

# COMPLAINTS PROCEDURE POLICY

## INTRODUCTION

- While Victory Christian College (VCC) aims to be a harmonious community working together in one accord, it is recognised that, from time to time, there will be instances of grievance that may be resolved in a Christ-like manner. Matthew 18:15-16 states, *“If one of my followers sins against you, go and point out what is wrong. But do it in private, just between the two of you. If that person listens, you have won back a follower. But if that one refuses to listen, take along one or two others.”*

We also acknowledge that there are matters - such as instances of child safety and protection- where complaints should not be dealt with privately between two parties.

- Our College has a strong desire to provide positive, clear, appropriate, successful and Biblical processes for resolving grievances and complaints between students and staff, and parents/carers and staff. These processes will assist the development of strong and enduring relationships, release anxiety, and support sound pastoral care principles in an endeavour to provide students with an enhanced learning environment.
- It is vitally important that we are diligent ambassadors for child safety as an expression of our Christian values and ethos. Complaints of a child safety nature are taken seriously at VCC.

## AIMS

- To treat any complaints and grievances seriously, and continuously respect the dignity and privacy of the individuals involved.
- To provide clear, positive and fair processes that allow grievances to be aired, responded to, and resolved, in a timely and effective manner.
- To refer any criminal activity to the appropriate external agency as soon as is practicable.
- To exercise proficient judgement and discretion as to the degree of a complaint’s severity, and the manner and level at which it should be handled.

## IMPLEMENTATION

- The Complaints Procedure Policy will be made accessible to parents on the College Website and to staff on SharePoint. Parents will be informed of the policy in the Parent Handbook. Staff will be informed of the policy in the Staff Manual.

## CHILD PROTECTION COMPLAINTS PROCEDURE

- In matters relating to child safety complaints, the role of investigating an allegation of child abuse rests solely with the Department of Families, Fairness and Housing (DFFH) Child Protection and/or Victoria Police.
- All staff who form a belief on reasonable grounds that a child or young person is in need of protection must report their concerns using the 4 Critical Actions for Schools and 4 Critical Actions for Student Sexual Offending (referred to herein collectively as ‘4 Critical Actions’) and PROTECT Responding to Suspected Child Abuse: A Template for all Victorian Schools (PROTECT report template). Further information about making a report can be found in the Child Protection: Mandatory Reporting Policy.
- Any volunteer or contractor at VCC should raise any concerns about child safety issues with one of the Child Safety Champions (Chaplain or Year Level Coordinators.) This may lead to a report being made (see dot point above.)
- In situations where the Child Safety Champion is suspected of involvement in the activity, or if the person having the suspicion does not believe the matter is being appropriately addressed or dealt with, the matter should be reported to a member of the Executive Team (Deputy Principals and the Principal.)
- Child Safety Champions must report complaints of suspected abusive behaviour or misconduct to the Principal (in addition to assisting staff to complete a mandatory report where a reasonable belief has been formed).
- Allegations of misconduct that meet the Reportable Conduct Scheme criteria, must be reported by the Principal



to the Commission for Children and Young People (CCYP), within 3 business days of the report being made.

- If the appropriate child protection service or the police decide to investigate a report, all employees, contractors or volunteers must co-operate fully with the investigation.
- Whether or not the authorities decide to investigate, the Principal will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the Principal may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation.
- Any such investigations will follow a systematic approach and apply procedural fairness, according to the CCYP's guidelines.
- The Principal will make every effort to keep any such investigation confidential. However, from time to time, other members of staff may need to be consulted in conjunction with the investigation.
- After an initial review and a determination that the complaint warrants additional investigation, the Principal shall coordinate the investigation with the appropriate investigators and/or law enforcement officials. Internal or external legal representatives will be involved in the process, as deemed appropriate.
- If it is alleged that a member of staff, a contractor or a volunteer may have committed an offence, or have breached VCC's policies or Code of Conduct, the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.
- If the investigation concludes that on the balance of probabilities an offence (or a breach of the College's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the College. The findings of the investigation will also be reported to any external body as required.
- All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety.
- Everyone is entitled to know how personal information is recorded, what will be done with it, and who will be able to access it.
- More information about child safety matters is detailed in the Child Safety and Wellbeing Policy and Child Protection Policies (see list at the end of this document).

## **GENERAL COMPLAINTS PROCEDURE**

- General complaints include any complaint that is not of a child safety nature.
- In any general complaint or grievance situation, the first course is to clearly establish the facts associated with the complaint. It is recognised that complaint situations are often composed of complex interpersonal interactions, so an objective investigation will be sought, rather than considering only one point of view.
- In the first instance, the situation will be addressed at the lowest possible level of intervention (i.e. the teacher directly involved), with matters being treated with confidentiality and professional respect.
- Documentation of all complaints, discussions from interviews and actions will be completed by the relevant staff member/s.
- Where the complaint is minor, or the complainant wants the matter dealt with casually, or where there has been a lack of clear communication between parties, the Principal or staff member may choose to respond informally via a phone conversation, general face-to-face discussion, etc. No further action may be warranted.
- The formal process for responding to complaints involves:
  - Investigation of the complaint
  - Dismissing/accepting the complaint
  - Preparation of a detailed confidential report
  - Ongoing monitoring of the situation
  - Investigate and implement changes in process/practice to reduce the risk of further similar complaints
  - Disciplinary action if the complaint is justified and discipline is warranted (refer to Respectful Workplaces Policy)



- Where the Principal is unable to resolve a complaint, dissatisfied parties can refer the matter to the VCC Board, addressed to the Secretary, outlining the relevant concerns. A copy of this letter will also be sent to the Principal.
- Where complaints or disputes are directed to the Board, the Senior Pastor of Victory Church can elect to discuss the matter with the Principal and seek, by arbitration, to resolve the issue/s. If this fails, then the complaint, together with a detailed report by the Principal, will be tabled at the next VCC Board meeting.
- The VCC Board's decision and action will be final in terms of the internal handling of the matter.
- Matters can also be escalated to an external agency as listed at the end of this document.

## **STUDENT COMPLAINTS PROCEDURE**

- Where a complaint exists against a staff member, a student is encouraged to reach a personal resolution with the staff member involved. If the student is hesitant to directly approach the staff member, then the student is required to discuss the matter with a Deputy Principal who will provide advice on the most appropriate way to continue. The student might require an advocate to assist in articulating their complaint and discussing the matter with the staff member.
- In cases where a student is making a complaint against a staff member, the student will be given the option of having a support person present at meetings regarding the complaint.
- Student matters are recorded on Xuno in the Confidential Notes section which limits access to relevant personnel.
- After the complaint is raised the substance of the complaint needs to be considered, investigated and, where necessary, resolved as soon as practicable. Any such investigations will follow a systematic approach and apply procedural fairness.
- If the complaints and disputes are unable to be resolved and become ongoing, then the issue/s should be documented by the relevant staff member/s and the matter then be referred to the Principal.
- The Principal must be informed about any complaints relating to improper behaviour (e.g. physically, emotionally, sexually offensive) or where there is a noticeable violation of accepted professional/academic practice.
- Where student complaints are incorrectly directed, in the first instance, to people in higher authority than the matter warrants, the complaint should be referred back to the relevant person for further investigation. Examples of these include the teacher involved in the complaint or Year Level Coordinators.
- Staff members concerned about the handling of student complaints should discuss the matter with their relevant Deputy Principal or the Principal.
- If the matter requires outside assistance and advice, then relevant support bodies such as those listed at the end of this document may be sought by the school or student and their family.
- If students are dissatisfied with the College's complaints/grievances process, they are able to consult with the external support bodies listed at the end of this document.

## **PARENTS AND OTHER COLLEGE COMMUNITY MEMBERS COMPLAINTS PROCEDURE**

- The College's management and staff accept the responsibility to consult and communicate both clearly and effectively, with the school community. However, parents and other College community members also have an obligation to read notices and newsletters, attend briefings, and seek clarification when it might be required. There may be times when members of the community feel that making a complaint is necessary. In such cases, it is recommended that the complaints procedure outlined below is followed to resolve any grievances as they arise.
- Facts surrounding the complaint/s will be established as clearly as possible, to separate out third-hand communication or gossip.
- Where there is an issue with everyday class operations, the parent will be required to make an appointment to see the appropriate teacher, detailing the reasons for that appointment.
- An appointment with a Deputy Principal or Principal can be arranged to discuss matters relating to school policy, proceedings beyond the classroom, concerns about staff, or grievances that are not likely to be easily resolved.
- Parents and/or community members may be accompanied by a support person at appointments to resolve grievances.



- All formal and informal discussions and processes involving grievances will be documented at the discretion of the Principal by taking into account the nature of the complaint and the persons involved. All complaints will be kept as confidential as possible.
- Where the Principal is unable to resolve a complaint, dissatisfied parties can refer the matter to the VCC Board, addressed to the Secretary, outlining the relevant concerns. A copy of this letter will also be sent to the Principal.
- Where complaints or disputes are directed to the Board, the Senior Pastor of Victory Church can elect to discuss the matter with the Principal and seek, by arbitration, to resolve the issue/s. If this fails, then the complaint, together with a detailed report by the Principal, will be tabled at the next VCC Board meeting.
- The VCC Board's decision and action will be final in terms of the internal handling of the matter.
- Matters can also be escalated to an external agency as listed at the end of this document.

### **STAFF COMPLAINTS PROCEDURE**

- If the complaint or matter of concern is about a fellow member of staff, the complainant is encouraged to firstly speak directly to their colleague and strive to reach a positive resolution.
- If no positive resolution can be found, the staff member is advised to take the matter to their Year Level Coordinator or Sub-school Head or approach the College Chaplain to assist with taking steps to positively resolve the conflict through mediation.
- If no positive solution can be found, the Chaplain may advise the complainant to take the matter confidentially in writing to the Principal- or Board Chair as appropriate- for further action.
- If the complaint or matter of concern is about a student and/or parent, the staff member is encouraged to speak directly with the student/parent concerned, after seeking the advice and the support of their Year Level Coordinator.
- The staff member will be given the option of having a support person present at in-person meetings regarding their complaint.
- If no positive resolution can be found, the staff member is advised to take the matter to the relevant Sub-School Head or Deputy Principal to assist in reaching a positive resolution.

### **SUPPORT FOR SCHOOL COMMUNITIES**

Outside assistance and advice for all parties can be sought through relevant support bodies such as those listed below.

Victorian Equal Opportunity Commission Phone: 1300 292 153 enquiries@veohrc.vic.gov.au	Independent Schools Victoria Phone: (03) 9825 7200 E-mail: enquiries@is.vic.edu.au
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## **RELATED POLICIES AND PROCEDURES**

This policy is to be read in conjunction with other related College policies, procedures, and codes. These include our:

- Bullying and Harassment Policy
- Camps and Excursions Policy
- Child Protection- Failure to Disclose Policy
- Child Protection- Failure to Protect Policy
- Child Protection- Grooming Policy
- Child Protection- Mandatory Reporting Policy
- Child Safety and Wellbeing Policy
- Child Safety Code of Conduct
- Discipline Policy
- Gender Identity Administrative Guidelines
- ICT and Internet Acceptable Use Policy
- Inclusion and Diversity Policy
- Privacy Policy
- Screening Checks Procedure for Working with Children
- Student diary entry- Child Protection Fact Sheet and PROTECT Child Protection Poster
- Swimming Policy
- Visitors Policy
- Volunteers Policy