

Raising a Concern or Grievance Policy and Procedure

STUDENTS, PARENTS, CARERS AND MEMBERS OF THE PUBLIC

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1. POLICY

The Lakes College is committed to providing a fair, safe and productive environment, where concerns and grievances are dealt with in a transparent and equitable manner. An essential part of developing that environment is ensuring that members of the College communities (students, parents, carers and members of the public) are encouraged to come forward with their concerns in the knowledge that the College will take appropriate action to attempt to resolve them.

This policy outlines the intent and procedures to be followed by students, parents, carers and other members of the community with regard to the reception, investigation and the achievement of a transparent, equitable and legal resolution of any concern or grievance lodged against The Lakes College or its staff, and ensures compliance with requirements of Workplace Health and Safety Legislation, State and Industrial Awards and Registered Agreements.

This policy and procedures document will be disseminated once a year to members of the College community through appropriate communication channels.

1.1 Scope

This policy applies to the Board of The Lakes College, Senior Executive and all staff of the College.

1.2 Principles

Guiding the College in responding appropriately to concerns and grievances are the following principles:

- The College is open to the concerns of parents, students and the public
- Concerns and grievances are received in a positive manner
- Complainants can expect to be taken seriously and can approach any member of staff about their concerns
- Information about how to lodge a concern or grievance is clear and readily available
- Matters are dealt with speedily and complainants are kept informed about progress
- It is not acceptable for members of the community to receive adverse treatment because a complaint has been raised
- It is not acceptable for staff members to receive adverse treatment because they have had a complaint raised against them
- A confidential log of official complaints is kept
- Confidentiality is respected and maintained so far as this is possible
- Resolution of the matter is sought
- Staff are made aware of the existence of this policy and related policies.

1.3 Relevant legislation

This Raising a Concern or Grievance Policy and Procedure is to be used in accordance with the provisions of the following legislation:

- Workplace Health & Safety Act 2011 (Qld)

- Workplace Health & Safety Regulation 2011 (Qld)
- Anti-discrimination Act 1991 (Qld)
- Australia Standard/New Zealand Standard 4801 2001
- Queensland Workplace Health and Safety Advisory Standards 1998
- The Child Protection Act 1999
- Education (General Provision) Act 1999
- Education (Accreditation of Non-State Schools) Regulation 2001
- Disability Discrimination Act 1992

2. DEFINITIONS

The Board: Means The Lakes College Board.

Principal: the person appointed as such, who reports to The Lakes College Board and who carries the responsibility of reporting to the various authorities. Students or others may report harm or suspected sexual abuse to the Principal.

Complaint: Any real or perceived dissatisfaction with any College related act, behaviour, omission, situation, decision or service that a person feels is inappropriate, unfair, unjustified or in breach of a College policy. A complaint is considered to be malicious, frivolous or vexatious if the complaint is deliberately harmful, spiteful, trivial or unworthy of serious attention or resources.

Complainant: Means the person making a formal objection or complaint to the College, which concerns the College. The complainant can be a member of the College community (student, parent or carer), or a member of the wider community.

Concern: Means making an enquiry regarding a matter which affects one's welfare or happiness. Matters at this level are generally dealt with by the classroom/pastoral care teacher or Deputy Head of School.

Grievance: Means a formal objection made on the basis of something believed to be wrong, unfair, offensive, misleading, illegal or of poor quality. A grievance may be about the conduct of a person enrolled at or employed by the College; about specific practices and policies of the College, or about the College generally. Matters at this level are generally dealt with by the Deputy Head of School or more senior management.

Procedures: Steps taken by a complainant in lodging a formal complaint and by a member of staff or manager in responding and seeking to resolve the complaint.

Respondent: The party against whom a concern or complaint has been filed

Safety Officer: a person appointed by the Principal to whom complaints can be made about workplace safety issues.

Student/s: Means persons enrolled at the College.

3. ACCOUNTABILITIES

3.1 Board of The Lakes College

The Board of The Lakes College is responsible for approving College policy, including the Raising a Concern or Grievance Policy. It is responsible for the

efficient and effective operation of the College, and appropriate legislative compliance.

3.2 Principal

Reporting to the Board of The Lakes College, the Principal is responsible for establishing the administrative structure and responsibilities that manage and mitigate the risks associated with the Raising a Concern or Grievance Policy.

The Principal is responsible for:

- reviewing the policy and procedures regularly or when necessary
- ensuring that staff and community members are made aware of the policy and procedures
- ensuring that appropriate training is provided to staff on how to manage complaints and act on the procedures
- reporting serious breaches of this policy to the Board and other relevant authorities.
- identifying and seeking to prevent grievances arising in the workplace
- acting as a referral in responding to serious and unresolved grievances
- addressing those grievances in a timely and satisfactory way

3.3 Academic and Support Staff with Line Management Responsibilities

Reporting to Principal, Teachers and Support Staff to whom all staff report are responsible for:

- identifying and seeking to prevent grievances arising in the workplace
- acting as a referral in responding to grievances that remain unresolved
- addressing those grievances in a timely and satisfactory way
- referring grievances with legal and/or grave implications directly to the Principal via the senior manager.

3.4 Academic and Support Staff

Reporting to their respective line manager, members of teaching and support staff are responsible for:

- appropriate responding to grievances by students, parents, carers or other members of the College community in a timely and satisfactory way
- if not appropriate or where a grievance remains unresolved, referring the grievance to their immediate line manager.

4. PROCEDURE FOR RAISING A CONCERN OR GRIEVANCE

A student, parent, carer or member of the public, may lodge a grievance.

Before approaching the College or a child's teacher the complainant should:

- be clear about the topic or issue to discuss
- focus on the things that are genuinely affecting the child
- always remain calm and respectful remembering that they may not have all the facts relating to the circumstances of the topic or issue to discuss
- think about what would be an acceptable outcome for the complainant and his/her child

4.1 Concern regarding a child's experience at the College

4.1.1 Where students, parents or carers are concerned with a child's experience at the College, the complainant is requested in the first instance to make an appointment with the child's classroom/

pastoral care teacher as soon as possible. This will provide the teacher with an opportunity to respond and together work on a solution.

The teacher will make a record of the discussion and report the meeting and any outcomes to the relevant Head of School.

It is hoped that the problem can be resolved at this level.

- 4.1.2 If after approaching the child's classroom/pastoral care teacher, the concern remains unresolved, the complainant should make an appointment to see the Head of School to discuss the issue further. Alternatively, the teacher may ask the Head of School to facilitate an informal conflict resolution in an attempt to resolve the problem.

Concerns to the Head of School may be lodged in person by appointment, telephone, writing or by email.

The Head of School will make a record of the discussion and report it to the Principal for their information.

- 4.1.3 If discussion have been held with the Head of School and no resolution reached, the complainant has the right to contact the Principal.

If the concern relates to more general school matters, including issues of school policy and issues of compliance or non-compliance the Principal may refer your objection to a delegate such as the Business Manager.

The Principal or their delegate will make a record of the discussion and report the concern to the Board for their information.

Concerns to the Principal may be lodged in person by appointment, telephone, in writing or by email.

- 4.1.4 If discussion held with the Principal did not reach a resolution, the complainant may wish to escalate the concern the College Board.

Concerns to the Board may be lodged in writing or email to tlcboard@thelakes.qld.edu.au.

- 4.1.5 If all preceding avenues have been exhausted and no resolution made, a complainant has the right to contact the Uniting Church Schools Commission.

Concerns may be lodged by telephone or in writing. The complaint should be specific in detail and outline the steps undertaken to resolve the issue. The complainant should ensure their complaint includes their full name and address and is signed and dated. The complainant must keep a copy for their own records.

4.2 Grievance regarding alleged workplace harassment, sexual harassment, discrimination, unlawful conduct, harm or suspected harm, abuse or suspected abuse, with the exception of 4.3 Special Cases:

- 4.2.1 Where students, parents, carers or members of the public feel aggrieved about something that has occurred at the College which they believe is wrong, unfair or misleading, they should make their complaint known to the College so that the problem can be properly resolved.

The complaint should be put in writing, by email or completion of the Grievance form (Appendix 1), and sent to the Principal.

The complainant is encouraged to identify him or herself in the written complaint so that an appropriate response can be made. Responding to anonymous complaints is not possible.

- 4.2.2 If a complaint has been made to a member of staff and the staff member is unable to resolve the matter immediately and directly, the complaint will be referred to the Principal.

Receipt of a written complaint by referral, email, and hand delivery or through the post will be acknowledged within five working days.

The Principal will sign the written complaint to indicate that he or she has read the complaint.

- 4.2.3 Where the grievance may have legal consequences, the complaint will be referred directly to the Principal.

The grievance will be recorded in a log by the Principal and an investigation will be undertaken with a view of achieving resolution within two weeks of receiving the complaint. If the investigation takes longer, reports on progress will be made regularly to the complainant until a resolution is achieved.

During the investigation the Principal may seek interviews with the complainant and other relevant parties or witnesses, and a written record of meetings and telephone conversations may be produced and kept on file for future reference.

In taking any action, the Principal will ensure procedural fairness for all involved. This may involve informing the respondent of the allegations made by the complainant and providing the person with an opportunity to respond.

- 4.2.4 Procedural fairness may also involve taking action to ensure that students are protected from adverse treatment resulting from complaints lodged by them or their parents.

- 4.2.5 As the College grows and has other senior staff handling grievances in the first instance, a person making a complaint who believes that the grievance has not been properly resolved, can refer the matter

to the Principal. The Principal will attempt to resolve the matter within two weeks of receiving the grievance and should follow similar procedures outlined for action by the senior manager. All documentation, including the written complaint and other file notes, will be handed to the Principal.

- 4.2.6 If the grievance remains unresolved following the Principal's investigation, it may be referred to an independent person by the complainant or by the Principal

After giving due consideration to the grievance the independent person may do one or more of the following:

- a) refer the complaint back to the Principal with advice for resolution
- b) initiate an investigation into the matter
- c) seek to resolve the matter directly

If the grievance is, in the opinion of the independent person, unsubstantiated, the complainant will be given an explanation as to why that finding was made. Despite the grievance being unsubstantiated, the College may still take some action to address any issues that flow out of the complaint and investigation.

Addressing the grievance should produce the following outcomes, where appropriate:

- a) the complainant gains a better understanding of the situation and no longer maintains the grievance
- b) the complainant receives a verbal or written apology
- c) the respondent receives a verbal or written reprimand
- d) one or both parties agree to participate in some form of counselling or mediation
- e) disciplinary action takes place where misconduct or unsatisfactory performance has occurred.

- 4.2.7 Grievances sent directly to the Board will be directed to the Principal for advice and information, then tabled and discussed at a Board meeting.

- 4.2.8 Where the grievance involves the Principal, the matter is referred to the Chair of the Board.

4.3 Special Cases

Complaints made by students, parents, carers and members of the public relating to the following specific cases should follow the procedures outlined:

- (a) Where the grievance pertains to an allegation of harm or suspected harm committed against a student who is 18 years or younger, the matter must be referred to the Principal or nominated Child Safety Officer. Steps for dealing with such reports are outlined in The Lakes College [Child Protection Policy and Procedure](#).
- (b) Where the grievance pertains to alleged unlawful conduct by a member of the College community (e.g., sexual harassment, discrimination, vilification

and possession of illegal drugs) the matter should be referred to the Principal. Such allegations are serious and will be followed up with the relevant authorities (refer to the Anti-Discrimination Act 1991). The Principal will deal personally with the allegation and report to the Board.

- (c) Allegations of workplace harassment should be reported to the nominated Workplace Safety Officer *in lieu* of the staff member's line manager. Name and contact details of the Workplace Safety Officer are kept at the Reception (refer to the Workplace Harassment Policy and Procedure). The Workplace Safety Officer will follow steps as outlined in these procedures.

5. How A Complaint Will Be Handled

There are five fundamental principles which will be integrated to ensure an effective complaints handling process is applied:

i. Fairness

The Lakes College deals with concerns and grievances impartially, handles them confidentially and is open about the process to be undertaken. Keeping complainants advised of progress and giving them an opportunity to respond is of a high importance.

- The Complainant has the right to:
 - Be heard and have their complaint treated seriously
 - Be informed of the processes of complaints handling and
 - Be informed of the decision and the reasons for the decision
- The Respondent has the right to:
 - Be provided with sufficient detail of the complaint to prepare a response to the complaint
 - Be heard and have their response treated seriously
 - Be informed of the processes of complaints handling and
 - Be informed of the decision and the reasons for the decision

ii. Accessibility

A concern or grievance can be made in a variety of ways by telephone, mail, email, in person or by submitting a Grievance Form (Appendix 1) with a number of personnel available to assist.

iii. Responsiveness

The Lakes College is alert to the needs of its families and recognising the vulnerability of people in some situations and as such will respond to resolve matters as soon as practical.

Unreasonable complainant behaviour will be managed appropriately.

iv. Efficiency

Concerns and grievances are resolved as quickly as possible, preferably on first contact if the complaint is straightforward.

Regular internal meetings will be held with members of the Senior Executive enabling unresolved complaints to be escalated for resolution, if necessary.

Guidelines and procedures for dealing with concerns or grievances raised are available to all staff.

v. Review

Complaints provide a rich source of information about how well the College is performing and what improvements might be necessary.

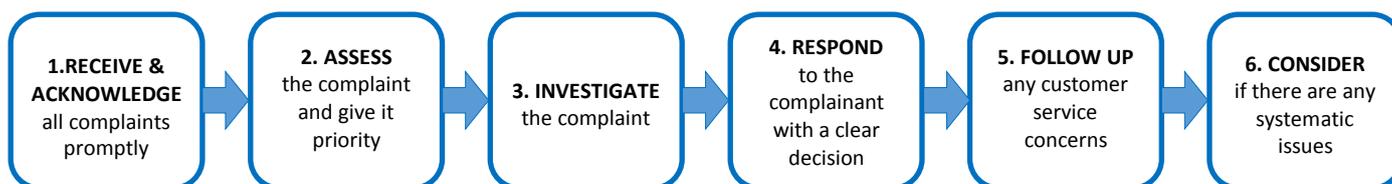
Regular review of existing programs and the lessons learnt from complaints is a valuable tool in assessing the effectiveness of the processes implemented.

It is also good practice to offer complainants the opportunity to seek review of how their concern or grievance was handled and resolved.

6. Process To Be Undertaken

The handling of concerns and grievances raised must have as its basis sound processes that embody the above principles. The aim is to ensure complaints are dealt with efficiently and effectively and that complainants have confidence in the College's process.

The diagram below shows the steps undertaken in the complaint handling process, although straightforward complaints can often be resolved without requiring the third step of investigation.



6.1 Addressing Anonymous Complaints

Students, parents, carers and members of the public who lodge a complaint are encouraged to identify themselves, with the reassurance that their complaints will be handled confidentially, appropriately and without fear of retribution.

If a complainant wishes to remain anonymous, no action will be taken due to the associated limitations thus preventing a fair process is undertaken in order to achieve a suitable outcome. However, anonymous complaints will be recorded in the log.

6.2 Support Persons and Interpreters

Complainants and respondents have the right to have a support person present with them throughout any interview or hearing process. The support person must be an appropriate person acceptable to the respondent party and the Principal. The support person is to provide moral support and advice, act as a witness to the process and/or ensure the process is fair. The support person cannot be someone who may be a witness or otherwise is involved in the process and is unable to disrupt and direct the process, answer questions on behalf of the complainant and unreasonably delay the meeting because of their unavailability.

Complainants and respondents have the right to have an interpreter present when necessary.

6.3 Recording Complaints

The Principal is responsible for maintaining a log of grievances by students, parents, carers and members of the public.

The log should contain the following information:

- *date when the issue was raised*
- *name of complainant*
- *brief statement of issue*
- *location of detailed file*
- *member of staff handling the issue*
- *brief statement of outcome.*

All staff will take confidential file notes when receiving or responding to complaints. These may be cross-referenced with other files as necessary. The files will contain simple but clear notes of all conversations about any source of complaint or dissatisfaction.

6.4 Potential Disciplinary Outcome

The College expects that every member of the The Lakes College community will treat fellow community members with integrity, dignity and fairness. However, it is acknowledged that on rare occasions, where all other resolution processes have failed, there may be a need for disciplinary action to be taken.

Accordingly, the Head of School or Principal may, after hearing all contributions to the argument, impose disciplinary penalties.

6.5 Appeals

In all instances, a decision can be appealed in writing to the Principal.

7. Review of Policy

The Principal of The Lakes College will ensure that this policy is reviewed every three years, unless required earlier because of changes to the risk profile of the workplace or relevant legislation. If necessary, further changes and actions may be introduced to ensure that workplace harassment is prevented and controlled.

POLICY RELEASE DETAILS

Date of Policy

January 2008

January 2013

Updated January 2017

Approved by

The Lakes College Board

Chairman

Date

Review Date:

Every 3 years or as necessary

Related Policies and Documents:

Anti-Discrimination and Sexual Harassment Policy

Child Protection Policy and Procedure

Disability and Discrimination Policy

Workplace Harassment Policy and Procedure

APPENDIX 1



Grievance Form

This form should be used when all avenues to have your complaint resolved with your child's teacher have been exhausted and you feel the issue/s are of such significance that you wish to register your complaint in writing with the Head of School or Principal.

Please read The Lakes College Raising a Concern or Grievance Policy and Procedure for further information and guidance on completing this form.

PERSONAL DETAILS:

Title:	First Name:	Surname:
Address:		
Suburb:	Postcode:	
Phone: B/H	Mobile:	

STUDENT DETAILS:

First Name:	Surname:	Class:
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COMPLAINT DETAILS:

Who have you contacted previously about your complaint, including approximate date?

Please provide an outline of your complaint including relevant dates, details of conversations and/or meetings and any explanations you think are important. Attach extra pages as required including copies of other documents relevant to your complaint.

(continued over page)

APPENDIX 2

PRINCIPAL REGISTER OF OFFICIAL COMPLAINTS – STRICTLY CONFIDENTIAL

DATE RECEIVED	NAME OF COMPLAINTANT	BRIEF STATEMENT OF ISSUE	LOCATION OF DETAILED FILE	MEMBER OF STAFF HANDLING ISSUE (IF NOT BY THIS POSITION)	OUTCOME

HEAD OF SCHOOL REGISTER OF OFFICIAL COMPLAINTS – STRICTLY CONFIDENTIAL

DATE RECEIVED	NAME OF COMPLAIANT	BRIEF STATEMENT OF ISSUE	LOCATION OF DETAILED FILE	MEMBER OF STAFF HANDLING ISSUE (IF NOT BY THIS POSITION)	OUTCOME
DATE RECEIVED	RECEIVED FROM	DETAILS OF COMPLAINT		ACTIONS	STATUS

DEPUTY HEAD OF SCHOOL REGISTER OF OFFICIAL COMPLAINTS – STRICTLY CONFIDENTIAL

DATE RECEIVED	NAME OF COMPLAIANT	BRIEF STATEMENT OF ISSUE	LOCATION OF DETAILED FILE	MEMBER OF STAFF HANDLING ISSUE (IF NOT BY THIS POSITION)	OUTCOME
DATE RECEIVED	RECEIVED FROM	DETAILS OF COMPLAINT		ACTIONS	STATUS