

Complaints Policy

1. Introduction

Djerriwarrh Community College (the College) is an independent specialist senior secondary school based in Melton. We deliver the Victorian Pathway Certificate (VPC) and VCE Vocational Major Certificate (VM) for students aged 15-19 years. We provide a safe and inclusive learning environment for young people who may have been disengaged or are at risk of disengaging from education. The College is committed to supporting students to reach their individual personal, social and educational potential.

Student, staff, parents/guardians or members of the school community have the right to submit a complaint if they wish to express discontent against another person or make a complaint about a College process or system. To ensure that complaints are resolved in a timely manner, the College has implemented a complaints process based on procedural fairness.

2. Purpose

The purpose of this policy is to:

- provide an outline of the complaints process at the College so that students, parents/guardians and members of the community are informed of how they can raise complaints or concerns about issues arising at our school; and
- ensure that all complaints regarding the College are managed in a timely, effective, fair and respectful manner.

3. Scope

This policy applies to College staff, volunteers, students and parents/guardians and member so the community.

4. Definitions

Complainant	The person making the complaint
Complaint	Any expression of concern or dissatisfaction with an action, delivery of service, policy or procedure, system or conduct of another person.
Natural Justice	Natural justice is concerned with ensuring procedural fairness. It involves: <ul style="list-style-type: none"> • decisions and processes free from bias • all parties having the right to be heard • all parties having a right to know how and of what, they are involved/accused • investigating a matter appropriately before a decision is made • all parties being told the decision and the reasons for the decision

Student/parents/guardians	includes the College students and their parents/guardians
Respondent	Person about whom the complaint is made and who is required to respond to the complaint

5. Policy

The College welcomes feedback, both positive and negative, and is committed to continuous improvement. We value open communication with our families and are committed to understanding complaints and addressing them appropriately. We recognise that the complaints process provides an important opportunity for reflection and learning.

We value and encourage open and positive relationships with our school community. We understand that it is in the best interests of students for there to be a trusting relationship between families and our school.

Complaints can arise from matters of concern relating to:

- curriculum delivery and assessment;
- the quality of teaching;
- student support;
- materials;
- discrimination;
- harassment and bullying, including cyber bullying;
- venue;
- another student;
- teacher/trainer/other staff member/volunteer/contractor;

Matters dealt with under this policy

This policy is relevant to all complaints arising in, but not limited to, the following situations:

- Student and/or Parent/Guardian wishes to raise a complaint about College processes or systems;
- Student and/or Parent/Guardian wishes to raise a complaint about College staff member;
- A member of the community wishes to raise a complaint about the College;

Complaints about school council members or actions should be raised with the school principal.

Matters not dealt with under this policy

Child protection issues (i.e. if the complaint is about alleged inappropriate physical contact, sexual misconduct, neglect or psychologically harmful conduct by an adult towards any child or young person). All such complaints should be made directly to the Principal (refer to the Child Safety Policy for further information).

The complaints process may not be used for appealing marks or assessments. Students wishing to appeal an assessment decision should follow the process in the Assessment and Reporting procedure. However, if the student is not satisfied with the appeals process, they may raise a complaint in accordance with the Policy.

Staff grievances are dealt with under the Staff Grievances Policy and Procedure.

Any complaint involving a breach of law is referred to an appropriate agency/organisation for action.

5.1 Complaint handling principles

The following principles underpin the College's complaint handling processes:

- **Timely**

We respond quickly to people's concerns with the aim of resolving them.

- **Fairness and justice**

The process aims to be fair and give justice to all involved in the complaint with procedural fairness. Persons investigating the complaint must not be the subject of the complaint.

- **Respect, listening and understanding**

We aim to listen and understand people's concerns. The process of managing the complaint is just as important as the final outcome.

- **Communication**

Complainants need to be kept informed of the progress and outcome of a complaint. Communication is critical for effective resolution of complaints.

- **Accountable**

We are accountable for our actions to our students, parents/guardians, the community, staff, governing bodies and funding bodies. The issues and learnings from complaints received will be responded to by the appropriate level of management.

- **Confidential**

Details of the complaint must be kept confidential for all parties (students and staff) with access only as required. Complaint documentation will be kept in a secure place and accessible only to staff handling the complaint. Information may be forwarded to the school council as part of ongoing improvement activities.

5.2 Declining complaints

The College may decline to deal with a complaint at any time where the Principal forms the view that:

- the complaint is:
 - frivolous,
 - vexatious,
 - not made in good faith,
 - misconceived,
 - lacking in substance,
 - lacking in currency;

- the subject matter of the complaint may be more appropriately dealt with by an external agency;
- the College has already dealt with the substance of the complaint in the past.

5.3 Complaints process

The College endeavours to resolve complaints through discussion and conciliation. The College will treat all complaints seriously and attempt to resolve them with confidentiality and fairness in a timely manner and without fear of prejudice, reprisal or victimisation.

When a complaint or appeal cannot be resolved through discussion and conciliation, students/parents/guardians may lodge a formal complaint or appeal in writing. Students, parents/guardians have the right to an advocate.

Natural justice and procedural fairness will be observed in resolving complaints.

Where a formal complaint or appeal cannot be resolved following the relevant procedure, the Principal may approach School Council representatives to mediate between the parties. The College acknowledges there may also be need for an appropriate external and independent agent to mediate between parties.

Formal complaints will be documented in the Complaints Register and will be used to inform continuous improvement where relevant.

When addressing a complaint, it is expected that all parties will:

- be considerate of each other's views and respect each other's role;
- be focused on resolution of the complaint, with the interests of the student involved at the centre;
- act in good faith and cooperation;
- behave with respect and courtesy;
- respect the privacy and confidentiality of those involved, as appropriate;
- operate within and seek reasonable resolutions that comply with any applicable legislation;
- recognise that the College may be subject to legal constraints on their ability to act or disclose information in some circumstances.

5.4 Support person

Complainants have a right to have a support person involved with any processes regarding a complaint. The following people may be considered as support persons:

- DCC Youth Worker;
- Teacher who is not directly involved in the matter;
- Fellow students or staff members not directly involved in the matter;
- Friend or family of the complainant's choice.

Complainants also have the right to at any time during the complaint process to seek the advice or mediatory services of an external independent body for example the Dispute Settlement Centre of Victoria (DSCV). Should the complainant/appellant choose to seek alternative advisory or mediation services, the complainant/appellant will meet the financial costs of such services.

5.5 Privacy and confidentiality

Accurate written records will be kept of all communications that form part of the complaint process. This includes notes taken of conversations between the parties which relate to management of the complaint and all decisions made in relation to the complaint. All records must be marked "Confidential".

Only the people who are directly involved in the complaint, or in helping to resolve it, are to have access to information about the complaint.

All documentation of complaints managed under this Policy will be held by the Principal. Complaint documentation is to be kept separate from personnel or student administration files and these should be annotated only where a person has had a penalty imposed as result of disciplinary action as an outcome under this Policy.

5.6 Record Keeping

Records will be kept of every complaint including records of the description of the complaint, supporting documents if any, immediate action taken, records relating to the investigation including any witness statements and a record of the outcome of the complaint and investigation.

Complaints Register

All complaints will be recorded on a complaints register, classified and analysed to identify systemic, recurring and single incident problems and trends in order to identify key risk areas and help eliminate the underlying causes of complaints through corrective actions

5.7 Reporting

The Principal will provide regular reports to the School Council with respect to the status of existing complaints, any underlying statistical trends, as well as information with respect to corrective actions that have been put in place.

Where the subject of the complaint amounts to serious misconduct (e.g. serious risk to the health and safety of staff or students), to a criminal offence or where mandatory reporting is legislated, the College has an obligation to deal with the matter under the relevant rules and to refer the matter to the Police or other agency for investigation e.g. WorkCover.

5.8 Appeals

The complainant has the right to appeal the results of an investigation if they are not satisfied with the outcome. This will be referred to the next level of management or to an external body, if appropriate.

Decisions made by the Principal under this Policy and associated Procedure can be appealed to the DCC School Council for further decision.

6. Responsibilities

The Principal is responsible for ensuring:

- there is an effective, timely, impartial, and just system for dealing with complaints;
- this policy is implemented in accordance with commonwealth and state privacy legislation;
- that all complaints are registered in the Complaints Register;
- that all information is stored and maintained securely; and
- opportunities for improvement are identified and documented as a continuous improvement activity.

7. Communication

This Complaints Policy is available on the College website, Compass and hard copies can be obtained from the College Reception.

8. Associated documents and legislation

Associated policies and procedures	Privacy Policy Complaints Procedure
Other associated documents Internal	Complaint Form Complaint Action Form Complaints Register
Relevant legislation	<i>Child Wellbeing and Safety Act 2005</i> <i>Human Rights and Equal Opportunity Commission Act 1986 (Cth)</i> <i>Privacy Act 1988 (Cth)</i> <i>Education and Training Reform Act 2006 (Vic)</i> <i>Equal Opportunity Act 2010 (Vic)</i> <i>Information Privacy Act 2000 (Vic)</i>
Other associated documents External	<i>Ministerial Order No. 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises</i> VRQA Guidelines to the Minimum Standards and Requirements for School Registration

9. Issuance and approval

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