



COMPLAINTS AND GRIEVANCES POLICY

1.0 Purpose

The purpose of this policy is to provide the framework for:

- Receiving and dealing with complaints and grievances at Shelford Girls' Grammar (SGG); and
- Procedures to be followed in investigating complaints and grievances.

2.0 Scope

This policy applies to all staff, students, contractors, volunteers, parents/guardians, visitors, external stakeholders or other members of the SGG community who have a complaint or grievance that falls within SGG's area of responsibility. Matters of serious misconduct such as sexual offences, criminal charges, serious incidents, or matters requiring mandatory reporting, are not covered by the scope of this policy and will be referred to relevant external authorities. (Refer SGG Mandatory Reporting Policy and SGG Hazard, Incident, Injury and Illness Reporting Policy). Note: This policy does not address complaints relating to employment matters under awards or EBAs. The relevant awards or EBA provide information on the management of such issues.

3.0 Policy

SGG welcomes feedback it receives from all members of the SGG community. Responding to both positive and negative feedback promotes open communication. Complaints about any aspect of SGG's operations, service, students or staff will be handled in an appropriate and timely manner. The confidential nature of complaints will be respected. (Refer SGG Privacy Policy.)

SGG undertakes to:

- Investigate complaints or grievances thoroughly and impartially;
- Handle complaints or grievances seriously and sympathetically;
- Handle complaints or grievances promptly and confidentially; and
- Where appropriate encourage individuals to take ownership of their actions and reflect on the impact of their behaviour.

The following principles underpin this policy:

- In the event of a complaint every attempt will be made to seek a resolution to the matter through informal discussions;
- It will be the objective of all concerned, to resolve all complaints or grievances in a timely, consistent and fair manner; and
- All staff, parents/guardians, students, and other SGG community members have the right where they believe that the matter is serious enough, to report a grievance.

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4.0 Procedure

4.1 Nature of Complaint or Grievance

The issue resolution procedure to be followed is dependent on the nature of the complaint or grievance or the parties involved in the complaint or grievance.

In relation to this policy a complaint is defined as an issue that can be resolved in a timely manner, and may not require a detailed investigation. Complaints may include an expression of displeasure, such as poor service, and any verbal or written complaint of a minor nature directly related to SGG.

A grievance is a formal written complaint that cannot be addressed promptly, or a complaint that involves matters of a more serious nature such as potential harassment, and requires an investigation.

SGG will use local complaints resolution procedures outlined below to seek to resolve complaints and grievances which fall within SGG's area of responsibility. All cases of serious misconduct, notifiable complaints or serious incidents will be referred to the relevant external authority.

4.2 Dealing with a Complaint

When a complaint is received by SGG staff, the person to whom the complaint is addressed will:

- Encourage the complainant to resolve the complaint with the person involved directly;
- Through informal discussion, attempt to resolve the issue;
- Inform the complainant that they may request a meeting with the Head of Junior or Senior School, Head of ELC or Principal to discuss their complaint; and
- Inform the complainant if the matter cannot be resolved informally or directly, to submit a formal complaint in writing.

SGG staff who wish to pursue an employment related complaint should take steps to resolve this directly with the relevant Faculty Head, Head of Junior or Senior School, Head of ELC or Business Manager.

4.3 Dealing with a Formal Complaint or Grievance

When a formal complaint or grievance is lodged with SGG, the staff member receiving the formal complaint or grievance should record all relevant details regarding the grievance and immediately inform the Head of Junior School, Senior School or Head of ELC.

The relevant Head of Junior or Senior School or Head of ELC will assess the complaint or grievance to determine if it is a notifiable grievance, a serious incident, requires mandatory reporting, or is reportable under the Reportable Conduct Scheme. (Refer SGG Hazard, Incident, Injury and Illness Reporting Policy and SGG Mandatory Reporting Policy).

If the complaint or grievance is notifiable or needs to be reported, the Head of Junior or Senior School or Head of ELC is to notify the Principal, who will make a report to the relevant authority.

In the event of a complaint or grievance being lodged, the Head of Junior or Senior School or Head of ELC will:

- Deal with the grievance in a timely manner;
- Disclose any conflict of interest and stand aside from the investigation and subsequent processes and pass the matter on to the Principal if necessary;
- Consider the nature and the details of the grievance and pass the matter on to the Principal if the matter involves potential staff harassment of students, or staff harassment of fellow staff;
- Identify which SGG policies (if any) the grievance involves;
- Inform other SGG staff if their involvement is required;

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- If the grievance is a notifiable or a reportable complaint, inform the complainant of the requirements to notify the relevant external authority of the grievance and explain the role that authority may take in investigating the complaint;
- Maintain appropriate records of the information and data collected, including minutes of meetings, incident reports and copies of relevant documentation relating to the grievance;
- Respect the confidential nature of information relating to the grievance and handle any grievance in a discreet and professional manner; and
- Store all written information relating to grievances securely and in compliance with the SGG Privacy Policy.

4.4 Investigating the Formal Complaint or Grievance

Complaints or grievances involving potential staff harassment to fellow staff will be investigated by the Principal, Business Manager, Head of Junior or Senior School or Head of ELC dependent on the members of staff involved and the nature of the complaint. In this instance the Principal will determine the most appropriate person to investigate the formal complaint or grievance. Complaints or grievances involving matters under an award or EBA should be investigated in line with compliance requirements of the relevant EBA or award.

Complaints and grievances involving potential staff harassment of students will be investigated by the Principal (or nominee of the Principal.)

Complaints or grievances that relate to the Reportable Conduct Scheme will be investigated by the Principal (or nominee of the Principal.)

For all other complaints and grievances the Head of Junior or Senior School or the Head of ELC will consider the nature and the details of the grievance and either commence an investigation or pass the matter on to the Principal if required.

When investigating the formal complaint or grievance and gathering relevant information, the person conducting the investigation will:

- Meet with individual witnesses, and give right of reply to the person against whom the allegations are made in relation to any accusation or information relating to an alleged incident;
- If any of the parties are students, refer the students to the Counsellor;
- If any of the parties are SGG staff offer the services of Employee Assistance Program;
- Inform staff involved that they have the right to be accompanied by a support person such as a friend or representative;
- Inform staff involved that if they engage the services of a lawyer or other advisor, the staff member is responsible for payment of all costs of such services;
- Dependent on the seriousness of the issue contact relevant parents/guardians;
- Offer the complainant the opportunity of meeting with the Principal of SGG to discuss the complaint and provide additional information where relevant;
- Inform the complainant of the procedures for dealing with the grievance if the complainant does not take up the opportunity to attend a meeting;
- Document the time, date and detail of meetings/discussions, and follow this up with a letter to the complainant outlining the information discussed;
- Review relevant information and documents;
- Obtain any other relevant information or documentation that will assist in resolving the grievance; and
- Seek advice, where appropriate, from individuals and organisations that may be able to assist in resolving the grievance.

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4.5 Following the Investigation

Once the investigation of the grievance is complete, the person conducting the investigation will:

- Endeavour to resolve the grievance by mutual agreement of the parties involved;
- Attempt to resolve the grievance within 10 days;
- Meet to discuss the information gathered and determine further action, including generating recommendations to be presented to the Principal of SGG if necessary;
- Ensure that any recommendations or actions are in accordance with relevant legislation, funding and compliance requirements;
- Document outcomes and issue formal warnings or disciplinary action where required;
- Report outcomes that may include relevant information gained in investigations and consultations to the Principal and, where required, provide any recommendations for consideration by the Principal;
- Inform the Principal on the involvement of external authorities and the outcomes of any investigation by external authorities. The Principal will review the report and will be responsible for making decisions on the action to be taken (if any), including relevant review mechanisms;
- Advise the complainant and other relevant parties of any decisions made by the Principal in relation to the grievance; and
- Follow up to ensure the parties involved are satisfied with the outcome and monitor progress on any actions taken. Further disciplinary action or sanctions may be implemented if issues persist.

4.6 Failure to Resolve Formal Complaint or Grievance

If the formal complaint or grievance is not resolved following investigation:

- The complainant should outline the grievance in writing to the Principal; and
- Every effort will be made to resolve the issue within 10 days and the Principal may recommend that the parties to dispute meet with an external mediator;

If the issue remains unresolved after mediation:

- The Principal will review the grievance and investigation documentation, and the mediation documentation, and will issue a decision in writing to the complainant.

4.7 Right of Review

If a complainant is not satisfied with the outcome, or the complaint directly concerns the Principal, then the complainant may refer the formal complaint or grievance in writing to the Chair of the Board.

A review panel comprising of the Chair of Board, the Deputy Chair of Board and the Principal, will then review the investigation process, and a decision will be made as to whether the above procedures have been followed and reasonably determined. Depending on the outcome of this investigation either no further action may follow, or there may be further consideration of the matter.

If the matter being investigated involves a complaint or grievance against an individual member of the review panel, then that member will not be involved in the review of the investigation, and a new interim member of the review panel will be appointed for that particular matter only. The new interim member of the review panel must be approved and appointed in mutual agreement between the Chair of the Board and the Principal. The new interim member of the review panel may be a member of the Board, or may be an external party to the Board, who holds appropriate expertise to review the complaint or grievance.

This policy does not limit a complainant's right to use other available agencies and processes, such as the Privacy Commissioner, the Ombudsman, the workplace regulator or legal processes.

Complainants may also refer to the following websites for further information:

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- www.is.vic.edu.au;
- <http://www.vrqa.vic.gov.au/complaints/Pages/default.aspx> (for school related complaints); or
- <http://www.education.vic.gov.au/childhood/providers/regulation/Pages/complaints.aspx> (for ELC related complaints).

4.8 Communication of Policy

This policy is accessible to all staff, students, contractors, volunteers, parents/guardians, visitors, external stakeholders and other members of the SGG community via the SGG website and intranet. SGG also communicates this policy through newsletters, Skoolbag and inductions.

4.9 Review of Policy

This policy will be reviewed for effectiveness:

- As part of SGG’s policy review schedule (refer Document Management Policy);
- As required, with changes to current legislation, research, policy and best practice;
- Following issues raised through the Complaints and Grievances Policy (this Policy); and
- Upon receipt of staff and parent/guardian feedback.

5.0 Definitions

Notifiable complaint: A complaint that alleges a breach of the relevant Act or Regulation, or alleges that the health, safety or wellbeing of a child at SSG may have been compromised. Any ELC complaint of this nature must be reported to DET within 24 hours of the complaint being made. Written notification of complaints must be submitted using the appropriate forms.

Serious incident: An incident resulting in the death of a child, or an injury, trauma or illness for which the attention of a registered medical practitioner, emergency services or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from SGG in contravention of the legislation or is mistakenly locked in/out of the SGG premises. The Regulatory Authority (DET) must be notified within 24 hours of a serious incident occurring.

Harassment: Any unwelcome and uninvited comment, attention, contact or behaviour that an individual or witness finds humiliating, offensive or intimidating. It can be verbal, physical, psychological, written or visual.

5.0 References

- Education and Training Reform Act 2006
- DET: <http://www.education.vic.gov.au/childhood/providers/regulation/Pages/complaints.aspx>
- VRQA <http://www.vrqa.vic.gov.au/complaints/Pages/default.aspx>
- Education and Care Services National Law Act 2010.
- Education and Care Services National Regulations 2011
- Privacy Act 1988 (Cth)

6.0 Related Documentation

- Hazard, Incident, Injury and Illness Reporting Policy
- Child Safety and Protection Policy
- Mandatory Reporting Policy
- Privacy Policy
- International Student Policies
- Induction and Professional Development Policy
- Document Management Policy

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