

Concerns and Complaints Policy

1. Purpose

Cornish College is a community where the individual is respected and relationships valued. Staff and students are expected to behave in a manner that is consistent with College values. A member of the Cornish College community is entitled to voice concerns or make a complaint, whether informal or formal, as a result of experiencing behaviour by College staff or lack of satisfaction with College process that is not in accordance with the College's policies, values and expectations of conduct and Government regulations.

This policy sets out the internal procedures that apply within the College for addressing concerns and complaints. The policy is designed to ensure that throughout the College there is a transparent process for ensuring complaints and concerns are dealt with fairly, consistently and promptly, and are used to facilitate continuous improvement.

2. Scope

This policy applies to all members of the Cornish College community (students, staff and parents).

3. Key Responsibilities

Position/Roles	Responsibilities
Council	<ul style="list-style-type: none"> Ensure appropriate policy and procedures exist to deal with concerns and complaints Deal with complaints related to the actions or decisions of the Principal
Executive	<ul style="list-style-type: none"> Ensure that the College conducts proper and transparent grievance processes to investigate and resolve any such complaints.
All staff	<ul style="list-style-type: none"> Adhere to the policy to ensure consistent and fair treatment of all concerns and complaints.

4. Key Elements of the Policy

4.1 General Principles

All members of the College community (students, parents and staff) are entitled to voice concerns or make a complaint, either informally or formally, in order to ensure a safe, harmonious and effective learning environment is maintained. Cornish College will endeavour to handle all concerns and complaints informally where possible.

A 'concern' is an issue of interest (because of its importance and effect) which is raised informally in order to improve or change a situation.

A 'complaint' is an expression of grievance or resentment where the complainant is seeking redress or justice.

Concerns and complaints are welcomed and used within the College's continuous improvement program.

4.2 Expectations

The College expects a person raising a concern or complaint to:

- do so promptly, as soon as possible after the issue occurs
- provide complete and factual information about the concern or complaint
- maintain and respect the privacy and confidentiality of all parties
- acknowledge that a common goal is to achieve an outcome acceptable to all parties
- act in good faith, and in a calm and courteous manner
- show respect and understanding of each other's point of view and value difference, rather than judge and blame
- recognise that all parties have rights and responsibilities which must be balanced.

The College will address any concerns or complaints received from parents:

- efficiently
- courteously
- fairly
- consistently
- promptly, or within the timeline agreed with the person with the concern or complaint
- in accordance with due process, principles of natural justice and the existing regulatory framework.

4.3 Raising Concerns or Complaints

Complaints may be made informally by contacting the relevant staff member by telephone or in person. It may be possible to resolve the complaint by discussion, mediation or the instigation of a restorative process, facilitated by College personnel. Members of the College community are encouraged to raise concerns or complaints with the staff member closest to the issue.

All complaints will be noted and acted on promptly by the staff member who receives the complaint.

A student, parent or staff member is entitled to make a formal complaint either if no satisfactory resolution was obtained after an informal complaint or if the matter is of sufficient seriousness for a formal complaint to be the first step. The complaint should be lodged in writing with the Principal. If the complaint is about the Principal it will be lodged with the Chair of the College Council, in writing to the College's address.

For contact details for any staff members, call the office on 9781 9000. If you are unsure who to contact, please contact the Deputy Principal on 9781 9004.

The complainant has the right to be represented or supported by another person of their choice. The same right applies to a respondent. All parties involved in addressing a complaint may seek the services of a mediator when there is difficulty coming to an agreement.

4.4 Addressing Complaints

Formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The College will acknowledge all complaints made in writing. It will provide the complainant with a timeline for investigating the complaint. The College will endeavour to acknowledge all complaints within one working day and commence the complaints process within five working days of their receipt.

Any formal complaint (other than about the actions or decisions of the Principal) will result in an investigation and will be carried out under the direction of the Principal, or will be convened by a delegate of the Principal. Any investigation will be conducted in a fair and impartial manner. In the case of a complaint about the Principal, the Chair of College Council will apply the same process.

The College will make every attempt to resolve a concern or complaint as quickly as possible. If the complaint involves many students and a range of issues, the College will need more time to investigate and resolve it.

The complaints procedure will:

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- ensure consistency in handling complaints
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- treat all complaints with sensitivity
- provide information to the school's senior staff so that services can be improved
- ensure that no person is victimised as a result of raising a complaint .

4.5 Investigating Complaints

It is suggested that at each stage, the person investigating the complaint makes sure that they:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview

If a formal complaint has been lodged against a person, that person will be informed of the nature and content of the complaint and will have the right to respond. At the conclusion of any investigation, the person will have access to information regarding the complaint and findings of the investigation.

4.6 Resolving Complaints

To ensure consistency, formal complaints are subject to review and escalation in three stages. These stages are detailed below:

- Initial: Complaint heard by Class/Subject teacher (although not if the teacher is the subject of the complaint)
- Stage 1: Complaint heard by Team Leader
- Stage 2: Complaint heard by Deputy Principal
- Stage 3: Complaint heard by Principal

At each stage in the procedure it is important to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review College policies in light of the complaint

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues. A mediation or restorative process may be instigated to assist in the resolution of a formal complaint if considered appropriate. This may be conducted by an external or internal facilitator, to be determined by the Principal (or College Chair if the matter concerns the Principal) in consultation with the complainant.

Based on the issue, the designated person shall take immediate and appropriate corrective action.

If there appears to be no foundation to the allegation other than the complaint:

- no record shall be made of the allegation in either the complainer or complainant's personnel records
- if a foundation for the allegation exists, appropriate disciplinary action will follow
- every effort shall be made to provide appropriate support for the complainant

During the course of any grievance process, final sanctions will not be determined until the review has been completed. However, the Principal retains the right to suspend a student or staff member should the matter under review be of sufficient severity and/or involve safety concerns.

Where the grievance relates to a staff performance matter, principles of Due Process may apply as specified under Section 21.4 of the Cornish College Employee Collective Agreement.

4.7 Timeframe for resolution

Complaints will be considered, and resolved, as quickly and efficiently as possible. To be effective, staff members will need to set realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant given details of the new deadline and an explanation for the delay.

4.8 Referral of complaints

In some rare cases it may not be possible to resolve the complaint to the satisfaction of the complainant using these procedures. In such cases complainants should discuss the options for further action with the Principal. Options may include review by the Chair of the College Council. The Chair will review the processes undertaken and policies applied with whatever parties are deemed appropriate to ensure that these policies and procedures have been appropriately applied. Should any of these requirements not be evident, the Chair may, at its sole discretion, investigate the facts and require the Principal to revisit the case.

If the matter still remains unresolved, then the individuals concerned or the College Council may refer the matter to the relevant body, such as Victorian Registration and Qualifications Authority (VRQA), Victorian Institute of Teaching, Consumer Affairs Victoria, Human Rights Commission.

4.9 Monitoring

When the complaint is made verbally and is simple and easily resolved in a telephone call, a brief note made by the school officer recording details of the issue and the resolution of the issue may be all that is required.

The Principal will ensure a record is maintained of all written complaints/the response/outcome in a secure location within the school. The Principal will report annually to College Council the following data about concerns and complaints:

- number/type/resolution (internally or externally)
- average length of time to respond
- any changes to school's practices and procedures made in light of complaints.

The Principal and College Council, as appropriate to their roles, will monitor parent concerns and complaints and consider issues raised through the complaints process, and any other relevant information from the parent opinion survey, when undertaking a review of school's policies, procedures and operations. As required the College Council will be briefed on specific issues. The Principal and School Council, as appropriate to their roles, will review its information about complaints made over time to identify common or recurring issues that may need addressing and assess the effectiveness of these and other procedures and whether they are being followed.

The College Council will review its policy and procedures to effectively address parent concerns and complaints as part of its cyclic policy and procedures review schedule.

5. References

Equal Opportunity Act 2010

Charter of Human Rights and Responsibilities Act 2006

Racial and Religious Tolerance Act 2001