



MENTONE GIRLS'
GRAMMAR

Complaints Handling and Resolution Policy

Effective

August 2020 - Version 3

Introduction

Mentone Girls' Grammar School (the 'School') understands that individuals and organisations may have concerns with the way the School has handled a matter or are unhappy with the School or members of its community. We welcome and value this feedback and use this information as part of the School's continuous improvement process.

The School is committed to resolving complaints in a fair, timely, efficient and sensitive manner and expect complaint parties to participate in the complaint resolution process in good faith and not use the complaints resolution process for purposes other than resolving a complaint at Mentone Girls' Grammar School.

The School has a number of free and accessible complaints reporting mechanisms that are tailored for specific types of Complaints and Grievance reporting.

Staff are to refer to the School's Complaints Handling and Resolution Policy in the Policy Management Portal.

1. Aim & Scope

This document has been designed as a guide to handling Complaints submitted to the School by external and internal complainants. It aims to:

- Ensure members of the School community and external parties are informed of how they can make a complaint to Mentone Girls' Grammar and the procedure to resolve the matter.
- Assist to resolve complaints in a timely and efficient manner ensuring that the outcomes are consistent, fair and just.
- Establish trust in the School community that complaints will be managed, investigated and reviewed objectively and consistently.
- Establish, review and update mechanisms to address any complaints and disputes.
- Support the complainant's right to make a complaint.
- Preserve the right of natural justice with any complaint.

2. Key Definitions

2.1 Complaint

A Complaint is an expression of dissatisfaction about a School product, service, decision, treatment, action, fee or handling of a complaint by the School. The Complainant must be making such a complaint with the intention of seeking redress or justice. This is different to a grievance which is raised informally in order to change or improve a situation.

2.2 Complainant

An individual or entity that lodges a complaint is referred to as a Complainant. Complainants could include parents, students, School Council members employees and also suppliers, local residents and other external bodies with whom the School has dealings.

2.3 Harassment

Workplace harassment is unwelcome conduct from a manager, co-worker, group of co-workers, contractor, or parent whose actions, communication, or behaviour mocks, demeans, puts down, disparages, or ridicules an employee. Physical assaults, threats, and intimidation are severe forms of harassment and bullying.

2.4 Workplace Grievance

A workplace grievance is a formal complaint raised towards an employer by an employee due to a violation of legalities (e.g. policies, employment contract, national standards). Grievances may be filed by an employee against another employee or an employee against their employer. Please refer to the School's Workplace Bullying and Harassment Policy for more information or speak to the Human Resources Manager.

2.5 Frivolous and Vexatious Report/ disclosures

A frivolous claim or report is one that has no serious purpose or value. A vexatious report or complaint is one (or a series of many) that is specifically being pursued to simply harass, annoy, cause inconvenience or damage to their recipient and is usually without merit.

2.6 Dispute

A Complaint that has not been resolved to the satisfaction of the Complainant.

2.7 Unresolved

A Complaint is considered to be 'unresolved' when agreement cannot be reached on a course of action and/or a remedy, or if the remedy cannot be implemented.

2.8 Resolved

A complaint is considered to be 'resolved' when an acceptable outcome to both parties has been reached and a dispute has not been lodged.

2.9 Finalised

A Complaint is considered to be 'finalised' when the Principal has made a final determination on the matter after exhausting the processes set out in this policy.

3. Complaints Handling Principles

This Policy has been written and designed around the following Complaints Handling Principles:



4. Fairness

All Complaints will be handled in line with the following rules of natural justice to ensure fairness within the process:

- the equal treatment of all parties to the dispute
- adequate notice to be given of the process
- details of the concern to be given to the respondent

- facts of the case to be substantiated
- the rights of both sides to be heard and treated fairly
- neither party to be victimised or discriminated against as a result of the Complaint process
- an unbiased and impartial decision maker to resolve the dispute.

The School is committed to providing procedural fairness by sharing information provided by one party with the other party (where two or more parties are involved in the Complaint) and by providing all parties with a fair opportunity to make submissions setting out their views during the investigation stage.

The School will manage this process in an efficient way. As a result, we only share relevant documents with the parties and also try to minimise the number of 'back and forth' between parties sharing information.

5. Privacy and Confidentiality

The School's Complaint resolution process relies on active participation by the parties involved in the Complaint and an open exchange of information, with an opportunity to put forward relevant information and arguments. It is not intended or permitted for disclosed information to be used for a purpose other than to resolve a Complaint.

5.1 Confidentiality

It is imperative that strict confidentiality be maintained when handling a Complaint. Information will be given to other staff only on a "need to know" basis, and Complainants and staff members must maintain strict confidentiality during all stages of the Complaints process. This applies to both the informal and formal Complaint handling process.

All written information relating to a Complaint must be kept securely and in line with the School's Privacy Policy. Written information includes hand written notes and records of meetings and conversations and other written, printed or electronically sent information.

Breaches of Confidentiality and Privacy will be referred to the School Principal and the Human Resources Manager for disciplinary action. This includes gossip and rumors related to a informal or formal Complaint submitted to the School.

Complaints lodged through CompliSpace have sensitive Privacy settings and are kept in CompliSpace Assurance which is accessible through a secure login. It is encouraged that the Complaint forms in CompliSpace be used to report and manage School Complaints where possible.

If the School does not need identifying information of the Complainant to action the Complaint, it is irrelevant information and should not be collected.

5.2 Access to Private and Confidential Information

Access to information gathered during an investigation will not be provided to a Complainant or other parties if:

- we reasonably believe that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety
- giving access would have an unreasonable impact on the privacy of other individuals
- the request for access is frivolous or vexatious
- the information relates to existing or anticipated legal proceedings between the School and the individual, and would not be accessible by the process of discovery in those proceedings
- giving access would reveal the intentions of the School in relation to negotiations with the individual in such a way as to prejudice those negotiations
- giving access would be unlawful
- denying access is required or authorised by, or under, an Australian law or a court/ tribunal order
- giving access would reveal evaluative information generated within the School in connection with a sensitive decision-making process

- giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
- giving access would be likely to prejudice enforcement-related activities conducted by, or on behalf of, an enforcement body.

6. Accessibility

6.1 Staff and Contractors

Electronic lodgement	All Staff have access to the Complaints handling process electronically through the Policy Management Portal or via the Risk Management and Compliance page in m-connect. This will be managed by the Senior Vice Principal or the Human Resources Manager.
In Person	Staff who prefer to discuss the matter in person may speak with the Human Resources Manager, Senior Vice Principal or Principal.
Teaching contractors	Contract teaching Staff should raise their Complaint with Human Resources or the Senior Vice Principal.
Non-Teaching contractors	Non-teaching contractors should raise their Complaint with the School Business Manager.

6.2 Students

Student Complainants should approach their Home Group Teacher as the first point of contact when making a Complaint; that member of staff will have the responsibility to notify the relevant Head of Year.

If Students are uncomfortable to approach their Home Group Teacher first, Students may alternatively lodge a Complaint by speaking with their Head of Year, Head of School, Vice Principal or Principal by appointment.

6.3 Parents

There are a number of reasons that a parent/ guardian may need to raise a concern or lodge a complaint. In this instance, there are a number of different avenues these can be referred to for resolution:

Educational Concerns	Daughter's Head of Year. The Head of Year may seek the assistance of teaching staff, Heads of Department, Head of Teaching and Learning, Head of School or Vice Principal as appropriate.
Operational Concerns	Concerns and Complaints of this nature should be referred to the Head of School in the first instance.
Organisational Concerns	Concerns and Complaints of this nature must be immediately referred to the Principal.
Commercial Matters	Concerns or complaints regarding financial and commercial matters should be referred to the Business Manager in the first instance for resolution.

6.4 External Parties

External Complaints may be made by letter, telephone call or through the School's External Reporting Form located on the School's website under Contact Us.

Depending on the nature of the Complaint, the School Principal may decide to engage assistance from staff who have expertise in dealing with the nature of the Complaint lodged.

If the Complaint relates to the Business Manager or Senior Vice Principal the contact point is the Principal. If the Complaint relates to the Principal, the contact point is the President of School Council.

6.5 Overseas Students

Overseas Students should read this policy in conjunction with the:

- Overseas Student Complaints and Appeals Policy
- Overseas Student Complaint Resolution Policy

6.6 Where to Lodge a Complaint

All Complaints should be logged in CompliSpace Assurance through the appropriate incident reporting form. The School has two Complaints reporting forms:

- Internal Complaints and Grievances
- External Complaints and Grievances

Staff should not report Incidents and Breaches through these forms. Please refer to the Report an Incident Page.

External parties and parents are welcome to use the External Complaint form on the School's Website - <https://www.mentonegirls.vic.edu.au/contact-us>.

7. Resolution Procedures

The Complaints Resolution process consists of a number of stages and may involve various members of School staff depending on the nature of the Complaint.

7.1 Timeliness

The School must consider complaints and grievances in a timely manner, within specified and achievable time frames.



Whilst it is hoped that most, if not all, Complaints can be resolved quickly and informally, the formal process will be implemented to resolve matters where the Complaint cannot be resolved informally or within the time frame permitted during the informal process.

7.2 Informal Vs Formal Complaint Mechanisms

Informal Complaint Process	Formal Complaint Process
Complaints regarding the following must follow the Informal process first and be registered in the Compliant Register in CompliSpace Assurance.	Complaints regarding the following must follow the Formal process and be registered in the Compliant Register in CompliSpace Assurance.
Timeliness: 14 business days during term time from receipt of the complaint	Timeliness: 30 days during term time from the time the School receives the formal complaint
Written Outcome Response: Provided upon request.	Written Outcome Response: Provided upon completion of an investigation

Examples of Informal Complaints	Examples of Formal Complaints
<ul style="list-style-type: none"> • Minor staff grievance. • Student grievances (except where Child Health and Safety is at Risk). • Complaints that have arisen due to unclear or lack of communication. • Less serious matters in which there is no risk of harm to any person. • Academic concerns that have not been raised previously with the School. • Operational grievances or concerns. • Commercial grievances or concerns. 	<ul style="list-style-type: none"> • Informal Complaints that are unresolved or have been escalated for formal Complaint resolution by the Complainant. • Informal Complaints that will not be resolved in 14 business days. • Repeated or multiple Complaints regarding the same underlying matter. • Serious Misconduct by a student, staff or contractor. • Any circumstance arising at the School that poses a risk to the health, safety or wellbeing of a child or children attending the School. • Any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the School. • Any Complaint regarding repeated Bullying and Harassment. • Any Complaint alleging Australian or Victorian Laws or Regulations have been contravened. • Occurrence of inappropriate discipline. • All Privacy or Confidentiality complaints. • Overseas Student Complaints, including those from Homestay Providers or local support persons. • Internal and External complaints that have requested a formal investigation or response. • Workplace sexual harassment. • Breach of Work Health and Safety obligations. • Organisational complaints

7.3 Informal Process

The Informal Complaints process will take no more than 14 business days to resolve. If it cannot be resolved within this time frame it must then be referred to the Formal Complaints handling process.

The aim is to encourage the relevant people to discuss the issue of concern with a view to reaching an amicable resolution.

This can be facilitated by a member of the SMT, Human Resources or Head of Year depending on the nature of the issue and the relevant parties.

7.3.1 Informal Resolution Steps

Step 1 Contact The Complainant will make an appointment to discuss their Complaint with the appropriate person as listed in the below categories (also known as the responsible person).

It is the responsibility of the person receiving the Complaint to maintain a written and dated record of all concerns. This can be loaded into the Complaints register as an informal process and records can be kept there.

Complainants can also select to lodge a complaint form and select the informal mechanism to be taken. This will then be referred to the appropriate Complaint resolution staff.

Step 2 Meeting At the meeting, the responsible person will record the meeting and discuss the key issues of the grievance.

Step 3 Investigation The matter is investigated discretely by the responsible person with the view of exercising natural justice principles. This will include a meeting with any other party the complaint is directed towards.

Once complete a meeting with the complainant is arranged to discuss the findings or further action required.

Step 4 Resolution options/ Outcome If possible, a further meeting is arranged for both parties to outline their position respectively and to work collaboratively to reach an understanding and course of action. The responsible person will regularly monitor the process and call further follow up meetings if required.

If resolution cannot be reached, or the complainant is not satisfied with the outcome, the complainant can escalate the complaint to the formal process.

7.4 Formal Process

After considering the Complaint, the Principal will decide on an appropriate course of action to take and might call for further investigations. This task might be delegated to a member of the School Executive team or a member of Staff with specific Complaints Handling skills.

The resolution process will be tracked and a written record of all meetings and interviews held in relation to the Complaint will be attached to the Complaint in CompliSpace. File notes will be made in CompliSpace within the Complaint, and will include attachments of all other documents pertaining to the investigation.

A formal response to the Complainant will be made within 30 days during term time of the date of receipt of the formal written Complaint or submission through a CompliSpace complaint form.

7.4.1 Formal Resolution Steps

Step 1 Lodge The Complainant can select to lodge their Complaint through the electronic form, by email, by telephone or by letter.

It is the responsibility of the person receiving the Complaint to maintain a written and dated record of all concerns.

This Complaint will be loaded into the School's Complaint register if it was not lodged through it.

- Step 2 Acknowledgement** The School will formally acknowledge all formal complaints within 48 hours of receipt.
- Complaints lodged through the Electronic Complaint form will receive an automatic acknowledgement from the School.
- Complaints submitted in other formats will have a written response within 48-72 hours of receipt of the complaint therefore allowing complaints received over the weekend to be responded to formally.
- Step 3 Investigation** The matter is investigated discreetly by the responsible person with the view of exercising natural justice principles. This will include a meeting with any other party the complaint is directed towards.
- Once complete a meeting with the complainant is arranged to discuss the findings or further action required.
- Step 4 Outcome** If possible, a further meeting is arranged for both parties to outline their position respectively and to work collaboratively to reach an understanding and course of action. The responsible person will regularly monitor the process and call further follow up meetings if required.
- If resolution cannot be reached, or the Complainant is not satisfied with the outcome, the complainant can escalate the Complaint to the formal process.

The End to End Complaint Resolution Process can be found in Attachment I.

8. Appeals

8.1 Escalation

The response of the Principal will be the final position of the School. If there is a perceived procedural issue that has not been complied with in dealing with the Complaint, the person/organisation may place their concerns in writing, addressed to the President of the School Council.

The Council's role is only to assess the procedural fairness in dealing with the complaint and not to deal with the matters referred to in the complaint. The School Principal's decision is final.

8.2 Overseas Students

Please refer to the Overseas Student Complaints and Appeals Policy.

In summary, if an Overseas Student Complainant has an unresolved Complaint, following implementation of both the informal and formal processes, an independent body consisting of School Council members will be established to arbitrate.

An Overseas Student Complainant's enrolment will be valid during the process and this procedure does not circumscribe a Complainant's (or parents') right to pursue other legal remedies.

If an Overseas Student wishes to lodge an external appeal or complain about a decision, she may contact the Overseas Students' Ombudsman. The Overseas Students' Ombudsman offers a free and independent service for Overseas Students. When an Overseas Student Complainant wins an appeal, then the outcome will be acted on immediately and provided in writing to the Complainant.

9. Investigations

All Complaints will be investigated fairly and without prejudice against any party named in the Complaint.

10. Written Responses

Only the School Principal or their delegate can provide a written response to a Complainant and other involved parties with the outcome of the investigation and the School's final position on the matter.

Informal Complaints - Complainants will usually be advised of the outcome of an investigation and/ or mediation verbally. However, a written response can be provided upon request or in situations where an outlined plan of action is required.

Formal Complaints -All Formal Complaints will receive a written letter with the outcome of the investigation and the School's decision on the matter.

Written responses will usually include the following:

- Summary of the Complaint
- Investigation finding
- Reference to applicable laws or policy relied on in reviewing and responding to the Complaint
- The final decision on behalf of the School.
- Options for appeals, where applicable.

Written responses can be electronic or paper based. A copy of the written response will be kept in the Complaint Register in CompliSpace Assurance.

Where there is a staff or parent complaint, the written response will also be kept in Synergetic against the staff or student profile.

11. Complaints Register

All Complaints will be registered on our Complaints Register in CompliSpace Assurance. Complaints will be regularly reviewed by the Principal and the Executive Team to determine any ongoing risk factors or trends in behaviour that need to be addressed and to ensure Complaints are managed through to resolution in a fair and equitable manner.

If the Complaint was not first submitted via a CompliSpace Complaint form, it is then manually recorded in the Complaints Register by the responsible owner of the Complaint.

12. Document Management

Current Version Approved by	School Council	Approval Date	27 August 2020
Initial Publication	16 October 2014	Current Version	Version 3
Responsible Person	Risk and Compliance Manager & Senior Vice Principal	Next Revision Date	August 2022
Audience	School Community and External Parties	Author	Risk and Compliance Manager

Attachment I

