# COMPLAINTS HANDLING POLICY

## RATIONALE

At Regent College we value respect, honesty, compassion, responsibility and courage. Regent College seeks to promote a respectful culture within the College community to ensure that is creates a learning environment that is safe, positive, and supportive.

The relationships we have with parents, caregivers and students are important to us. Our intention is always to treat others in a way that honours God, however, we recognise that in the complexity of human interactions concerns, complaints and grievances will occur.

Regent College welcomes feedback from all members of the College community and takes all complaints or concerns that may be raised seriously and is responded to promptly and thoroughly. Our Complaints Handling Policy is designed to assist you to understand how to make a complaint.

A concern or complaint will be treated as a matter or as an expression of genuine dissatisfaction that needs a response.

We wish to ensure that:

- Parents and guardians wishing to express a concern know how to do so
- Complainants experience that we listen and take complaints seriously
- We respond to complaints within a reasonable time and in a courteous and efficient way
- Matters raised are investigated according to the College's policies and procedures
- We take action where appropriate

## AIM

The implementation of an effective concerns and complaints policy and procedure would serve to:

- provide a basis for continual review and analysis of the complaints' handling process, the resolution of complaints and improvement.
- enhance the school's ability to resolve complaints in a consistent, systematic and responsive manner;
- enable and encourage staff to improve their skills in complaints' handling;
- provide the school with helpful information to assist in the identification of trends and eliminate causes of complaints; and
- provide a basis for continual review and analysis of the complaints' handling process, the resolution of complaints and improvement.

## DEFINITIONS:

A concern is the expression of a worry, something that has made a person troubled or anxious about an issue and is expressed in an informal manner.

A complaint is an expression of dissatisfaction made to Regent College, about services, decisions, action or those of its staff, or about the complaint management process itself.

Complaints about child abuse, grooming or other harm, or other breaches of our Child Safe Codes of Conduct, relating to conduct by:

- current or former staff members
- current or former students
- other people on College premises or at College events

are managed differently from other complaints. Refer to the section at the end of this policy - Complaints about Child Safety Incidents or Concerns at or Involving the College or its Staff Members.

A dispute would usually be viewed as an argument or disagreement and may be the result of a pursued unresolved complaint.

## ROLES AND RESPONSIBILITIES

Everyone shares the responsibility for promoting the safety and protection of children and young people from abuse and other harm. In the College context, all members of the College community have their role to play – teachers, other staff, administrators, parents/carers, volunteers, contractors and students.

That said, the Senior Leadership Team are committed to leading from the front and engaging in a preventative, proactive and participatory approach to child safety.

Students are encouraged to take an active role in developing and maintaining a child safe environment at the College and are provided with opportunities to contribute and give feedback in the development of the College's policies and practices. Students are also made aware of the avenues available to them to report or disclose abuse, harm or concerns for their safety or the safety of others.

## REGENT COLLEGE'S COMMITMENT

Regent College is committed to handling complaints effectively and efficiently.

To manage complaints effectively, we have established a Complaints Handling Policy in line with:

- Principle 6 of the National Principles for Child Safe Organisations, using the Office of Child Safety's "Complaints Handling Guide: Upholding the Rights of Children and Young People"
- the international complaints handling standard (ISO 10002:2018 Quality management – Customer satisfaction – Guidelines for complaints handling in organizations), and
- the Australian/New Zealand complaints handling standard (AS/NZS 10002:2014 Guidelines for complaint management in organizations).

To manage complaints efficiently, Regent College responds to complaints promptly and thoroughly.

Our complaints handling procedures include the establishment of an online complaints management system which allows us to effectively capture, manage and report on complaints. Regular analysis of complaints received and the implementation of rectification action, where deficiencies are identified, are key to the College's commitment.

Regent College ensures that obligations to act and report, including to relevant authorities, whether or not the law requires reporting, are met when handling complaints. Further, the College co-operates with law enforcement, privacy and employment law obligations.

Regent College's complaints handling process conforms to the rules of procedural fairness and confidentiality – information is only shared with those who need to know.

## CULTURALLY SAFE COMPLAINTS MANAGEMENT

The Royal Commission did not define this concept in the concept of complaints handling. The following definition of a culturally safe environment was adopted:

*an environment 'where there is no assault, challenge or denial of [a person's] identity, of who they are and what they need' and refers specifically to Aboriginal and Torres Strait Islander peoples. This encompasses Aboriginal and Torres Strait Islander individuals' own assessment of their safety and capacity to engage meaningfully, on their own terms with a non-Indigenous person or institution. This requires action from the non-Indigenous person or institution to listen, enable and support these environments, with accountability to Aboriginal and Torres Strait Islander colleagues or service users [Final Report, Volume 1, page 322].*

The Royal Commission's reports and other papers indicate that a culturally safe complaint handling process will be one which overcomes cultural barriers and taboos to disclosure, provides culturally appropriate means of making complaints, is managed by people who are aware of and sensitive to potential complainant's culture and cultural attitudes, including those arising from historical trauma and mistrust of authorities, and which facilitates access to culturally-appropriate therapeutic and other services as required.

Regent College values diversity and does not tolerate any discriminatory practices. To achieve this, we support the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students and their families. Our College's complaint handling system is one which is culturally safe and overcomes cultural barriers and taboos to disclosure – our complaints handling process is managed by people who are aware of and sensitive to potential complainant's culture and cultural attitudes.

## CHILD-FOCUSED COMPLAINTS MANAGEMENT

It is well recognised that 'empowering children and young people to understand their rights,' to report problems and concerns and effectively support them to address the issue raised is critical. Taking children and young people seriously if they raise a matter of concern and ensuring that staff and volunteers have appropriate training and processes to ensure that such matters are dealt with effectively.

One of the ways in which the College ensures that students' views are heard, their rights respected and their safety and wellbeing prioritised is a complaints system that is accessible and responsive to the needs of children and young people. The principles that apply to parental complaints are also applied to complaints and concerns from students. There are, however, differences in approaches. One important difference from the handling of parental complaints is that students are able to raise concerns with any member of staff with whom they feel comfortable, whether it is teacher, a member of the support staff, Chaplain, Deputy Principal or Principal.

Complaints that appear trivial still need to be handled seriously. Young people may test the complaints procedures on relatively minor issues before finding the confidence to raise something painful, such as bullying.

If the issue is a painful one, or if exploration of it is taking time, a student may need support from another student or from an adult. Students should be encouraged to choose a person with whom they feel comfortable to provide support. The College should decide if the student's parents are to be informed or involved and at what point in the process this should take place.

In more complex situations, once the matter is resolved, the outcome should be discussed with the student by a member of staff. To make sure that it is fully understood, a written record may be shared.

In situations where it is believed that the matter needs to be referred on to an external authority it is essential that, at an appropriate time, the staff member explains this to the student, from the perspective of being in the best interests of the student's welfare and safety. Please also note that in most cases, parents will be required to give formal written approval if a non-school employee is to be involved with their child. It is very important

that this sort of situation is handled sensitively and in a supportive manner and that the staff member follows the school's policy and fulfils all applicable legal obligations.

There are a variety of reasons why children and young people may not report concerns, eg:

- not believing their problem is big enough to warrant an 'official' complaint;
- not understanding they are allowed to make a complaint or how to go about it;
- concern about not being believed;
- fear of getting into trouble or getting others into trouble;
- embarrassment or shame;
- worry about confidentiality and privacy;
- fear of repercussions and that things will get worse (especially about bullying).

Students are given a good understanding that the College is receptive to complaints, how to complain and how complaints are handled. A positive and open culture for disclosure of all concerns, Personal and Social Education programs and the College's Protective Behaviours curriculum are major contributors in not only teaching students how they may support and act as mentors to others, but also in encouraging them to understand that their views matter and to voice concerns.

Students have multiple pathways to make complaints, including child safety-related complaints, at the College. Complaints can be made anonymously. These include:

- disclosing child safety incidents or concerns, including abuse, grooming or other harm of themselves or of any other child or student, to any staff member or a Principal. This might be done:
    - verbally
    - in writing (including the VoiceBox)
    - through electronic means (such as email or using our College Child Friendly Complaints Form)
    - indirectly (such as in artworks or in any other way)
- by contacting Childwise, an External Child Advocacy Organisation
- Students, parents/carers, family members and other community members can also raise child safety-related complaints using the College's Complaints Handling Policy.

## INFORMAL COMPLAINTS RESOLUTION

The vast majority of issues causing concern in schools can be handled quickly and in an informal manner. In most cases these issues can be resolved through informal discussions with appropriate staff members.

Even if an issue can be resolved informally, staff are requested to log issues through our Complaints Handling Form, so we can identify any systemic issues arising and take appropriate rectification action.

Satisfaction for a complainant may come from any of the following:

- knowing that changes have been made and that matters will be different in future;
- knowing that the school is now alert to a possible problem;
- feeling that their concern has been considered seriously;
- an outcome which may be different from the one they sought, but which they perceive to be well-considered;
- a considered letter;
- an apology.

## HOW DO I MAKE A FORMAL COMPLAINT?

We ask that, where appropriate, you first raise the matter directly with the relevant staff member. If you have been unable to resolve a matter informally, or simply wish to make a formal complaint you can do so by any of the following means:

1. Sending an email to complaints@regentcollege.wa.edu.au
2. Writing a letter to the College addressed to 'The Complaints Officer'
3. Telephoning the College and asking to speak to 'The Complaints Officer'
4. Visiting our website and completing an online 'Complaints Form'

If time is needed to investigate/consider the complaint then the complainant will be kept informed of its progress, in writing, giving the assurance that the issue has been understood and the matter is being dealt with.

Following an appropriate investigation, the College will offer a response, for example to correct the problem and prevent it happening in the future. However, Regent College is not obliged to give complainants explicit information on what action has been taken, but rather provide an assurance that action has been taken. This is especially important when the matter involves a staff member. Outlining the resolution, degree considered appropriate by the school and in the interests of satisfying the complainant, should help prevent misinformation being circulated in the school community.

All formal complaints will be logged into our online complaints management system and managed in accordance with the following procedure.

## OUR INTERNAL COMPLAINTS HANDLING PROCESS

Step 1 - All formal complaints are logged through our online complaints management system where they are managed by a Regent College staff member, or in the case of complaints against the Principal by the Regent College Board.

Step 2 – All valid complaints will be acknowledged in writing, as soon as practicable, and allocated a target resolution date. It is our policy, where possible, to resolve all disputes within 14 days.

Step 3 – The Complaints Officer shall conduct an investigation into the issues raised, following principles of procedural fairness, and make a determination.

All complaint outcomes will be supported by evidence, and in the event of a disputed fact, a finding will made on the balance of probabilities.

Step 4 - Following the determination, if appropriate, the Complaints Manager shall formulate a resolution and provide a written response to the complainant. The matter will be closed if this response is accepted.

Step 5 - If the initial response is not acceptable the matter will be reviewed internally by the Principal or the Principal's delegate, who may seek additional information or submissions from the relevant parties. The Principal or their delegate seek to resolve all disputes within 14 days from the date that the review process is initiated. The matter will be closed if the response of the Principal, or their delegate, is accepted.

Step 6 – All complaints received will be entered into our Complaints Register and, where appropriate, a corrective action request will be made to address any underlying processes which the complaints investigation revealed may require improvement.

Step 7 - If the matter remains unresolved, the complaint may be formally referred to the Chair of the College Board.

## CONFIDENTIALITY

Confidentiality applies with respect to both information relating to the person making the complaint, and, if relevant to a person against whom a complaint is made. The College is committed to maintaining the confidentiality of information throughout the complaints process.

Personally identifiable information about a complainant will only be made available for the purpose of addressing the complaint and (unless the complainant consents) will be actively protected from disclosure.

## RECORDING

It is important to maintain an effective register of complaints and log of concerns as:

- it provides information should there be legal action in the future;
- patterns may be identified that indicate a need for action;
- it provides information for reporting, by the Principal, to the School governing body as required.

The register/log should contain the following information:

- date when the issue was raised and to whom it was raised;
- name of complainant and relevant parties involved;
- brief statement of issue;
- the action taken
- decision taken/made
- outcome
- record to see if any emerging patterns

## PROCEDURAL FAIRNESS

Procedural fairness is concerned with the procedures used by a decision maker rather than the actual outcome reached. It requires a fair and proper procedure be used when making a decision.
The rules of procedural fairness require:

- a hearing appropriate to the circumstances;
- lack of bias;
- evidence to support a decision;
- inquiry into matters of dispute.

The duty to act fairly requires that:

- the decision maker must have an open mind (free from bias) when reading/listening to what is said by both parties; and
- people whose interests will be affected by the decision must have the chance to give response before the decision is made, but after all important information has been gathered.

## COMPLAINTS ABOUT CHILD SAFETY INCIDENTS OR CONCERNS AT OR INVOLVING THE COLLEGE OR ITS STAFF MEMBERS

Complaints about or allegations of:

- breaches of the Child Safe Codes of Conduct
- child abuse, grooming or other harm of a current or former student by
    - current or former staff members
    - current or former students
    - other people on College premises or at College events

are managed by the College in a different manner from other complaints. This is because of the additional confidentiality and privacy requirements surrounding these kinds of matters.

We refer to these as *child safety related complaints*.

If your complaint is a child safety related complaint, please make your complaint to:

1. Deputy Principal: Jacqueline Quinlivan, on 08 9470 4569 or at jacquelineq@regentcollege.wa.edu.au or
2. Principal: Derek Nicholls on 08 9470 4569 or at derekn@regentcollege.wa.edu.au

For information about how the College manages child safety related complaints, as well as any child safety incidents or concerns at or involving the College or its staff members, please refer to our procedures for Managing Child Safety Incidents or Concerns at or Involving the College or its Staff, Volunteers or Contractors available on our public website.

## THE ROLE OF THE DIRECTOR GENERAL

The Director General of the Department of Education is responsible for ensuring that the College 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 College has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the College has breached the Registration Standards, she does not have the power to intervene in a complaint or override the College's decision.

## RELATED POLICIES AND DOCUMENTS

Managing Child Safety Incidents or Concerns at or Involving the College or its Staff, Volunteers or Contractors
Child Safe Policy
Child Safety Complaints Management
Child Safe Code of Conduct
Staff Complaints and Resolution Process