



**WAGGA WAGGA
CHRISTIAN COLLEGE**
FORWARD IN FAITH



Safe & Supportive Environment Framework 3 - Complaints

3-1 Complaint Management

Prepared by	CEN Hub Compliance Officer
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Version History

Version	Date	Notes
1.0	October 2016	New CEN Policy
2.0	September 2019	WWCC Policy modification & adoption
2.1	November 2019	Definition of Bias added and table of Support Documents added.

College Vision

In Christ, partnering with families in providing excellent academic and practical education, preparing students to act justly, love mercy and walk humbly before God.

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Important related documents:**Complaints Framework:**

1 Complaints Management
 2 Complaint Handling Procedure
 3 Staff Grievances
 4 Procedural Fairness Statement
 5 Investigation Procedure
 WHS Policy suite, incl. Anti-Discrimination policies
 Child Protection Policy
 Privacy Policy

Teaching & Learning Policy suite
 Financial Policy suite
 Enrolment Policy
 Discipline Policy
 Anti-Bullying Policy
 Staff Code of Conduct
 Student Code of Conduct
 Code of Conduct for Parents & Visitors
 Employment Policy suite

Relevant Legislation:

Education Act (NSW) 1990
 BOSTES Act (NSW) 2013
 Anti-Discrimination (NSW & Cth)
 Child Protection Legislation (NSW & Cth)
 Ombudsman Act 1974
 Australian Consumer Law (Cth) 2011
 Privacy Act (Cth) 1988, + Amendment (2012)
 Corporations Law (Cth) 2001

Other References:

Registered & Accredited Individual Non-government Schools (NSW) Manual, January 2016
 (incorporating changes from 2004-2016), *Latest version on BOSTES website*
 ISO 10002-2014 Complaints Management in Organisations
 AS/NZ 10002-2014 Quality Management - Customer Satisfaction – Guidelines for Complaints Handling
 Open Disclosure and Apology: time for a unified approach, Chris Wheeler NSW Ombudsman 2013
 Complaint Handling Policy Guidelines, NSW Govt Education & Communities, April 2011
 The Holy Bible, New International Version 1984, International Bible Society, Zondervan, Korea

Resources:

Attorney-General, resources for alternative dispute resolution
NSW Community Justice Centres
NSW Ombudsman
NSW Anti-Discrimination Board
Human Rights & Equal Opportunity Board
Fair Work Commission
Privacy Commission
Vocational Education & Training (VET) – www.training.gov.au

1. INTRODUCTION

A productive approach to all feedback has the capacity to:

- protect relationships within the College Community;
- improve the College's services and performance
- highlight key risks within the College
- and enhance decision-making capacity of the Board and Senior Executive.

Complaints management is therefore a key governance tool.

Wagga Wagga Christian College seeks to encourage partnership in education with key stakeholders through open communication, with opportunities to provide feedback and constructive suggestions to the College. It is committed to working together with members of the College community to facilitate the vision and mission of the College, and provide a quality educational experience for all students.

The College endeavours to respond to complaints in a professional, timely and appropriate way, facilitating positive discussion and building stakeholder confidence in the College.

2. CHRISTIAN RATIONALE

Godly complaint management seeks the redemption of what was harmful and the restoration of fractured relationships. Even where original decisions of the College are not reversed, the process is designed to honour each person, and extend mercy and justice.

"He has shown you, O mortal, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God". Micah 6:8 (NIV)

The foundation of the process is to seek resolution with the first person concerned. *"If your brother or sister sins, go and point out their fault, just between the two of you. If they listen to you, you have won them over. But if they will not listen, take on or two others along, so that 'every matter may be established by the testimony of two or three witnesses'". Matt 18:15-16 (NIV)*

This approach models to students, and the College community as a whole, about dealing with conflict as 'effective leaders of godly character', in line with the vision of the College. It stops destructive gossip or slander, which undermines the whole community; and builds a culture of respect, valuing differences, openness, transparentness and trust.

We live in a fallen world where mistakes and conflicts occur: but God can use even these occasions for good.

3. PURPOSE OF THIS DOCUMENT

This Framework, and associated documents, sets out the policies for receiving and handling complaints from key stakeholders of the College. See published Complaints Handling Procedure.

4. TABLE OF RESPONSIBILITIES

<i>Responsibilities</i>	<i>Evidence of Compliance</i>
Board	
Determine appeals of complaints decisions	Complaints & investigation records
Review Complaints Register	Principal's report
Analyse trends & ensure continuous improvement	Board minutes
Investigate complaints against the Principal	Complaints & investigation records
Principal	
Encourage environment where feedback is handled professionally	Staff PD Training Log; Information to stakeholders
Maintain effective complaints handling procedures	Complaints & investigation records
Investigation of serious complaints	Complaints & investigation records
Review of decisions (appeals)	Complaints & investigation records
Ensure appropriate action following decision	Complaints & investigation records; Reports
Report to Board on complaints, trends and responses	Board reports; Annual Report
Identify issues to ensure continual improvement	Board reports; Annual Report
Section Coordinators	
Ensure complaints management followed by staff	Complaints forms; Complaints Log; Complaints Register
Role in investigation & resolution of complaints	Investigation Plans
Role in continuous improvement	Reports; Procedural changes
Teachers	
Identifying & responding to complaints	Personal log
First level resolution of complaints	Complaints Forms; Complaints Log
Front Office	
Identifying & recording complaints	Complaints Forms
Direction of complaints to appropriate staff	Complaints Forms
Students	
Follow procedures for complaints	Complaints Form; Complaints Log
Parents and College community	
Follow procedures for complaints	Complaints Form; Complaints Log

5. DEFINITIONS

The following definitions apply to these terms for the purpose of these framework documents; and the complaints and grievances procedures followed within the College.

Allegation – a complaint alleging misconduct or corruption which may involve issues of integrity or other matters which have the potential to seriously compromise trust, and the College's professional reputation. Examples include:

- Theft or misuse of resources
- Corrupt behaviour
- Behaviour which is in breach of legislative requirements or school policy, or which may otherwise be detrimental to the reputation of the College.

Bias – may occur when a decision-maker is in some way pre-disposed to a particular result, or is closed with respect to particular issues – and as a result lacks impartiality or neutrality.

Complaint – the College will treat a matter as a complaint where it:

- Is expression of concern, dissatisfaction or frustration with the policies, procedures or quality of service provided by the school, or the conduct of an employee
- Is an expression of concern regarding an incident within the school, or a safety matter
- Alleges misconduct, a breach of policy, or corruption on the part of an employee
- Is an expression of offence or detriment as a result of a decision of the College
- Is an expression of dissatisfaction with a decision of the College, or how the decision was made.

Complaints may be oral or written. Written complaints include those sent by letter, fax or email.

Feedback – options, comments, expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about the College, its services, staff, or its handling of a complaint.

Grievance – an actual or perceived wrong considered as grounds for a complaint – may relate to workplace issues between employees, issues of concern to parents, students or community members.

Harassment – any form of ongoing behaviour that is not welcome, not asked for or returned, that offends, intimidates or humiliates a person.

Investigation – the process by which a situation is examined, facts are established and verified. Evidence is gathered, such as witness statements and documentary proof, to be able to make a decision.

Respondent – person requested to respond to complaints made about them.

Procedural Fairness – the principles of procedural fairness guide fair and reasonable decision-making procedures when a decision may adversely affect the rights, interests or legitimate expectations of an individual. There are two basic common law rules:

- the 'hearing rule' – the right to be heard, which includes the right to:
 - Know the case against them, including specific allegations and any other information which be taken into account.
 - Know the way in which the issues will be determined
 - Respond to the allegations
 - Know how to seek a review of the decision in response to the allegations
- the 'bias rule' – the right to an impartial decision, which include the right to:
 - Impartiality in the investigation and decision making phases

- An absence of bias in the decision maker

Stakeholder – person or group having an interest in the performance or success of the College

The College – Wagga Wagga Christian College

Vexatious Complainant – unreasonably persistent; or because of the frequency or nature of the complaint, hinders consideration of their, or other people's complaints.

Witness – person bringing evidence

6. POLICY

6.1 General

The College is committed to an accessible, fair and equitable complaints handling process, working together with members of the College community to facilitate the vision of the College. It values its partnership with parents to provide an excellent educational experience for all students.

- a) The College shall be proactive in encouraging effective communication, including feedback, with all stakeholders
- b) The College seeks to develop a culture of continual improvement in partnership with stakeholders
- c) Complaints will be addressed based on principles of the Australian Standard AS/NZ 10002-2014 Quality Management:
 - Professionally, competently and in a timely manner;
 - With objectivity and fairness, so that conflict of interest do not interfere with, or perceived to interfere with, the management and resolution of complaints;
 - In an equitable manner and in accord with the schools complaint management policy
- d) Intimidating, harassing, threatening or offensive behaviour will not be tolerated from any parties.
- e) The confidentiality and privacy of all parties to a complaint shall be respected; except in matters regulated by other legislative requirements. (Privacy Policy)
- f) No person shall be disadvantaged in anyway by bringing a complaint
- g) Any person against whom a complaint is made shall have a fair hearing. (Procedural Fairness Statement)
- h) Complainants have the right to appeal decisions; including to external agencies.
- i) The Principal, the Principal's delegate is the Complaints Officer.
- j) Staff shall be trained in complaints management
- k) Records of complaints shall be maintained for seven (7) years after the last action: excepting additional legislative requirements; or as deemed advisable by the College according to the nature of the complaint.
- l) Serious complaints shall be reported to the Board
- m) The College shall inform the relevant regulator or agency of any complaint, or issue arising from a complaint, which it is required to report, within the designated time period.
- n) Complaints, and the resolution process, shall be reviewed on a regular basis.

6.2 Exceptions to the Policy

This Policy applies for all complaints and grievances except the following:

- a) Matters which fall under the procedures set out in the Child Protection Policy
- b) Matter relating to Criminal Law
- c) Performance and discipline of employees, which are managed by processes set out in the Staff Appraisal Policy and Employment Policy
- d) Staff grievances, which shall be conducted according to processes, set out in the Staff Grievance Policy.
- e) Decisions for which there is an established or formal right of review under other industrial legal instruments
- f) Complaints about the Board, which may involve provision of the Corporations Act or ASIC Guidelines; or other relevant legislation, or College policies.

Table of Support Documents

SSE 3-2.F1 Staff Grievance Handling Procedure
SSE 3-1.F1 Complaints Handling Procedure
SSE 3-1.F2 Procedural Fairness Statement
SSE 3-1.F3 Complaint Investigation Procedure
SSE 3-1.F4 Complaint Investigation Plan & Checklist
SSE 3-1.F5 Complaint Register
SSE 3-1.F6 Complaint Form