

# Complaints Handling Policy & Procedures

## Policy

Kambala is committed to the development and maintenance of positive relationships among all members of the community and to the timely resolution of any complaint which may arise. Complaints will be addressed professionally, competently and in a timely manner applying principles of natural justice, confidentiality and procedural fairness. This policy has been developed with reference to the Complaints Handling Standard (AS-ISO 10002-2014).

## Scope and application

This policy applies to all circumstances except the following:

- Child protection issues (i.e. suspected risk of harm or risk of significant harm to a child which is addressed via legislated child protection processes). All such complaints should be made directly to the Principal
- Performance and discipline of employees which are managed in accordance with the Staff Code of Conduct
- Workplace bullying and harassment allegations - see Unlawful Discrimination Harassment and Bullying policy
- Matters reported under the Whistleblower protection policy
- Grievances brought by a student against another student will be dealt with under Kambala's Code of Behaviour
- Grievances brought by employees and contractors will be dealt with under Grievance Resolution procedure.

## The difference between a concern and a complaint

A “concern” may be defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. A complaint is defined as “an expression of dissatisfaction made to Kambala, related to its services or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected”.

It is in everyone's interest that concerns are resolved at the earliest possible stage and many concerns can be resolved informally without the need to invoke formal procedures. Kambala takes community concerns seriously and ideally, most concerns will be dealt with directly and quickly at the point where the concern arises.

There are occasions when complainants would like to raise their concerns formally or where a concern cannot be resolved to the satisfaction of the parent or community member and should be considered a complaint. In those instances, the school's formal procedures below should be followed as outlined below.

## **Principles**

When managing a complaint, the school will:

- Provide information to the school community about how and where to complain and to make the complaints management process as simple and accessible as possible.
- Ensure that complainants are informed as to the progress of their complaint and ensure that complaints are resolved as quickly as possible.
- Aim to understand the complaint from their point of view and ensure that complaints are thoroughly investigated and that the school understands the complaint from the complainants point of view.
- Make sure all complaints are addressed, on its merits, in an equitable, impartial, objective and unbiased manner.
- Keep complaints confidential and ensure that personal identifiable information about complainants and about any person that is the subject of the complaints is only available for the purpose of addressing the complaint. Staff members receiving complaints should not discuss these with other students or staff other than with the complaints officer.
- Keep records of complaints and the information collected in the complaints handling process.

## **Visibility, accessibility and promotion**

The Principal will ensure this policy and procedures are readily accessible to all staff, parents/guardians, students and members of the community. Information about the complaints handling process including access to the online complaints form is available for parents through Sundial and reference is also made to the complaints handling process on the Kambala website. Complaints may be received in person, on the telephone, in writing or electronically. If a member of the Kambala community requires assistance lodging a complaint, due to language or other barriers, assistance will be provided wherever possible.

## **Resource allocation, staff training**

The Principal is responsible for encouraging an environment where complaints are handled seriously and thoroughly and ensuring an effective complaint management system is in place and resourced appropriately. All staff will be trained on how to identify a complaint, when a complaint can be managed informally and when it should be escalated to a more senior manager (see escalation process below).

## Complaints Handling Procedure

### Receiving complaints

Complaints may be received in person, on the telephone, in writing or electronically. Individuals wishing to lodge a complaint in person or on the telephone should be encouraged to put their complaints in writing but if they do not wish to do so, the staff member who receives the complaint should record the complaint in the Kambala incident management system (CompliSpace).

While parents are encouraged to first raise any concerns informally, they do have the option of lodging a concern or complaint formally at any time via the Complaint form available via the Feedback link on the Sundial parents' homepage or at the following link:

<https://kambala.tod.net.au/incidents/new/e9410c31ac9a03545d04>

### Escalation process

Concerns or complaints which are raised with a frontline staff member, should be referred to a line manager if they:

- Remain unresolved
- Involve complex issues
- Involve a number of different staff
- Need action that is beyond the responsibility of the staff initially approached about the complaint

**Escalation Protocol**

Hampshire House	Junior School		Senior School			Boarding	Financial issues	Community/Local Complaints
	<i>Academic concern</i>	<i>Pastoral concern</i>	<i>Academic concern</i>	<i>Academic concern (Years 11-12)</i>	<i>Pastoral concern</i>			
Director of Hampshire House	Classroom teacher	Classroom teacher	Subject teacher	Subject teacher	Tutor	Director of Boarding	Business Manager	Head of School or Business Manager
Head of Junior School	Head of Curriculum	Deputy Principal	Head of Department	Head of Department	Year Level Co-ordinator	Principal	Principal	Principal
Principal	Head of Junior School		Director of Curriculum	Years 11-12 Studies Co-ordinator	Dean of Wellbeing			
	Principal		Head of Senior School					
			Principal					
Complaints regarding the Principal or the complaints handling process should be referred to the Chair of the School Council								

## **Key steps in the Kambala complaints management process**

### *Responsibilities of Complaints Officer*

The Complaints Officer must be notified of all formal complaints. It is the responsibility of the Complaints Officer to co-ordinate Kambala's response to any formal or escalated complaint and ensure that all details of the complaints management process are recorded on the Kambala incident management system (CompliSpace). If an appropriate manager is not already in receipt of the complaint, the Complaints Officer will assign the complaint to a manager (hereafter called the "assigned manager"). The Complaints Officer will discuss with the assigned manager the expected timeframes for acknowledging and responding to a complaint and seek advice from the assigned manager about the progress of the complaint at various intervals.

### *Responsibilities of Assigned Manager*

The assigned manager is responsible for investigating and responding to the complaint and is the primary point of contact for the complainant. The assigned manager can seek the assistance or advice of the complaints officer or their own line manager/Principal at any time if they are unsure how to proceed.

#### *1. Acknowledge the complaint*

Once a complaint is received, it should be acknowledged as a complaint. Acknowledgement can be in the form of a verbal acknowledgement in person or on the telephone or for more serious complaints, a letter of acknowledgement may be warranted. This is at the discretion of the assigned manager with the advice of the complaints officer. In acknowledging the complaint, the assigned manager should explain the complaints handling process and likely timeframes for response and ascertain how the complainant would like the complaint to be resolved.

#### *2. Conduct an initial assessment of the complaint*

The purpose of conducting an initial assessment is to identify the issues for resolution and if any of the issues are unclear, clarify them with the complainant prior to progressing further. In assessing the complaint, it is also necessary to identify those key people involved with the complaint. There may not always be a respondent to a complaint, but there may be key people in the provision of the service under inquiry.

#### *3. Investigate the complaint*

All complaints require to a greater or lesser degree a fact-finding process in order to determine what has happened and what course of action is required in response. The assigned manager should consider what information should be obtained and how it should best be collected (interview, phone call, email).

In the event the complaint involves a specific member of staff, the assigned manager will contact the staff member (known as the respondent) as soon as possible and meet with them as soon as possible to discuss the matter. The respondent will be provided with details of the complaint and asked to provide their version of events. The meeting will be documented and the respondent can bring a support person if they wish.

4. *Analyse and review the information collected*

As information is collected, it must be analysed and reviewed. Analysis includes identifying what can be agreed upon between the parties; what facts are in dispute; whether information is reliable or has inconsistencies and whether there are any systemic or performance factors involved.

5. *Resolve*

A complaint may be resolved in a variety of ways. This will depend on whether or not the complaint is substantiated, the seriousness of the matter, the wishes of the complainant and the nature of the working relationship of the persons involved. A complaint is said to be substantiated if the person investigating it believes that on the balance of probabilities the allegation did occur.

If the complaint is upheld or sustained, the following are some possible outcomes depending on the nature of the complaint:

- an agreement between the parties
- a verbal or written apology
- the review of a policy or procedure
- mediation
- targeted professional development opportunity or training
- dissemination of information
- referral to counselling
- directions about further interaction between the parties to the complaint
- where a staff member is the subject of the complaint, disciplinary action may follow.

If a complaint is not upheld or not substantiated (e.g. the evidence is insufficient on the balance of probabilities) but some issue comes out of the investigation that is required to be addressed then, possible outcomes include:

- relevant training for staff or students
- monitoring of behaviour of staff, students or parents
- counselling for the parties involved
- mediation at local level
- review of policy or procedure

If the complaint is proved not to have happened at all, or if there is evidence that the complaint was made with the main purpose or intent of causing distress to the respondent the following are possible outcomes:

- counselling for one or more of the parties involved
- a verbal or written apology
- disciplinary action (where the person affected is a student or staff member)

The assigned manager must advise the Complaints Officer of the progress of the complaint investigation and resolution process. The Complaints Officer will update and close the complaint within the Kambala incident management system (CompliSpace).

### **Review process**

Either party may request a review of a decision. The review will be undertaken by the assigned manager's supervisor. Where that person should be excluded on the grounds of procedural fairness, the Principal will nominate an appropriate person to conduct the review. The person conducting the review will:

- review all relevant material
- make further inquiries, if necessary
- decide whether further action is necessary
- make a decision
- advise parties in writing of the decision and the reason for the decision.

If the complaints procedure does not find in favour of the complainant, or the complainant is dissatisfied with the result of the complaints procedure, the complainant will be informed of the External Complaints and Appeals process available at minimal cost.

### **Complaint Handling Considerations**

#### **Anonymous Complaints**

Anonymous callers should be advised that an investigation is made more problematic if they do not divulge identities as this severely limits the school's ability to follow up on their concern. They should be informed of confidentiality, as applied to the complaint management process, to encourage them to reveal their own and/or the subject's identity.

However, the complainant's wishes should be respected, as an assurance of absolute confidentiality cannot be given. Further investigation of anonymous complaints may not be possible however if sufficient details are revealed a further investigation may be warranted, in particular if the complaint raises student safety or duty of care concerns. In such circumstances, it may not be possible to provide information back to the complainant if they have not provided name and contact details.

#### **Confidentiality**

Confidentiality will be respected at all times within the constraints of the need to fully investigate the complaint. To maintain confidentiality, all participants in the process should restrict the information about the complaint to a "need to know" basis. The obligation to maintain confidentiality extends also to the complainant and to the respondent.

### **Objectivity & Natural justice**

Each complaint should be addressed in an equitable, objective and unbiased manner. The principles of natural justice and procedural fairness apply to all complaints. The more serious a complaint the more important it is to ensure procedural fairness. Procedural fairness requires that parties to a complaint are:

- treated impartially - investigations are conducted impartially, and decisions are made without bias
- informed of concerns or allegations being made - this means that the person about whom the complaint is made will be informed of the content of the complaint and, in most cases of the identity of the complainant at a point in time when it is clear what the issues are and who needs to respond to them
- given the opportunity to respond - this means that where a concern is raised which may result in action being taken against a person, that person will normally be given an opportunity to respond
- informed of the complaints process and review process

### **Record keeping**

All formal complaints must be recorded in the Kambala incident management system (CompliSpace). The assigned manager will keep written records of the complaint resolution process and outcome. Complaint records will be filed and stored appropriately in a secure location. The Complaints Officer is responsible for ensuring the electronic record is updated and closed off once the complaint is resolved.

### **Timeliness**

Kambala will endeavour to investigate and resolve complaints in a timely fashion. The Complaint Officer will ensure that investigation of a formal complaint will commence within 10 working days of receipt of the complaint and wherever possible be resolved within 35 days of receipt of the complaint. If a resolution is not achieved within 35 days, the complainant will be provided with an update on the status of their complaint. It is the responsibility of the Complaints Officer to ensure assigned managers work within these timeframes.

### **Support**

All employees participating in the complaints process may access a confidential counselling service which is made available by contacting the employee assistance program. The complainant may access the support services of EAP 1800 81 87 or (02) 8247 9191; email: [info@accesseap.com.au](mailto:info@accesseap.com.au) or via their website [www.accesseap.com.au](http://www.accesseap.com.au).

### **Management Reporting**

All complaints will be entered into the Kambala incident reporting system and from there a de-identified complaints report can be extracted for the executive and school council. This information will be analysed to identify systemic, recurring and single incident problems



and trends in order to identify key risk areas and eliminate the underlying causes of complaints through corrective actions. This is the responsibility of the Complaints Officer.

### **Overseas Student complaints**

For the purposes of this policy, an overseas student is a student who is not an Australian resident, requires a student visa to attend an Australian school and is a full fee paying student of Kambala. An overseas student, their parent(s) or legal guardian can access this policy should they have a complaint. While it may not be possible for parents or legal guardians to come to the school and speak with the relevant member of staff, they are encouraged to try to resolve the complaint informally by first contacting the Overseas Student Co-ordinator. Should informal resolution not be possible, the complaint will be escalated to the Principal.

### **Privacy complaints**

Information about the way Kambala manages personal information is contained in the Privacy Policy. For any complaints regarding privacy, please contact the Kambala's Privacy Officer, Colette Kenny. If Kambala receives a privacy complaint, it will investigate and aim to respond as soon as possible after the receipt of the complaint and to the complainant's satisfaction. However, if you are unhappy with the School's response or if you do not wish to send your complaint to the School, you are entitled to contact the Office of the Australian Information Commissioner (OAIC) on 1300 363 992 or other contact details on the OAIC's website ([www.oaic.gov.au](http://www.oaic.gov.au)).

## **Definitions**

**Assigned Manager** is any Kambala manager who is assigned to investigate and respond to a complaint

**Complainant** is any person who has a concern or grievance.

**Complaint** is an expression of dissatisfaction made to Kambala, related to its services or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected.

**Complaints Officer** is Colette Kenny, Risk & Compliance Officer who is the designated Kambala officer to co-ordinate a response to any formal complaints

**Community** is any member of the Kambala community and includes students, parents, guardians/caregivers, staff members, council members and alumni.

**Concern** is an expression of worry or doubt over an issue considered to be important for which reassurances are sought.

**Respondent** is the School or any person against whom a complaint or grievance is brought.

**Staff** includes casual, temporary and permanent staff of the School.