

Complaints Handling Policy

SILVER LINING FOUNDATION AUSTRALIA LTD ('SLFA')
– SILVER LINING SCHOOL (CLUDEN)

Complaints Handling Policy

Purpose:	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.	
Accreditation and Governance Requirements:	<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.¹</p> <p>The Complaints Handling Policy 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>	
Status:	Approved	Supersedes: Version 2 September 2020
Authorised by:	School's Governing Body.	Date of Authorisation: August 2023
References and Related Policy and Documents:	<ul style="list-style-type: none"> • <u>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</u> • <u>Australian Education Regulation 2013(Cth)</u> • <u>Fair Work Act 2009 (Cth)</u> • <u>Work Health and Safety Act 2011 (Qld)</u> • <u>Privacy Act 1988 (Cth)</u> • <u>Anti-Discrimination Act 1991 (Qld)</u> • <u>Australian Human Rights Commission Act 1986 (Cth)</u> • <u>Sex Discrimination Act 1984 (Cth)</u> • <u>Age Discrimination Act 2004 (Cth)</u> • <u>Disability Discrimination Act 1992 (Cth)</u> • <u>Racial Discrimination Act 1975 (Cth)</u> • SLFA Employment Contracts • SLFA Staff Code of Conduct Policy • SLFA Work Health and Safety Policy • SLFA Disability Discrimination Policy (Students) 	
Review Date:	Annually	Next Review Date: August 2024
Policy Owner:	SLFA School Governing Body (the Board of Directors)	

¹ Education (Accreditation of Non-State Schools) Regulation 2017 reg 7.

Policy Review Records

Version Number	Date of Authorisation	Review Due Date	Date Reviewed	Review Outcome
1	February 2019	February 2020	September 2020	Policy modified in consideration of pending Blue Card laws in 2020. New Version 2 implemented.
2	September 2020	September 2021	July 2023	Minor amendments to text and formatting.
3	August 2023	August 2024		

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Policy Statement

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

SLFA and the School views complaints as part of an important feedback and accountability process. SLFA and the School acknowledges the right of students, parents, carers and staff (including volunteers) to complain when dissatisfied with an action, inaction or decision of SLFA or the School and SLFA and the School encourages constructive criticism and complaints.

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

1. SLFA, the School, staff, volunteers or students having done something wrong.
2. SLFA, the School, staff, volunteers or students having failed to do something they should have done.
3. SLFA, the School, staff, volunteers or students having acted unfairly or impolitely.
4. Issues of student, staff or volunteer behaviour that are contrary to their relevant *SLFA Code of Conduct (Staff) Policy*.
5. Discrimination.
6. Privacy breaches or concerns.
7. Issues related to the Schools learning programs and educational programs, assessment and reporting of student learning.
8. Issues related to communication with students or parents or between staff.
9. Issues related to SLFA and School policy and procedure.
10. 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:

1. **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*.
2. **Student bullying** concerns should be dealt with under the *Bullying Policy*.
3. **Student discipline** matters, including matters involving suspension or expulsion, should be dealt with under the *Behaviour Management Policy*.
4. **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.

5. **Workplace bullying** should be directed in the first instance, to the relevant supervisor. Matters will then be addressed under relevant legislation, policy and procedure.
6. **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.
7. **Formal legal proceedings.**

Complaints Handling Commitment and Principles

1. SLFA and the School is committed to ensuring effective complaints handling by:
 - (a) Promoting the active interest and support of staff in complaints handling.
 - (b) Implementing effective policy and procedures.
 - (c) Endorsing a positive environment that encourages and helps staff, students, parents and carers to make complaints.
 - (d) Providing adequate resources, training and support for staff about complaints handling.
2. SLFA is committed to managing complaints effectively and according to the following principles:
 - (a) Complaints should be resolved with as little formality and disruption as reasonably possible. Complaints will be taken seriously.
 - (b) Anonymous complaints will be treated on their merits, like any other complaint.
 - (c) Complaints will be dealt with fairly and objectively and in a timely manner.
 - (d) SLFA and the School will determine the appropriate person to deal with the complaint in the first instance.
 - (e) Mediation, negotiation and informal resolution are optional alternatives to a complaint being investigated by SLFA or the School.
 - (f) 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.
 - (g) Confidentiality and privacy will be maintained as much as possible, and where the law permits.
 - (h) All parties to a complaint will be appropriately supported.
 - (i) SLFA and the School will give reasonable progress updates on a lodged complaint.
 - (j) Appropriate remedies will be offered and implemented.
 - (k) A review pathway will be provided for parties to the complaint if warranted.
 - (l) 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 and they will not suffer any reprisals.
 - (m) SLFA and the School will keep records of complaints.
 - (n) SLFA and 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

SLFA and the School

SLFA and the School has the following role and responsibilities:

1. Develop, implement, promote and act in accordance with SLFA and the School's *Complaints Handling Policy* and procedures.
2. Appropriately communicate SLFA and the School's *Complaints Handling Policy* and procedures to students, parents and employees.
3. Ensure that the complaints handling procedures are readily accessible by staff (including volunteers), students and parents/carers.
4. Upon receipt of a complaint, manage the complaint in accordance with the complaints handling procedures.
5. Ensure that appropriate support is provided to all parties to a complaint.
6. Take appropriate action to prevent victimisation or action in reprisal against the complainant, respondent or any person associated with them.
7. Appropriately implement remedies.
8. Appropriately train relevant employees on complaints handling procedures.
9. Keep records of complaints and complaint outcomes.
10. Conduct a review/audit of the *Complaints Register* from time to time.
11. Monitor and regularly report to the school's Governing Body (SLFA Board of Directors) on complaints.
12. Report to SLFA and the School's insurer when a complaint is relevant to an insured risk.
13. 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:

1. Apply and comply with SLFA and the School's *Complaints Handling Policy* and procedures.
2. Lodge a complaint as soon as possible after the issue arises.
3. 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.
4. Provide complete and factual information in a timely manner.
5. Not provide deliberately false or misleading information.
6. Not make frivolous or vexatious complaints.
7. Act in good faith, and in a calm and courteous manner.
8. Act in a non-threatening manner.
9. To be appropriately supported.
10. Acknowledge that finding a common goal is the best way to achieve an outcome acceptable to all parties.
11. Recognise that all parties have rights and responsibilities which they must balance so as to achieve a resolution and acceptable outcome.
12. Maintain and respect the privacy and confidentiality of all parties.
13. Not victimise or act in reprisal against any party to the dispute or any person associated with them.

Staff Receiving Complaints

SLFA and School staff receiving complaints have the following role and responsibilities:

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

How to Make a Complaint and Complaint Details

The steps below should followed when making a complaint:

1. All complaints which are covered under this policy should be raised with SLFA or 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 SLFA and School policy).
2. Written complaints are preferred so as to minimise the possibility of any miscommunication; however, complaints may be made verbally.
3. Complaints should be made to the School Principal, Principal's delegate, SLFA Executive Officer or another School or SLFA Central Office senior staff member.
4. Written complaints can be given in person or via email at admin@silverlining.org.au for SLFA Central Office or townsville@slfa.edu.au for the School.
5. 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.
6. If the complaint is about the School Principal, the complaint is to be directed to the school's Governing Body via email at chairman@slfa.edu.au or by written letter and then posted to:
*Silver Lining Foundation Australia Ltd,
PO Box 15110,
City Easy, Qld 4002.*
7. If the complaint is about a Board Director of the school's Governing Body, a written complaint should be specifically addressed and sent to the Board Chairperson (contact details directly above).
8. If the complaint is about the Board Chairperson, the written complaint should be sent to info@silverlining.org.au.
9. If the complaint is about the SLFA Board of Directors – 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).
10. If the complainant needs assistance to make a written complaint, the School Principal, SLFA Executive Officer, SLFA Central Office staff or another SLFA staff member is able to provide assistance.

Complaint details should include:

1. The complainant's name and contact details;
2. 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
3. The remedy being sought.

How Complaints will be Handled by the School

1. On receipt of a **VERBAL** complaint the SLFA or the School will:
 - (a) 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.
 - (b) 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.
2. On receipt of a **WRITTEN** complaint, SLFA or the School will seek to resolve the complaint by:
 - (a) Discussing complaint with any relevant staff to whom the complaint was made.
 - (b) 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).
 - (c) Give the relevant respondent an opportunity to present their case. They also may be accompanied by other people as support or as representation.
 - (d) If necessary, involve the SLFA Board of Directors – the School's Governing Body, to assist with the matter.
 - (e) Communicate the outcome/decision to all parties in writing within a reasonable period of time after receiving the complaint.
 - (f) Document the complaint including the cause, actions taken, and decisions made and ensuring that the records are securely stored in its relevant location.
 - (g) If the complaint will not be finalised within a reasonable time, or where delays arise, SLFA or the School will inform the complainant of the reasons in writing and regularly update them on the progress of the matter.

Remedies

1. 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.
2. All parties will be provided with the reasons for SLFA or the School's decision.
3. Parties will be provided with written information on seeking a review of the decision if they are unsatisfied with it.
4. SLFA and the school will seek to ensure that remedies are appropriate, fair and reasonable towards all parties concerned. Remedies may involve (for example):
 - (a) Providing an explanation or further information about the issue.
 - (b) Providing an apology, statement of regret or admission of fault.
 - (c) That SLFA and the School will review and change its policies, procedures or practices.
 - (d) That SLFA and the School inform and offer assistance about mediation services, counselling or other support as appropriate.
 - (e) That SLFA and the School provide further training of employees in relevant areas.
 - (f) Potential discipline of a student or employee, including possible expulsion or termination of employment.

5. 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.
6. SLFA and the School will implement the remedy as soon as possible after a resolution on the complaint is finalised.

Review of an Outcome / Decision

1. If a party to a complaint is not satisfied with the outcome of an investigation, they may refer the matter to the School Principal or the SLFA Executive Officer 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.
2. The School Principal or the Executive Officer will manage the review as per the *Complaints Handling Policy* and as determined to be appropriate by the School Principal or the SLFA Executive Officer in the relevant circumstances.
3. If a party to a dispute is not satisfied with either an original outcome of a dispute as handled by the School Principal or the SLFA Executive Officer, or by the outcome of a review by the School Principal or the SLFA Executive Officer, they should refer the matter to the SLFA Board of Directors – the School’s Governing Body.
 - (a) The SLFA Board of Directors will manage the review according to the *Complaints Handling Policy* and as determined to be appropriate by the SLFA Board of Directors in the relevant circumstances.
4. If a party to a complaint is still not satisfied after a review, the School Principal, SLFA Executive Officer or the SLFA Board of Directors (whichever applies in relation to the review) will refer them to a relevant independent third party.
5. SLFA and its School employees who feel their complaint is unresolved may have options for external review of any SLFA or School decision that affects their employment.

Recording Complaints

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

1. the name of the person making the complaint;
2. date the complaint was received;
3. a brief description of what the complaint is about;
4. the outcome of the complaint;
5. date the complaint was finalised;
6. action required and the date of such action; and
7. any other relevant information.

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

Monitoring and Reporting

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

1. Tracking and collating complaints, including all relevant records, using a secure system with strictly limited access to ensure confidentiality of information.
2. Reviewing information about complaints to:
 - (a) identify common or recurring issues that may need addressing;
 - (b) monitor the time taken to resolve complaints;
 - (c) monitor the number and reasons for complaints referred for review;

- (d) regularly report on complaints to SLFA or the School community and to the SLFA Board of Directors – the School’s Governing Body;
- (e) assess the effectiveness of the *Complaints Handling Policy (and Procedures)* and other policies and procedures and whether they are being correctly implemented and make improvements where necessary.

Implementation, Awareness and Training

1. SLFA and the School is committed to raising awareness of the process for lodging and resolving complaints at SLFA and 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.
2. SLFA and the School is committed to promoting and increasing awareness of the *Complaints Handling Policy (and Procedures)* to students, parents, carers and staff (including volunteers). New students and their families and new staff (including volunteers) will be made aware of the policy and procedures upon commencement with SLFA and at the School and the policy is accessible from the SLFA Central Office, the School’s administration and the SLFA website - <http://www.silverlining.org.au/>
3. SLFA and the School 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.
4. SLFA and the School will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the SLFA Board of Directors – the School’s Governing Body, on complaint handling at the school.
5. SLFA and the School will act to encourage students, parents and employees to contribute to a healthy SLFA and 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.

Name	
Address	
Phone	Email
Preferred method of contact	
I am: <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.

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

Name of person who dealt with your complaint	
Response to your complaint	
Date complaint lodged	Date of response or outcome

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 SLFA Board of Directors – the School’s Governing Body and/or SLFA 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

In submitting this complaint, I confirm the information provided in this form is, to the best of my knowledge, true and correct and is not vexatious or frivolous.

Name: _____

Signature: _____ Date: / /