

## **Complaints and Grievances**

*Foundation for Life*

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## 1 Rationale

At Coast Christian School (“Coast”), we recognise that from time to time there may be disappointment or dissatisfaction with our services. We welcome hearing the concerns of parents (including guardians, caregivers etc), students and other stakeholders (collectively known as “Complainants” in this Policy).

We seek to engage with the intention of reaching mutual understanding and prompt resolution of Complaints and Grievances (referred to collectively in this Policy as “Complaints”), for the purpose of continually improving services provided by the School.

Complaints should be communicated to the School in accordance with this Policy.

## 2 Policy Purpose

The purpose of this Policy is to provide Complainants with an understanding of the approach the School takes to complaint resolution and how together we can aim to achieve a prompt and amicable resolution. This Policy provides for a conciliatory approach and not a legally binding determination of issues raised. The School seeks to avoid the unnecessary escalation of concerns whilst equipping Complainants with an opportunity to be heard, understood, and responded to appropriately and in a timely manner.

## 3 Policy Approval

This Policy is reviewed regularly and approved by the Board of Directors.

## 4 Whistleblowing Concerns

Complainants who wish to receive the legal protections of Whistleblowing legislation, should read and follow Coast’s Whistleblower Policy **first**, because some Whistleblower Protections may be lost if this Complaints Policy is used instead.

If the mechanisms under the Whistleblower Policy have been exhausted, the Complainant may make a Complaint under this Policy if their concerns continue.

## 5 Guiding Principles

At Coast, we endeavour to put God first in implementing this Policy and to act in accordance with our Values.

- All Complaints are received by Coast in a positive manner and taken seriously.
- Management of Complaints is guided by principles of natural justice and procedural fairness.
- All communications relating to a Complaint are to be characterised by courtesy and respect from all involved.
- All parties should approach a Complaint with the intention of resolving concerns and preserving relationships.
- Coast takes responsibility for protecting the wellbeing (including physical and psychosocial) of members of the School community, including students and staff.
- Parents have a recognised right to seek access to information about, and clarification of circumstances relating to, the education and welfare of students in the the School's care.
- Concerns should be limited in disclosure to relevant personnel and strict confidentiality is to be maintained. The privacy of students, parents, staff and other stakeholders should be upheld as far as is reasonable and appropriate in the circumstances.
- Behaviour that does not align with the School's Codes of Conduct will not be tolerated and may result with the termination of engagement with the School in serious circumstances.

## 6 Allegations of Staff Misconduct or Reportable Conduct

If a complaint relates to an allegation of staff misconduct or reportable conduct, please reference to our related procedure "Complaints Handling Procedures regarding allegations of staff misconduct or reportable conduct".

## 7 Approach to Complaints Handling

This Policy provides a two-tiered approach for making Complaints:

- an “Initial Complaint” and/or
- a “Formal Complaint”

## 8 Initial Complaints

An Initial Complaint is a matter which can be resolved either by relevant Coast staff and/or the Principal. Complainants may choose whether they communicate an initial Complaint verbally or in writing or in writing, by email or by text message (social media posts are not to be used for complaint- making purposes).

An “Initial Complaint” is converted to a Formal Complaint if the matter is still not resolved after the Initial Complaint processes are exhausted.

## 9 Formal Complaints

A Formal Complaint is a matter referred to the Complaints Committee of the Coast Christian School Board of Directors via the Board Chair ([boardchair@coastcs.nsw.edu.au](mailto:boardchair@coastcs.nsw.edu.au)) for assistance with resolution.

Complainants should exhaust the processes provided in this Policy before approaching the Board, unless there is an appropriate reason to circumvent the Initial Complaint processes, as outlined below.

## 10 Serious or Sensitive Complaints

Some Complaints, because of the seriousness of their nature or sensitivity of the subject matter, should be referred immediately to the Principal – eg Child safe issues or Complaints about behaviour which places others at risk of harm etc - in which case follow the steps outlined in our Child Safe or other relevant policies. Concerns of this nature relating to the Principal, should be immediately referred to the Board Chair at [boardchair@coastcs.nsw.edu.au](mailto:boardchair@coastcs.nsw.edu.au).

## 11 Concerns about the Principal

Any concerns relating to the Principal can either be made directly to the Principal - if the Complainant is comfortable to do so - otherwise directly to the Board by emailing the Board Chair on [boardchair@coastcs.nsw.edu.au](mailto:boardchair@coastcs.nsw.edu.au).

## 12 Concerns about operational matters

Any concerns raised which related to the manner in which the Principal and/or staff have acted from an operational or management perspective are to be reviewed by the Board in order to make a determination on whether the Principal and/or staff acted in accordance with Coast Policy and Procedure.

## 13 Concerns about the Board Chair or Other Board Members

Any concerns relating to the Board Chair or other Board Members can be made to the Deputy Chair (who can be contacted via the School office).

## 14 Vexatious Complaints

The Principal is authorised by the Board to characterise Complaints as “vexatious” using reasonable judgment and discernment. If the Principal determines a Complaint to be vexatious, the Principal will communicate this view to the Complainant, verbally if the Complaint was made verbally and in writing or by email if the Complaint was made in writing. If the Complainant is unsatisfied with this determination, the Complainant may approach the Board for assistance in accordance with this Policy. If the Board’s Complaints Committee regards the Complaint to be vexatious, the Committee Chair will inform the Complainant of that decision and the Complaint will be closed.

## 15 Concerns About Other Students/Parents

Unless a parent is confident that their relationship with another parent is such as to warrant an initial attempt at resolving conflict directly with the other parent, Coast recommends that Parents first approach the relevant teacher for assistance with a concern about another student and/or parent. Especially where there is a history of animosity, situations can be often sensitive and can often be best managed with the assistance of the relevant teacher and/or Principal to ensure a fair process is facilitated. Parents should bear in mind the Code of Conduct for School Community Members etc when considering their intended approach.

## 16 Staff Concerns About Other Staff

Where a staff member has a concern about another staff member, the matter should be initially taken up with that other staff member with a view to resolving the issue quickly and amicably. If that is not possible or if it is inappropriate in the circumstances, the staff member should seek the assistance of the Principal. The Code of Conduct for

School Community Members should be followed at all times and any behaviour which does not align may be cause for disciplinary action.

## 17 Staff Concerns About the Principal

Where a staff member has a concern about the Principal, the matter should be initially taken up with the Principal with a view to resolving the issue quickly and amicably. If that is not possible or if it is inappropriate in the circumstances, the staff member should seek the assistance and direction of the Board Chair ([boardchair@coastcs.nsw.edu.au](mailto:boardchair@coastcs.nsw.edu.au)). The Staff Code of Conduct for School Community Members should be followed at all times.

## 18 Examples of Complaints

The types of possible Complaints which could be dealt with under this Policy are unlimited but some potential examples include:

- Child safe issues (but note that Mandatory Reporting and Reportable Conduct provisions under the Child Safe Policy should be addressed first) – see also the Child Safe Policy
- Allegations of misconduct by teachers
- Dissatisfaction with educational outcomes
- Dissatisfaction with student treatment
- Bullying of one child by another (see also the Anti-Bullying & Cyber Bullying Policy)
- Harassment of a staff member by a superior, peer or subordinate (see also Harassment Policy)

## 19 Making an Informal Complaint

### 19.1 Communicate with Relevant Staff Member

Coast encourages an attempt to resolve issues informally where possible. We invite complainants to raise concerns with us as soon as they arise – the sooner, the better.

The Teacher or staff member who is most closely associated with the details of the Informal Complaint should be contacted. This can be done by phone, email or by arranging an appointment through the School Office. The substance of the matter can be communicated either verbally or in writing or by email or text, as suits the Complainant (but social media posts are not to be used for complaint-making purposes).



## 19.2 Approach the Principal

If the matter is still unresolved, Complainants are invited to contact the Principal as soon as possible by phone, email or arranging an appointment through the School Office to provide information regarding the matter and the fact that the matter is unresolved.

The Principal will consult with the Complainant and with relevant staff members to collect relevant information regarding the matter. The Principal will conduct an investigation which may include interviews of students, and parents/others as appropriate. The attendance of a support person will be offered. It may be necessary for a mediation meeting to be held with the aim of achieving a resolution. The Principal may, at their discretion, invite the assistance of the Board of Directors, or an external conciliator if appropriate.

The Principal will make best endeavours to resolve the matter amicably and to communicate an outcome to the Complainant, in writing or by email if requested.

Appropriate records, including notations on student files, will be maintained.

## 20 Making a Formal Complaint (or Converting Initial Complaint into Formal Complaint)

### 20.1 Write to Board Complaints Committee

If the matter cannot be resolved with the Principal through Initial Complaint channels set out above or if the matter is sufficiently serious or sensitive, the Complainant may choose to request the assistance of the Complaints Committee of the School's Board of Directors. This is regarded as a "Formal Complaint". The nature and details of the Complaint, and desired outcome should be set out and emailed to [boardchair@coastcs.nsw.edu.au](mailto:boardchair@coastcs.nsw.edu.au).

### 20.2 The Committee's Initial Response

The Board Chair will assess the Complaint to determine legitimacy. If the Chair accepts the Complaint as legitimate and sufficiently substantial as to warrant Board review, the Board Chair will convene the Complaints Committee (ie 2 board members least affected by any conflict of interest, and the Company Secretary where appropriate) and will pass on the Formal Complaint to the Complaints Committee Chair, within 2 business days of receiving the Complaint.

Unless inappropriate due to the circumstances, the Board Chair will notify the whole Board that a Formal Complaint has been received and that it has been referred to the Complaints Committee.

The Complaints Committee Chair will acknowledge receipt in writing or by email of the

Complaint within 3 business days of the Committee's receipt.

The Committee will activate its formal Complaints process within 7 business days of the acknowledgement of the Complaint.

Where reasonable in the circumstances and depending on the complexity of the matter, the Committee will endeavour to complete its investigation within 1 month of receipt, or if not complete, will keep the Complainant updated as to anticipated future timeframes for resolution.

If the Board is of the view that the Initial Complaints process has not yet been exhausted, the Board will re-direct the Complainant to follow the Informal Complaint channels.

If the Board regards the matter as vexatious or unsuitable for Board intervention it will communicate its decision to the Complainant and will close the Complaint.

### 20.3 The Committee's Investigation

The Complaints Committee acts on the Board's behalf to conduct an investigation and makes recommendations to the Board. The Board - as a whole - will make a final determination. The Complaints Committee does not have decision-making power to determine the final outcome of a Complaint nor how it should be managed. Its authority extends only as far as investigating the Complaint and making recommendations to the wider Board.

During the investigation, the Committee will bear in mind the Board's Governance role (not "management" or "operational" role), and will accord principles of natural justice for all concerned. Where a

The Committee Chair - or delegate - may consult with the Principal and the Complainant and others to gain a better understanding of the Complaint.

In investigating a Complaint, it is compulsory for the Complaints Committee to:

- Ensure the wider Board is aware of the existence of a Formal Complaint
- Provide a progress update so that the matter can be duly noted at the next Board Meeting following receipt of the Complaint
- Keep in reasonable contact with the Complainant to provide progress reports
- Keep the Board updated as to progress
- Communicate recommendations to the Board and invite the Board to consider proposed resolutions (whether at a Board meeting or by Circular Resolution).

The Committee's Complaints process shall include as far as is relevant in the

circumstances:

- Determining a fair process from the outset that accords with principles of procedural fairness and natural justice (including – at an appropriate time – informing any alleged offender of a complaint against them, and inviting their response etc)
- Raising an Investigation Project Plan
- Collecting and analysing relevant information
- Working collaboratively with all involved
- Ascertaining the facts relating to the matter
- Identifying any contributing factors to the matter
- Assessing the matter and determining an evidence-based outcome
- Documenting the investigation report or outcome
- Raising an Outcome Report/File Note
- Communication of the Outcomes as appropriate including in writing or by email to the complainant and any others affected by the outcome
- Recording records of the Complaint and investigation processes including interviews etc
- Implement any corrective or preventative action required
- Implement any disciplinary action required
- Determining whether policies or processes should be amended for continuous improvement
- Reporting to external regulators as required or ensuring Management has done so
- Monitoring continuous improvement
- Ensuring any training or professional development proceeds as necessary
- Retaining all records for at least 7 years

## 21 Board Reporting of Complaints

The Board requires the Principal to report at each Board Meeting any substantive Initial Complaints made, along with the approach taken towards resolution and the outcome including any disciplinary action and/or changes in practice required.

Where the Principal is also a Board Director and the concern relates to actions (or inaction) of the Principal, any related conflicts of interest should be declared and

managed appropriately, with appropriate recording in the Minutes.

## 22 Records

For Initial Complaints, file notes and/or written records recording all steps taken are to be retained for at least 7 years.

For Formal Complaints, formal records, including File Notes, Interview Transcripts, documented investigation processes etc, are to be retained for at least 7 years.

## 23 Other Support for Resolving Complaints

The Principal and/or Board may seek professional advice from Industry Associations, investigative experts and/or legal experts or other appropriate providers about the best approach for managing a Complaint.

## 24 Seeking the Assistance of NESA

A Complainant (whether an individual or organisation) may contact NESA (NSW Education Standards Authority) at any time for advice on how best to raise an issue or proceed with a Complaint.

If a Complainant is not satisfied with the decision of the School in the determination of the Complaint, NESA can assist by investigating the Complaint but only if the matter relates to requirements for registration under the *Education Act 1990 (NSW)*.

NESA will seek clear evidence that options for pursuing the Complaint with the School directly have been exhausted without resolution or that there is a compelling reason that this would not be appropriate.

Details of how to raise a concern with NESA, and contact information etc, can be found on

NESA's website:

<https://rego.nesa.nsw.edu.au/frequently-asked-questions/raising-concerns>

## 25 Related Policies

Anti-Bullying (including Cyber Bullying)

Child Safe Policy (including Code of Conduct) Code of Conduct – Students

Code of Conduct – School Community Members

Complaints Handling Procedures – Allegations of Staff Misconduct or Reportable

Conduct Employment Policy (Disciplinary Provisions)

Harassment Policy

Privacy Policy

Whistleblowing Policy

WHS Policy