



Complaints and Grievances Policy

Introduction

Plenty River College (the College) is an independent, specialist senior secondary school, delivering the Victorian Pathways Certificate (VPC) and VCE Vocational Major (VM). It provides a safe and inclusive learning environment for young people aged 15-20 years who may have been disengaged or are at risk of disengaging from education.

Plenty River College is a school of opportunities in which all students are empowered to achieve their personal best. Our mission is to assist students to develop life and work skills and achieve in their learning by:

- re-engaging them in education;
- fostering their social and emotional development; and
- providing a supportive and safe environment for them.

Rationale

Plenty River College is committed to child safety and will comply with **Ministerial Order (MO) 1359: Managing the Risk of Child Abuse in Schools and School Boarding Premises**. The College promotes open and constructive communication between all stakeholders. We believe that clear and effective processes for resolving complaints and grievances builds strong relationships, dispels anxiety, and provides students with an enhanced learning environment.

Purpose

The purpose of this policy is:

- to inform students, parents and the wider community of the College complaints process;
- to inform staff members of the College complaints handling process and their responsibilities; and
- to ensure that all complaints and grievances received by the College are managed with transparency and procedural fairness.

Scope

This policy relates to complaints brought by staff, students and parents and the wider College community.

Definitions

Complaint	A complaint is usually a concern or issue raised by a person who believes that a decision, action, inaction, or process at College is wrong or has been mishandled.
Complainant	A person making a complaint or expressing a concern.
Complaints Register	A document which records all complaints received at the College and details of the complaint resolution.
Grievance	A grievance is a complaint that has usually built up over time and may be more general, or relate to more than one concern. In the workplace a grievance refers to a formal complaint made by an employee against another employee, or against their employer.
Parents	Includes parents, guardians, step-parents and/or carers as listed in the College Enrolment Form.
Resolved	A complaint is considered to be resolved when all parties agree on an appropriate response or course of action.
Serious complaint	<p>A serious complaint is any complaint which:</p> <ul style="list-style-type: none"> • requires urgent action, especially health or safety concerns; • could have serious consequences for those concerned and the wider College community; • concerns a breach of legislation or College policies; • is complex or raises wider concerns across the College; • is unlikely to be resolved informally, or may escalate, or is vexatious; and • a complaint made against the Executive Principal
Student Support Group	A Student Support Group is normally made up of made up of the Deputy Principal/Curriculum Leader, relevant teachers and education support staff. If appropriate, the Student Support Group can seek family involvement and support from specialist consultants.
Student Support Group leader	The College staff member leading the Student Support Group.
Student Support Team	The Student Support Team comprises youth welfare workers and education support workers. Other specialists such as the College

	psychologist or external case managers may also be included or consulted.
Investigating Officer	A person with the responsibility of investigating a complaint or grievance. Depending on the nature of the complaint, this can be Executive Principal, the Deputy Principal/Curriculum Leader or the Chair of the Board or such person assigned by the Board.
Support person	A person who assists the complainant during the complaints process.
Unresolved	A complaint is unresolved when agreement cannot be reached by the parties concerned on an appropriate response or course of action.
Victorian Curriculum and Assessment Authority (VCAA)	<p>The Victorian Curriculum and Assessment Authority (VCAA) is a statutory authority of the Victorian Government responsible for the provision of VCAL curriculum and assessment for Victorian students.</p> <p>For details on how to make a complaint, please refer to https://www.vcaa.vic.edu.au/Contact/Pages/Complaints.aspx</p>
Victorian Registration and Qualifications Authority (VRQA)	<p>The Victorian Registration and Qualifications Authority (VRQA) is Victoria's education and training regulator.</p> <p>For details on how to make a complaint, please refer to https://www.vrqa.vic.gov.au/complaints/Pages/making-a-complaint.aspx</p>
The Victorian Institute of Teaching (VIT)	The Victorian Institute of Teaching (VIT) a statutory authority whose task is to recognise and regulate members of the teaching profession in Victoria, Australia. The Institute registers teachers working in all schools in Victoria

Responsibility

1. The College Board is responsible for:

- authorising this policy;
- managing Appeals in relation to serious complaints or grievances that have not been resolved at the College level;

- forming a Board sub-committee or appointing an independent consultant to undertake an Appeal for a serious complaint or grievance that has not been resolved at the College level;
 - appointing an independent consultant if a complaint or grievance is made against the Chair of the Board;
 - managing any complaints or grievances made against the Executive Principal.
2. The Executive Principal is responsible for:
- overseeing all complaints and grievances and promoting their early resolution;
 - reviewing complaints recorded in the Complaints Register and determining strategies to improve internal College systems.
3. The Deputy principal/Curriculum Leader is responsible for:
- managing and resolving all complaints except complaints about the Executive Principal;
 - following up and managing progress as actions and outcomes are implemented in relation to the complaint or grievance;
 - informing the College staff of any complaints made against them;
 - keeping the Executive Principal informed of any serious complaints and grievances; and
 - recording complaints and grievances in the Complaints Register.
4. All College staff have a responsibility to follow the processes identified in this policy in relation to a complaint or grievance.

Implementation

Plenty River College's first priority is the wellbeing and educational needs of our students, and we value and encourage open and positive relationships within our College community. We believe that an effective complaints management process will:

- enhance relationships between staff, students, parents and the wider community;
- encourage the early resolution of complaints and grievances;
- encourage a respectful and courteous resolution process;
- avoid the escalation of vexatious or frivolous complaints;
- empower our staff by providing a clear, responsive and consistent path to resolve issues;
- provide valuable feedback about where we are not meeting student needs;
- assist us to continuously improve our internal systems and controls, and comply with legal obligations; and
- protect and enhance the College's reputation.

All complaints and grievances will be treated by the College with a high level of confidentiality but will be balanced with the need for procedural fairness and transparency. Any person making a complaint will be guided by the College to the appropriate process and procedure to have their complaint heard. Complaints and grievances will be handled in a conciliatory, non-adversarial and non-legal manner. Accurate records will be maintained of the complaint in line with the College's **Privacy Policy**. All complaints and grievances will be resolved quickly and where possible informally, only drawing on the formal procedures when it has not been possible to reach an informal resolution.

Procedural fairness

The College will ensure that all complaints are treated with procedural fairness, so that:

- all those involved in an issue have a reasonable opportunity for their voice to be heard, defend themselves, and explain their understanding of the context and any extenuating circumstances;
- the response to the complaint or grievance is unbiased and consistent; and
- the resolution of the complaint or grievance is proportionate to the issue, taking into account the impact of the issue on others and the likelihood of the complaint being raised in the future.

Actions arising from the complaint will be addressed by the College as a continuous improvement action if appropriate.

Child Safety

The College values all opportunities to review our child safety measures. Parents and community members who have a complaint or concern relating to child safety or child abuse, are encouraged to immediately contact the Executive Principal to discuss their concerns.

There are legal obligations on all adults to report child abuse to Victoria Police once a reasonable belief is formed that a sexual offence has been committed against a child. Failure to disclose a sexual offence against a child is a criminal offence under the Crimes Act 1958 (Vic.) and applies to all adults (18 years and over) in Victoria. Complaints involving communication with children under 16 years by teachers, staff, or any other person to prepare or 'groom' a child for future sexual activity is a criminal offence under the Crimes Act 1958 (VIC) and must be reported to the Police. The offence of grooming applies to any person aged 18 years or over and does not apply to communication between people who are both under 18 years of age.

The College reminds all staff members that concerns for a child's safety must be reported under the provisions laid out in the College's **Mandatory Reporting Policy**.

What to do if you have a complaint

1. Approach the person involved

In many situations, the most appropriate thing to do first is to tell the person who is the cause of the complaint how you feel. If the complaint is about their behaviour, tell them that it is

offensive/hurtful/not acceptable. Telling the person will give them a chance to stop or change what they are doing or explain what they had decided and why. In this way many situations can be resolved informally.

2. Contact the College

Where you feel you cannot approach the person directly or you are not happy with their response or reaction, then you can contact the Deputy Principal/Curriculum Leader at the College. The Deputy Principal/Curriculum Leader will advise you about what your options are in relation to your complaint or grievance.

3. Contact the Victorian Registration & Qualifications Authority (VRQA)

The VRQA has an obligation to investigate complaints made in relation to the College's obligations under the Minimum Standards and Requirements for School Registration to:

- make information about the College's performance publicly available;
- provide a parent and a student with access to information about the student's achievement; and
- support and promote the principles and practices of Australian democracy.

The VRQA can ask the College for information about any complaint made about a breach of these areas, and how the College responded to the complaint.

Procedure for making a complaint – informal or formal

A complaint can be made in person, by telephone, in writing or by email and by completing the Complaints and Appeals form (which is available on the College's website).

Complaints should be raised promptly, or as soon as possible after the issue has occurred. The College expects that the complainant and College staff member receiving the complaint will:

- behave with respect and courtesy;
- treat the complaint seriously, and focus on the issue;
- act in good faith and cooperation;
- listen attentively and consider each other's point of view and role; and
- respect the privacy and confidentiality of those involved in accordance with the College's ***Privacy Policy***.

If the complainant's behaviour becomes unreasonable, or threatens the safety and wellbeing of staff or students, the staff member will:

- remain civil, and warn the complainant that the conversation will be terminated if the behaviour continues;
- ensure the safety of students and others;

- terminate the conversation (if necessary); and
- contact the Executive Principal for assistance and next steps.

Formal complaint process

The complainant will need to complete the Complaints and Appeals form (available on the College's website) to lodge a formal complaint. The complainant may be supported by staff or a support person to complete the form if requested.

Investigating Officer

All complaints raised will be forwarded to the Deputy Principal/Curriculum Leader who becomes the Investigating Officer. Where the complaint involves the Executive Principal, then the Complaint and Appeals form and any supporting documentation must be submitted to the Chair of the Board via the College. The Chair of the Board or their nominee would be the Investigating Officer in this case.

The Investigating Officer will:

- acknowledge the receipt of the formal complaint within 24 hours of receiving the Complaints and Appeals form by email;
- contact the complainant within five working days to confirm mutual understanding of the complaint and discuss further steps in the complaint process;
- take the necessary steps or action required to resolve the problem in a timely manner with the relevant parties. The complainant will be given the opportunity to formally present his/her case;
- any witnesses will be interviewed. These interviews will be conducted separately and impartially;
- document the necessary steps or action taken to resolve the complaint and the resolution; and
- formally advise the complainant in writing of the outcome as soon as possible.

If the formal complaint is resolved, the Investigating Officer will:

- complete the Complaints Register with the details about the outcome and the resolution date;
- file the completed form and all supporting documents; and
- report on the complaint and outcome at the next staff meeting or Board meeting (if the complaint is about Executive Principal).

If a complaint cannot be resolved following these internal procedures, the complaint would be escalated as per below.

Escalation of an unresolved complaint or grievance

- If the complaint is **deemed to be serious**, the complaint would be escalated to the Board to manage and investigate.
- If the complaint is deemed to be of a **non-serious nature** and the Deputy Principal/Curriculum Leader is the Investigating Officer and is unable to resolve the complaint, he/she will escalate the complaint to the Executive Principal.
- If the Executive Principal makes every effort to resolve the complaint and is unsuccessful, then the Chair of the Board or their nominee will take over as the Investigation Officer of the complaint.
- If a complaint is made against the Chair of the Board, the Board will appoint an independent consultant who will manage the complaint or grievance.

Outcome of the investigation of the complaint or grievance

Parties will be advised of the outcome of the investigation as soon as possible

If the complaint is substantiated, immediate steps will be taken to ensure that the behaviour is not repeated and appropriate action is taken.

Depending on the nature of the complaint, there may be a recommendation for an apology, clarification, mediation, disciplinary action (i.e. expulsion, suspension, termination of employment), additional training, or a commitment to cease the behaviour. Disciplinary action will be commensurate with the seriousness of the matter.

If the complaint is not substantiated (i.e. there is insufficient evidence) but some issues arise from the investigation that need to be addressed, possible outcome may include:

- targeted training;
- monitoring of behaviour;
- counselling or mentoring;
- mediation at the local level.

If a complaint is proved not to have happened at all or there is evidence the complaint was made with a purpose to cause distress, possible outcome may include:

- an apology;
- commitment to changed behaviours;
- counselling and/or additional training;
- an official warning for behaviour to cease.

Appeals

If complainant is unhappy with the outcome of a complaint or any decision made by the College about the complaint, they have 7 days to lodge an Appeal. An additional Complaints and Appeals Form must be completed and identified as an 'Appeal' in the appropriate box on the form. Any additional relevant documents must be attached to the form and submitted to the College as per

the procedure for making a complaint above. The Appeal documents will be acknowledged within 24 hours of receipt by the College. The complainant will be contacted within 5 working days by the Investigating Officer who will explain the Appeals process.

It should be noted that the College's Appeal process is not to listen to the complainant's evidence again but to make sure that the investigation was carried out fairly and consistently.

Avenues of appeal

Appeals at College level:

- The Board has the responsibility of hearing any Appeals in relation to serious complaints or grievances. The Board may delegate this responsibility to a sub-committee or to an independent consultant depending on the nature of the Appeal.
- The Executive Principal has the responsibility of hearing any Appeals in relation to non-serious complaints and grievances.

Appeals to an external body

If the complainant is unhappy with the way their complaint has been dealt with by the College, the complainant may wish to go to an external agency for further advice and assistance. They may take their complaint to the external agency at any stage in the procedure if they are unhappy with the progress in dealing with the complaint. The agencies that would most likely have jurisdiction are:

- Human Rights and Equal Opportunity Commission (Federal)
- Victorian Equal Opportunity and Human Rights Commission
- VIT
- VRQA
- Consumer Affairs Victoria
- Fair Work Ombudsman
- WorkSafe Advisory Service

Recording Keeping

The College will record all complaints in the Complaints Register. All documents relating to the complaint including the Complaints and Appeals Form, and any supporting documents will be kept at the College in lockable drawers or cabinet. If the complaint is about a person, documents will be placed in restricted access cabinet or digital file.

Please see Appendix 1: Procedure for making a complaint (diagram).

Communication

1. This policy will be communicated to the College community through the College website.
2. Additional information will be made available to parents through the College newsletter and in the Student & Parent/Guardian Handbook.

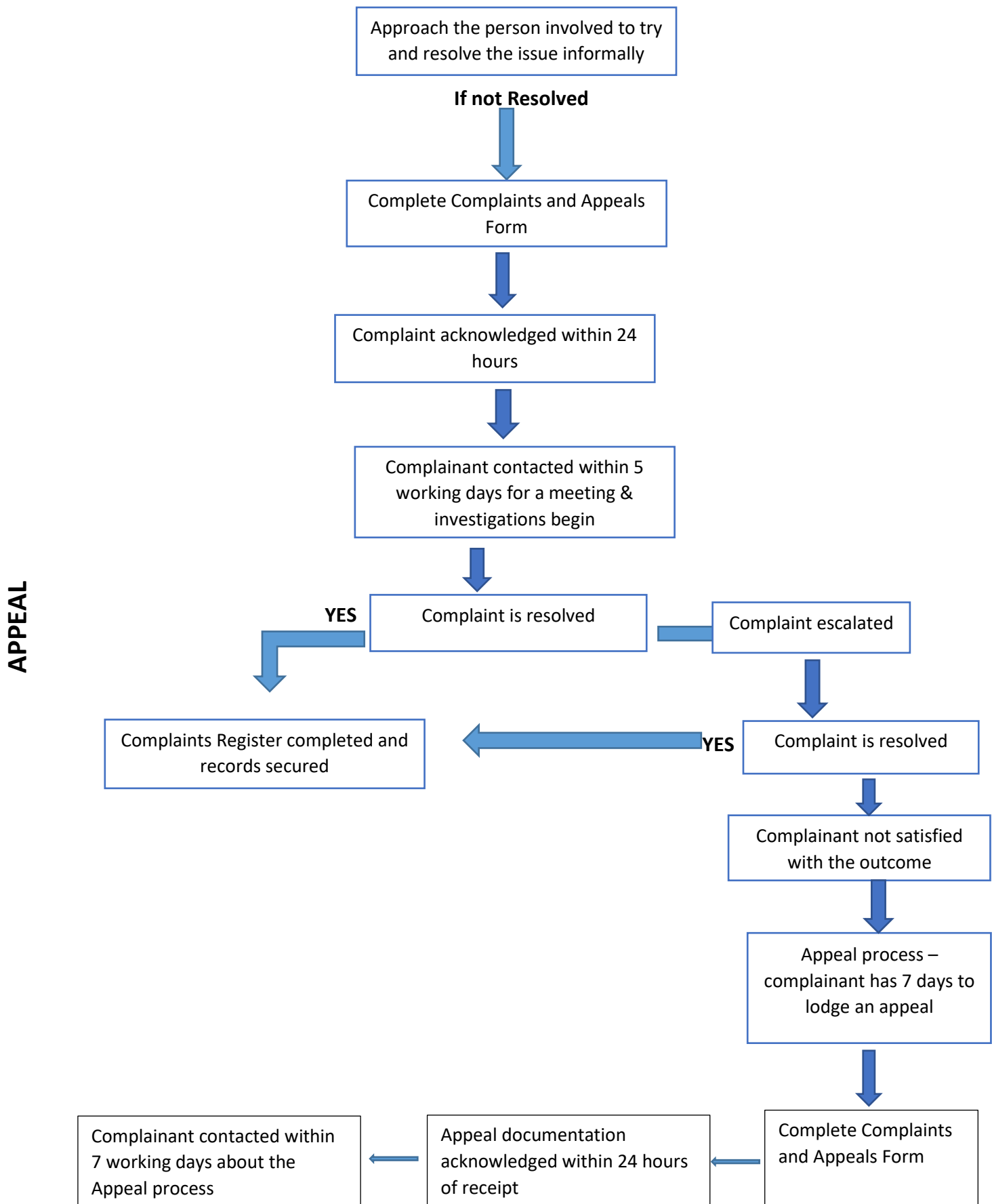
3. College staff will be informed of the College's Complaints and Grievances processes through:

- attending the College induction program for new staff;
- the College Teacher Handbook (for teachers);
- training in complaints procedures, active listening, negotiation skills, conflict resolution or similar; and
- staff meetings and communications.

Appendices
Appendix 1: Diagram: Procedure for making a complaint Appendix 2: Complaints and Appeals Form Appendix 3: Complaints Register
Related Policies
<ul style="list-style-type: none">• Bullying and Harassment Prevention• Child Safe• Camps and Excursions• Duty of Care• Enrolment• External Providers• Health Care Needs• Privacy• Student Behaviour Management• Student Engagement, Wellbeing and Inclusion
Relevant Legislation
<ul style="list-style-type: none">• Crimes Act 1958 (Vic)• Education and Training Reform Act 2006 (Vic)• Education and Training Reform Regulations 2017 (Vic)• Equal Opportunity Act 2010 (Vic)• Occupational Health and Safety Act 2004 (Vic)• Racial Discrimination Act 1975 (Cth)

Appendix 1: Procedure for making a complaint

Diagram: Procedure for making a complaint



Appendix 2: Complaints and Appeals Form



Complaints and Appeals Form

1. By filling out this form, you will be making a formal complaint.
2. Plenty River College will treat your complaint as confidential and will adhere to privacy requirements in state and federal legislation.
3. **Your complaint will be acknowledged within 24 hours of the College receiving this form and you will be contacted within 5 working days to confirm details and discuss the next step of the complaint or appeal.**
4. This form and any supporting evidence will be kept securely on file.

Name:

Telephone (Home):

Telephone Work):

Email:

Date:

This is a complaint ☐

This is an appeal ☐

Please provide details of your complaint or appeal – include dates and times or supporting documents where possible, and add extra pages if necessary:


Signature of Compliant:

OFFICE USE ONLY

Staff Name/Signature:

Date received:

Appendix 3: Complaints Register

	<p style="text-align: center;">Complaints Register</p> <p><i>This register must be maintained by the Executive Principal and be used to evaluate the effectiveness of College complaint handling processes.</i></p>
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Complaint Date	Complainant Name	Complaint Details	Outcome	Resolution Date
	<i>Include contact details</i>	<i>Include details of staff involved, requested resolution and how College was notified</i>	<i>Include all actions, meetings and communications</i>	<i>Include date complainant was notified</i>