



Related Documents	Communications Policy Parent Code of Conduct Policy Enrolment Policy Enrolment Terms and Conditions of Enrolment Contract Child Protection Policy Work Health and Safety Policy Whistleblower Policy Anti-Bullying and Harassment Policy
Policy Review	This policy will be reviewed every 3 years, or as needed in line with legislative changes.
Implementation Date	March 2023
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Date	March 2023

1 General Statement

St Philip's Christian College Cessnock (the College) is committed to providing a respectful environment that is safe, responsive and supportive.

A complaint or grievance is an expression of dissatisfaction made to the College about an educational and/or operational matter relating to services provided by the College or the behaviour or decisions of a staff member, contractor or volunteer, including misconduct.

At times parents or members of the College community may have a concern or complaint that they would like to discuss with the College. The College has guidelines and procedures for handling such complaints. These guidelines and procedures are based on Biblical principles. The Bible clearly encourages us to seek to resolve differences between each other and to live in harmony with one another.

If a complaint that concerns the behaviour of a staff member may constitute reportable conduct, the matter will be addressed in accordance with the College Child Protection Policy. Please refer to the College Child Protection Policy for information about reportable conduct. Complainants are not required to assess whether their concern meets the threshold of reportable conduct before making a complaint. Any concern about a child's wellbeing may be reported under this policy.

The Principal has specific obligations to report complaints about serious incidents or breaches of the law within 24 hours, or complaints about risks to the health, safety or wellbeing of a child within 7 days. The deadline applies from the time of the incident.

The College will seek to resolve complaints informally where possible but acknowledges that in some cases a person may wish to make a formal complaint.

The complaints process will generally involve five stages, listed in detail in Appendix A – Complaints Process.

2. Aim

This policy sets out the way in which the College shall take all complaints from parents, students and members of the community, seriously, and shall manage and resolve complaints in a prompt, impartial, just and confidential manner.

3. Objectives

1. To establish Biblical principles for resolving conflict.
2. To resolve concerns and complaints in a prompt, impartial and just manner, keeping all parties informed of progress.
3. To respond respectfully to complaints which considers the circumstances of the complaint and relevant parties so as to develop and maintain a positive and collaborative relationship between home, school and the community.
4. To welcome and value diversity of opinion.
5. For students, and parents 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 Cessnock.

5. Context

- Because of the often emotive nature of complaints received and the personal impact this may have on students, parents and staff, the resolution of conflict is vital to the wellbeing and success of the school community.
- Complaints will be dealt with at the most appropriate level of the organisation. Where a complaint involves a person's actions (in contrast to a process or policy), people are encouraged to raise the issue with the person, if it is appropriate and they are comfortable doing so. This may assist to resolve the issue at the most appropriate level and allow complaints to be escalated only where it is necessary.
- Certain matters concerning Child Protection or other areas covered by specific legislation will require for the Principal to be notified immediately and then referred to the relevant external agency.
- The College applies a risk management approach to complaints, allowing a range of responses from informal resolution of complaints to formal investigation and reporting to government agencies and law enforcement, where necessary. This risk-based approach is used to ensure the most serious complaints are responded to as a matter of priority. This may mean some complaints take longer to resolve due to other priorities.
- Parents must have access to processes that allow them to resolve concerns and complaints in a supportive, conciliatory environment.
- The College requests that all formal complaints are made in writing, if they cannot be resolved at the time through discussion. If a complaint is made by a person on behalf of another person (for example by a solicitor or parent) a request may be made to speak with the affected person during the Assessment or Investigation phase to determine the facts of the complaint. All parties will be informed of the process and the result of the investigation process.
- All information obtained during the complaints process must be treated with appropriate confidentiality, in line with privacy laws and the SPCEF Privacy Policy.
- The College views areas of concern/complaints as an avenue to improve its working relationships with parents.

6. Responsibilities and Delegations

6.1 Principal

- Take responsibility for the general conduct and the efficient and effective management of the College and its staff.
- Establish and regularly review the College's Complaints policies, guidelines and procedures.
- 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.
- Take ultimate responsibility for the effective management and resolution of suggestions, complaints and allegations.
- Ensure that the complainant has followed the College procedures for raising a concern/complaint.
- Determine, based on the nature of the concern/complaint, if mandatory reporting is required.
- Ensure appropriate documentation is maintained and filed.
- Maintain confidentiality and privacy in all matters.

6.2 Deputy Principal, Assistant Principal and Heads of Schools

- Monitor and manage the general conduct and the efficient and effective management of the Teaching staff and relevant Administration staff.
- 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.
- Ensure that the complainant has followed the College procedures for raising a concern/complaint.
- Listen appropriately to parent concerns/complaints.
- Appropriately respond to the concern/complaint, following the College guidelines, policy and procedures.
- Maintain confidentiality and privacy in all matters.
- Ensure concerns/complaints are appropriately documented including all follow-up undertaken and feedback given.
- Ensure that feedback is promptly given to persons lodging a concern/complaint and to the person subject of a complaint.

6.3 College Leadership Team

- Listen appropriately to parent concerns/complaints.
- CLT members are not to handle complaints about staff members, and these should be immediately referred to an ELT Member/Principal.
- Appropriately respond to the concern/complaint, giving details to immediate supervisor (ELT).
- Appropriately document concern/complaint including follow-up undertaken and feedback given.
- Follow the College guidelines, policy and procedures when dealing with concerns/complaints.
- Maintain confidentiality and privacy in all matters.

6.4 Teachers

- Listen appropriately to parent/concerns or informal complaints. Teachers are not to handle matters of a serious nature, or complaints about staff members. These should be immediately referred to an ELT Member/Principal.
- Appropriately respond to the concern/complaint, giving details to immediate supervisor.
- Appropriately document concern/complaint including all follow-up undertaken and feedback given.
- Follow the College guidelines, policy and procedures when dealing with concerns/complaints.
- Maintain confidentiality and privacy in all matters.

6.5 Administration Staff

- Direct parents to the appropriate person to lodge a concern/complaint.
- Make suitable times for interviews with parents and relevant staff.
- Follow the College guidelines, policy and procedures when dealing with concerns/complaints.
- Maintain confidentiality and privacy in all matters.

6.6 Parents

- Follow the set procedures for lodging a concern/complaint by raising it with the relevant person first.
- Follow the College guidelines, policy and procedures when raising concerns/complaints.
- Maintain confidentiality and privacy in all matters.

6.7 Students

- Raise concerns/complaints with a staff member in a polite and respectful manner.
- Notify parents of concerns/complaints in a truthful way.

6.8 Executive Principal

- Review the decision-making documentation, process and the decision if a complainant is dissatisfied with the decision/process.
- Attempt to resolve the complaint, make a decision and communicate this to the complainant.
- Document all relevant information pertaining to the review process decision.

6.8 Chairman of the Board

- Review the decision-making documentation and the process if a complainant is dissatisfied with the decision/process of the Executive Principal.
- Make a final decision and communicate this to the complainant.
- Document all relevant information pertaining to the review process decision.

7. Monitoring, evaluation and reporting requirements

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

Appendix 1 - Complaints Process

The complaints process will generally involve five stages.

Stage	Action
<p>One Complaint</p>	<p>Informal complaints may be raised by a complainant directly with the person involved. However, if it is not resolved, it can be taken to a higher level of authority, such as a Year Leader or Head of School.</p> <p>If the complainant does not feel comfortable doing so or the matter is one where it may not be appropriate to do so, an informal complaint can be made to the Head of School, Assistant Principal, Deputy Principal or Principal.</p> <p>The Principal should be notified promptly of any complaint about the conduct of a staff member.</p> <p>Should the matter not be resolved through informal processes, the complainant may raise the matter formally with the College. A formal complaint can be made in writing to the Principal, this may be via an email.</p> <p>Where a person wishes to make a formal complaint concerning the Principal, the complaint should be made in writing to the CEO/Executive Principal via email (executive.principal@spcc.nsw.edu.au). In this situation, the references in this policy relating to the role of the Principal/Delegate should be read as references to the CEO/Delegate.</p>
<p>Two Referral</p>	<p>The complaint is referred to the most appropriate level of the organisation for assessment, which will most often be the Principal or ELT member.</p> <p>If the complaint involves Mandatory Reporting issues, the person receiving the complaint must inform the Principal, who will report the matter to the relevant authorities.</p>
<p>Three Preliminary Assessment</p>	<p>The Principal/Delegate assesses the complaint to determine:</p> <ul style="list-style-type: none"> • Whether all necessary details have been obtained. • Whether the complaint is one to be addressed under this policy or is a staff grievance or reportable conduct matter which are dealt with by the relevant policies. • The priority of the complaint in accordance with the urgency and/or seriousness of the matter raised. • The risk level associated with the complaint. • Whether the College may be required to report the matter to the OCG, Police, DCJ or other relevant authorities should the complaint relate to possible unlawful conduct or other reportable matters.

<p>Four</p> <p>Respond according to risk level</p>	<p>The Principal/Delegate will respond according to the risk level. The response may involve:</p> <ul style="list-style-type: none"> • Advising the complainant of the likely steps that will be undertaken by the College in relation to the complaint. • If appropriate, advising the relevant parties of the complaint at the relevant time and providing them with an opportunity to respond. Care should be taken not to raise unreasonable expectations of time to resolve. • Collecting any additional information, the College considers necessary to assess the complaint. • Concluding that the complaint it is not within the College’s Cessnock’s ability to resolve. • Assessing and resolving the complaint or formal investigation and response under relevant College & SPCEF Policies and Procedures.
<p>Five</p> <p>Decision and Report</p>	<p>After the complaint examination or investigations conclude, the decision-maker will:</p> <ul style="list-style-type: none"> • Make a decision about how the complaint will be resolved (“resolution decision”) • Advise the complainant in writing, and any other relevant parties as appropriate, of the resolution decision of the Principal/Delegate and if appropriate, the reasons for the decision, any proposed action to be taken and any options to review the decision.

There may be circumstances where some of the steps outlined above are not appropriate and the College will determine, on a case-by-case basis, the most appropriate method of handling the complaint.

A complainant and the relevant parties that the complaint is about may choose to have an appropriate support person present at any meeting with representatives of the College about the complaint. However, the College maintains the right to determine whether the person’s preferred support person is appropriate and may not approve the attendance of a support person where they are determined by the College to be inappropriate.

1. STAGE ONE: Making an Informal/Formal Complaint

- 1.1 If the complaint is an **informal complaint**, and is resolved by the person concerned, then the matter does not need to be taken any further, but the immediate supervisor (ELT) should be informed. If it is not resolved, then the matter should be taken to a member of the ELT/Principal.
- 1.2 To ensure all facts and issues are received accurately, **formal complaints** should be made in writing – either by email or by letter to the Principal.
- 1.3 People making complaints verbally will be asked to confirm the complaint details in writing (e.g. an email by the complainant or the person receiving the verbal complaint), to ensure the facts and desired resolution are recorded accurately.
- 1.4 Where a complaint involves serious allegations, the Principal may request additional written information and/or a follow-up meeting to ensure the complaint is recorded accurately.
- 1.5 Where a complainant is a vulnerable person such as has a disability, reasonable assistance will be offered and adjustments made to enable the complaint to be recorded accurately.

2. STAGE 2: Referral

The person/area receiving the complaint will determine if the complaint is within their scope of handling, and if so, will proceed to resolve the complaint, or will refer it to the relevant level of authority.

3. STAGE 3: Preliminary Assessment

3.1 Complaint Categories

Complaint Category	Examples	Risk Consequence Level	Priority
High	<p>Matters of a serious nature, including matters that must be referred to an external party such as New South Wales Police, NSW Department of Communities and Justice, or NSW WorkCover. It includes Reportable Conduct, Mandatory Reporting, or child protection issues.</p> <p>These matters require formal investigation, that may be investigated and managed by The Principal and/or ELT Delegates and/or SPCEF Office, or outsourced to an external investigator, as well as any investigations by authorities.</p>	Catastrophic or Major	Commence within 24 hours to 2 days of receipt of complaint

Medium	Matters that may involve a breach of the College or SPCEF policy or practice but would not necessarily need referring to an external agency. These matters will be commonly investigated and managed by an ELT member/Principal, or the SPCEF team or outsourced to an external investigator.	Major or Moderate	Commence within 4 days of receipt of complaint
Routine	Matters of a less serious nature where the risk to relevant parties is low. These matters will be commonly assessed and managed at the level they are reported.	Minor or Insignificant	Commence within 7 days of receipt of complaint

Based on the initial information received, the Principal/ELT member will determine the complaint category and attach a risk level and priority level to the complaint. The risk level determines the level of response and Appendix 2 provides guidance on risk assessment.

Once the preliminary assessment is complete, the Principal/Delegate will respond according to the risk level.

4. STAGE FOUR: Respond According to Risk Level

- All complaints are taken seriously. Even where a complaint outside the College's ability to resolve, the person to whom the complaint is referred will assess it and respond to, and advise the reasons for the decision.
- In many cases, particularly at the routine level, complaints can be resolved through conciliation and mediation where they are raised and do not need a formal investigation.
- If a complaint is assessed as requiring investigation and further action, investigators and decision makers must refer to the relevant College and SPCEF Policies and Procedures.

4.1 Investigation

The College ELT are available to support investigators and decision-makers, to ensure they are aware of relevant policies and procedures.

4.1.1 Complaints should include as much of the following details as possible:

- The full name, address and contact details of the person affected and the person making the complaint (if they are different).
- If a complainant is not lodged by the affected person - the reason why the affected person is unable make the complaint themselves.

- Details of the person or issue being complained about, including the time, date and place of any incident.
- Observations whether there was any harm to a child or young person.
- Observations whether there was any harm to another person.
- The names and contact details of any known witnesses.
- The desired outcome or any expectations to resolve the issue or complaint.
- The priority of the resolution of the complaint.

4.1.2 Investigation Process:

1. Interview the complainant, respondent or relevant witnesses.
2. Assess written records or information.
3. Make a record of these interviews.
4. Prepare a report detailing findings and recommendation for action.
5. Report to be discussed with Principal/Delegate.

4.2 Suspension during investigation

- The preliminary assessment may recommend that a person be suspended pending investigation. This would usually indicate a medium or high complaint category since complaints assessed as routine involve lower risk. Suspension pending investigation is not disciplinary action or a finding of fault.
- Any decision to suspend a worker must be made in consultation with the Principal and/or ELT Delegate, and SPCEF Director of People and Culture. The decision to suspend a worker will consider the nature of the allegation and risk to students and workers. Where a worker is suspended this may be from working in any SPCEF workplace, or in a particular location.

4.3 Procedural Fairness

The College must provide procedural fairness to people that may be adversely affected by a decision in the complaints process. This includes ensuring:

- the decision-maker and process is free from bias
- decisions are based on evidence that supports the facts, and
- any person that may be adversely affected by decisions has an opportunity to present their case and have their input considered before a decision is made. This may occur in writing or in person, during conciliation and mediation, or at different stages in the formal investigation process.

5. STAGE 5: Decision and Report

The Principal/Delegate will make a decision in accordance with the principles of procedural fairness and will be based on evidence that has been gathered through the investigation process.

Outcomes may include:

- Complaints are substantiated
- Complaints are unsubstantiated
- There is insufficient evidence to reach a finding.

Regardless of the outcome of the complaint, the College will work towards resolution and reconciliation for all parties involved.

Complaints received in writing may receive a written response. The decision-maker will respond to the person who made the complaint outlining the decision made and the reasons for that decision. The written response should also identify if options exist for internal or external review of a decision.

5.1 Record Keeping

Complaints processes must be consistent and transparent regardless of the level at which they are resolved. Records must be kept of information gathered and actions at all stages, in detail consistent with the level of risk and sufficient to explain the reasons for action. The SPCEF Record Keeping Policy outlines particular legal obligations and record retention periods.

5.2 Reviewing Decisions

Depending on the type of complaint and the outcome, a decision may be subject to review. Internal review is available:

- If the request for review raises new information – e.g a complaint was not resolved in line with the College's policy, or new facts that were not taken into account in the first decision, and
- For workplace complaints in accordance with the *Fair Work Act 2009*

Some decisions may also be subject to external review by The Office of the Children's Guardian or NESAC Accreditation Board.

5.3 Complaints and Complainants' Rights

Complaints made in good faith benefit the College in the identification of actions or practices that are unsatisfactory or unacceptable. They are an important part of a culture of accountability and ongoing improvement.

Part of the commitment that the College will deal with complaints fairly, impartially and confidentially is a commitment to protect the rights of people who make complaints.

Complainants must not be subject to adverse actions because they raise a complaint in good faith. For example, students or workers who raise a complaint in good faith cannot be treated differently to other students or workers, or suffer disciplinary action. These rights are in line with Christian/Biblical principles and protected by law for workers in the *Fair Work Act 2009*.

Appendix 2 - Assessing Risk

Once a risk is identified, each risk must be analysed to assess its risk level. The process is as follows:

Identify the existing controls - determine what controls are already in place to mitigate the impact of the risk. Controls may be strong or weak; they can be measurable and repeatable. Controls may include legislation, policies or procedures, staff training, insurance, segregation of duties etc. Once the controls have been identified and their effectiveness analysed, an assessment is made of the likelihood of the risk occurring and the consequence if the risk were to occur.

Assess the likelihood - the likelihood of the risk occurring is described as *rare, unlikely, possible, likely, or almost certain* to occur. The definitions are as follows:

Likelihood	Definition
Rare	There is a <10% chance that the event will occur once in the next 12-18 months (may only occur under exceptional circumstances) or has occurred in the last 10 years.
Unlikely	There is a 10-25% chance that the event will occur in the next 12-18 months or has occurred in the last 5 years
Possible	There is a 25-50% chance that the event will occur in the next 12-18 months (might occur at some point) or has occurred in the last 4 years.
Likely	There is a 51-85% chance that the event will occur once in the next 12-18 months (will probably occur in most circumstances) or has occurred in the last 3 years.
Almost Certain	There is a >85% chance that the event will occur once in the next 12-18 months (is expected to occur in most circumstances) or has occurred once in the last 12-18 months

Assess the consequence: the consequences, or potential impact if the risk event occurred are described as *insignificant, minor, moderate, major* or *catastrophic*. Once the consequence rating has been selected, the risk can be measured.

Measure the Risk: Utilising the Risk Matrix below, the corresponding likelihood and consequence is used to establish the overall risk level. For example, if the likelihood of a risk is Rare, and the consequence is Catastrophic, the risk rating would therefore be 'Moderate'.

	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	Major	Major	Extreme	Extreme
Likely	Minor	Moderate	Major	Major	Extreme
Possible	Minor	Minor	Moderate	Major	Major
Unlikely	Insignificant	Minor	Minor	Moderate	Major
Rare	Insignificant	Insignificant	Minor	Minor	Moderate

Examples of Risk Consequence Levels

Consequence	Child Protection & Student Wellbeing	Learning & Teaching	WHS & Staff Wellbeing	Regulatory	Financial Impact	Operational
Insignificant	Isolated non-material event/one-off incident	Isolated or one-off individual teacher failure to follow Code of Conduct / One off failure to meet student needs	No medical attention/ no lost time injury	Regulator identifies suggested improvements	Less than 0.5% outside of budget or unplanned expenditure	Low level of disruption to an isolated area of business operations/ class

Minor	Isolated parent dissatisfaction /short term absenteeism	Intermittent individual teacher failure to follow Code of Conduct/ intermittent failure to meet student needs	Treatable by first aid Less than one day lost time injury	Regulator identifies improvements required.	More than 1% outside of budget or unplanned expenditure	Low level of disruption to multiple areas of business operations/ classes
Moderate	Parent/ community dissatisfaction due to lack of action /short term mental health issue /moderate period of absenteeism	Regular individual teacher failure to follow Code of Conduct/ regular failure to meet student needs results in low impact on student achievement	Medical treatment required. More than one day lost time injury	Regulator issues notice of improvement or numerous recommendations.	More than 1%, less than 5% outside of budget or unplanned expenditure	Disruption across the majority of the business with capacity to maintain most functions
Major	Significant failure in legislative reporting obligations and action/ attempted suicide/ mental health impairment/ litigation	Consistent individual teacher failure to follow Code of Conduct/ Consistent failure to meet student needs leads to negative impact on student achievement	Admitted hospitalisation. More than one month lost time injury/ impairment of multiple staff or students	Regulator issues final warning or demand to remedy compliance issue	More than 5%, less than 10% outside of budget or unplanned expenditure	Significant impact to operations including short-term halt to core operations

Catastrophic	Fundamental failure in Duty of Care, legislative requirements and system Child Safe Standards/ Death/ Suicide	Multiple teachers' failure to follow Code of Conduct/ Consistent failures to meet student needs results in material negative impact on student achievement	Death or permanent disability	Regulator undertakes criminal prosecution of civil action/ penalties/ deregistration of school.	More than 10%, outside of budget or unplanned expenditure	Major impact to operations including medium to long-term halt of core operations
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Definitions

- **Concern:** an expression of worry or doubt over an issue considered to be important for which reassurances are sought.
- **Complaint:** an expression of dissatisfaction however made, about actions taken or a lack of action.
- **Informal Complaint:** an expression of dissatisfaction that is of a routine or less serious nature, and can be resolved by a teacher, or Middle Level Management.
- **Formal Complaint:** an expression of dissatisfaction involving a breach of policy or practice, or a matter of a serious nature that requires resolution by an ELT member/Principal/Team. The formal complaint may advised verbally or in writing.
- **Complainant:** A person who provides information or an allegation of wrong doing by either the organisation or worker.
- **Respondent:** Person or functional area about whom the complaint is made.
- **Vexatious Complaint:** A complaint that is falsely made, is not made in good faith, or is not based on evidence. Repeated vexatious complaints may constitute harassment or bullying.
- **Worker:** All people carrying out work for the College including employees (permanent, temporary and casual), contractors and sub-contractors, volunteers, apprentices, work experience students, or a minister or chaplain.
- **Complaint Management Team:** ELT members/delegates appointed by the Principal to resolve medium level complainants around processes and procedures.