



# Complaints Handling Policy

SILVER LINING FOUNDATION AUSTRALIA LTD  
(‘SLFA’) – VERSION 2, SEPTEMBER 2019

# Complaints Handling Policy

<b>Purpose:</b>	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.	
<b>Scope:</b>	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.	
<b>Accreditation and Governance Requirements:</b>	<p>To attain and maintain accreditation a school must have, and implement written processes about receiving, assessing, investigating and otherwise dealing with complaints made by its staff, students or a student's parent or guardian/carer. Processes must include principles of procedural fairness, including, for example, the right of interested parties to the complaint to be heard. The school's governing body must ensure that staff, students, parents and carers are made aware of the processes and that the processes are readily accessible.<sup>1</sup></p> <p>The <i>Complaints Handling Policy</i> is a <u>mandatory</u> policy required for accreditation and legal purposes. Mandatory policies are those that the board is responsible for overseeing as part of their governance responsibilities and should be reviewed annually.</p>	
<b>Status:</b>	Approved	<b>Supersedes:</b> Version 1 from July 2018
<b>Authorised by:</b>	School's Governing Body.	<b>Date of Authorisation:</b> September 2019
<b>References and Related Policy and Documents:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Education (Accreditation of Non-State Schools) Act 2017 (Qld)</a></li> <li>• <a href="#">Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</a></li> <li>• <a href="#">Australian Education Regulation 2013 (Cth)</a></li> <li>• <a href="#">Fair Work Act 2009 (Cth)</a></li> <li>• <a href="#">Work Health and Safety Act 2011 (Qld)</a></li> <li>• <a href="#">Privacy Act 1988 (Cth)</a></li> <li>• <a href="#">Information Privacy Act 2009 (Qld)</a></li> <li>• <a href="#">Anti-Discrimination Act 1991 (Qld)</a></li> <li>• <a href="#">Australian Human Rights Commission Act 1986 (Cth)</a></li> <li>• <a href="#">Sex Discrimination Act 1984 (Cth)</a></li> <li>• <a href="#">Age Discrimination Act 2004 (Cth)</a></li> <li>• <a href="#">Disability Discrimination Act 1992 (Cth)</a></li> <li>• <a href="#">Racial Discrimination Act 1975 (Cth)</a></li> </ul> <p><b>SLFA policy and procedure documents:</b></p> <ul style="list-style-type: none"> <li>• Employment Contracts</li> <li>• Staff Code of Conduct</li> <li>• Work Health and Safety Policy</li> <li>• Anti-Discrimination Policy</li> <li>• Disability Discrimination Policy (in relation to students)</li> <li>• Bullying Policy and Behaviour Management Policy (for students)</li> <li>• Sexual Harassment Policy (for staff)</li> <li>• Workplace Bullying Policy (for staff)</li> <li>• Privacy Policy</li> </ul>	
<b>Review Date:</b>	Annually	<b>Next Review Date:</b> September 2020
<b>Policy Owner:</b>	SLFA School Governing Body (the Board of Directors)	

<sup>1</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)* reg 7.

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## Policy Statement

Silver Lining Foundation Australia (SLFA) is committed to ensuring that student, parent and staff complaints are dealt with in a responsive, efficient, and effective and fair way.

SLFA views complaints as part of an important feedback and accountability process. SLFA encourages constructive criticism and complaints.

SLFA acknowledges the right of students, parents, carers and staff (including volunteers) to complain when dissatisfied with an action, inaction or decision of the school.

SLFA recognises that time spent on handling complaints can be an investment in enabling better service to students, parents, carers and employees.

### Types of Complaints that may be Resolved Under this Policy

SLFA encourages students, parents and staff (including volunteers) to promptly lodge with the school any concerns regarding issues such as (but not limited to):

- The school, its staff, volunteers or students having done something wrong.
- The school, its staff, volunteers or students having failed to do something they should have done.
- The school, its staff, volunteers or students having acted unfairly or impolitely.
- Issues of student, staff or volunteer behaviour that are contrary to their relevant Code of Conduct (Staff).
- Discrimination.
- Workplace bullying.
- Privacy breaches or concerns.
- Issues related to learning and educational programs, assessment and reporting of student learning.
- Issues related to communication with students or parents or between staff.
- Issues related to school fees and payments.
- Issues related to school policy and procedure.
- General administrative issues and any other general complaints.

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

NB: child protection matters must be addressed under the *Child Protection Policy* and not under this policy.

### Types of Concerns and Matters not Managed Under this Policy

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

- **Child protection** concerns or risks of harm to children are to be dealt with in accordance with the law and the school's *Child Protection Policy*.
- **Student bullying** concerns should be dealt with under the *Bullying Policy*.
- **Student discipline** matters, including matters involving suspension or expulsion, should be dealt with under the *Behaviour Management Policy*.

- **Employee complaints** relating to their employment and workplace should be directed, in the first instance, to their relevant supervisor. Matters will then be addressed under relevant legislation, policy and procedure.
- **Student or employee violence or criminal** matters should be directed to school Principal, or the Principal's delegate in their absence, who will involve the Police as appropriate.
- **Formal legal proceedings.**

## Complaints Handling Commitment and Principles

SLFA is committed to ensuring effective complaints handling by:

- Promoting the active interest and support of staff in complaints handling.
- Implementing effective policy and procedures.
- Endorsing a positive environment that encourages and helps staff, students, parents and carers to make complaints.
- Providing adequate resources, training and support for staff about complaints handling.

SLFA is committed to managing complaints effectively and according to the following principles:

- Complaints will be resolved with as little formality and disruption as reasonably possible.
- Complaints will be taken seriously.
- Anonymous complaints will be treated on their merits, like any other complaint.
- Complaints will be dealt with fairly and objectively and in a timely manner.
- SLFA will determine the appropriate person to deal with the complaint in the first instance.
- Mediation, negotiation and informal resolution are optional alternatives to a complaint being investigated by the school.
- Procedural fairness will be ensured wherever reasonably practicable, including the rights of interested parties to the complaint to be heard and natural justice principles will be observed wherever practicable.
- Confidentiality and privacy will be maintained as much as possible, and where the law permits.
- All parties to a complaint will be appropriately supported.
- SLFA will give reasonable progress updates on a lodged complaint.
- Appropriate remedies will be offered and implemented.
- A review pathway will be provided for parties to the complaint if warranted.
- Complainants (person making the complaint), respondents (person to whom the complaint is about) and people associated with them will not be victimised or suffer any other reprisals as a result of lodging a complaint.
- The school will keep records of complaints.
- The school's insurer will be informed if a complaint could be connected to an insured risk.

## Confidentiality

As far as is reasonably possible and with regard to legal requirements, complaints and parties to a complaint will be kept in confidence.

## Responsibilities when making, receiving and handling complaints

### **The School**

The school has the following role and responsibilities:

- Develop, implement, promote and act in accordance with the school's *Complaints Handling Policy* and procedures.
- Appropriately communicate the school's *Complaints Handling Policy* and procedures to students, parents and employees.
- Ensure that the Complaints Handling procedures are readily accessible by staff, students and parents.
- Upon receipt of a complaint, manage the complaint in accordance with the Complaints Handling procedures.
- Ensure that appropriate support is provided to all parties to a complaint.
- Take appropriate action to prevent victimisation or action in reprisal against the complainant, respondent or any person associated with them.
- Appropriately implement remedies.
- Appropriately train relevant employees on Complaints Handling procedures.
- Keep records of complaints and complaint outcomes.
- Conduct a review/audit of the Complaints Register from time to time.
- Monitor and regularly report to the school's governing body on complaints.
- Report to the school's insurer when a complaint is relevant to an insured risk.
- Immediately refer to the school's governing body any claim for legal redress.

### **All Parties to a Dispute**

The complainant and respondent both have the following role and responsibilities:

- Apply and comply with the school's *Complaints Handling Policy* and procedures.
- Lodge a complaint as soon as possible after the issue arises.
- Expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that confidentiality and privacy will be maintained as much as is reasonably possible.
- Provide complete and factual information in a timely manner.
- Not provide deliberately false or misleading information.
- Not make frivolous or vexatious complaints.
- Act in good faith, and in a calm and courteous manner.
- Act in a non-threatening manner.
- To be appropriately supported.
- Acknowledge that finding a common goal is the best way to achieve an outcome acceptable to all parties.
- Recognise that all parties have rights and responsibilities which they must balance so as to achieve a resolution and acceptable outcome.
- Maintain and respect the privacy and confidentiality of all parties.
- Not victimise or act in reprisal against any party to the dispute or any person associated with them.

## **Staff Receiving Complaints**

Staff receiving complaints have the following role and responsibilities:

- Act in accordance with the school's *Complaints Handling Policy* and procedures.
- Inform the party wanting to lodge a complaint of how complaints can be lodged, when they should be lodged and what information is required.
- Provide the complainant with information about any support or assistance available to assist them in lodging their complaint. (If necessary, seek assistance from the Principal about procedures).
- Provide the complainant with a copy of the school's *Complaints Handling Policy* (and Procedures).
- Maintain confidentiality.
- Follow any other applicable school policy, procedure and / or legal requirements relevant to the complaint.
- Record, maintain and keep appropriate records.
- Forward complaints to more senior employees, including the Principal, as appropriate or required.
- Not victimise or act in reprisal against the complainant, respondent or any person associated with them.

## **How to Make a Complaint and Complaint Details**

- All complaints which are covered under this policy should be raised with the school in the first instance. (See above at 'Types of Concerns and Matters not Managed Under this Policy' for the types of matters to be addressed under a different school policy).
- Complaints may be made verbally however written complaints are preferred in order to minimise the possibility of any miscommunication.
- Verbal complaints which are not able to be easily resolved in the first instance should be put in writing as soon as possible by the complainant.
- Complaints are to be made to the Principal, Principal's delegate or a senior staff member in the first instance. Written complaints should be given to the Principal, Principal's delegate or a senior staff member either in person or via email at [admin@silverlining.org.au](mailto:admin@silverlining.org.au).
- If the complaint is about the Principal, the complaint is to be directed to the school's Governing Body via email at [chairman@silverlining.org.au](mailto:chairman@silverlining.org.au) or by written letter and then posted to:  
*Silver Lining Foundation Australia Ltd, PO Box 517, Spring Hill Qld 4000.*
- If the complaint is about a Director of the school's Governing Body, a written complaint should be specifically addressed and sent to the Board Chairperson (contact details directly above).
- If the complaint is about the Board Chairperson, the written complaint should be sent to [info@silverlining.org.au](mailto:info@silverlining.org.au).
- If the complaint is about the school's Governing Body as a whole, the complainant should contact the Non-State Schools Accreditation Board (Qld) on (07) 3513 6773 to discuss their concerns. Complainant's should note that the NSSAB only has jurisdiction to hear complaints relating to a school's governing body under the *Education (Accreditation of Non-State Schools) Act 2017* (Qld).
- If the complainant needs assistance to make a written complaint, the Principal or another staff member is able to provide assistance.

- **Complaint details should include:**
  - The complainant’s name and contact details;
  - Factual details of the issue including who the complaint is about, what the issue is about, when the issue arose, what happened, what you saw, what you heard, who was involved, etc.; and
  - The remedy being sought.

## How Complaints will be Handled by the School

- On receipt of a **verbal complaint**:
  - Resolve the complaint if possible, documenting the complaint, its cause, actions taken, and decisions made and ensure that a record of the complaint is securely stored in its relevant location.
  - If the complaint cannot be promptly and simply resolved, advise the complainant that an appropriate staff member will handle the complaint, but a written record of the complaint is required.
- On receipt of a **written complaint**, the school will seek to resolve the complaint by:
  - Discussing complaint with any relevant staff to whom the complaint was made.
  - Give the complainant an opportunity to present their case and discuss the matter (they may be accompanied by other people as support or as representation).
  - Give the relevant respondent an opportunity to present their case. They also may be accompanied by other people as support or as representation.
  - If necessary, involve the school’s Board of Directors to assist with the matter.
  - Communicate the outcome/decision to all parties either in writing within a reasonable period of time after receiving the complaint.
  - Document the complaint including the cause, actions taken, and decisions made and ensuring that the records are securely stored in its relevant location.
  - If the complaint will not be finalised within a reasonable time, or where delays arise, the school will inform the complainant of the reasons in writing and regularly update them on the progress of the matter.

## Remedies

- All parties to a dispute / complaint will be advised of the outcome of the investigation into the complaint as soon as possible after a decision is made.
- All parties will be provided with the reasons for the school’s decision.
- Parties will be provided with written information on seeking a review of the decision if they are unsatisfied with it.
- The school will seek to ensure that remedies are appropriate, fair and reasonable towards all parties concerned. Remedies may involve (for example):
  - Providing an explanation or further information about the issue.
  - Providing an apology, statement of regret or admission of fault.
  - That the school will review and change its policies, procedures or practices.
  - That the school inform and offer assistance about mediation services, counselling or other support as appropriate.
  - That the school provide further training of employees in relevant areas.



- Potential discipline of a student or employee, including possible expulsion or termination of employment.
- Whether if more than one person is involved in or affected by a dispute, similar remedies will be offered to all persons in the same situation.
- The school will implement the remedy as soon as possible after a resolution on the complaint is finalised.

## Review of an Outcome

- If a party to a complaint is not satisfied with the outcome of an investigation, they may refer the matter to the Principal for review. A request for review must be in writing and should include the reason for the need for a review and the outcome being sought.
- The Principal will manage the review as per the *Complaints Handling Policy* and as determined to be appropriate by the Principal in the relevant circumstances.
- If a party to a dispute is not satisfied with either an original outcome of a dispute as handled by the Principal, or by the outcome of a review by the Principal, they should refer the matter to the school Board.
- The Board will manage the review according to the *Complaints Handling Policy* and as determined to be appropriate by the Board in the relevant circumstances.
- If a party to a complaint is still not satisfied after a review, the Principal will refer them to a relevant independent third party.
- School employees who feel their complaint is unresolved may have options for external review of any school decision that affects their employment.

## Recording Complaints

A Complaints Register will be kept and maintained by the school. The register should include details such as:

- the name of the person making the complaint;
- date the complaint was received;
- a brief description of what the complaint is about;
- the outcome of the complaint;
- date the complaint was finalised;
- action required and the date of such action; and
- any other relevant information.

Documents relating to complaints and resolutions will be securely stored in their relevant location.

## Monitoring and Reporting

SLFA is committed to monitoring and reporting on complaints, while ensuring principles of confidentiality and privacy are maintained. Monitoring and reporting will occur by:

- Tracking and collating complaints, including all relevant records, using a secure system with strictly limited access to ensure confidentiality of information.
- Reviewing information about complaints to:
  - identify common or recurring issues that may need addressing;

- monitor the time taken to resolve complaints;
- monitor the number and reasons for complaints referred for review;
- regularly report on complaints to the school community and to the school board;
- assess the effectiveness of the Complaints Management Policy (and Procedures) and other policies and procedures and whether they are being correctly implemented and make improvements where necessary.

## Implementation, Awareness and Training

SLFA is committed to raising awareness of the process for lodging and resolving complaints at the school, including through the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

SLFA is committed to promoting and increasing awareness of the *Complaints Handling Policy (and Procedures)* to students, parents, carers and staff. New students and their families and new staff (including volunteers) will be made aware of the policy and procedures upon commencement at the school and the policy is accessible from the school administration and the school website - <http://www.silverlining.org.au/> .

SLFA is also committed to appropriately training relevant employees (especially senior staff) on how to resolve complaints in line with this policy and the related procedures. The policy will be regularly discussed in staff meetings and records of staff participation will be kept.

SLFA will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the school's Board of Directors on complaint handling at the school. SLFA 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.

## COMPLAINT FORM

### Complainant Details

Please provide your details so that we may respond to your complaint.

<b>Name</b>	
<b>Address</b>	
<b>Phone</b>	<b>Email</b>
<b>Preferred method of contact</b>	
<b>I am:</b> <input type="checkbox"/> a student <input type="checkbox"/> a parent, guardian or carer <input type="checkbox"/> staff member <input type="checkbox"/> Other - please specify:	

### Complaint Details

Provide the following details as they relate to the complaint.

<b>Name of any person(s) that is/are the subject of the complaint:</b>
<b>Role of the person(s) that is/are the subject of the complaint:</b>
<b>Description of the complaint</b> (Summarise: What happened? Who was involved? When and where did it happen? Be specific and factual.)
<b>Please provide any supporting documentation</b> (if available or applicable)

## Actions to date

Have you already raised your concerns with the school prior to completing this form?

Answer yes or no below.

**No.** Why?


**Yes.** Please provide the following details if you have previously raised this complaint:

<b>Name of person who dealt with your complaint</b>	
<b>Response to your complaint</b>	
<b>Date complaint lodged</b>	<b>Date of response or outcome</b>

## Privacy information

In lodging a complaint, you are providing personal information, including your name and contact details. All personal information you provide is handled in accordance with the [Information Privacy Act 2009 \(Qld\)](#). We will use relevant personal information provided for the purpose of assessing and/or investigating your complaint and for responding to you.

It may be necessary to disclose relevant information to the school's governing body and/or the school or persons named in this complaint to help with the investigation.

In other instances, the information collected in this form may be disclosed without further consent where authorised or required by law.

## Declaration by complainant

By submitting this complaint, you confirm that you are the complainant stated above and that the information provided in this form is, to the best of your knowledge, true and correct and is not vexatious or frivolous.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date:     /     /