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Policy Document

Complaints Policy and Procedures

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Complaints Policy and Procedures

Burnett Youth Learning Centre

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PURPOSE

The purpose of this policy is to ensure that complaints and disputes made by members of the BYLC school community are dealt with in a responsive, efficient, effective and fair way.

INTRODUCTION

- (a) Burnett Youth Learning Centre (the ‘Centre’) seeks to maintain an environment of respect and partnership amongst its’ own community. In doing so, the Centre acknowledges the right of students, parents and employees to raise questions or concerns in relation to aspects of Centre life, and have these concerns addressed by the Centre in an appropriate manner.
- (b) The Centre website has a Feedback / Suggested Improvements Form which is available to our parents, students and community to provide feedback and ideas for improvements. This on-line form is available through the Centre “Contact Us” page.
- (c) Most concerns will be able to be satisfactorily remedied **informally** through direct communication with staff, supervisors and Centre leadership.
- (d) In circumstances where complaints cannot be adequately addressed informally, the complainant may submit a Formal Complaint which will be addressed pursuant to this policy.
- (e) Additionally, various Centre policies are in place to address and remedy behaviours of specific concern. This policy is to be read in conjunction with those and other Centre policies, industrial instruments and enrolment documentation.

SCOPE

This policy covers Formal Complaints about matters brought by students, parents and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements, subject to the specific exclusions outlined in this policy

DEFINITIONS

Complaint

An expression of dissatisfaction in relation to any aspect of Centre life, including the complaints- handling process itself, where a response or resolution is explicitly or implicitly expected.

Evidence

Evidence in support of a Formal Complaint may include the following:

- Supporting evidence provided by a medical practitioner, counsellor, family member, friend or co- worker;



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- Supervisor's report and personnel records (i.e. Personal File Notes);
- Complaints or information provided by other employees about the behaviour of the alleged person causing the concern;
- Records kept by the person who has the concern;
- Whether the evidence was presented by the parties in a credible and consistent manner;
- The absence of evidence where it should logically exist.

Complaints Officers

Complaints Officers:

- Provide a 'first point of contact' for people with enquiries related to Complaints about behaviour (discrimination, harassment and bullying) or other Centre related concerns.
- Provide information about Centre Policies and resolution procedures, both internal and external to the Centre.
- Undertake awareness-raising in the workplace about the Centre's Policies and Procedures as appropriate.
- Assist parties to work towards a solution either informal/formal or internal/external.
- Alert the Principal to any issues/problems as they arise.

Complaints Officers will:

- Have a commitment to and understanding of social justice and equal opportunity.
- Provide accurate information about options.
- By their own behaviour, act as a role model to other staff and students.
- Be proactive in promoting a discrimination and harassment free environment.
- Be discreet and maintain a high level of confidentiality unless otherwise required by law.

The Complaints Officer will NOT:

- Engage in advocacy on behalf of an individual;
- Act in situations where they may be a conflict of interest.

The relevant Complaints Officers are:

- For matters in relation to students, staff or community members – Principal;
- For complaints in relation to Centre staff – Office Manager;

REFERENCE DOCUMENTS

- *Education (Accreditation Non-State Schools) Regulations 2017*
- *BYLC Child Protection and Procedures Policy*
- *BYLC Anti-Bullying Policy*
- *BYLC Workplace Health and Safety Policy*
- *BYLC Privacy Policy*



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POLICY STATEMENT

- a) The Centre acknowledges the right of parents (personally or on behalf of students), students and staff to seek remedy for concerns and problems they have arising out of behaviour or decisions associated with the Centre.
- b) All Formal Complaints will be addressed under this policy (subject to specific exclusions);
- c) The Centre is committed to ensuring that student, parent and employee complaints are dealt with in a responsive, efficient manner with procedural fairness, natural justice and an appropriate level of confidentiality during the complaints handling process.
- d) Outcomes/consequences for substantiated complaints will be implemented by the Centre;
- e) Any person whose presence at the Centre is seen in the reasonable view of the Principal, to be an unacceptable risk to others, will be directed to specific areas, or non-attendance at the Centre while the complaint is being addressed.

COVERED BY THIS POLICY

Burnett Youth Learning Centre encourage students, parents and employees to lodge promptly, any concerns regarding areas such as:

- the school, its employees or students having done something wrong;
- the school, its employees or students having failed to do something they should have done;
- the school, its employees or students having acted unfairly or impolitely;
- issues of student or employee behaviour that are contrary to their relevant Code of Conduct and Staff Expectations;
- 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.

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

NOT COVERED BY 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 school's BYLC Child Protection and Procedures Policy.
- Student bullying complaints should be dealt with under the BYLC Anti-Bullying Policy.
- Workplace bullying/harassment complaints are to be made using the procedures outlined in the BYLC Workplace Bullying Policy.
- Student discipline matters, including matters involving suspension or expulsion, will be addressed pursuant to the Centre's Behaviour Management Procedures.



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- Employee complaints related to their employment should be directed to the Principal and dealt with under the Fair Work Act in accordance with individual's contracts.
- Student or employee violence or criminal matters should be directed to the Principal who will involve the Police as appropriate.
- Formal legal proceedings will be managed by the Principal or their delegate as appropriate.

PROCEDURES

There are two options available when lodging a complaint of any kind:

1. Address the concern informally within the Centre or
2. Make a Formal Complaint under this policy.

Procedure for Handling ALL Complaints

The Centre seeks to employ four key steps in handling a complaint, with the option of a fifth step for review of a complaint outcome:

- Step 1. Receiving and clarifying the complaint.
- Step 2. Deciding how to handle the complaint.
- Step 3. Gathering information about the complaint.
- Step 4. Making a decision about the complaint.
- Step 5. Review Phase – for resolution.

Step 1 - Receiving and clarifying the complaint

Many complaints are resolved, informally, at the first point of contact with information and/or an explanation, together with an apology and recognition of the effect the situation has had on the person. Some complainants may also want an undertaking that action will be taken to prevent the problem recurring.

When any staff member receives a verbal complaint from any member of the Centre community, they should:

- listen carefully to the issues being raised;
- summarise the issues to clarify and check that they understand the complaint;
- empathise and acknowledge the complainant's dissatisfaction;
- find out what action the complainant wants as a result of the complaint;
- tell the complainant that they may use the support of a third party in progressing the complaint, if they feel this is needed;
- resolve the complaint if possible, or assure the complainant that their complaint will be escalated to an appropriate staff member to be addressed;
- direct the complainant to this policy for further information on how their complaint will be addressed by the Centre;
- thank them for raising their concern.

In circumstances where the complaint cannot be satisfactorily resolved through informal processes as outlined above, the complainant may submit a Formal Complaint under this policy.



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If the complaint relates to a report about harm (whether physical/emotional/sexual) of a student under 18 years attending the Centre, refer to BYLC Child Protection and Procedures Policy for detailed obligations of all employees.

Formal Complaint

Once the complainant indicates that they would like to register a formal complaint verbally, the member of staff makes a written outline of the issues concerned. The record is read to the complainant, with opportunity for appropriate amendments and the complainant is asked to sign, where possible, the written version of the complaint. The staff member also signs (indicating their personal designation, for example, 'Outdoor Recreation Teacher, BYLC') and dates the complaint. No signature is required for verbal complaints taken over the phone, but the complainant is asked to provide verbal confirmation of the issues that have been recorded.

If a complainant refuses to sign or confirm a written recording of a verbal complaint, the staff member notes the refusal on the written complaint. The complainant is told that this refusal will be noted and that the process will be reliant on the staff member's interpretation and notes only. The complainant may not, at a later date, make another complaint based on a lack of satisfaction with this record of complaint.

Alternatively, a formal complaint may be directed in writing to a Complaints Officer. The complainant may choose to use the Formal Complaint Notification Form, although this is not obligatory.

Formal Complaints will be recorded and reported to the relevant Complaints Officer as soon as practicable after receiving the complaint.

To assist the Complaints Officer in addressing the complaint, a Formal Complaint should:

- use objective language, clearly stating the facts;
- contain information in chronological order as practically possible;
- use quotation marks, where appropriate and necessary;
- be neatly and legibly written in biro/pen or in print in clear unambiguous language;
- include any relevant evidence that will assist the Principal in addressing the complaint.

The formal compliant will be recorded in a Complaints Register which allows the effective management of all complaints received.

Anonymous complaints

Whilst anonymous complaints made in writing will be taken seriously by the Centre and brought to the attention of the Principal, the Centre may be limited in its ability to address the complaint appropriately without the opportunity to discuss the matters raised with the complainant and seek further information, where necessary.

When a complaint is received verbally by the Centre and the complainant expresses the wish to remain anonymous, the complainant will be told of the possible limitations associated with making an anonymous complaint.



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Step 2 - Deciding how to handle the complaint

When the Complaints Officer receive a **formal complaint**, they will:

- begin the process of making an assessment about a complaint from the moment the complaint is received;
- make an assessment in the first instance about whether the issue can be dealt with as a concern or a complaint

The Complaints Officer will decide whether to:

- take no further action, and provide reasons for this to the complainant;
- escalate the complaint to the direct attention of the Principal;
- attempt to resolve the complaint through resolution strategies such as mediation;
- refer the complaint to the relevant internal officer or external agency if required;
- initiate an investigation of the complaint, within the Centre, if further information is required.

Co-ordination of complaints

The Principal has the final responsibility for the management of all formal complaints that relate to Centre management issues under their jurisdiction. The complaint can be delegated to a Complaints Officer or another staff member in the Centre for action if appropriate (for example: The Office Manager or the Assistant Principal).

Record of complaint

The Complaints Officer will ensure that records of a formal complaint and any referral of a complaint is kept for either internal or external review.

Step 3 - Gathering information about the complaint

The Complaints Officer or delegate will gather all the necessary facts about the complaint while keeping in mind the principles of natural justice of all parties concerned.

The Complaints Officer or delegate will investigate complaints by:

- collecting and analysing information relevant to the matter;
- working collaboratively with all people involved;
- finding the facts relating to the matter;
- identifying any contributing factors to the matter;
- consulting the relevant BYLC Policy on issues that relate to the complaint; and
- documenting the investigation report or outcome.

Where a complaint is made in relation to the actions of any specific student, staff member or other Centre community member, the Complaints Officer will seek information from this person directly where appropriate. In accordance with principles of procedural fairness and natural justice, the Complaints Officer will provide adequate opportunities for the subject person to respond to the complaint before an outcome is decided.



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Step 4 - Making a decision about the complaint

Based on the facts gathered in Step 3 about the complaint, the Complaints Officer or delegate will make a decision on how to resolve the formal complaint.

Notifying the complainant of the decision

Within **28 days** of the receipt of the complaint, the principal will provide the complainant with either:

- a written response, including reasons for the decision; or
- a written notification that their complaint has been referred to an external agency.

Step 5 - Review Phase

If the complainant is not satisfied with this response, they are encouraged to discuss it further with the Principal and/or advised to contact the Chairman of the Board of Directors. The relevant documentation should be marked "Confidential – Formal Complaint". All documentation is to be handed to Centre Administration, which will document the receipt of the complaint and forward it on to the appropriate recipient.

Centre initiated investigation

There may be times when a Complainant does not want to continue with any process or investigation. If the issues raised are such that the health and wellbeing of any persons covered by this policy may be adversely affected, the Centre reserves the right to initiate an investigation, irrespective of the wishes of the complainant or other parties (and in such circumstances, the Centre will take all appropriate steps to maintain the confidentiality of the complainant where possible).

Training

All staff are provided training on how to identify a complaint, when a complaint can be managed informally and when it should be escalated to a relevant Complaints Officer and/or Principal. Additional training is provided to those people who are responsible for managing escalated complaints.

Reporting

The Centre's Board of Directors will receive regular reports, from the Complaints Officers, with respect to the status of existing complaints, any underlying statistical trends, as well as information with respect to corrective actions that have been put in place.

This policy was adapted with kind permission from:

Bundaberg Christian College, Formal-Complaint-Policy-and-Procedures, February 2018

**Formal Complaint
Notification Form**



**TO BE COMPLETED BY PERSON LODGING
FORMAL COMPLAINT**

1. Full Name: _____

2. Daytime Phone: _____ After Hours / Mobile Phone: _____

3. Have you personally taken steps to try and resolve the issue before proceeding to lodgement of a Formal Complaint? (Circle Yes or No)

YES

NO

4. If "YES": Please provide details and attach any supporting documentation:

5. Nature / description of complaint: _____

6. Names of any witnesses or support person/s (if applicable): _____

I maintain that the above is true and accurate to the best of my knowledge.

Name

Signature

Date