Raising Concerns & Complaints Policy

The College's policies, which are made from time to time, are made pursuant to the registration requirements set out in section 47 of the NSW Education Act and the NSW Education Standards Authority.

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Policy and Procedure

Raising Concerns and Complaints

1. What is a concern or complaint?

A concern is an issue or feedback which is raised informally in order to improve or change a situation. No resolution or outcome is sought by the student.
A complaint is an expression of grievance or dissatisfaction where the student is seeking a resolution or outcome.
This policy also covers allegations raised by parents or students against staff of the College which are defined as reportable conduct under the Child Protection Policy.

2. Reportable Conduct

Reportable conduct involves:

- involves a child (a person under the age of 18 years) at the time of the alleged incident; and
- involves certain defined conduct as described in the Act (see below).

Under the Children's Guardian Act 2019, *reportable conduct* is defined as:

- a sexual offence;
- sexual misconduct;
- an assault against a child;
- ill-treatment of a child;
- neglect of a child;
- an offence under section 43B (failure to protect) or section 316A (failure to report) of the Crimes Act 1900; and
- behaviour that causes significant emotional or psychological harm to a child.

Reportable conduct does not extend to:

- conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards; or
- the use of physical force that, in all the circumstances, is trivial or negligible and the circumstances in which it was used have been investigated and the result of the investigation has been recorded in accordance with appropriate procedures; or
- conduct of a class or kind exempted from being reportable conduct by the Children's Guardian Act under section 30.

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3. How to raise a concern or complaint

A concern can be raised in person with a staff member. A complaint can be made in person or in writing to:

- The teacher about issues occurring in their class or group
- The executive team member or Principal if the issue is across classes or groups, or relates to a teacher or other staff member
- The Principal about any other issue.
- The College Chair where the complaint is about the Principal.

Complaints may be anonymous. However, it may be difficult for the College to investigate a complaint if the student or parent cannot be contacted.
Reportable conduct allegations about staff of the College must be made to the Principal. In the event the allegation relates to the Principal, the report must be made to the College Chair.

4. Expectations

The College expects a person raising a complaint to:

- do so as soon as possible after the issue occurs and to provide complete and factual information about the complaint;
- maintain and respect the privacy and confidentiality of all parties and acknowledge that a common goal is to achieve an outcome acceptable to all parties;
- act in good faith, and in a calm and courteous manner;
- show respect and understanding of each other's point of view and value difference, rather than judge and blame;
- recognise that all parties have rights and responsibilities which must be balanced.;

The College expects its staff to:

- follow the processes outlined in this policy and procedure.

The College expects its staff, when handling a complaint, to:

- notify a student of the right to seek the assistance of a support person or advocate (who does not receive a fee for service);
- seek the support of a senior staff member in dealing with serious or persistent issues;
- ensure that parents are involved as support people **when the student wants this to happen,** and that parents are informed of any serious allegations;
- maintain confidentiality where possible. In the interests of natural justice, and in order to effectively investigate complaints, the details of a complaint may need to be discussed with persons affected. While staff will conduct this process sensitively, it may not prevent the student's identity from being known.

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5. Processes

This policy does not prevent external legal rights of complaint or review and appeal. The College will decide whether a complaint is to be progressed under this policy or via an external process. Matters which may warrant progression to an external process include matters of student exclusion, staff misconduct, student critical incidents or criminal matters.
All complaints will be recorded and acted upon promptly in an effort to resolve complaints.
The College will endeavour to resolve complaints within 20 school days, or quicker if possible. There may be occasions where more time is required to investigate a complaint. A student will be notified of any delay.
A staff member will record the details of a complaint using the confidential wellbeing portal on Sentral.
The College will communicate the outcome or resolution of a complaint to affected persons.
In the event that a complaint cannot be resolved in the first instance, a student may ask for the complaint to be reviewed by the College Council Chair, or his or her nominee.

6. Outcome or Resolution

After a complaint has been investigated, the relevant staff member may decide that the complaint is substantiated in whole or in part. A senior staff member may then offer an appropriate remedy or action. A remedy or action may include one or more of the following:

- an explanation or further information about the issue;
- acknowledgement of each other's perspective and an agreement on ways to manage differences;
- agreement on what constitutes acceptable behaviour;
- an undertaking that unacceptable behaviour will change;
- mediation, counselling or other support;
- an apology or expression of regret;
- a change in decision;
- a change to policy, procedure or practice;
- the cancelling of a debt (such as for the College payments).

A remedy or action will be implemented as soon as practicable. The College seeks to use a restorative justice approach to resolve issues that pertain to student behaviours that have impacted on class colleagues, staff or the broader community. These outcomes are negotiated with the student as part of the restorative justice process.
After a complaint has been investigated, the Principal may decide to dismiss the complaint. A complaint may be dismissed if the complaint cannot be substantiated. No remedy or action is required.
Allegations of reportable conduct will be dealt with according to the College's Child Protection Policy. Allegations of criminal activity by students or staff will be referred to the Police.

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7. Implementation

This policy is available on the College website and upon request. Staff will be briefed annually about this policy. The College will monitor student complaints. Complaint Records will be provided to the Principal and maintained on the secure Pastoral Care system.

This policy will be regularly reviewed under the College's policy review process. As part of that process, the College will check that this policy remains consistent with the relevant legislation in each state and territory in which the program is in operation.

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Appendix A

Complaint Process and details to be recorded on Sentral

Name and contact details of student (and parent/guardian if required)
Date of complaint
Form in which the complaint was received e.g. by telephone, face to face, text, in writing. If in writing please attach a copy of the complaint
Brief description of the complaint
Details of the the College staff member responding to the complaint
Steps taken to investigate the complaint (who was spoken to and when, what did they say, etc). Please attach additional information if needed
The outcome or resolution of the complaint. Please record the date and persons to whom the outcome or resolution was communicated. Please attach a copy of any relevant documents
Any recommendations for future improvement in policy, procedure or practice

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