

## CONCERNS AND COMPLAINTS MANAGEMENT POLICY

Perth College welcomes suggestions and comments from parents and students and takes seriously concerns and complaints that may be raised.

A **concern** will be treated as a less serious matter that may be resolved with a more informal approach.

A **complaint** will be treated as an expression of genuine dissatisfaction that requires following a formal process as detailed below.

We encourage parents to first treat their grievance as a concern when approaching the School, and then lodge a complaint if this is not handled to your satisfaction.

We wish to ensure that:

- parents wishing to raise a concern or lodge a complaint know how to do so;
- the complaint or concern will be treated in a confidential manner and with respect;
- we respond to concerns within a reasonable time and in a courteous and efficient way;
- the School gives prompt written acknowledgment of complaints;
- required action is taken within a stated timeline;
- the procedure is fair and reasonable for all parties;
- complaints are examined and investigated by an authorised person;
- the substance of the complaint is provided to the subject of the complaint;
- a clear record of the complaint is kept with the action taken and the outcome;
- if required, the matter will be referred to an external authority such as the Department for Child Protection or the Western Australian Police Service for advice or immediate action;
- if necessary, an independent arbiter can be utilised;
- any action taken is evaluated and the procedures are reviewed.

### Guiding Principles

When managing a concern or complaint, Perth College aims to apply the following principles which are designed to ensure procedure is maintained at all times:

<i>Visibility</i>	Information about how and where to complain is well publicised.
<i>Responsiveness</i>	Complainants are to be fully informed of the progress of their complaint and complaints should be resolved as quickly as possible.
<i>Accessibility</i>	We aim to make the complaints management process simple and accessible to all.
<i>Complainant Focus</i>	We aim to put ourselves in the shoes of the complainant and understand the complaint from their point of view.
<i>Completeness</i>	We are committed to undertaking a thorough investigation of each and every complaint, talking to people from both sides to establish common ground and verify explanations.

<i>Objectivity</i>	Each complaint should be addressed on its merits, in an equitable, impartial, objective and unbiased manner.
<i>No Charge</i>	Access to our complaints handling process is free.
<i>Confidentiality</i>	Personally identifiable information about complainants is only available for the purpose of addressing the complaint (unless the complainant consents otherwise), and is actively protected from disclosure.
<i>Transparency</i>	We aim to make the complaints handling process as transparent as possible and in responding to a complaint will, where practical, give reasons for our decision in writing, referring to applicable provisions in legislation, codes, standards or internal procedures.
<i>Treatment of Personnel</i>	Where a complainant specifies action of a particular individual we will apply principles of responsiveness, accessibility, completeness, objectivity, confidentiality and transparency to that individual.
<i>Recording Information</i>	Whenever dealing with a complaint, and in particular when recording information relating to the complaint, we take the view that this information may at some time in the future be requested by the complainant or may be made public as a result of litigation (whether related or unrelated to the particular complaint). Personally identified information is not recorded if the name of the complainant is not directly relevant to the complaint or issue raised.

### **Scope**

This policy applies to all members of the Perth College community.

### **Associated Policies and Procedures**

Child Protection Policy

Code of Conduct

Pastoral Care Policy

Equal Employment Opportunity and Anti-discrimination Policy

Harassment and Bullying Policy

### **Relevant Legislation and Authority**

School Education Act 1999

School Education Regulations 2000

The National Quality Framework for Early Childhood Education and Care

National Code of Practice for Providers of Education and Training to Overseas Students 2018

Education Services for Overseas Students (ESOS) Act 2000

Education Service Providers (Full Fee Overseas Students) Registration Act 1991 (WA) (ESPRA)

The Privacy (Enhancing Privacy Protections) Act 2012

The Privacy Act 1988

*Since there are visa implications with Full Fee Paying Overseas Students (FFPOS) complaints are covered under the Education Services for Overseas Students (ESOS) Act 2000 and the National Code 2018, and handling of these are covered by the School's FFPOS Complaints and Appeals Procedures available from the School directly.*

**Review**

This policy will be reviewed on an annual basis.

## FREQUENTLY ASKED QUESTIONS

### **“How should I raise a concern or lodge a complaint?”**

When raising a concern we suggest contacting the School and asking to speak to a member of staff with whom you feel comfortable. Members of staff will be happy to help. It may be best to start with the person most closely concerned with the issue. For example, you can raise pastoral concerns with the Year Co-ordinator or class teacher, academic concerns with the subject teacher and sports concerns with the Head of Sport. They may be able to sort things out quickly, with the minimum of fuss. However, you may prefer to take the matter to a more senior member of staff, for example the Vice Principal or Head of Junior School.

If you feel your concern has not been dealt with satisfactorily, you may wish to lodge a complaint. A complaint should be made in writing, clearly outlining the details of the grievance, and this can be lodged with the Complaints Manager in writing or via email ([complaintsmanager@pc.wa.edu.au](mailto:complaintsmanager@pc.wa.edu.au)).

### **“I don’t want to complain as such, but there is something bothering me.”**

The School is here for you and your child, and we want to hear your views and your ideas. Contact a member of staff, as described above.

### **“I am not sure whether to complain or not.”**

If, as parents, you have concerns, you are entitled to raise them. If in doubt, you should contact the School as we are here to help.

### **“What happens about confidentiality?”**

Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be initially limited to the Complaints Manager and those directly involved. The Principal or Chair of the School Council may also need to be informed. It is the School’s policy that complaints made by parents should not rebound adversely on their children.

We cannot entirely rule out the need to make third parties outside the School aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child’s safety was at risk or it becomes necessary to refer matters to Department for Child Protection or the Western Australian Police Service for advice or immediate action. If such action is required you would be fully informed.

While information relating to specific complaints will be kept confidentially on file, we would point out that anonymous complaints might not be pursued.

Action which needed to be taken under staff disciplinary procedures as a result of complaints, would be handled confidentially within the School.

The confidentiality and complaints and concerns for Full Fee Paying Overseas Students (FFPOS), as required by the Education Services for Overseas Students (ESOS) Act 2000 and the National Code 2018, will subject to the Complaints and Appeals Policy for Full Fee Paying Overseas Students. This policy is available from the School directly.

**“How long will it take to receive a response from the School?”**

If the concern is raised face-to-face or by telephone, it may be possible to resolve the matter immediately and to your satisfaction.

If you lodge a complaint in writing, we will make a written response within 3 working days to acknowledge your complaint and, unless further exploration of the issue is needed, detail what action is proposed or will be taken and the timeline for this action.

**“Will my concern or complaint be treated appropriately?”**

Procedural fairness is of the utmost importance and all parties will be treated justly and reasonably within the law and the School’s rules. In the interest of finding a just resolution, complaints will be examined and investigated by the Complaints Manager. A hearing appropriate to the circumstances will be held free of any bias. Substance of the complaint will be provided to the subject of the grievance and a clear record of the incident, the action taken and the outcome will be kept. An evaluation of the action will be carried out and any related procedures will be reviewed.

**“What if I am not satisfied with the outcome?”**

We hope that you will feel satisfied with the outcome or, at least, that your concerns have been fully and fairly considered.

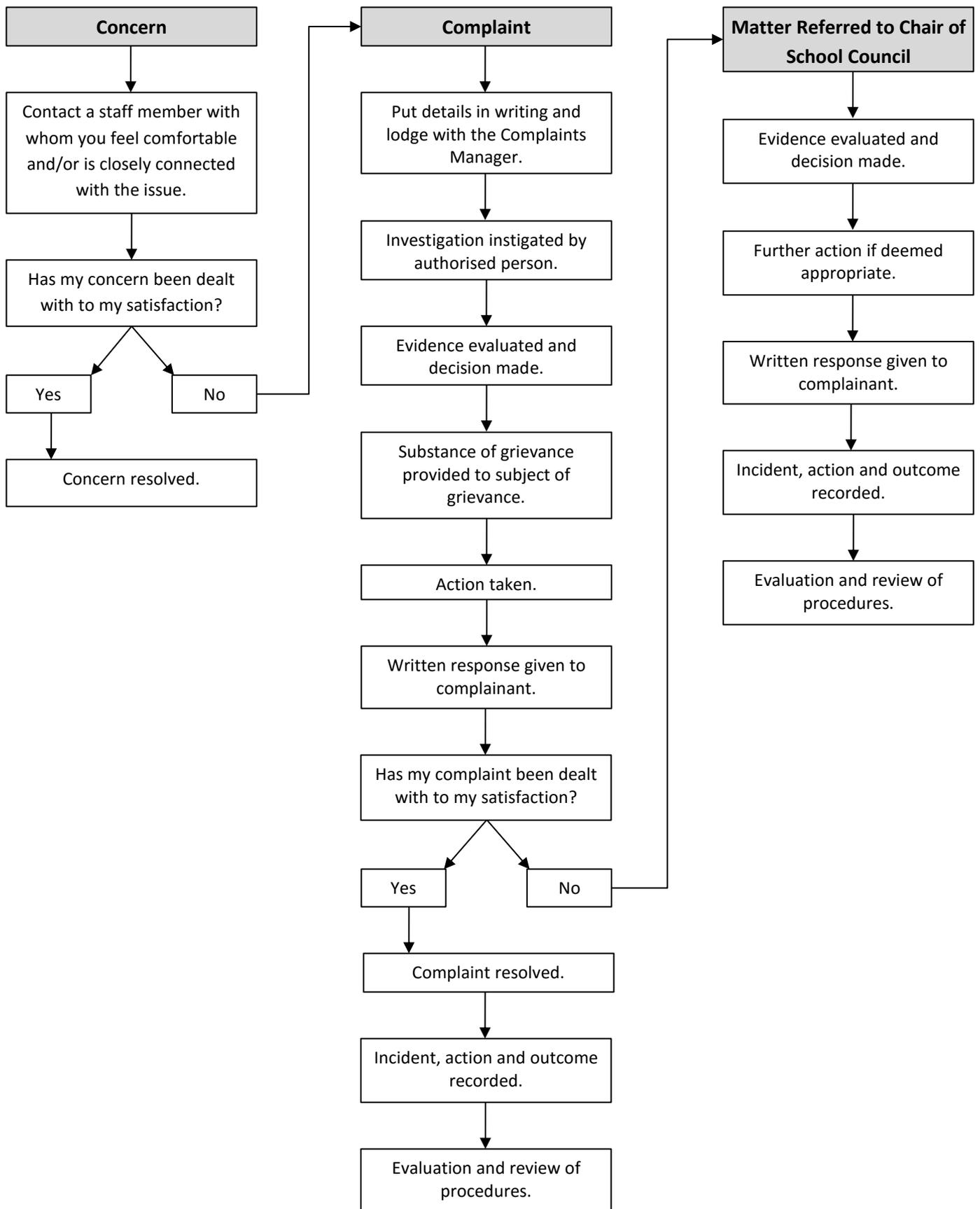
If you are not satisfied, the Principal will offer to refer the matter to the Chair of the School Council. Alternatively, you may wish to write directly to the Chair. The Chair will call for a full report from the Principal, and will examine matters thoroughly before responding. This may result in a positive solution but, if it does not, the Chair will invite you to a meeting. You may wish to be supported by a friend, but legal representation would not be appropriate at this stage.

Perth College recognises and acknowledges your entitlement to complain and we hope to work with you in the best interests of the children and young people in our care.

**“What if I wish to make an anonymous complaint?”**

Perth College is committed to responding to complaints and concerns in a confidential and respectful manner. However if a complaint is made anonymously this cannot and will not be responded too. Courage is one of our core values and we respectfully ask stakeholders to make their concerns or complaints known using the process which is fair, transparent and designed to follow natural justice.

# FLOWCHART OF INTERNAL HANDLING OF CONCERNS AND COMPLAINTS



**Note:** If at any stage of the process the complaint is withdrawn by the complainant, written confirmation of this will be provided by the School to the complainant.

## **STUDENT COMPLAINTS**

The principles that apply to parental complaints should also be applied to complaints and concerns from students.

There are, however, differences in approaches. One important difference from the handling of parental complaints is that students should be able to raise concerns with any member of staff with whom they feel comfortable, whether it is the Class teacher, Form teacher, subject teacher, a member of the support staff, the Year Co-ordinator or the School Counsellor. In making a complaint, a student may need support from another student or from an adult. Students should be encouraged to choose a person with whom they feel comfortable to provide support.

Once the matter is resolved, the outcome should be discussed with the student by a member of staff.

The following guidelines should be followed by students for expressing concerns or making complaints:

### **Any concerns or complaints?**

If so, the School would like to hear.

### **How do I raise a concern or complaints?**

- By talking about it or by writing it down if you find that easier.
- You can do it by yourself, or as part of a group, or through your parents.

### **To whom?**

- To any staff member.

### **What will happen next?**

- If possible, the staff member will deal with it in person. If not, he or she will go on your behalf to someone who can help.

### **Do others have to know?**

- If you are worried about confidentiality, tell the staff member who will understand.

## **CONCERNS AND COMPLAINTS MANAGEMENT PROCEDURES**

The steps outlined below (together with the flowchart are intended to provide guidance as to how to handle complaints generally.

Every incident will vary in degree of seriousness and not all parts of the steps outlined below will be required to be undertaken in every circumstance.

### **Step 1 – Dealing with Informal Complaints**

There are likely to be many occasions where someone makes a statement, or sends an email, that is an expression of dissatisfaction as to some aspect of Perth College's service or operations where a resolution can be quickly and easily achieved, usually through verbal communications. In many of these instances the person making the statement, or writing the email, may not even consider that they are making a 'complaint'. Often they may simply be offering 'constructive feedback'.

By way of example:

*In a meeting with a teacher a parent notes that the information on SPACE is often not updated. This has led to conflicts at home as the parents have not been able to monitor whether or not the child has completed their homework on time.*

This is clearly an expression of dissatisfaction as to an aspect of the School's operations and thus falls within the definition of a complaint.

It is also a relatively minor complaint that can probably be managed through a verbal acknowledgement and undertaking to 'rectify the issue'. In this circumstance, the parent would probably not expect to receive a formal written acknowledgement of their complaint and most certainly would not expect the matter to be escalated.

Whilst this complaint may on the surface appear to be minor, if the School was to receive numerous such complaints from parents, it would indicate a systemic issue which would require formal rectification action. It is for this reason that even minor complaints should be recorded.

### **Step 2 – Receiving and Logging Complaints**

All complaints received (whether verbally or in writing), must be logged with our Complaints Manager.

In the event that a complaint, whether it be written or verbal, is received and is not an informal complaint that can be resolved immediately, the Complaints Manager must send a written acknowledgement of the complaint to the complainant within three (3) business days of receipt of the complaint. In less serious instances this written acknowledgement may be a relatively informal email communication. As the seriousness of the complaint increases the formality of the communication should also increase.

When dealing with serious complaints our complaints process will be included in the written communication.

To ensure all complaints received are managed properly, staff must complete a Complaints Report which can be accessed via SPACE and submit the report to the Complaints Manager within 24 hours of receiving the complaint.

The report is designed to assist us in capturing all of the information that is relevant to allow Perth College to investigate and respond appropriately to a complaint.

### **Verbal Complaints**

When a complaint is received verbally, either over the telephone or during a face-to-face meeting, it is important to follow the general guidelines below for dealing with the complainant's feelings:

- **Listen** – this is the first step in reducing the tension. In face-to-face meetings, listening involves body language as much as the ears.
- **Acknowledge the complainant's feelings** – denying that the complainant is upset, or has the right to be upset, may antagonise them.
- **Empathise** – put yourself in the shoes of the complainant. This relieves tension so opens channels of communication.
- **Do not offer excuses, or argue** with the complainant.

It is important that the facts of the incident be gathered without judgement. The following guidelines are designed to assist in this regard.

1. Ask open questions to elicit the facts about the complaint in a polite and even-handed manner.
2. Record the facts you gather and confirm the details you have recorded before you finish the conversation with the complainant.
3. Outline the process for investigating the complaint without appearing to dictate terms.
4. Advise that the matter will be referred to the Complaints Manager who will make contact shortly.

Staff should use their initiative as to how to proceed having regard to these guidelines. Minor complaints may initially be managed through points 1 and 2. Where the complaint is more serious staff may wish to proceed to points 3 and 4.

### **Written Complaints**

1. All written complaints must immediately be forwarded to the Complaints Manager.
2. The Complaints Manager will review relevant correspondence and log details in the Complaints Register.
3. The Complaints Manager will contact the complainant by telephone (if possible) to acknowledge receipt of the complaint and to obtain additional information which may exist in expediting the matter internally. In the event that it is not possible to contact the complainant by telephone, additional information should be sought through appropriately worded correspondence.

### **Step 3 – Screening Complaints**

Once a complaint is received by the Complaints Manager they will:

- either accept or reject the complaint and, if accepted;
- allocate the complaint an incident priority considering such criteria such as severity, complexity, impact and the need and possibility of immediate action;
- establish a target resolution date in the event the complaint has been accepted; and
- assign ownership of the complaint if appropriate to a member of the Executive team who will be responsible for investigating the complaint.

### **Step 4 – Establishing the Facts and Communicating with the Complainant**

Once a complaint has been accepted an internal investigation will be carried out.

In the event the complaint involves a specific member of staff the investigation will be conducted as follows:

- Stage 1** A member of Executive will immediately contact the relevant staff member (if applicable) named within the complaint and agree a time (within 48 hours), to meet to discuss the matter and gain access to relevant documentation.
- Stage 2** At this meeting the staff member will be provided with details of the complaint and asked to provide their version of events. The meeting will be documented.
- Stage 3** The facts of the complaint with the staff member's response will be matched and, through communication with the staff member and the complainant clarify why any facts differ.
- Stage 4** A report summarising key findings of the investigation will be prepared by the member of Executive undertaking the investigation and submitted to the Complaints Manager.

In the event the complaint concerns a matter which is not related to a specific member of staff (e.g. misleading material in a publication), the Complaints Manager will conduct an investigation based on the incident priority considering criteria such as severity, complexity, impact and the need and possibility of immediate action.

The Complaints Manager will contact the complainant prior to the target resolution date and keep in regular contact, advising the status of the matter and each time confirming when the next communication should be expected.

#### **Step 5 – Making a Determination**

After considering all of the facts available, the Complaints Manager (in conjunction with the Principal if required) must make a determination which addresses all aspects of the complaint. The following options are available:

- accept the complaint and take rectification action;
- accept the complaint, or part thereof; or
- reject the complaint and provide reasons for such rejection.

There may be situations where redress may be deemed appropriate. In these cases the Principal will determine suitable redress.

#### **Step 6 – Formulation of Proposed Resolution**

The extent of any remedy will depend upon the nature of the complaint. Some complaints are administrative in nature and the remedy may be to rectify the administrative error and issue a verbal apology or acknowledgement to the complainant. Other remedies are more complex and may involve financial compensation.

Where a financial remedy is considered appropriate, the aim is to provide fair compensation.

In formulating a proposed resolution other matters to be considered include:

- the extent to which others may have suffered in the same way as the complainant but did not make a formal complaint;
- level of authority required internally to implement the proposed resolution;
- implementation of a strategy for following up where appropriate; and
- how information will be disseminated to relevant personnel within the organisation.

### **Step 7 – Presenting a Final Response and/or Offer of Redress**

Notwithstanding the outcome of the investigation or subsequent determination, the complainant must be advised of the same in writing. This communication should set out:

- the substance of the original complaint;
- an outline of the investigation undertaken;
- the finding of the investigation; and
- any proposed resolution or offer of redress.

Where resolution includes an offer of financial redress, the Complaints Manager/Principal/Director of Finance and Administration may discuss the proposed offer with the complainant prior to putting the offer in writing. This will allow a clear explanation of the reasons behind the decision and allow a complainant to have any queries they may have answered directly.

All final responses and/or offers of redress should be approved by the Principal and/or the Chair of Council and be made in writing as soon as a decision has been made.

### **Step 8 – Complaints Register**

A Complaints Register will be maintained by the Complaints Manager.

The Complaints Register is reviewed in Executive meetings and key information provided to the School Council on a regular basis.

### **Step 9 – Rectification and Risk Management**

Whether a complaint has been resolved internally or not, it is important to consider the circumstances that lead to the complaint arising and as to whether or not there exists an opportunity to improve out internal systems and procedures, so as to reduce the risk of such a complaint occurring again.

In order to clarify whether or not rectification work is required, the Complaints Manager will meet with the person responsible for the relevant area of work, review the underlying factors leading to the complaint being made, and make a recommendation as to what, if any, rectification work is required.

The effective management of complaints and the rectification of underlying processes from which a complaint has arisen are key elements of Perth College's School Improvement Plan.

### **Step 10 – Closure**

The complaint will be closed once:

- the complaint has been resolved with the complainant (either internally or externally) or all reasonable internal and external options of recourse have been exhausted.
- all relevant information has been captured in the relevant complaint instance;
- consideration has been given to the underlying risk associated with the complaint; and
- any recommendations with respect to rectification work have been recorded.

### **Timeframes for Managing Complaints Internally**

We endeavour to immediately acknowledge the receipt of complaints and address them promptly in accordance with their degree of urgency.

Where we cannot acknowledge a complaint immediately, acknowledgement should be made as soon as practicable and in any event within three (3) working days.

It is our aim to resolve all complaints within 14 working days with the initial investigation completed within seven (7) days.

If we are unable to respond to a complaint within 14 working days, the Complaints Manager will, prior to the 14 day period:

- contact the complainant by telephone if possible, or otherwise in writing;
- advise them of the reasons for the delay in resolution of their complaint; and
- advise them of a new target resolution date.

The Complaints Manager will then keep the complainant regularly apprised of the status of their complaint.

### **Maintaining Confidentiality**

Maintenance of confidentiality of information throughout the complaints management process is critical.

Confidentiality applies with respect to both information relating to the person making the complaint, and, if relevant, to a person against whom a complaint is made.

Personally identifiable information about a complainant should only be made available for the purpose of addressing the complaint and (unless the complainant consents) be actively protected from disclosure.

Where a staff member receives a complaint and logged the complaint with the Complaints Manager they should not discuss the complaint with students, other parents or any person who does not have the authority to investigate or manage complaints on behalf of Perth College. In addition the details of the complaint should not be discussed with other staff members who are not authorised to manage the complaint.

All written communications relevant to the complaint must also be kept confidential.

### **Record Keeping**

Complete records of all individual complaints received, together with data regarding the overall performance of our complaints handling process are recorded and accessible to management, if required.

We adopt the guiding principles that whenever dealing with a complaint, and in particular when recording information relating to a complaint, that the information may at some time in the future, be requested by the complainant or a regulator, or may be made public as a result of litigation (whether related or unrelated to the particular complaint). Our complaint records are maintained in a format which allows them to be provided to a regulator or complainant if so requested.

In the event that any particular information relating to a complaint is requested by an external party we will consider all of the circumstances of the request and if necessary seek legal advice as to what, if any information, we are legally required to provide.

All records are maintained for a minimum of seven (7) years.

### **Maintenance**

All complaints are classified and then analysed to identify systemic, recurring and single incident problems and trends, and to eliminate the underlying cause of complaints.

We continually monitor the overall performance of our complaints handling processes having regard to the size, nature and complexity of our organisation and to historical complaints data. This includes taking action to determine the levels of satisfaction of complainants.

### **Improvement**

The program is reviewed periodically to ensure that it continues to be effective and efficient. The information obtained from these reviews is used to continually improve the program.

### **Reporting to the School Council**

It is critical that the Chair of the School Council, Principal and relevant Executive members are notified of significant complaints as quickly as possible and regularly informed as to Perth College's performance with respect to complaints handling.

It is the Complaint Manager's responsibility to provide to the Executive team and School Council on a quarterly basis a report highlighting the complaints received.

## **FULL FEE PAYING OVERSEAS STUDENTS COMPLAINTS PROCEDURES**

### **International Students' Grievance Procedure**

Where an International student feels they have a grievance that can not be resolved within the School, independent mediation from a suitably qualified 'Conciliator' appointed by the Department of Education Services will be undertaken. The Conciliator will not become actively involved in the matter until the parties have made an initial attempt to resolve the dispute between themselves following the School's Concerns and Complaints Management Procedures. Either party may consult the independent Conciliator as part of the internal appeals process. As a guide, the School will adhere wherever possible to the Department of Education Registration and Protocol Procedures.

Conciliator

Dept of Education Services

Level 9, 20 Walters Drive

Osborne Park WA 6017

Telephone: +61-8-9441 1900

Email: [des@des.wa.gov.au](mailto:des@des.wa.gov.au)

The following is a summary of additional provisions that apply to international students:

- During orientation international students are made aware of the availability and functions of the independent International Student Conciliator located at the Department of Education Services (WA).
- International students may be accompanied and assisted by a support person at any relevant meetings.
- The complainant must be given a written statement of outcome, including details of the reasons for the decision.
- The complaints handling process must commence within ten (10) working days of the formal lodgement of the complaint and in any event all reasonable measures are taken to finalise the process as soon as practicable.
- Arrangements are in place for an external dispute resolution provider to hear complaints arising from our internal complaints process.
- In the event that the student is not satisfied with the outcome of our internal complaints process we advise the student of their right to access the external dispute resolution process at minimal or no cost.
- We maintain the student's enrolment whilst the complaint process is ongoing.
- If the internal or external complaint handling process results in a decision that supports the student, it is our policy to immediately implement any decision and/or corrective action required and to advise the student of the outcome.

National Code Standard 8.2 requires that Perth College have arrangements in place for an external dispute resolution provider to hear complaints from international students arising from our internal complaints process. It does not however prescribe the process of the external appeal and makes it clear that different processes can be utilised for different types of complaints.

Examples of an external or independent body or person may include:

- private conciliators or resolution counsellors;
- a complaints body established by a peak industry body;
- representatives of Commonwealth or state government departments including the Office of the Training Advocate; or

- Commonwealth or state offices of the Ombudsman may be the appropriate body for a public provider.

Whilst it is Perth College's policy that in the event that it is required to implement an external resolution process for an international student it shall do so having regard to the nature of the complaint.

Where agreement cannot be reached Perth College nominates:

**Overseas Student Ombudsman**

**Email:** [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

**Telephone:** Within Australia 1300 362 072 and outside Australia +61 2 6276 0111

**Fax:** 02 6276 0123 within Australia and +61 2 6276 0123 outside Australia

**Postal:** GPO Box 442 Canberra ACT 2601

<http://www.oso.gov.au/>