



For the Whole of Their Life

St. Philip's Christian College Gosford

5.3.2 Grievance Policy, Procedures for Making Complaints & Guidelines for Managing Complaints

Document Information	
Author/Supervisor	Executive Leadership Team
Acknowledgements	Some material in this document has been adapted from the 2014 SPCC Cessnock Managing Complaints and Grievances Policy.
Compliance	
Legislative Requirements	NSW Education Act (1990) www.austlii.edu.au/au/legis/nsw/consol_act/ea1990104 Children and Young Persons (Care and Protections Act 1998) Sect 23 www.austlii.edu.au/au/legis/nsw/consol_act/carpapa1998442/s23.html The Ombudsman Amendment (Child Protection and Community) Act 1998 http://www.legislation.nsw.gov.au/sessionalview/sessional/act/1998-148.pdf Anti-Discrimination Act 1977 http://www.austlii.edu.au/au/legis/nsw/consol_act/aa1977204/ Work Health and Safety Act 2011 http://corrigan.austlii.edu.au/au/legis/nsw/consol_act/whasa2011218/ National Code of Good Practice for Responding to Complaints about Vocational and Education Training Quality – Australian Department of Education, Science and Training http://www.dest.gov.au/NR/rdonlyres/32B15873-90DC-4441-9AC4-03135B595B52/2210/ncc.pdf CCH School Principal's Legal Guide www.cch.com.au
BOSTES	Registered and Accredited Individual Non-Government Schools (NSW) Manual Section 3.6 (Safe and Supportive Environment) Section 3.6.2 (Student Welfare)
Other Policy Relationships	5.2.5 Anti-Bullying Policy Gosford 2019
Key Dates:	
Date of Issue/last revision	April 2019
Policy Review	This policy will be reviewed every 3 years, or as needed in line with legislative changes and the requirements of the Association of Independent Schools
Applies to	St. Philip's Christian College, Gosford K-12

The College's policies, which are made from time to time, are made pursuant to the requirements set out in section 47 of the Education Act and of the Board of Studies for registration of the school. Any policy developed corporately by SPCEF Ltd. overrides any local policy developed by SPCC Gosford.

I. General Statement

St Philip's Christian College, Gosford strives to be a 'leading provider of quality Christian schooling', helping students to grow, learn and develop 'for the whole of their life'. SPCC seeks to help students to achieve their God-given potential, to be taught in innovative and effective ways by well-equipped teachers, and to be supported by excellent resources and facilities.

This important endeavor involves close interaction between a diverse body of students, College staff and parents within our College community. Such diversity brings differing perspectives and interpretations and as a result disagreement and conflict is inevitable. What is important is how conflict is resolved.

As a Christian organization, the College uses Biblical principles to guide conflict resolution. The Bible clearly encourages us to seek to resolve differences between each other and to live in harmony with one another:

- **Do all you can to live in harmony with others** - Romans 12:16 says 'Live in harmony with one another'.
- **Resolve differences quickly** - Ephesians 4:26 emphasises the need to work toward resolving differences before the end of the day.
- **Deal with any issue in the proper order** – Matthew 18:15-17 describes dealing first with the person who may have offended you, then if the person doesn't respond appropriately, to take the matter to a higher authority.

Additionally, conflict resolution processes need to align with the 5 core values of the College:

- **Christ first:** members of the College community are to act in a manner that is honouring to Christ by acting with humility, integrity, good will, a willingness to admit fault and a willingness to forgive.
- **Serve one another:** we should place the legitimate needs of others before personal self-interest. This involves making concessions for the greater good of many and making a conscious effort to consider the perspective of others.
- **Strive for excellence:** resolving conflict should be done in the best way possible at all times, requiring a high standard in the process of reviewing perspectives, evidence and potential mutual solutions.
- **Do what is right:** by striving to act in an ethical, honest and transparent manner with good intent at all times.
- **Build community:** by acting in a way that builds honest and trusting relationships across the whole College community.

Conflict resolution should also involve:

- **Procedural fairness (natural justice):** "Procedural Fairness" is generally recognised as having three key elements: the right of a "hearing"; the right of an "unbiased decision"; and the "right of appeal".
- **Restitution:** an effort to "right the wrong" that has been done.
- **Evidence based investigation:** a process of determining the "facts of the matter" by ruling out persons with a conflict of interest and collating a wide range of reliable evidence.
- **Protecting the privacy and well being** of those involved.
- **Pastoral support:** providing support for the student (for example, Pastoral Care Teacher, College Counselor, staff member of their choice) and opportunity to respond to allegations and/or concerns.

2. Aim

This policy sets out the manner in which St. Philip's Christian College, Gosford shall manage and resolve receiving complaints in a prompt, impartial and just way.

3. Objectives - Policy statement

- 3.1 To establish biblical principles for resolving conflict.
- 3.2 To resolve concerns and complaints in a prompt, impartial and just manner.
- 3.3 To develop and maintain a positive and collaborative relationship between home, school and the community.
- 3.4 To welcome and value diversity of opinion.
- 3.5 For parents/carers to feel their opinion is valued and to raise issues without fear of repercussion.

4. Audience and Applicability

All students, staff, parents and community members of St. Philip's Christian College, Gosford.

5. Context

- 5.1 The resolution of conflict in every school community is vital to the well-being and success of the school community.
- 5.2 Certain matters concerning Child Protection or other areas covered by specific legislation will be referred immediately to the relevant external agency.
- 5.3 Parents/carers must have access to processes that allow them to resolve concerns and complaints in a supportive conciliatory environment.
- 5.4 The College views areas of concern/complaints as an avenue to improve its working relationships with parents/carers.

6. Responsibilities and delegations

6.1 Principal

- 6.1.1 The Principal is responsible for the general conduct and the efficient, effective and economical management of the College and its staff.
- 6.1.2 The Principal is to establish and regularly review the College's Complaints policies, guidelines and procedures.
- 6.1.3 The Principal will ensure that the National Code of Good Practice for Responding to Complaints about Vocational and Education Training Quality – Australian Department of Education, Science and Training principles of fairness, accessibility, transparency, responsiveness, accountability and constructiveness is applied to the complaints procedures.
- 6.1.4 The Principal is ultimately responsible for the effective management of suggestions, complaints and allegations.
- 6.1.5 The Principal should ensure that the complainant has followed the College procedures for raising a concern/complaint.
- 6.1.6 The Principal will determine, based on the nature of the concern/complaint, if mandatory reporting is required.
- 6.1.7 The Principal will maintain confidentiality and privacy in all matters.

6.2 Heads of Schools

- 6.2.1 Monitor and manage the general conduct and professionalism of the teaching staff and relevant Administrative staff.
- 6.2.2 Ensure in all dealings with parents and community members that the principles of fairness, accessibility, transparency, responsiveness, accountability and constructiveness are applied to the complaints procedures.
- 6.2.3 Ensure that the complainant has followed the College procedures for raising a concern/complaint.
- 6.2.4 Listen appropriately to parent/concerns complaints.
- 6.2.5 Appropriately respond to the concern/complaint, giving details to immediate supervisor and following biblical principles.
- 6.3.6 Maintain confidentiality and privacy in all matters.
- 6.2.7 Ensure concerns/complaints are appropriately documented including all follow-up undertaken and feedback given.
- 6.2.8 Ensure that feedback is promptly given to persons lodging a concern/complaint and to the person subject of a complaint.

6.3 Teachers

- 6.3.1 Listen appropriately to parent/concerns complaints.
- 6.3.2 Appropriately respond to the concern/complaint, giving details to immediate supervisor.
- 6.3.3 Appropriately document concern/complaint including all follow-up undertaken and feedback given.
- 6.3.4 Follow biblical principles when dealing with concerns/complaints.
- 6.3.5 Maintain confidentiality and privacy in all matters.

6.4. Administration & Ancillary Staff

- 6.4.1 Direct person making complaint to the appropriate person to lodge a concern/complaint.
- 6.4.2 Make suitable times for interviews with parents and relevant staff.
- 6.4.3 Maintain confidentiality and privacy in all matters.

6.5 Parent/Carers

- 6.5.1 Direct to appropriate persons.
- 6.5.2 Maintain confidentiality and privacy in all matters.

6.6 Students

- 6.6.1 Direct concerns/complaints with a staff member in a polite and respectful manner.

7. Monitoring, evaluation and reporting requirements

This policy will be evaluated and reviewed every three years or as needed in line with legislative changes.

8. Document details and history

This document draws materials based on the College's Complaints Procedures (2010) and Guidelines documents (2012).

Additional Materials

This policy should be read in conjunction with the College Guidelines and Procedures for Grievances and Complaints (2019). Staff should also be familiar with the College Grievance policy documents.

1. The importance of raising concerns

If you have a concern, please let us know. We can only assist if we are aware of your concern. Please seek appropriate information and discussion from the respective classroom teacher (or the person whose decision has led to your concern) in the first instance. Contacting the relevant person first will help build trust in our community, as we understand that we can learn from each other. It also enables the concern to be addressed more efficiently by the most appropriate person first and encourages direct communication to clarify any misunderstandings.

If your concern is with a student, do not approach the student directly but raise your concern with the relevant Head of School.

If you believe that further support for the issue is necessary, you can then contact the supervisor of the person concerned, who will normally ask for the teacher to also be present. The Principal will typically only be involved if previous steps have not resolved the issue constructively.

2. The way in which concerns should be raised

In the first instance, the concern may be raised in person, over the phone or via email. If the matter is to be taken further, it should be raised in writing or through appointment. When raising a matter, please;

- Raise the matter in a courteous manner.
- Be specific about the exact nature of the concern.
- Provide specific details such as names, times and places that can be checked.
- Allow the person to respond, including time to investigate and get back to you.
- Be open to the possibility that the concern may be based on incomplete information that is out of context.
- Discuss the matter in a way that promotes a collaborative effort to bring resolution.
- Treat the matter as confidential.
- Be conscious of the emotional state of everyone involved.

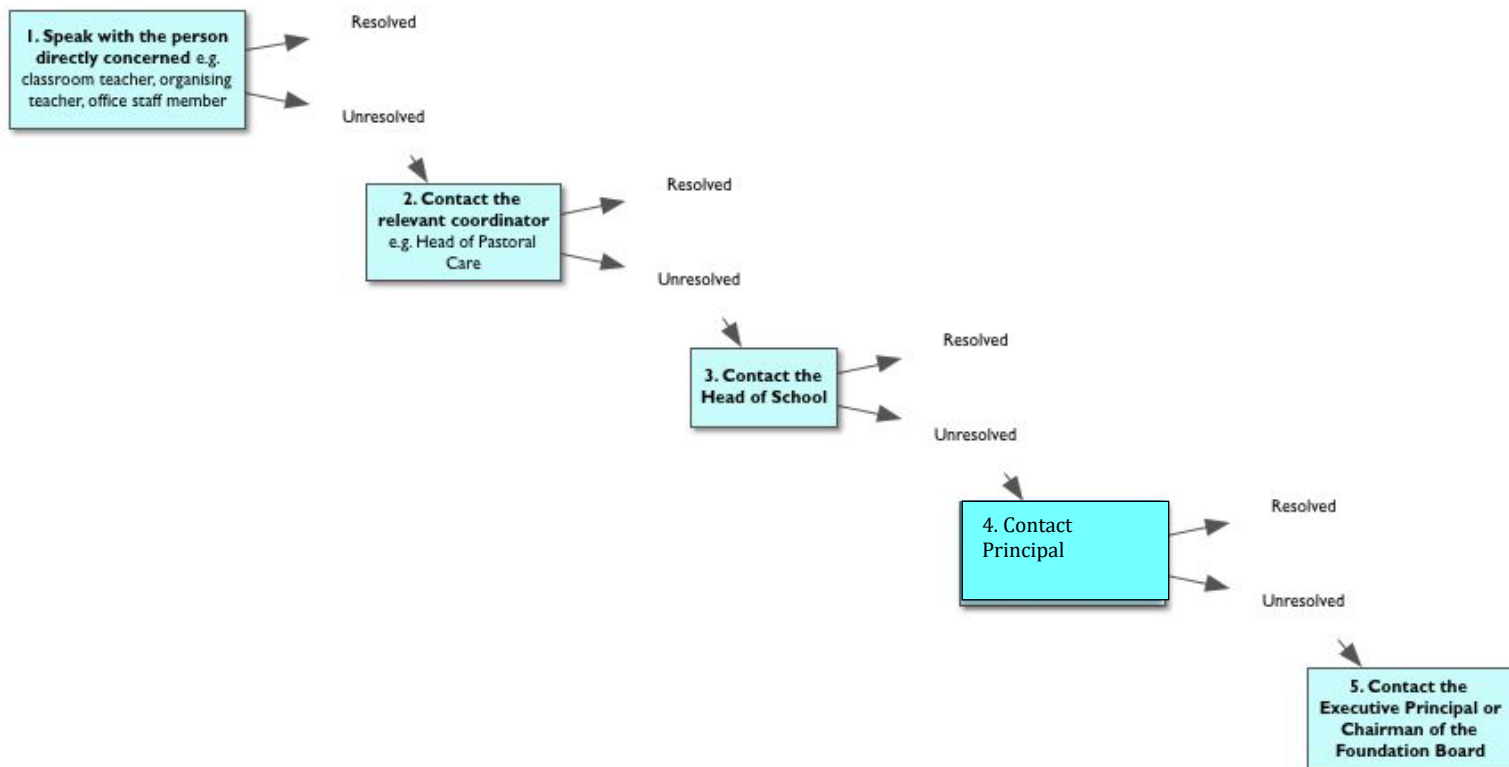
3. Hindrances which hamper resolution that should be avoided

The following should be avoided when raising and responding to complaints. They hinder attempts to investigate matters, clarify details and make fair, impartial, reasoned decisions.

- Raising concerns with others who are not directly involved and have no authority over the matter.
- Posting details of concerns in any public forum including social media.
- Using offensive, aggressive, rude or personal language.
- Using emotive, manipulative or accusing language such as “*You’re a liar*” or “*A Christian should / should not ...*”
- Making demands or threats.
- Sending constant emails or making constant phone calls or intrusive visits while the matter is being investigated or any other behaviour that may be deemed as bullying or harassment.
- Refusing to hear the response of those of whom the complaint has been made against or evidence that counters that of the complaint.
- Raising a long list of historical matters that are unrelated or have already been resolved.

4. When and to whom should complaints be made to

The flow chart below indicates to whom and in what order complaints should be made.



SPCC Gosford: Guidelines for Managing Complaints

The College has procedures for handling complaints made by parents and others about the College, its staff and executive, regarding such things as:

- Teaching methods and standards
- Discipline issues
- Accidents and incidents involving students

These **procedures follow the principles of natural justice**. In relation to students, this means that **parents** have a right to:

- Information concerning their child
- Be involved in the decision making process
- Be informed of the decision

Where **complaints** are made **against teachers** the following applies:

- Teachers are aware of complaints made against them
- Teachers are provided with an opportunity to respond to complaints
- Complaints are handled with discretion to avoid unnecessary embarrassment to the teacher
- Proper disciplinary procedures are put in place and followed

Parents' rights in Independent Schools arise from the contract between the parents and the school. Accordingly parents have legal remedies available to them if schools breach that contract. Private schools have an added interest in reducing the number of complaints from parents as satisfaction on the part of parents may lead to a commitment from them to continue their children's education at the school.

Procedural Guidelines:

Parents/Guardians

1. Parent(s)/legal guardians are encouraged to raise their concerns directly with the person responsible and / or the appropriate coordinator in the first instance to attempt mediation/informal resolution of the complaint. Where possible, a response should be made within 48 hours.
2. If the matter cannot be resolved through mediation, it should be referred to the relevant Head of School.
3. If the matter still cannot be resolved, it should be referred to a whole school leader, or Principal. The parent(s)/legal guardians must notify the school in writing of the nature and details of the complaint.
4. Each complainant has the opportunity to present his or her case in person and can appeal directly to the principal. Parent(s)/legal guardians may be accompanied by a support person. Likewise, another member of staff such as a Head of School may also accompany the Principal.
5. The Principal will investigate the matters pertaining to the complaint. Investigations should be completed within 10 working days of the lodgment of the complaint wherever possible.
6. Once the Principal has come to a decision regarding the complaint, the parent(s)/legal guardian will be informed in writing of the outcome and the reasons for the outcome.
7. If the complaints procedure finds in favour of the parent(s)/legal guardian, St Philip's Christian College, Gosford will immediately implement the decision and any corrective and preventative action required.
8. If the complaints procedure does not find in favour of the parent(s)/legal guardian or the parent(s)/legal guardian is dissatisfied with the result of the complaints procedure, St Philip's Christian College, Gosford will advise of the process of raising the matter with the Executive Principal and Foundation Board of St Philip's Christian Education Foundation.

9. St Philip's Christian College Gosford undertakes to finalise all grievance procedures within 20 working days where possible.

Please Note:

The Principal of St Philip's Christian College, Gosford will determine whether the complaint needs to be reported to the NSW Ombudsman as "reportable conduct" and will seek advice from the Executive Principal of St Philip's Christian Education Foundation and the Association of Independent Schools of NSW.

Students

1. Students are encouraged to raise their concerns directly with either their class teacher, the teacher responsible and/or the appropriate coordinator in the first instance to attempt mediation/informal resolution of the complaint.
2. If the matter cannot be resolved through mediation, it should be referred to the relevant Head of School.
3. If the matter still cannot be resolved, it should be referred to the Principal.
4. At this point, if able to do so, the student should be encouraged to notify the school in writing of the nature and details of the complaint.
5. Each complainant has the opportunity to present his or her case in person and can appeal directly to the Principal. A support person may accompany students. Likewise, another member of staff such as a Head of School may also accompany the Principal.
6. The Principal will investigate the matters pertaining to the complaint. Investigations should be completed within 10 working days of the lodgment of the complaint wherever possible.
7. Once the Principal has come to a decision regarding the complaint, the student will be informed in writing of the outcome and the reasons for the outcome.
8. If the complaints procedure finds in favour of the student, St Philip's Christian College, Gosford will immediately implement the decision and any corrective and preventative action required.
9. If the complaints procedure does not find in favour of the student or the student is dissatisfied with the result of the complaints procedure, he/she will be informed of the process of raising the matter with the Executive Principal and Foundation Board of St Philip's Christian Education Foundation.
10. St Philip's Christian College, Gosford undertakes to finalise all grievance procedures within 20 working days where possible.
11. For the duration of the appeals process, the student is required to maintain enrolment and attendance at all classes as normal.

External Appeals and Mediation

1. Should the aggrieved party(ies) request that the matter be considered by an external third party then the request should be made to the Executive Principal of St Philip's Christian Education Foundation through the Principal of St Philip's Christian College Gosford.
2. Such external appeals should be lodged within 7 working days of the final determination of the Principal.
3. The body to whom St Philip's Christian Education Foundation refers requests for external review is the Association of Independent Schools of NSW.

As a general rule complaint procedures should:

1. Address the complaint quickly
2. Avoid emotional distractions
3. Ensure confidentiality of sensitive issues
4. Be procedurally fair to the complainant and the person against whom the complaint is being made
5. Deal with the complaint at the appropriate level of authority
6. Have an effective report back system

Documenting Complaints

When preparing documents, staff should be aware that documents may ultimately come into the possession of others, for example, through the discovery process in litigation or through a freedom of information application. Emotional or judgmental comments may have undesirable consequences for the school, including defamation proceedings. Careful record facts and opinion should be based on facts only.

Reference: CCH School Principals Legal Guide
Compiled: D. Cox 2014 (SPCC Cessnock)
Amended: H. Finlay 2019 (SPCC Gosford)