



Saint Stephen's College Complaint Resolution Policy

Purpose:	In keeping with Saint Stephen's College's core values and to meet its obligations under its Constitution and under relevant legislation, complaints made by any staff member, volunteer, student, board member, board director, parent/caregiver, stakeholder or member of the general community must be managed responsively, efficiently, effectively and in a fair manner.		
Scope:	<p>Employees, including full-time, part-time, permanent, fixed-term and casual employees; as well as Board Members and Directors, contractors, volunteers and guests including anyone undertaking work experience or vocational placements, students, parents/caregivers and community members.</p> <p>This policy also extends to any activities on campus or off campus as per the definition below and for absolute clarity includes any College houses or other capital assets. This policy works in tandem with the Saint Stephen's College Complaint Resolution Procedure.</p>		
Status:	Approved	Supersedes:	Complaints and Dispute Resolution Policy September 2021
Authorised by:	Saint Stephen's College Board	Date of Authorisation:	14 November 2023
References:	<ul style="list-style-type: none">• <i>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</i>• <i>Education (General Provisions) Act 2006 (Qld)</i>• <i>Australian Education Regulations 2023 (Cth)</i>• <i>Fair Work Act 2009 (Cth)</i>• <i>Work Health and Safety Act 2011 (Qld)</i>• <i>Privacy Act 1988 (Cth)</i>• <i>Anti-Discrimination Act 1991 (Qld)</i>• <i>Australian Human Rights Commission Act 1986 (Cth)</i>• <i>Sex Discrimination Act 1984 (Cth)</i>• <i>Age Discrimination Act 2004 (Cth)</i>• <i>Disability Discrimination Act 1992 (Cth)</i>• <i>Racial Discrimination Act 1975 (Cth)</i>• Saint Stephen's College Limited Constitution• Saint Stephen's College Limited Collective Enterprise Agreement		

	<ul style="list-style-type: none"> • Saint Stephen's College Complaints Resolution Procedure • Saint Stephen's College Code of Conduct • Saint Stephen's College Student Code of Conduct • Saint Stephen's College Conflict of Interest • Saint Stephen's College Procedures for Promoting Positive Behaviours • Saint Stephen's College Work Health and Safety Policy • Saint Stephen's College Anti-Discrimination Policy • Saint Stephen's College Anti Bullying Policy • Saint Stephen's College Disability Discrimination Policy • Saint Stephen's College Child Protection Policy • Saint Stephen's College Sexual Harassment Policy • Saint Stephen's College Privacy Policy 		
Review Date:	Every two years	Next Review Date:	November 2025
Policy Owner:	Saint Stephen's College Board		
Delegated Policy Owner:	Director of Human Resources		

Definitions

- **Complaint/s** - includes grievances or concerns about actions or omissions, reporting incident/s, occurrence/s, behaviours or conduct, or raising problems.
- **Complainant** - refers to the party wishing to make a complaint or raise a concern as defined.
- **Line Manager/s** – includes members of a leadership team as well as middle managers and supervisors who have staff reporting to them in terms of their position descriptions.
- **Guest** – this means anyone on Saint Stephen's College grounds or attending an event/activity at any other location ("off campus") whereby it is known the person is engaging with that event/activity because of their past, current or future relationship with Saint Stephen's College.
- **Respondent/s** - the person against whom a complaint is made.

Policy Statement

Saint Stephen's College has a responsibility to ensure complaints are managed and that all complaints are treated seriously. The College also has a responsibility to take appropriate action to resolve a matter.

The complaint may arise from a policy or a decision, act or omission by a staff member, contractor, volunteer, student, parent/caregiver or guest which is considered by the complainant to be wrong, mistaken, unjust, inappropriate, offensive or discriminatory.

Where appropriate, complaints will be regarded as opportunities to improve quality, safety and compliance.

This Policy does not limit the rights of any person within the scope of this Policy to seek other forms of assistance to resolve the complaint. However, all parties are encouraged to participate in good faith in the College's Complaint Resolution process in an attempt to resolve a complaint.

Should the complaint be referred to an external agency, the College's internal processes may be suspended pending the outcome of the external process. The requirement of this Policy and the related procedure will not apply where there are other specific policies and procedures in place for dealing with the matter – for example, misconduct and performance management and/or where it may be appropriate to proceed directly to a reportable course of action, whereby the behaviour may be considered to be an offence under criminal law.

The College also acknowledges this policy must be applied within the context of other policies, procedures and legislative frameworks, including mandatory reporting requirements. For this reason, and depending on the nature of the complaint, the interaction between this policy and other policies, procedures and legislative frameworks, and the age and role of both the complainant and respondent, discretion will be used in determining the most reasonable, appropriate and lawful approach for managing the matter.

Complaints that may be resolved under this Policy

The College encourage students, parents and employees to lodge promptly any concerns regarding sexual harassment, child protection, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- The College, its employees or students having done something wrong
- The College, its employees or students having failed to do something they should have done
- The College, its employees or students having acted unfairly or impolitely or any other matter contrary to the expected standards outlined in the College Codes of Conduct
- Issues related to learning programs, assessment and reporting of student learning
- Issues related to communication with students or parents or between employees
- Issues related to school fees and payments
- General administrative issues, including recruitment processes.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

Issues outside the scope of this Policy

The following matters are outside the scope of this Policy and should be managed as follows:

- Child Protection concerns or risks of harm to children should be dealt with in accordance with the law and the College's Child Protection Policy.
- Student bullying complaints should be dealt with under the Student Code of Conduct and the Anti-Bullying Policy.
- Student behaviour management matters, including matters involving suspension or expulsion, should be dealt with under the Student Code of Conduct.
- Employee complaints related to their employment should be directed to their supervisor.
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police and/or government agencies as appropriate.
- Formal legal proceedings to be directed to the relevant parties and/or agencies.
- Compliments and general feedback will be managed as part of informal College processes.

Principles Governing Resolution of Complaints

The College is committed to managing complaints according to the following principles:

- All internal and external complaints must be dealt with fairly, expeditiously, confidentially, adopting the principles of natural justice and procedural fairness.
- Anonymous complaints will be treated on their merits and will be followed up where there is appropriate evidence provided in relation to the complaint made.
- A complaint should be raised as early as possible following the incident giving rise to the complaint.
- Individuals involved in a complaint are required to treat the matter with absolute confidentiality. Any breaches of confidentiality, careless or otherwise, may be considered as misconduct or serious misconduct and may be subject to further action by management, where appropriate.
- Any party in a complaint may seek assistance from or be accompanied by a support person of their choice, excluding a person who is intending to participate as the support person in the capacity of a solicitor or barrister representing the person. A support person should only act as a witness to proceedings and cannot actively advocate for, or represent, the party they are supporting.
- A support person should not be someone who was involved in the alleged conduct and should not be someone who will be involved in the decision-making process regarding the matter.

- Whenever possible, the wishes of the complainant in relation to the resolution of the complaint will be taken into account. However, this may not be possible in some circumstances, for example, where the complaint is of such a serious nature that formal action is required beyond the wishes of the complainant. For example, a complaint may involve allegedly unlawful behaviour and/or the College's duty of care may be compromised if no action is taken.
- The College will endeavour to protect the complainant/s from any victimisation or repercussions for reporting issues in good faith.
- Complainants should not instigate complaints that are frivolous, vexatious or malicious. A complainant/s who makes a false and/or frivolous allegation may be subject to disciplinary processes and the matter may be dealt with as misconduct or serious misconduct.
- Complaints should not be made in response to management introducing performance management or disciplinary processes for employees as part of management's reasonable duty to manage. Such responses may be subject to disciplinary processes, and the matter may be dealt with as misconduct or serious misconduct.
- Criminal matters, and formal legal proceedings as they relate to a complaint will involve external agencies as appropriate. Those agencies will advise their process.
- The College will keep records of complaints.
- The College's insurer will be informed if a complaint could be connected to an insured risk.

Responsibilities

College Representative

The College Representative has the following roles and responsibilities:

- Develop, implement, promote and act in accordance with the College's Complaints Resolution Policy and procedure
- Appropriately communicate the College's Complaints Resolution Policy and procedure to all parties this Policy relates to
- Ensure that the Complaints Resolution procedure are readily accessible to all parties this Policy relates to
- Upon receipt of a complaint, manage the complaint in accordance with the Complaints Resolution procedure
- Ensure that appropriate support is provided to all parties to a complaint
- Take appropriate action to prevent victimisation or action in reprisal against the complainant, respondent or any person associated with them
- Appropriately implement remedies
- Appropriately train relevant employees
- Keep records
- Conduct a review/audit of the Complaints Register from time to time
- Monitor and report to the College Board on complaints, when appropriate
- Report to the College's insurer when appropriate
- Refer to the College Board immediately any claim for legal redress.

All parties to a dispute

The complainant and respondent both have the following role and responsibilities:

- Apply and comply with the College's Complaints Resolution Policy and procedure
- Lodge the complaint as soon as possible after the issue arises
- Expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that confidentiality and privacy will be maintained as much as possible
- Provide complete and factual information in a timely manner
- Not provide deliberately false or misleading information
- Not make frivolous or vexatious complaints
- Act in good faith, and in a calm and courteous manner
- Act in a non-threatening manner
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties
- Recognise that all parties have rights and responsibilities which must be balanced, including the right to be supported
- Maintain and respect the privacy and confidentiality of all parties
- Not victimise or act in reprisal against any party to the dispute or any person associated with them.

Employees receiving complaints

Employees receiving complaints have the following role and responsibilities:

- Act in accordance with the College's Complaints Resolution Policy and procedure
- Inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required
- Provide the complainant with information about any support or assistance available to assist them in lodging a complaint
- Provide the complainant with a copy of the College's Complaints Resolution Policy and procedure
- Maintain confidentiality
- Keep appropriate records
- To forward complaints to more senior employees, including the Principal, as appropriate
- Not victimise or act in reprisal against the complainant, respondent or any person associated with them.
- refer complaints to Human Resources or to an Equity Contact Officer if they do not feel they are the best person to deal with the complaint.
- consult with an Equity Contact Officer, Human Resources or Line Manager if a greater understanding of the College's Complaints Resolution Procedure is required;

Equity Contact Officers (only applicable for employee complainants)

Equity Contact Officers have the following role and responsibilities:

- provide staff members an opportunity to talk informally about a problem
- provide staff members who wish to make a complaint the opportunity to clarify their situation, consider what course of action to take to resolve a complaint and consider possible outcomes
- facilitate early resolution of complaints wherever possible
- inform the person wishing to make a complaint about the key principles underpinning this Policy in particular, confidentiality, natural justice and the rights of all parties
- make recommendations to management about ways to prevent further incidents
- assist in promoting a safe workplace.

Procedure for managing complaints

The Saint Stephen's College Complaint Resolution Procedure provides guidance for all employees, including full-time, part-time, permanent, fixed-term and casual employees; as well as Directors; and contractors, volunteers, students, parents/caregivers and guests including anyone undertaking work experience or vocational placements.

Implementation

The College is committed to raising awareness of the process for resolving complaints at the College, including by the development and implementation of this policy and the related procedures, and via the clear support and promotion of the policy and related procedures. This may include distributing collateral/information relating to this policy in the form of posters, emails, learning sessions, etc.

The College is committed to providing training to relevant employees (particularly Directors, leadership teams, middle managers and Equity Contact Officers) on how to resolve complaints in line with this policy and the related procedures.

The College will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the College Board on complaint handling at the College.

The College will act to encourage students, parents and employees to contribute to a healthy College culture where complaints are resolved with as little formality and disruption as possible.

The College will appoint trained employees as Equity Contact Officers to provide confidential and impartial information about the College's relevant policies and procedures.