempt to resolve the issue. This will be done through:
 - a. initiating and facilitating negotiation between the parties to the grievance/complaint; or
 - b. the Hubbard's School Board shall brief a mediator with all facts in its possession relating to the grievance/complaint.

In the case where a serious grievance is found to have occurred, the Hubbard's School Board may take disciplinary action against the perpetrator of the grievance. The disciplinary action may vary depending upon the circumstances.

Discussions are to begin as soon as reasonably possible after the referral of a grievance. Conducting discussions as soon as possible is suggested to retain legitimacy to recollections of events.

STEP 4

If the matter still remains unresolved after undertaking the procedures in steps 1, 2 and 3, then the individuals concerned, or the School Principal, or the Hubbard's School Board may refer the matter to a relevant referral body such as the Anti-Discrimination Commission or Community Justice Program.

2. OUTCOMES

2.1 Outcomes may include, but are not necessarily limited to:

- a. the complainant gaining a better understanding of the situation and no longer being aggrieved;
- b. the complainant receiving a verbal or written apology;
- c. the respondent receiving a verbal or written reprimand;
- d. one or both parties agreeing to participate in some form of counselling; and
- e. disciplinary action where the 'Employee Code of Conduct' or the student 'Code of Behaviour' has been found to have been breached, and/or where misconduct/serious misconduct or unsatisfactory performance has occurred.

GRIEVANCE PROCEDURE

The purpose of this procedure is to ensure that student, parent and employee disputes are dealt with in a responsive, efficient, effective and fair manner.

Step 1
<p>Students should first advise verbally:</p> <ul style="list-style-type: none">a Teacher (who will then pass the information onto the Principal); oran Administrative Staff Member (who will then pass the information onto the Principal); orthe Principal. <p>Staff & Parents should firstly advise the Principal verbally.</p>
<i>If the grievance has not been resolved in Step 1 go to Step 2</i>
Step 2
<p>Students, Staff, & Parents should make a formal complaint, in writing and hand it directly to the Principal.</p> <p>The grievance must include:</p> <ul style="list-style-type: none">The name of the complainant;The name of other parties involved; andDetails of the grievance. <p>The Principal will begin negotiation between the parties concerned.</p>
<i>If the grievance has not been resolved in Steps 1 or 2 go to Step 3</i>
Step 3
<p>The complainant is to send a formal written complaint to the Hubbard's School Board.</p> <p>Addressed to:</p> <ul style="list-style-type: none">Hubbard's School Board – Po Box 1576, Milton, QLD, 4064. <p>The grievance must include:</p> <ul style="list-style-type: none">The name of the complainant;The name of other parties involved; andDetails of the grievance. <p>The Hubbard's School Board will begin negotiation between the parties concerned.</p>
<i>If the grievance has not been resolved in Steps 1, 2 or 3 go to Step 4</i>
Step 4
<p>The complainant, or School Principal, or Hubbard's School Board should refer the matter to a relevant referral body, such as:</p> <ul style="list-style-type: none">The Anti-Discrimination Commission; orCommunity Justice Program.