



## **Complaints and Grievances Policy & Procedure**

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## **ETASC Complaints and Grievances Policy & Procedure**

### **Policy**

This policy outlines the procedures for handling complaints made in respect of services provided by ET Australia Secondary College (ETASC) or against staff members, including employees, contractors and volunteers. It ensures complaints are addressed promptly and appropriately, with both informal and formal procedures available to meet the legal obligations of NSW independent schools under the NSW Education Standards Authority (NESA) registration requirements.

### **Scope**

This policy applies to all members of the ETASC community, including students, parents, guardians, staff, contractors, stakeholders and volunteers. It covers complaints related to educational or operational matters within the school, as well as grievances regarding the behaviour of staff members, contractors, or volunteers. However, it does not extend to personal grievances between parents, guardians, or other members of the school community unless these relate to the school's services or staff conduct.

### **Purpose**

The purpose of this policy is to provide a clear and transparent process for handling complaints and grievances within the school. It aims to encourage the resolution of complaints informally, and at the lowest level wherever possible, and to ensure that complaints are resolved fairly, promptly, and in accordance with relevant legal requirements. The policy also emphasises the importance of confidentiality and the protection of individuals who raise complaints.

- To provide effective responses and appropriate redress
- To maintain good working relationships between all people involved with the school
- To maintain records of complaints and the determination made in each case
- To manage communication issues concerning complaints within, and outside of, the school

### **Whistleblowing Complaints**

Complaints that qualify as whistleblowing disclosures are handled under the ETASC's Whistleblowing Policy. These involve serious misconduct, improper conduct, or illegal activity, and must be reported to a senior staff member, school auditor, or authorised person.

## **Related Policies**

Complaints about specific issues will be handled in accordance with the relevant policies:

- Child Protection Policy for reportable conduct.
- Student Code of Conduct, Behaviour Management Policy, Anti-bullying Policy, or Student Wellbeing Procedures for student grievances.
- Staff Complaints and Grievance Policy for work-related grievances between staff members.
- Employee Code of Conduct.
- Teacher Accreditation Procedures for grievances regarding teacher accreditation.

## **Confidentiality and Media Communication**

All parties involved in the complaints process are required to maintain confidentiality, including the handling and storing of records. Complainants have the right to know what use will be made of personal information and, accordingly, personal information will only be shared between staff on a 'need to know' basis. Only the Principal is authorised to speak to the media on school-related issues.

## **Complaints**

A complaint or grievance is an expression of dissatisfaction related to educational or operational matters within the school, or the behaviour of a staff member, contractor, or volunteer. Complaints may be made by any member of the school community.

If the complaint concerns staff behaviour that may constitute reportable conduct, it will be addressed in accordance with the school's Child Protection Policy.

Complaints should be addressed promptly and appropriately, with the aim of resolving issues informally where possible. Formal complaints are documented and handled according to the procedures outlined below.

## **Raising a Complaint**

A complaint may be made by anyone who has a concern or complaint about any aspect of the school. Complaints may be raised by a complainant directly with the person involved. However, if the complainant does not feel comfortable doing so, or the matter is one where it may not be appropriate to do so, a complaint can be made to the Deputy Principal. Any complaint about the conduct of a staff member should be raised directly with the Principal in the first instance.

Complaints made may be resolved:

- Informally - Discussion and resolution by parties involved
- Formally - Investigation by the Principal or representative
- Externally - Investigation by an external body

Should the matter not be resolved between the parties directly in the first instance, the complainant may raise the matter with the school. A complaint can be made in writing to the Principal, via email [etasc@etaustralia.com](mailto:etasc@etaustralia.com).

Where a person wishes to make a complaint concerning the Principal, the complaint should be made in writing to the Chair of the Board, via email [etasc@etaustralia.com](mailto:etasc@etaustralia.com). In this situation, the references in this policy relating to the role of the Principal should be read as references to the Chair of the Board.

The Deputy Principal/Principal will generally acknowledge receipt of a complaint raised with the school in writing as soon as practicable.

### **Assessing a Complaint**

The Deputy Principal/Principal will assess the complaint and determine:

- whether the complaint is one to be addressed under this policy or is a staff grievance or reportable conduct matter, or another matter which are dealt with by the relevant policies; and
- the priority of the complaint in accordance with the urgency and/or seriousness of the matter raised; and
- whether the school may be required to report the matter to the Office of the Children’s Guardian, Police, Department of Communities and Justice or other relevant authorities should the complaint relate to possible unlawful conduct or other reportable matters.

### **Managing a Complaint**

It is stressed that most complaints should be resolved on an informal basis, however, where upheld, may proceed to the next level. A complaint made to the Principal may be referred to the parties for informal resolution.

Time must be allowed to interview parties, examine documents and review the evidence.

In formal or external investigations, all parties must be advised in writing of the outcome.

A complaint may be upheld (in part or in full) or not upheld. In each case reasons for this are clearly given. In the first instance, conciliation may be possible following:

- An apology
- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that the event complained of will not recur
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review school policies in light of the complaint

- Issues related to child protection, criminal investigations and employee grievances must be handled separately from this policy

The Principal may write to a complainant and refuse to consider their complaint if he/she feels it is appropriate, if the complaint has already been considered, is frivolous or if it has been closed.

If at any stage, as the result of a complaint, a decision or course of action is taken with regards to an individual (apart from the complainant) which they feel is ungrounded, unjustified or incorrect, they have the right to appeal. ETASC will use their established appeal procedures to facilitate this.

This complaints policy is distinct from formal staff disciplinary proceedings. Where a complaint gives rise to disciplinary procedures it will put the complaints process on hold. If and when this occurs, the complainant should be informed. Non-disciplinary aspects of a complaint may continue to be dealt with through the usual complaints procedures.

### **Record Keeping**

At all formal stages of the complaint's procedure, the following information should be recorded in writing and stored securely on Teams:

- The name of the complainant
- The date and time at which complaint was made
- The details of the complaint (including staff members and witnesses)
- The desired outcome of the complainant
- How the complaint is investigated (including written records of interviews held)
- Results and conclusions of investigations
- Any action taken
- The complainant's response (satisfaction or further pursuit of complaint)

Records of complaints will be maintained securely and confidentially.

### **Compliance and Legal Obligations**

The school will ensure compliance with NESAs registration requirements and other relevant legal obligations. This includes making the complaints policy publicly available on the school's website and including relevant information in the school's Annual Report.

<b>ETASC Complaints and Grievances Policy &amp; Procedure</b>			
<b>Version Number</b>	<b>Purpose / Change</b>	<b>Author</b>	<b>Date</b>
0.1	Policy reviewed and updated with new version control policy.	Jessica Pitscheider	6 July 2021
1.0	Reviewed / Approved – Current Document	Tony Mylan	6 July 2021
1.0 APPROVED BY:	Tony Mylan		DATE: 6 July 2021
1.1	Updating the website hyperlink, fixed some grammatical and formatting errors	Jessica Pitscheider	27 July 2021
2.1	Policy Reviewed – No updates	Lachlan Scott	31 May 2024
3.0 APPROVED BY:	Tony Mylan		DATE: 27 June 2024
3.1	Updated to align with the AIS' sample policy and procedure	Jessica Pitscheider	15 August 2024
4.0 APPROVED BY:	Tony Mylan		20 August 2024