

# NCS COMPLAINTS HANDLING POLICY

Adopted: June 2019

Last amended: February 2019

Next review: June 2021

## Rationale

As a Christian school community, we are committed to ensuring that relationships can be restored in accordance with Biblical principles when there are misunderstandings, disagreements and/or wrongdoings. The School places a high value on:

- sustaining relationships that are characterised by honesty, compassion and trust;
- ensuring that all members of the School community are treated with dignity, fairness, courtesy and respect; and
- providing a learning and working environment that is free from unlawful discrimination, harassment, bullying, vilification and victimisation.

The Bible gives clear direction in relation to this matter, including in the following verses:

- Matthew 18:15-16 says, *“If a fellow believer hurts you, go and tell him – work it out between the two of you. If he listens, you’ve made a friend. If he won’t listen, take one or two others along ... and try again.”*
- Ephesians 4:2-3 says, *“Be completely humble and gentle; be patient, bearing with one another in love. Make every effort to keep the unity of the Spirit through the bond of peace.”*
- Colossians 3:13 says, *“Bear with each other and forgive whatever grievances you may have against one another.”*

This policy (and related procedures) deals with complaints by parents/carers, students, employees, volunteers and other members of the School or wider community in relation to the operations of the School. It also deals with complaints that an employee may have with a parent, student, volunteer or other members of the School community or public, in their capacity as an employee of the School.

The purpose of this policy is to:

- provide the leadership and employees of the School with a guide to effective complaint management;
- ensure consistency of complaint management processes and procedures;
- provide those who are making a complaint with access to an open and responsive process; and to
- enhance the School’s ability to identify trends and eliminate causes of complaints, thereby improving the effectiveness of the School’s operations.

This policy does not deal with:

- complaints of a parent/carer regarding another parent/carer to the extent that it is unrelated to School operations or does not have an impact on School operations;
- complaints of a staff member in relation to another party that does not have an impact on workplace or School operations.

All members of staff are responsible for receiving complaints, treating them as a serious matter and dealing with them politely and in a timely manner. Wherever possible, complainants should check that they have all the facts and complaints should be resolved by a process of discussion and joint cooperation. The aim is to reach an acceptable outcome that minimises any potential detriment to ongoing relationships.

## Definitions

A *complaint* can be:

- an expression of dissatisfaction made by a community member about any aspect of a service provided (or contracted) by the School, the behaviour or decisions of staff, or about practices, policies and procedures;
- a staff complaint about another staff member relating to a range of concerns, including interpersonal conflict, staff behaviour, disagreements about how work is allocated or managed, disagreements about the application of workplace policies or other perceived unfairness.

The *complainant* is the person making a complaint.

The *respondent* is the person about whom the complaint is made.

The *complaint manager*, usually the Principal or the Principal's delegate, is the person handling the complaint.

*Procedural fairness* means acting fairly in administrative decision making. It relates to the fairness of the procedure by which a decision is made.

## Details

1. Wherever possible, staff should attempt to directly resolve an issue or complaint raised by a member of the school community, a consumer or other person by providing them with feedback or relevant information. Staff should also attempt to resolve issues and concerns with other staff, face-to-face.
2. If a complaint cannot be resolved directly or through a face-to-face process, it should be referred to the Principal. If the complaint is about the Principal, it should be referred to the Chairman of the Board. (This can be done by accessing the following email address: [chairman@ncs.nsw.edu.au](mailto:chairman@ncs.nsw.edu.au).)
3. Any formal complaint by a staff member against another staff member should be made in writing (using the [Feedback Form](#) included under 'Related Documents' below. This is also made available on our school website.)

4. All staff involved in a complaint must keep information confidential and only discuss the issues raised in the complaint on a 'need-to-know' basis. Staff who raise a complaint must not be subjected to reprisal action.
5. The Principal may appoint a 'Complaint Manager' to manage the complaint process (or decide to personally manage the complaint unless it is about them). The Complaint Manager should gather information, assess the issues raised by the complainant and consider reasonable outcomes. (Such a process, carefully followed, should ensure that evidence-based decisions are made.)
6. Some complaints are not dealt with by the School:
  - a. Where there are allegations of criminal conduct, there must be a report to Police;
  - b. Where there is a risk of significant harm to a student, contact should be made with the Child Protection Helpline;
  - c. For other risks of a child protection nature or, if unsure, complete the Mandatory Reporter Guide, record the outcome and take any required action;
  - d. Other complaints need to be referred to a specialist area of the appropriate government departments for handling, if the complaint is about:
    - allegations of a child protection nature against an employee;
    - allegations of corrupt conduct;
    - allegations of misconduct;
    - possible criminal conduct;
    - a risk of harm or significant harm to a child;
    - privacy issues;
    - early childhood complaints;
    - legal proceedings and requests for payment of damages;
    - requests for information, including requests under the Government Information (Public Access) Act 2009.
7. Most complaints are best resolved promptly at the local level. In schools, the classroom or subject teacher is often the best person to handle routine concerns about matters within their classroom and/or area of responsibility.
8. If a complaint is made anonymously, the person who receives the complaint should, wherever possible, consider the issues raised and respond appropriately.
9. Wherever possible, complaints should be finalised within 20 working days and all parties will be kept informed of the progress of the complaint, the reasons for any decisions and the outcomes that will be implemented.
10. To ensure procedural fairness, a complainant can request a review of a complaint outcome, which should be done within ten working days from the decision and will be carried out by an independent person and a person of equivalent or more senior level within our School who has not previously managed the complaint.
11. Responsibilities of the Principal:
  - manage individual complaints in accordance with this policy and associated procedures, when appropriate;
  - review complaint outcomes and management;
  - appoint the Complaint Manager;
  - escalate high risk and systematic issues arising from complaints;

- identify and support Complaint Managers to manage complaints in accordance with this policy and associated procedures;
  - encourage staff to resolve concerns directly wherever possible;
  - support all staff involved in the complaints process.
12. Responsibilities of all staff:
- treat all people with respect, including people who make a complaint and any person who is the subject of a complaint;
  - read and comply with the Complaints Handling Policy and associated procedures;
  - identify when complaints are being made and assist people to make complaints if they wish to do so;
  - respond to individual complaints, when requested;
  - escalate certain complaints and reviews of complaint handling to more senior staff, if necessary

## Related Documents

Child Protection Policy and Procedures

[Tips for Biblical Conflict Resolution](#)

[Guide for Parents/Carers, Students and Staff](#)

[Correspondence Handling Statements](#)

[Feedback Form](#) (also made available on our school website)

Management of Staff Performance Policy

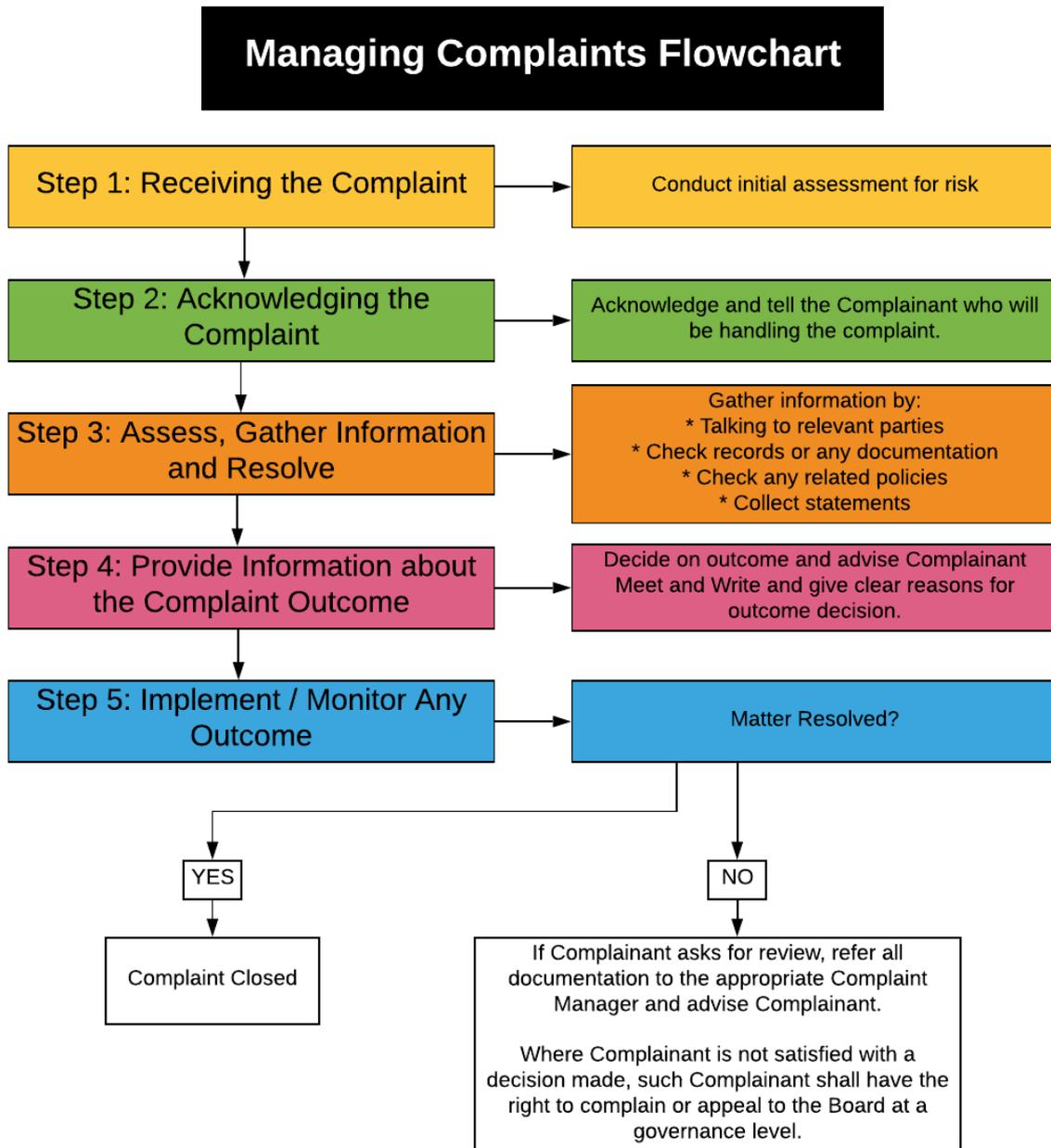
## Procedure

Throughout the whole process, Complaint Managers should document:

- their communications with the complainant;
- how they managed the complaint;
- the outcome of the complaint, including how and whether any concerns were substantiated, based on the evidence provided, and the actions taken in response;
- the steps taken to follow up any outcome actions;
- the steps taken to ensure procedural fairness.

Staff resolving complaints immediately at the local level should use their professional judgment to decide what, if any, records to keep.

The following flowchart is a guide outlining how the School will address/capture a complaint.



## Using the Flowchart

*(Note: It is vital that all of the following steps be carefully followed to ensure the procedural fairness of the entire process.)*

### Step 1: Receiving the Complaint

Complaints can be made in many different ways: in person, by telephone, in writing, online or through the [Feedback Form](#). Any staff member may receive a complaint. The receiving staff member should assess the complaint to identify any immediate health, safety or security risks. The person who receives a complaint should immediately action and/or escalate the details of the complaint to the Principal if there are perceived risks. Any identified risks and risk management actions should then be documented by the Principal.

In many cases, staff can manage a complaint made directly to them, even if the complaint relates to their actions. For example: where a parent/carer complains to the classroom teacher about their programming or student behaviour management, the teacher may be able to respond to the complaint. This often also best meets the needs of the parent/carer.

If a Complainant is in any doubt of the best person to contact, the complaint should be addressed to the Principal. The Principal or Complaint Manager may refer the complaint to a more appropriate person for further information and explanation. In many cases, matters can be resolved by discussion and explanation.

Any staff members receiving a complaint verbally should encourage the Complainant to present them to the School in writing. They should also notify the most relevant Senior Executive member about the nature of the complaint so that the matter can be received appropriately when it does arrive.

### Step 2: Acknowledging the Complaint

When responding to a complaint, it is important to deal with all Complainants with respect and be helpful and positive at all times.

Complaint Managers should:

- acknowledge the complaint as soon as possible (ideally within three working days). This can be done in person, by telephone, through email or formally via a written response. If acknowledgement was made verbally, it should still be documented by the Complaint Manager;
- let the Complainant know that they will be kept up-to-date regarding progress of the complaint;
- keep the matter as confidential as possible by only sharing information with those who need to know about the issues contained in the complaint;
- listen carefully to the issues and resolve the complaint directly at the local level wherever possible.

In some cases, the appropriate Complaint Manager may not be identified or available within three days. In these cases, another person may acknowledge the complaint and advise the Complainant as to who will be managing the complaint and invite them to contact the Complaint Manager if they have further details to provide.

- Anonymous complaints - Complaints can be made anonymously. If staff receive an anonymous complaint, they still need to deal with the issues that are raised – to the extent that this is possible. It is not appropriate to attempt to establish who made the complaint or approach anyone to ask them if it came from them. Sometimes anonymous complaints raise the most serious issues.

### **Step 3: Assess, gather information and resolve**

#### **a. Assess**

It is important to determine what the complaint is about. This may require going back to the Complainant to clarify their concerns. For verbal complaints, it is useful to document the complaint issues, provide these to the Complainant and ask them to confirm that the complaint has been characterised accurately. If the process of clarifying/defining the complaint indicates that the complaint issue is somewhat different from what was first raised verbally, the differences should be documented and confirmed with the Complainant. In this way, there is on-going agreement about the nature of the complaint. It is important to clarify the Complainant's desired outcome. It is helpful to provide information about likely outcomes for the type of complaint and be candid with the Complainant if their desired outcome is not achievable. It is important to keep matters confidential as it is easier to handle and manage complaints when the information about the complaint is only shared on a need-to-know basis. While the Complaint Manager cannot enforce this with the Complainant, it may be useful to remind them that it will assist the resolution process if only those who need to know are told about the complaint. Similarly, the Complaint Manager should try to maintain confidentiality to the extent that is possible.

#### **b. Gather information**

Gather enough information to allow a proper assessment of the concerns as quickly as possible. Information to be gathered could include:

- policies and procedures;
- copies of other School documents such as forms, reports, student records etc;
- copies of previous correspondence;
- information and/or accounts from students, staff or from other areas of the School;
- further information from Complainants, if appropriate.

*(Note: Thorough attention to the information gathering stage is vital in order to achieve an evidence-based outcome.)*

All staff should assist the Complaint Manager and respond promptly and cooperatively when a Complaint Manager makes reasonable requests for information. A staff member may request to have a support person present during a meeting. Complainants should also provide any additional information requested for a proper assessment of their concerns. Complaint Managers should assess each complaint issue on its merits.

**c. Resolution – the complaint outcome**

Complaints should be finalised as soon as possible and within no later than 20 working days. Complaint Managers must keep people updated on the progress of their complaint. If a delay is anticipated, inform the Complainant and other parties and provide reasons for the delay. Consider any reasonable outcomes suggested by the Complainant and any staff member complained about. However, ultimately the Complaint Manager determines how a complaint is to be resolved. Outcomes will depend on the circumstances of each complaint and take into account any statutory requirements. Complaint Managers should consider flexible approaches wherever possible. There is a non-exhaustive list of possible outcomes.

**Step 4: Provide information about the complaint outcome**

Complaint Managers should provide information about the outcome to the Complainant. This may be in a meeting or by telephone or email. When giving the outcome information, explain:

- the outcome of the complaint and any action that is going to be taken, by whom and when;
- the reason/s for the decision;
- any internal or external options for review.

The complaint outcome should always be confirmed in writing. Email is acceptable. Complex complaints may require additional record keeping (for example, file notes of contentious meetings).

These outcomes could include:

- The Complainant understanding the situation and no longer feeling aggravated or upset;
- The Complainant receiving a written response, and
  - where appropriate, an apology from the respondent receiving disciplinary action where a School Policy or Code of Conduct has been breached;
  - Where the complaint is regarding the actions of students, the involvement of the School Counsellors may be recommended.

While it is good practice to provide as much information as you can about outcomes, it is important to keep specific personal details about the management of staff appropriately confidential. If a person is the subject of a complaint, they should also be provided with information about the outcome.

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**Step 5: Implement/Monitor any outcomes**

Take all reasonable steps to implement and monitor the outcomes of the complaint. Where the outcomes relate to whole of school or work area processes, the Principal should oversee progress and/or delegate authority to a specific member of staff with relevant responsibilities.

Complainants may request a review of the complaint outcome if they have information that:

- the complaint outcome was incorrect and/or
- the complaint handling process was unfair.

To ensure that procedural fairness occurs, the following process must be strictly adhered to:

Requests should be made in writing and give the reasons for the request for review and which specific part of their complaint is the subject of their review request. The request should be addressed to the initial Complaint Manager or their direct supervisor. Requests for review should be made within ten working days from the initial complaint decision, unless there are circumstances that may have reasonably prevented the Complainant from requesting the review within ten days (such as illness, needing advice from another person about seeking a review, an advocate or adviser being unavailable within the ten day timeframe etc.). The review must be conducted by either a more senior member of staff or by a staff member of an equivalent level to that of the person who originally handled the complaint. The reviewing officer must not be the subject of the complaint in any way or have been involved in managing the complaint. The review should be completed within 20 days of the receipt of the request, wherever possible. (Note: External reviews of complaints may be conducted by organisations such as the NSW Ombudsman.)

Where a complainant is not satisfied with a decision made, such complainant shall have the right to complain or appeal to the Board at a governance level. (This can be done by accessing the following email address: [chairman@ncs.nsw.edu.au](mailto:chairman@ncs.nsw.edu.au).)