



## **Complaints and Appeals Policy**

### **1. Purpose**

Overnewton Anglican Community College (The College) is committed to creating an environment that values good relationships and open communication, and where students, parents/carers and staff work together in an environment of trust and mutual respect.

The College's approach to handling concerns, complaints and appeals is based on the College's values of Excellence, Community, Learning and Respect.

The College understands that from time-to-time parents/carers, external organisations and other stakeholders may be dissatisfied or have a concern and complaint in relation to a decision taken or an action or activity for which the College is responsible. This Complaints and Appeals Policy sets out the College's approach to the resolution of concerns and complaints<sup>1</sup>. This is to ensure that all concerns and complaints regarding the College are managed in a timely, effective, fair and respectful manner.

### **2. Scope**

This Policy applies to all members of the College community, including students, staff, parents/carers and other stakeholders such as members of the local community, suppliers and families on the College's enrolment wait-list and Information Sharing Entities (ISE's)<sup>2</sup>. It applies across all College settings and locations including the Canowindra and Yirramboi campuses, both during and outside school hours and within and outside the physical school environments, including online.

This Policy does not apply to:

- Concerns regarding child abuse, reportable conduct, and student safety, which is addressed in accordance with the Child Safety Responding and Reporting Obligations Policy.
- Student issues – the College has an appropriate internal student friendly process for students to use when something goes wrong or is difficult for them.
- Legal matters, including requests for compensation, payment, and redress.
- Any criminal matters which will be referred to the Victoria Police.

<sup>1</sup> Complaints are normally raised about a specific concern or issue, when the person making the complaint believes a decision, an action (or inaction) or a process is wrong or has been mishandled.

<sup>2</sup> Information Sharing Entities as prescribed under the Child Information Sharing Scheme or the Family Violence Information Sharing Scheme.



### **3. Policy**

#### **3.1. Principles**

The College understands that staff and parents/carers are committed to working closely together to provide the best educational opportunities for every student. The College is committed to the development of professional, trusting and cooperative relationships between all members of the College community.

The College welcomes feedback, both positive and negative, and is committed to continuous improvement. We value open communication with our parents/carers and are committed to understanding complaints and addressing them appropriately.

The College's Complaints and Appeals Policy has the ultimate goal of resolving complaints fairly, effectively and efficiently, with a focus on student wellbeing and supporting student learning.

The College's approach to the management of complaints is based on the principles of procedural fairness, which includes ensuring that:

- all those involved in an issue have a reasonable opportunity to have their voice heard and explain their understanding of the context and any extenuating circumstances.
- the response to the complaint is unbiased and consistent.
- the resolution of the concern or complaint is proportionate to the issue.

Throughout any complaints process, the College will ensure that:

- student wellbeing needs are prioritised.
- high levels of confidentiality are maintained, balanced with the need for procedural fairness and transparency.
- complaints are handled in a conciliatory, non-adversarial and non-legal manner.
- accurate records are made of the complaint and its resolution, in line with the College's Privacy Policy
- complaints are resolved quickly and, where possible informally, only drawing on the formal procedures when it has not been possible to reach an informal resolution.
- issues are not escalated before all reasonable processes have been exhausted.

A complaint can be made about:

- any product or service provided by the College.
- a staff member, volunteer, contractor, family, or student at the College
- a third-party providing services on the College's behalf including their trainers, assessors or other staff.

#### **3.2. Roles and Responsibilities**

##### **Board**

- approving this policy and reviewing it on an annual basis
- responding to any formal complaint raised that relates to the Principal or appeals relating to the application of the complaints and appeals process by the Principal.

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### **Principal**

- ensuring the Policy is implemented and understood by all staff.
- ensuring the Complaints Policy is communicated to parents/carers and the wider College community.
- responding to a formal complaint brought under this Policy, where requiring the Principal to be involved.
- convening an Appeals Committee as required including the engagement of an independent external member of the Appeals Committee and where necessary, the referral of an unresolved appeal to an external body.
- with the Child Safety Committee maintain a register of formal complaints and concerns log to allow us to monitor areas for improvement in our Child Safety Policies, Procedures and Practices, for reporting to the Board annually and to be available to the VRQA as required.

### **Staff**

- responding to and resolving concerns and complaints in line with this Policy.
- responding to concerns raised by students.

### **Overnewton Community Members (including parents/carers)**

- raising issues promptly or as soon as possible after the issue occurs
- acting in good faith and in a calm and courteous manner and in accordance with the Community Code of Conduct
- ensuring that complaints do not give rise to victimisation or reprisal.

## **3.3. Complaints and concerns process for students**

The College acknowledges that issues or concerns can cause stress or worry for students and impact their wellbeing and learning. The College encourages our students to raise issues or concerns as they arise so that we can work together to resolve them.

Students with a concern or complaint can raise them with a trusted adult at the College, for example the classroom teacher. This person will take the students concern or complaint seriously and will explain to the student what steps we can take to try to resolve the issue and the support we provide. Refer to APPENDIX A - Guidelines for Students - What to do if you have a concern.

A parent/carer or another trusted adult outside of the College can talk to us about the issue instead. Information about our parent/carer complaints and concerns process is outlined further below.

Further information and resources to support students to raise issues or concerns are available at:

- [Kids Helpline](#) (call 1800 55 1800)
- [Reach Out](#)
- [Headspace](#)



### 3.4. Concerns and Complaints process for parents/carers and school community

Information about where to make a complaint is publicised on the College website. The methods available for making a complaint include in person (by appointment), by phone or in writing. If necessary, the College can provide support for community members with specific needs.

Where there is uncertainty as to who to contact, issues may be raised by telephoning the College on (03) 9334 0000, or via email [complaints@overnewton.vic.edu.au](mailto:complaints@overnewton.vic.edu.au)

Complaints will be forwarded to the most appropriate person in the College to respond.

The College will endeavour to acknowledge receipt of all complaints within two (2) working days and advise the most appropriate next steps.

### 3.5. Raising a concern

The College is happy to discuss with parents/carers and community members any concerns they may have. The College will endeavour to resolve all concerns fairly, quickly, and informally. Where possible, the College staff will work to ensure that concerns are appropriately addressed.

Concern	Directed to
Issue occurring at the College or classroom or is a learning issue.	Home room Teacher or Mentor
If the issue relates to the Home room Teacher or Mentor	Year Level Leader, Deputy Head of School and Head of School
Behaviour or wellbeing or an incident occurring at the College or classroom	Year Level Leader, Deputy Head of School and Head of School
Issue relating to another staff member or complex student issue.	Deputy Principal Head of Campus
Issue relating to College Policy, management, staff member or very complex student management issue.	Principal

All concerns regarding staff or complex student management issues will be registered in the Complaints and Concerns log and acted upon promptly to resolve the complaint. Complaints and Concerns log, where all complaints, concerns and safety incidents are analysed to identify causes and systemic failures and inform continuous improvement through, for example, amendments to the Child Safety policies, procedures, and practices, refer to APPENDIX B.



## **3.6. Complaints Process**

### **3.6.1. Making a Complaint**

If a concern is not resolved to the satisfaction of the complainant through the above process, the complaints process may be followed.

A formal complaint should be made in writing and can be submitted using the Complaints Form available on the College website, see APPENDIX C.

If there is more than one problem, issues should be listed concisely and clearly so that the extent of the problem is clear to the College. If more than one parent or a set of parents/carers raise the same or a substantially similar problem, each complaint will be managed separately.

Complainants are asked to indicate how, if possible and practicable, they would want the complaint to be resolved. Complainants need to understand that in addressing complaints the College does need to consider the facts and interests of all parties involved.

If the complaint is in relation to the conduct of the Principal, the complaint should be made in writing using the Formal Complaints Form and should be addressed to the Chair of the College Board.

Formal complaints will be acknowledged within two (2) working days.

An overview of the Complaint Resolution Process is provided in the APPENDIX D.

### **3.6.2. Investigating Complaints**

Some complaints can be resolved through discussion, but others require that the matter be investigated before coming to a resolution.

The Principal may appoint a senior member of staff to investigate the issue. This staff member will typically be a member of the College Leadership Team who has not previously been closely involved in the matter.

The investigation may take the form of interviews with others involved, reviewing documentation, etc. If it is thought advisable and necessary, the Principal may approve the appointment of an external investigator.

In carrying out an investigation, the College will be mindful of the need for confidentiality. The complainant will be informed in advance of any decision to not speak to others during the course of the investigation.

The investigation report is confidential to the College.

There may be some instances where complaints are determined to be vexatious or frivolous in nature. In this case the complainant will be informed that the College intends to dismiss their complaint. Making a vexatious complaint may be considered a breach of the Community Code of Conduct.



### 3.6.3. The Complaints Meeting

The Complainant may be required to attend a meeting to discuss their complaint with the staff member appointed to investigate the matter. The Complainant may choose to have someone at the meeting to support them. The support person could be a relative or a friend, but it is not appropriate for that person to be a legal representative.

The meeting will discuss the matter thoroughly, with the objective of:

- a) establishing a clear description and understanding of the issue
- b) defining the claimed impact
- c) determining what is claimed will happen if the issue is not resolved.
- d) establishing what action(s) is requested in order to resolve the complaint.

These points will be summarised briefly and will be included in the documentation of the complaint.

At each step of the process, all those attending the meeting will have the opportunity to put forward their point of view and will be treated with dignity and respect. Conversations must be respectful and constructive. If either party is of the view that the conversation has become confrontational and is no longer conciliatory, either party may ask for the conversation to be temporarily halted and re-scheduled for completion at another time.

It may not be possible to agree the way forward in just one meeting; in this case further meetings will be scheduled until the issue has been considered as thoroughly as needed.

At any stage in the process, the College may decide that it would be helpful to seek either informal or formal mediation in order to resolve the complaint.

### 3.6.4. Complaints Resolution

Satisfactory resolution of the complaint may come from one or more of the following:

- a) an apology or expression of regret
- b) an explanation or further information about the issue.
- c) An admission that the situation could have been handled differently or better.
- d) an assurance that the event complained of will not recur.
- e) an explanation of the steps that have been taken to ensure that it will not happen again.
- f) an undertaking to review College policies in light of the complaint.

In resolving the complaint, a statement should be prepared confirming that those involved consider the complaint (or an aspect of the complaint) is resolved. This statement will include details of how the complaint has been resolved and provide description of each specific action or decision, including a note as to who is responsible for the action and by when. A copy of the statement will be provided to the complainant.

When the complaint is resolved (or dismissed), a follow up meeting or conversation may be scheduled to ensure that the agreed actions have been implemented and that there are no further matters outstanding.



### **3.6.5. Complaints to the Board**

If the complaint is in relation to the Principal, the complaint should be made in writing using the Formal Complaints Form and should be addressed to the Chair of the Board.

The Chair of the Board will constitute a complaints committee to deal with the complaint. The composition of the committee will be decided by the Chair. The committee may include a representative that is external to the College.

The complaints committee, acting on behalf of the Board, will decide how to proceed and will make recommendations for any action to resolve the matter to the Board.

When a complaint is made to the College Board, the Board's decision will be final.

Where a complaint is made against or involves the Chair of the Board, the matter will be managed by an independent external consultant or advisor.

## **3.7. Appeals**

### **3.7.1. Making an Appeal**

If a formal complaint is not resolved to the satisfaction of the complainant, it may, at the request of the complainant, be escalated to an internal Appeals Panel, chaired by the Principal or their nominee. An appeal must be made in writing within 14 days of finalising the complaint resolution and should be addressed to the Principal. The Principal will acknowledge the request for an appeal within two (2) working days.

An overview of the Appeals Process is provided in the APPENDIX E.

The grounds for the appeal should be clearly identified. The grounds could include the following:

- the complaints policy and procedures were not followed.
- the resolution of the complaint is claimed to be insufficient, unfair, biased, unreasonable and/or disproportionate.

The appeal will use the record of the complaint and will not re-hear the complaint itself.

The complainant will be asked to indicate how, if possible and practicable, they would want the appeal to be resolved.

### **3.7.2. Responding to the Appeal**

The Principal will assemble an Appeals Panel as needed. The make-up of the Appeals Panel will be determined by the Principal on a case-by-case basis, depending on the nature and complexity of the appeal being considered. The Principal may also choose to include an independent external person to be part of the Appeals Panel.

The complainant may be invited to attend a meeting in relation to the appeal and has the right to bring a support person to any meetings held.

The Appeals Panel will seek to resolve the complaint within 28 days from the date of referral and, in any event, no later than 42 days after the original complaint was received.



The Appeals Panel will decide how to proceed and will make recommendations for any action to resolve the matter. The Appeals Panel may approve the appointment of an external consultant to conduct an investigation, mediation and/or arbitration.

The decisions of the Appeals Panel are final. The College Board will be advised of the Appeals Panel decisions in relation to the resolution of complaints.

### **3.7.3. External Referral of complaints**

If the matter still remains unresolved, then the individuals or the College may refer the matter to the relevant body, such as the Victorian Institute of Teaching, Consumer Affairs Victoria, Victorian Equal Opportunity and Human Rights Commission, or the Victorian Registration and Qualifications Authority (VRQA) for complaints about compliance with the minimum standards.

### **3.8. Complaints Regarding the Child Information Sharing Scheme**

The College is an Information Sharing Entity (ISE) under the Victorian Child Information Sharing Scheme. ISE's may submit a complaint to another ISE about how they have undertaken any activities under the Scheme, including if a request for information has not been fulfilled.

Complaints in association with the Scheme may relate to perceived privacy breaches, a decision not to share information or the timeliness of responses to requests. This Policy will be used to resolve any complaints received from other ISE's.

In the event that a resolution cannot be achieved, issues may be referred to external oversight bodies such as the Office of the Victorian Information Commissioner, Health Complaints Commissioner, or the Office of the Australian Information Commissioner (OIA).

### **3.9. Records Management and Reporting**

The College will keep a record of formal complaints and appeals, that will include:

- the formal complaints form, whether completed by the parents/carers or by the College and confirmed by the parents/carers.
- a record of any meetings associated with the complaint or appeal.
- a record of the resolution and,
- a record of any follow up meeting.

The College will retain documentation including the details, outcome and reason for the outcome of each formal complaint received by the College, with physical and electronic access restricted to appropriate users.

The Principal will report to the Board on the number and nature of complaints received and resolved.

The College complies with regulatory policy to ensure that record-keeping, reporting, privacy and employment law obligations are met when responding to complaints and concerns.





### 3.10. Consumer Protection Laws

Nothing in this Policy removes the right of the Student and/or Parent(s)/Guardians to take any action under Australia’s consumer protection laws.

## 4. Implementation and Communication

This policy will be communicated to the College community in the following ways:

- Available publicly on the College website.
- Included in the staff induction process.
- Included in the student orientation week.
- Hard copy available from the College administration upon request.

The Principal will report annually to the Board on the Complaints and Concerns log data. Reports will be de-identified of student information and will address common or recurring themes.

## 5. Related Documents

- Child Safety and Wellbeing Policy
- Child Safety Code of Conduct
- Child Safety Responding and Reporting Obligations Policy.
- Community Code of Conduct
- Privacy Policy
- Ministerial order 1359

## 6. Policy status and review

The Principal is responsible for reviewing and updating the Complaints and Appeals Policy at least every two years. The review will include input from the Risk Management Committee, staff, students’ parents/carers and the school community. The Governance Committee review this policy and the Board endorse this policy.

Document Details	
<b>Date Created</b>	November 2023
<b>Date Reviewed:</b>	3 <sup>rd</sup> November 2023
<b>Next Review Date:</b>	3 <sup>rd</sup> November 2025
<b>Responsibility of:</b>	Principal
<b>In Consultation with:</b>	Risk Management Committee and Governance Committee
<b>Endorsed by:</b>	Board
<b>Legal Check:</b>	



## **APPENDIX A - Guidelines for Students - What to do if you have a concern.**

Students that have a concern are able to raise the concerns with their teachers and that these will be taken seriously and dealt with. These guidelines are written for students in age-appropriate language.

### **For Junior School students**

Sometimes things may go wrong at school, or you may have a concern that is making you unhappy. Instead of worrying about it, talk to your teacher so they can help you and find an answer.

### **For Middle School and Senior School students**

From time to time, you may have a concern, a suggestion, or a complaint. It is important for us as a school to hear and understand these matters to enable staff to address your concerns and improve what we do and how we behave. We will do our best to remedy concerns promptly and deal with each matter fairly.

You can make a suggestion or complaint either by speaking with us or by writing to us. If you speak to us about your suggestion or complaint, you may need to put it in writing later. We can help you to do this if necessary. You can use the Complain form, APPENDIX C. Its use is optional.

Where possible, you should raise your concern or make your suggestion to your class teacher or the person in charge of the area where the issue arose. However, if the complaint is about these people, then it can be made to the Head of School or Deputy Principal Head of Campus.

Where possible, we would recommend that you give your name and sign the suggestion or complaint. This is because anonymous complaints can be acted on only in certain circumstances.

Types of issues that you may have a concern about could include, not limited to:

- sometimes you just need help straight away and so the best thing to do is to ask for that assistance.
- your concern may be about a policy, a process or a decision.
- you may need to talk to someone about bullying or harassment.
- you may need assistance in managing your studies.
- you may just be unhappy.

All suggestions and complaints are reviewed to assess the type of issues being raised and the seriousness of those issues. If a suggestion or complaint is not anonymous, we will let you know that we have received the suggestion or complaint and provide you with an estimation of how long we think it will take for us to deal with it.

Initially your concern will be handled in confidence, although sometimes the member of staff to whom you speak, as the responsible adult, will need to tell someone else about the issue. If that is necessary, you will be informed before any confidential information is passed on.





## APPENDIX C - Complaint Form

### Complaint Form

#### Complainant's Category

Parent  Family member  Student  Staff member  College Community  Other

#### Complainant's Contact Details

Full name: [Click here to enter text.](#)  
Address: [Click here to enter text.](#)  
Phone number: [Click here to enter text.](#)  
Email address: [Click here to enter text.](#)

Students include.  
Year level: [Click here to enter text.](#)  
Home group teacher: [Click here to enter text.](#)

#### Complaint Details

**Describe your complaint** (include the following)

- Describe your concern and/or the incident.
- Include date and times, such as when the incident occurred.
- Include name and details of people involved.
- Details of any communication, such as phone conversations or emails.
- Any other information that you think is relevant to your complaint.

[Click here to enter text.](#)

**What action would you like to see as a result of your complaint?**

[Click here to enter text.](#)

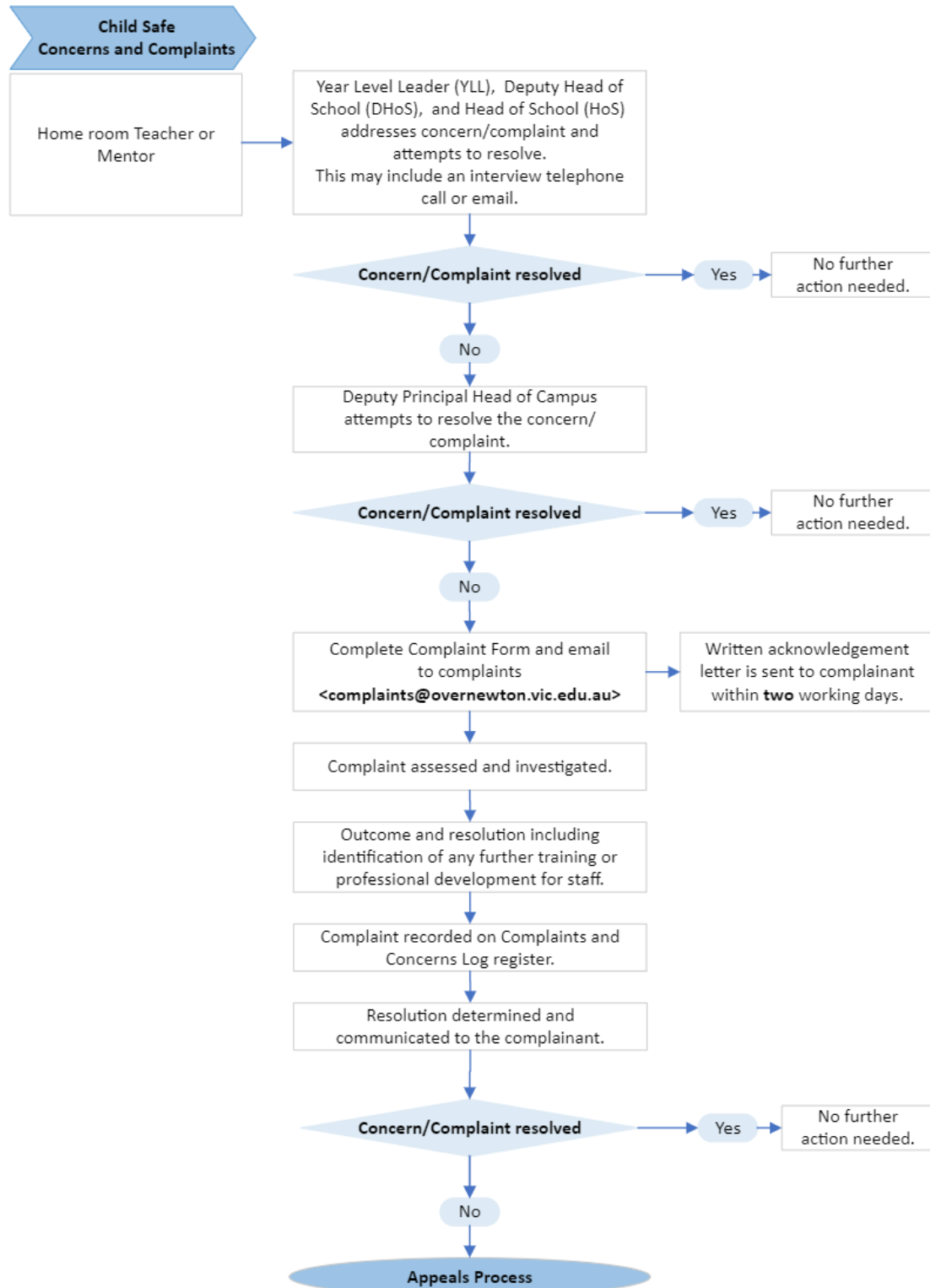
**Date Submitted** [Click here to enter text.](#)

You will receive an acknowledgement within two [2] working days that your complaint has been lodged. The acknowledgement will set out the next steps in responding to your complaint.

If your complaint cannot be resolved at the College level, please complete the Complaint Form, and email it to [complaints@overnewton.vic.edu.au](mailto:complaints@overnewton.vic.edu.au) or call 9334 0000. Attach any other supporting documents in the email.



## APPENDIX D - Complaint Resolution Process





## APPENDIX E - Appeals Process

