



POLICY AND PROCEDURES MANUAL

Complaints and Grievances (Contractors and Public) Policy

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1. OVERVIEW

First created:	20 June 2020
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Owner:	Compliance Officer
Stakeholders:	Contractors
Child Safety:	National Principles 1, 3-5, 7-10

Rehoboth Christian College seeks to provide a learning environment in which all students are protected from harm and places the highest possible priority upon the safety and nurture of young people. The College expects all stakeholders to espouse this approach and to be aware of the Child Safe Framework, accessible from the College website.

- a) We are committed to the fair resolution of complaints and grievances and to developing a culture that is based on mutual trust and respect. This policy provides a process for contractors or members of the public to raise a complaint or grievance with us.
- b) Contractors or members of the public may from time to time have a complaint or grievance about a decision, behaviour, act, or omission that they feel is unacceptable. Whilst most issues can be resolved through direct discussion with the parties involved, there may be instances in which this is not possible.
 - a) This policy will be used in respect of all complaints and grievances made by:
 - i. a contractor or member of the public against a staff member;
 - ii. a contractor or member of the public against College leadership;
 - iii. a contractor or member of the public about the College as a whole, or a specific department within the College; or
 - iv. a contractor or member of the public against the Board.
 - b) This policy will not be used in respect of:
 - i. **Child protection allegations** where separate policy applies;
 - ii. **Student discipline** where separate policy applies; and
 - iii. **Sexual harassment** where a separate policy applies.



2. DEFINITIONS

- a) **Complaint** means an expression of dissatisfaction made to us about our services, decisions, actions, or conduct of our staff, or about the complaint management process itself. A complaint should contain sufficient detail to enable it to be addressed and recorded.
- b) **Complainant** means anyone who makes a complaint. Complaints may be made anonymously.
- c) **Complaints and Breaches Register** means the official record we keep of any complaints.
- d) **Contractor** means an individual who undertakes a contract to provide or perform a service or works for the College.
- e) **Grievance** generally pertains to unfair treatment or misunderstanding regarding matters pertaining to terms and conditions of employment or discrimination and harassment.
- f) **Member of the public** means an individual who is not employed by Rehoboth, has not undertaken a contract for service or works with the College, is not a parent of students enrolled at Rehoboth, and is not a Member of the Association for Christian Education.
- g) **Resolution** means an outcome of a complaint that is satisfactory to both parties.
- h) **Staff or staff member** means an individual who is employed by Rehoboth Christian College.
- a) The **role of the Director** as referenced in the [Guide to the Registration Standards and Other Requirements for Non-Government Schools \(January 2020\)](#) means that:

‘The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the school has breached the registration standards, she does not have power to intervene in a complaint or override the school’s decision’.



3. UNDERLYING PRINCIPLES

To ensure that complaints and grievances are addressed appropriately, we are committed to the following principles:

- a) Complaints and grievances will be investigated in a fair and impartial manner.
- b) Resolution at the local level is preferred, wherever it is appropriate to do so.
- c) A person facing a complaint or grievance is entitled to know detailed information about the substance of the complaint or grievance and to have the opportunity to respond.
- d) Procedural fairness is afforded to all parties, which is defined as:
 - i. a hearing appropriate to the circumstances;
 - ii. lack of bias;
 - iii. evidence to support a decision; and
 - iv. inquiry into matters in dispute.
- e) Confidentiality will be observed.
- f) The complaints management process will be conducted in a manner that is respectful of all parties.
- g) Complaints and grievances are monitored, and their management evaluated so as to reduce the occurrence of systemic and recurring problems.
- h) In all matters, the safety and wellbeing of students is our first priority.
- i) Persons making a complaint or grievance will not be victimised.
- j) It is expected that complaints and grievances are made in good faith and are not frivolous, vexatious, or malicious.
- k) Complaints and grievances will be addressed promptly, and complainants will be advised if the matter cannot be finalised within one month.
- l) All people have a right to be treated with respect and courtesy.



- m) Complaints and grievances are to be referred where required to an external authority such as the Department for Community Development or the Western Australian Police Service for advice or immediate action. All referrals to external authorities are to be done through the CEO.

4. CONFIDENTIALITY

- a) As far as is practicable, we will ensure the privacy, anonymity, and confidentiality of the complainant and any others involved in accordance with our Privacy Policy. Those involved in the process may waive their right to privacy and confidentiality if they choose to involve someone else in the process.
- b) Confidentiality and privacy are subject to reporting obligations. Where this is necessary, the required information will be provided to the reporting body. Information may also be disclosed where there is a legal requirement or grounds to do so.
- c) Anonymous complaints are accepted in accordance with the Australian Privacy Principles and the National Principals for Child Safe Organisations. These are assessed, investigated, and resolved as completely as possible using the information provided.
- d) In many cases, there are practical limitations as to how we can provide support to anonymous Complainants, ask for clarification, further information, or notify Complainants of any resolution. The College representative responsible for investigating the anonymous complaint will determine the extent to which the complaint will be investigated.

5. GENERAL PROCEDURES

- a) Complainants will be encouraged to communicate their complaint or grievance in a manner that will make the terms or basis of the Complaint or Grievance as clear as possible.
- b) Those involved with a complaint or grievance will have the opportunity to present their point of view.
- c) Complaints and Grievances will be investigated according to the stages outlined below.
- d) All complaints and grievances will be treated seriously and investigated.
- e) A record of all complaints and grievances will be maintained and a report provided to the Senior Leadership Team on the number and nature of any complaints and grievances received since the previous report. The record should contain the following:



- i. date of complaint;
 - ii. name of complainant and relationship to the College;
 - iii. subject matter of the complaint, including the name of any person complained about and his or her relationship to the College;
 - iv. name of the complaint investigator and position at the College;
 - v. date the investigation was completed;
 - vi. whether the complaint was upheld;
 - vii. resolution agreed with or offered to the complainant;
 - viii. date of referral for review (e.g. by the Board);
 - ix. complaint reviewer and relationship to the College;
 - x. date reviewed finalised;
 - xi. review resolution agreed with or offered to the complainant; and
 - xii. location of confidential file;
- f) Confidential files on all complaints and grievances should be maintained and kept together and cross-referenced with other files as necessary. The files should contain simple but clear notes of all conversations about source of dissatisfaction. This applies to friendly chats and to telephone conversations, as misunderstandings can easily arise. There should be a clear statement of what is concerning the Complainant or Grievance.
- g) All complainants are requested to follow the stages outlined below.
- h) Contractors and members of the public are asked not to write to the Board of the Association without first having tried to solve the matter either informally or formally as outlined in the stages below.

6. COMPLAINTS PROCESS

6.1 Stage 1 – Informal Resolution

- a) It is hoped that most complaints and grievances will be resolved quickly and informally.
- b) The complainant will make a written record of all complaints or grievances that includes:
 - i. name of person(s) involved and witnesses to the event/occurrences;
 - ii. dates and times of events;
 - iii. name of any person or organisation the complainant has contacted in relation to their complaint or grievance;
 - iv. the effect the complaint or grievance has had;
 - v. copies of any documentation relevant to the complaint or grievance; and



- vi. a statement about the preferred outcome of this process.
- c) We will endeavour to resolve any informal complaints or grievances within ten working days of their being raised. However, if the matter is raised during school holidays, we will make all reasonable attempts to resolve it as soon as possible once the new school term has commenced (usually within ten working days).
- d) Should the matter be resolved, we will take action to prevent similar situations in the future (e.g. improved communication, procedural improvements, professional development, etc.).
- e) Should the matter not be resolved, or where parties fail to reach a satisfactory resolution, the complainant will be advised to escalate their complaint or grievance to Stage 2.

6.2 Stage 2 – Formal Resolution

- a) If the complaint or grievance cannot be resolved under Stage 1, then the complainant should put his or her communicate the matter in writing to the Finance Manager in a clear and courteous manner. Complainants should also identify how they wish the matter to be resolved.
- b) Within three working days of receiving the written complaint or grievance, the Finance Manager will determine whether he or she is able to act as a mediator. If not (e.g. where the Finance Manager is the subject of the complaint or grievance), he or she will appoint a mediator (who may be internal or external to the College) to resolve the matter.
- c) Within three working days of a mediator being appointed, the mediator will determine whether further investigation is required and will appoint an investigator if needed. The mediator may appoint another appropriate staff member (e.g. a Deputy Principal or senior teacher) to carry out further investigations.
- d) The mediator and/or investigator will make reasonable attempts to speak to or meet with the parties involved within seven working days. If possible, a resolution will be reached at this step. However, if the complaint or grievance is received during school holidays or within two working days of their commencement the investigator will use reasonable means to speak to or meet with the parties as soon as possible after the new term has commenced (usually within seven working days).
- e) The mediator will ensure that a written record of all meetings and interviews held in relation to the Complaint or Grievance.
- f) Once the mediator is satisfied that, so far as is practicable, all of the relevant facts have been established, he or she will try to find an agreeable resolution between parties. Parties will be informed of this outcome in



writing, with reasons provided. The written outcome should be provided no later than three working days after speaking or meeting with parties.

- g) The College will keep a written record of all formal Complaints and Grievances, including records of meetings and interviews held in relation to the Complaint or Grievance, and the College's decision, which record will be kept in accordance with the College's policy for retention of records. Refer to our Records Management Policy for more details.
- h) Where the complainant is dissatisfied with the outcomes of Stage 2 or has been unable to come to an agreeable resolution, he or she may escalate their complaint or grievance to Stage 3.

6.3 Stage 3 – Panel Hearing

- a) If the complainant seeks to invoke Stage 3 following failure to reach an earlier resolution he or she may address the CEO, in writing, requesting that their complaint be further considered by an Independent Complaints Panel set up for this purpose.
- b) This request for further assessment of the complaint or grievance will, for the purposes of this procedure, be known as an **appeal**.
- c) Complainants must lodge their appeal in writing and within ten working days of the date of the Stage 2 outcome. The complainant should provide a list of the complaints or grievances which they believe to have been unsatisfactorily resolved under Stage 2, along with the remedies sought in respect of each. The Independent Complaints Panel is only obliged to consider the complaint and/or grievance lodged in this initial submission. However, it may use its discretion to consider other matters it deems relevant or related that may subsequently arise.
- d) Where the College receives the appeal, it will be referred to the CEO within five working days.
- e) The CEO provides an independent source of advice on procedures for all parties.
- f) The CEO will acknowledge the appeal in writing within three working days and inform the parties of the steps involved in Stage 3.
- g) The CEO will endeavour to convene an Independent Complaints Panel hearing as soon as possible to consider the matter, normally no later than twenty working days after receipt of the appeal and dependent upon the availability of the Panel members.



- h) The Independent Complaints Panel will comprise:
- i. one school principal, appointed by Christian Education National (CEN) or Christian Schools Australia (CSA), independent of the management and operations of the College, who shall chair the Panel; and
 - ii. a Board member of the Association for Christian Education who has not previously been involved in the complaint or grievance.
- i) The following are entitled to attend a hearing, submit written representations, and address the Independent Complaints Panel:
- i. the complainant and/or their representative;
 - ii. the Stage 2 mediator and/or one representative; and
 - iii. any other interested person whom the Independent Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.
- j) Where the Independent Complaints Panel deems it necessary, it may require that further particulars of the complaint or grievance or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:
- i. documents in support of the complaint or grievance;
 - ii. chronology and key dates relating to the complaint or grievance; and
 - iii. a written submission setting out the complaint or grievance in more detail.
- k) Evidence will initially be sent to the CEO, who will then circulate the documentation to all parties, including members of the Independent Complaints Panel, along with an order of proceedings. All written documentation must be received by the CEO no later than ten working days in advance of the hearing. The CEO will distribute the written evidence to the relevant parties no later than five working days in advance of the Independent Complaints Panel hearing.
- l) It is for the Independent Complaints Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Independent Complaints Panel will resolve the complainant's matter immediately without the need for further investigation. Where further investigation is required, the Independent Complaints Panel will decide how the investigation should be carried out.
- m) After due consideration of all the facts it considers relevant, the Independent Complaints Panel will reach a decision, and may make recommendations which it shall complete within ten working days of the hearing.



- n) The decision reached by the Independent Complaints Panel is final. The decision will be communicated to the complainant within ten working days.
- o) Within thirty working days of the final recommendations the College's Senior Leadership Team will review and evaluate the actions and procedures of the complaint or grievance and make recommendations for change and alterations where necessary.

7. SUPPORT SERVICES

- a) The Department for Child Protection is the State Government department responsible for issues specifically related to the protection of children, including the handling of abuse and neglect cases. Its website contains some excellent material for professionals, and parents and friends.
- b) For reports of abuse:

Child Abuse Services WA – 9223 1111 / 1800 199 008

Crisis Care – 9223 1111 / 1800 199 008

24-hour phone service for people in crisis and needing urgent help.

WA Police Service Child Abuse Investigation Unit

For urgent matters – 000

If you are a victim – 131 444

Reporting child abuse to the Child Protection Squad – 9492 5444 or by email:

child.abuse.investigation@police.wa.gov.au

Crime Stoppers – 1800 333 000

Or visit your local Police Station

WA Police Cyber Predator Team

By phone – 9492 5444

To lodge complaints – www.police.wa.gov.au

- c) Other sources of information on cyber predators:
 - www.acma.gov.au
 - www.constablecare.org.au
 - www.cybersmartkids.com.au
 - www.netalert.net.au



- www.virtualglobaltaskforce.com

d) **The National Association of the Prevention of Child Abuse and Neglect (NAPCAN)**

[NAPCAN](#) is an Australian organisation that seeks to resource and network child welfare professionals and practitioners working to prevent child abuse and neglect from happening before it starts, through the provision of parenting brochures, training, support networks and information.

e) **Protective Behaviours WA Inc – 9356 0514 / pbwainc@hotmail.com**

This is a preventative life skills program that assists people of all ages to develop the skills to help them deal with difficult or hostile situations. The program has a voluntary committee made up of representatives from government and non-government agencies as well as interested members of the community. AISWA is a group member of Protective Behaviours and is able to purchase resources at a discount for interested schools.

f) **Prime Corporate Psychology Services – 9492 8900 / 1800 674 188**

This is a support service available for staff at schools who may experience personal issues resulting from making a report. They offer an employee assistance program including counselling, management and referrals.

g) The following services and organisations can provide help, advice, and support to people who are affected by abuse and to prevent abuse from recurring:

Family Helpline – 9223 1100 / 1800 643 000

This is a free confidential telephone counselling and information service for families with relationship difficulties.

Men's Domestic Violence Helpline – 9223 1199 / 1800 000 599

This service provides free telephone, referral, and counselling for men to help them change their violent behaviour toward female partners.

Women's Domestic Violence Helpline – 9223 1188 / 1800 007 339

This service provides free 24 hour telephone support and counselling for women experiencing family and domestic violence.

Child Health and Community Health Services

Refer to the White Pages for contact details of local Child Health Centres

Child and Adolescent Mental Health Services – 1800 220 400

24-hour mental health advice line.



Perth Children's Hospital – 6456 2222

State Child Development Centre – 9481 2203

Disability Services Commission – 9426 9200 / 1800 998 214

Kids Helpline – 1800 551 800

This is a free and confidential telephone counselling service for 5 to 25 year olds in Australia available 24 hours a day, 7 days a week.

Sexual Assault Resource Centre Counselling Line

This service offers free, 24-hour emergency services for people aged 13 or over who have been sexually assaulted or sexually abused recently (within the last two weeks).

Lifeline Australia – 13 11 14

This service operates 24 hours a day, 7 days a week and can provide information about other support services, if required.

h) The following sites can provide a wide range of background information on child abuse:

<http://www.aifs.gov.au/nch/afsapubs.html>

This site lists recent publications relating to information on child abuse that have been updated on the web site of the National Child Protection Clearinghouse.

<http://www.aic.gov.au/publications>

This is the Australian Institute of Criminology site and has links to the criminal aspect of child abuse.

8. FLOWCHART

Concern/Feeling Unsafe/Complaint is communicated

