



Subject: <b>GRIEVANCE AND COMPLAINTS POLICY</b>	Policy No: ELC 02 – Version 2
Covers: <b>COLLEGIATE ELC, OSHC AND KINDERGARTEN</b>	Effective: December 2018
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## Grievance and Complaints

### Policy

Collegiate Early Learning (ELC), Outside School Hours Care (OSHC) and St Michael's Collegiate Kindergarten is committed to creating an equitable environment where all children, families, teachers, educators and staff have the right to a positive, respectful and transparent response to their grievances, complaints and concerns.

Solutions will be sought to resolve all issues and complaints in a prompt, transparent and positive manner. Interactions will be based on respectful relationships, interdependence, social justice and honest and ethical conduct.

All children, families, teachers, educators and staff will have access to the Grievance and Complaints Policy and Procedure.

### Procedure

All grievances and complaints will be dealt with in a prompt, respectful and confidential manner that:

- Is clear and transparent;
- Promotes procedural fairness, natural justice and positive conflict resolution;
- Is free from discrimination and harassment;
- Allows an opportunity for all to be heard; and
- Allows the opportunity for review and further investigation where required.

A *complaint* is taken to include a statement (formal or informal) that something is unsatisfactory or unacceptable.

A *grievance* is taken to include a real, imagined or formal statement of a complaint over something believed to be wrong or unfair; especially unfair treatment.

All grievances and complaints will be taken seriously and will be dealt with in a timely manner. Where the outcome of the grievance or complaint is not immediately achievable, the complainant will be advised of the progress of the complaint; while being aware of maintaining required confidentiality requirements.

In line with the St Michael's Collegiate School Complaints Handling Policy, Collegiate ELC, OSHC and Kindergarten acknowledges that grievances, complaints, concerns and issues may exist that can be resolved informally without the need to follow a formal process.

In such cases, where the complainant feels safe, secure and supported to do so, the complainant is encouraged to initially raise issues or concerns informally with the relevant person at the time of the issue arising. Discussing the issue or concern

immediately and face-to-face may clarify the situation and resolve any misunderstandings satisfactorily.

However, a supervisor (or relevant nominated person) may work with the person against who a complaint has been made and the complainant for a positive resolution.

In the event that this does not resolve the issue, the complainant should notify the relevant Senior Staff member to begin a formal grievance/complaint process. In relation to Collegiate ELC and OSHC and St Michael's Collegiate Kindergarten, the relevant Senior Staff member may include:

- The Manager of Collegiate ELC and OSHC;
- A nominated supervisor;
- A person with management or control (as defined by the *Education and Care Services National Regulations*);
- A responsible person (as defined by the *Education and Care Services National Regulations*);
- Human Resources;
- The Principal of St Michael's Collegiate School, or
- Other relevant persons.

Children, families, teachers, educators and other stakeholders will be appropriately supported to engage within this process.

Where a child or a family member brings forward a grievance or complaint alleging that a serious incident has occurred or is occurring while a child was or is being educated and cared for by the approved education and care service; or that this Law has been contravened (section 174 of the *Education and Care Services National Law*), where the child/family member feels safe and secure to do so, they will be supported to engage with directly with the specific educator(s) and/or teaching staff to discuss any concerns related to the education and care of themselves and/or their child, in a supportive and transparent manner. Educators and teaching staff will ensure children are supported throughout the process in a respectful and age and developmentally appropriate manner to discuss or raise any concerns they have.

The educator(s) and/or teaching staff must ensure that a nominated supervisor (including the Head of the Junior School) is made aware, in writing, of any formal complaint or any grievance or complaint, as outlined above; even where the complaint has reached a clear resolution.

Where additional investigation, support or review is required, the Manager (relevant Senior Staff member – i.e. nominated supervisor) will be made aware of the grievance or complaint. To assist all parties to reach a point of mutual resolution, the Manager (or relevant Senior Staff member) will:

- Liaise with all parties. Actively listen to all points of view;
- Review all known details;
- Request and research additional information as applicable;
- Use supportive questioning when meeting and engaging with stakeholders;
- Ensure all required points and actions are appropriately documented;
- Act, follow up and review in a timely manner;
- Discuss the complaint with all relevant stakeholders in a professional and respectful manner, with due consideration given to confidentiality and the Australian Privacy Principles (APP);

- Offer a suggested outcome, review of practices and anticipated timeframe, as appropriate;
- Once a resolution has been sought (or implemented), the Manager (or other relevant Senior Staff member) will follow up with all relevant stakeholders to ensure the provision of safe, respectful and supportive environment; and to support all stakeholders in the resolution implementation.

Where a mutual resolution is not reached, the Manager (or other relevant Senior Staff member) will ensure (as applicable) that the following persons are notified of the grievance and/or complaint to support the resolution of the issue in respectful, transparent and timely manner:

- Nominated supervisor;
- Person with management or control;
- Human Services of St Michael's Collegiate School;
- The Principal of St Michael's Collegiate School.

Where the complaint concerns one or more teachers, educators or staff members, the individuals are encouraged to initially discuss the situation privately together (as outlined above). During this time, all parties must be given the opportunity to state their concerns, views, beliefs and questions to reach a mutually acceptable resolution.

Where a mutually acceptable resolution cannot be reached, or the complainant does not feel safe, secure and supported to raise the issue directly, or where the complainant wishes to make a formal complaint, the Manager (or relevant Senior Staff member) must be notified of the situation (Note: where the issue is in relation to the Manager (or relevant Senior Staff member), the complainant may take the issue directly to Human Resources, a nominated supervisor, the Principal of St Michael's Collegiate School or other relevant person).

Where the Manager (or relevant Senior Staff member) is made aware of the grievance and/or complaint, the Manager (or relevant Senior Staff member) must address the issue as outlined above.

Where the grievance and/or complaint cannot be satisfactorily resolved, or where an agreed outcome cannot be reached at this time, the issue must be brought to the attention of the relevant Senior Staff member(s):

- Nominated supervisor;
- Person with management or control;
- Human Services of St Michael's Collegiate School;
- The Principal of St Michael's Collegiate School.

Where the grievance or complaint is in relation to a teacher, educator or other staff member and a serious or continual contravention of policies, legislation or requirements or is in relation to misconduct, the issue will be dealt with in line with the relevant St Michael's Collegiate School performance review and termination policies and procedures.

Where an individual requests the presence and support of a moderator (or other appropriate support person), as appropriate and in accordance with legislative requirements, a mutually agreeable time for all parties to discuss the issue will be made.

All grievances and complaints will be dealt with in a timely manner, with due consideration given to confidentiality and the APP and with a clear focus to reach transparent and timely outcome.

In accordance with the requirements of the *Education and Care Services National Regulations*, the details of the person(s) to whom complaints may be addressed, including the telephone number and contact details, must be displayed at the service.

In addition to the above requirements, where a complaint alleges that a serious incident has occurred or is occurring while a child was or is being educated and cared for by the approved education and care service; or that this Law has been contravened (section 174 of the *Education and Care Services National Law*), Collegiate ELC, OSHC and St Michael's Collegiate Kindergarten must notify the Education and Care Unit of the complaint in writing within 24 hours of the complaint. A complaint may be submitted to the Education and Care Unit via NQAITS.

Where the complaint is in relation to child protection, all mandatory reporting requirements must be met in line with legislative requirements and the Child Protection and Mandatory Reporting Policy.

### **Record Keeping**

All grievances and complaints that cannot be resolved informally will be recorded by the staff member managing the complaint and kept on the relevant file/s.

Details should include:

- The nature of the complaint;
- Dates and names of parties concerned;
- Staff members involved in handling the complaint; and
- Action taken and outcomes.

All matters should be referred for recording on the Compliments and the Complaints Register maintained by the Principal's Office when the complaint has been received and managed by a Senior Staff member.

All records must be stored in a confidential manner and only shared with those authorised to access them.

### **Relevant Policies and Procedures**

- Child Protection and Mandatory Reporting Policy and Procedure
- Enrolment and Orientation Policy and Procedure
- Provision of a Child Safe Environment Policy and Procedure
- St Michael's Collegiate Grievance Policy and Procedure

### **Sources**

- Education and Care Services National Law
- Education and Care Services National Regulations

