Complaints Policy and Procedures

For Students, Parents and Members of the Public

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Complaints Policy and Procedures – For Students, Parents and Members of the Public
1. Policy
Moreton Bay Boys College (MBBC Ltd) is committed to providing a fair, safe and productive environment at its College, where Complaints are dealt with in an open, transparent and equitable manner. An essential part of developing that environment is ensuring that members of the College communities (staff, students, parents, carers and the public) are encouraged to come forward with their Complaints with the knowledge that the College will take appropriate action to resolve those Complaints.

This policy outlines the intent and procedures to be followed by students, parents and other members of the community with regard to the reception, investigation and the achievement of a transparent, equitable and legal resolution of any Complaints lodged against MBBC Ltd, its College or its staff, and ensures compliance with requirements of Workplace Health and Safety Legislation, State and Industrial Awards and Registered Agreements. This policy and procedures document will be disseminated once a year to members of the College community through appropriate communication channels.

1.1 Scope
This policy applies to the Board of MBBC Ltd, executive and senior managers and all staff of MBBC Ltd, and other associated entities operated under the auspices of MBBC Ltd.

1.2 Principles
Guiding the College in responding appropriately to Complaints are the following principles:

- The College is open to the concerns of staff, parents, students and the public
- Complaints are received in a positive manner
- Complainants can expect to be taken seriously and can approach any member of staff about their concerns
- Information about how to lodge a Complaints is clear and readily available
- Complaints are dealt with speedily and complainants are kept informed about progress
- It is not acceptable for students to receive adverse treatment because they or their parents have raised a complaint
- It is not acceptable for staff members to receive adverse treatment because they have raised a complaint
- A confidential log of Complaints is kept
- Confidentiality is respected and maintained so far as this is possible
- Resolution of the matter is sought
- Staff training covers the handling of complaints.

1.3 Relevant legislation
This Complaints Policy and Procedures is to be used in accordance with the provisions of the following legislations:

- Australia Standard/New Zealand Standard 4801 2001
- Queensland Workplace Heath and Safety Advisory Standards 2002
- MBBC Workplace Agreements 2006-7
1.4 Associated Policies
- MBBC Workplace Health and Safety Policy
- MBBC Personal and Interpersonal Interactions Policy
- MBBC Anti Discrimination Policy
- MBBC Child Protection Policy
- MBBC Student Behaviour Management Policy
- MBBC Missed and/or Late Assessments Policy

2. DEFINITIONS

The Board: Means the MBBC Board of Directors.

PRINCIPAL: the person appointed as such, who reports to the MBBC Board of Directors, and who carries the responsibility of reporting to the various authorities and is the Principal of the College. Students or others may report harm or suspected sexual abuse to the Principal.

Complainant: Means the person making a formal objection or complaint to the College, which concerns the College. The complainant can be a member of the College community (staff, student, parent or carer), or a member of the wider community.

College: means MBBC - which is owned and operated by MBBC Limited.

Complaints: Means a formal objection or complaint made on the basis of something believed to be wrong, unfair, offensive, misleading, illegal or of poor quality. A Complaint may be about any issue which concerns the complainant and may include the conduct of a person enrolled at or employed by the College; about specific practices and policies of the College, or about the College generally. A member of staff, student, parent, carer or member of the public may lodge a Complaints.

Senior Administration Team: the most senior people (after the Principal) responsible for the daily operation of MBBC. The Senior Admin Team or the Principal, whichever is relevant/available, acts as a person to whom students may refer if they are not feeling safe; or to whom students or others can make complaints of harm, inappropriate behaviour or abuse. It comprises the College Deputies and the College Accountant.

Procedures: Steps taken by a complainant in lodging a formal complaint, and by a member of staff or manager in responding and seeking to resolve the complaint.

Respondent: Means the person about whom a formal objection or complaint to the College, which concerns the College is made. The respondent would be a member of the College
community (staff, student, parent or carer). If the complaint concerns College policy or the College generally (and not a specific person), the respondent would de facto be the Principal.

**Safety Officer:** a person appointed by the Principal to whom complaints can be made about workplace safety issues.

**Student/s:** Means persons enrolled at the College.

### 3. ACCOUNTABILITIES

#### 3.1 Board of MBBC Ltd
The Board of MBBC Ltd is responsible for approving Company policy, including the Complaints Policy. It is responsible for the efficient and effective operation of the company, and appropriate legislative compliance.

#### 3.2 Principal
Reporting to the Board of MBBC Ltd, the Principal is responsible for establishing the administrative structure and responsibilities that manage and mitigate the risks associated with the Complaints Policy.

The Principal is responsible for:
- reviewing the policy and procedures regularly or when necessary
- ensuring that staff and community members are made aware of the policy and procedures
- ensuring that appropriate training is provided to staff on how to manage complaints and act on the procedures
- acting as the referral in responding to serious and unresolved Complaints
- reporting serious breaches of this policy to the Board and other relevant authorities.

#### 3.3 Senior Administration Team
Reporting to the Principal, the Senior Administration Team is responsible for ensuring that the activities within their areas of responsibility comply with the MBBC Complaints Policy. The Senior Administration Team is responsible for:

- identifying and seeking to prevent Complaints or grievances arising in the workplace
- acting as a referral in responding to serious and unresolved Complaints
- addressing those Complaints in a timely and satisfactory way
- referring Complaints with legal and/or grave implications directly to the Principal
- maintaining a log of Complaints and reporting to the Principal on a regular basis.

#### 3.4 Team Leaders and Support Staff with Supervisory Responsibilities
Reporting to the Principal, Team Leaders and Support Staff to whom other staff report are responsible for:

- identifying and seeking to prevent Complaints or grievances arising in the workplace
- acting as a referral in responding to Complaints that remain unresolved
- addressing those Complaints in a timely and satisfactory way
• referring Complaints with legal and/or grave implications to the Principal either directly or via a member of the Senior Administration Team.

3.5 Teaching and Support Staff
Reporting to their respective supervisor, members of teaching and support staff are responsible for:

• appropriate responding to Complaints by students, parents or other staff members in a timely and satisfactory way
• if not appropriate or where a Complaints remains unresolved, referring the Complaints to their immediate supervisor.

4. COMPLAINTS PROCEDURE

4.1 Complaints by Students, Parents or Members of the Public about the College
The following procedure should be followed in cases of alleged workplace harassment, sexual harassment, discrimination, unlawful conduct, harm or suspected harm, abuse or suspected abuse, with the exception of 4.2 Special Cases:

4.1.1 Where students, parents, carers or members of the public feel aggrieved about something that has occurred at the College which they believe is wrong, unfair or misleading, they should make their complaint known to the College so that the problem can be properly resolved.

4.1.2 The complaint should be put in writing.

4.1.3 The complainant is encouraged to identify himself or herself in the written complaint so that an appropriate response can be made. Responding to anonymous complaints will be at the discretion of the Principal.

4.1.4 If a complaint has been made to a member of staff and the staff member is unable to resolve the matter immediately and directly, the complaint will be referred to the Senior Administration Team (SAT).

4.1.5 Receipt of a written complaint by referral, email, hand delivery or through the post will be acknowledged within five working days.

4.1.6 The SAT /Principal will sign the written complaint to indicate that he or she has read the complaint.

4.1.7 Where the complaint may have legal consequences, the complaint will be referred directly to the Principal.

4.1.8 The Complaints will be recorded in a log by the Principal/SAT member and an investigation will be undertaken with a view of achieving resolution within two weeks of receiving the complaint. If the investigation takes longer, reports on progress will be made regularly to the complainant until a resolution is achieved.
4.1.9 During the investigation the Principal/SAT member may seek interviews with the complainant and other relevant parties or witnesses, and a written record of meetings and telephone conversations may be produced and kept on file for future reference.

4.1.10 In taking any action, the Principal/SAT member will ensure procedural fairness for all involved. This may involve informing the respondent of the allegations made by the complainant and providing the person with an opportunity to respond.

4.1.11 Procedural fairness may also involve taking action to ensure that students are protected from adverse treatment resulting from complaints lodged by them or their parents.

4.1.12 If the person making the complaint believes that the Complaint has not been properly resolved by reference to the senior manager, the matter can be referred to the Principal. The Principal will attempt to resolve the matter within two weeks of receiving the Complaints and should follow similar procedures outlined for action by the senior manager. All documentation, including the written complaint and other file notes, will be handed to the Principal.

4.1.13 If the Complaint remains unresolved following the Principal's investigation, it may be referred to the Chairman by the complainant or by the Principal.

4.1.14 After giving due consideration to the Complaint, the Chairman may do one or more of the following:
   a) refer the complaint back to the Principal with advice for resolution
   b) initiate an investigation into the matter
   c) seek to resolve the matter directly

4.1.15 If the Complaint is, in the opinion of the Chairman, unsubstantiated, the complainant will be given an explanation as to why that finding was made. Despite the Complaints being unsubstantiated, the College may still take some action to address any issues that flow out of the complaint and investigation.

4.1.16 Addressing the Complaints should produce one or more of the following outcomes, as appropriate:
   a) the complainant gains a better understanding of the situation and no longer maintains the Complaint
   b) the complainant receives a verbal or written apology
   c) the respondent receives a verbal or written reprimand
   d) one or both parties agree to participate in some form of counselling or mediation
   e) disciplinary action takes place where misconduct or unsatisfactory performance has occurred.

4.1.17 Complaints sent directly to the Board will be directed to the Principal for advice and resolution information.

4.1.18 Where the Complaints involves the Principal, the matter is referred to the Chair of the Board.
4.2 Special Cases
Complaints made by students, parents and members of the public relating to the following specific cases should follow the procedures outlined below:

(a) Where the Complaints pertains to an allegation of harm or suspected harm committed against a student who is 18 years or younger, the matter must be referred to the Principal. Steps for dealing with such reports are outlined in the MBBC Child Protection Policy 2006.

(b) Where the Complaints pertains to alleged unlawful conduct by a member of the College community (e.g., sexual harassment, discrimination, vilification, possession of illegal drugs) the matter should be referred either to the SAT who will report the allegation to the Principal, or directly to the Principal. Such allegations are serious and will be followed up with the relevant authorities (refer to the Anti-Discrimination Act 1991). The Principal will deal personally with the allegation and report to the Board.

(c) Allegations of workplace harassment should be reported to the nominated Workplace Harassment Officers at the College in lieu of the staff member's supervisor. The Workplace Safety Officer will follow steps 3-10, as outlined in these procedures.

4.3 Addressing Anonymous Complaints
Staff, students, parents and members of the public lodging complaints should be encouraged to identify themselves, with the reassurance that their complaints will be handled confidentially, appropriately and without fear of retribution. If a complainant wishes to remain anonymous, it is at the Principal's discretion as to what action, if any, should be taken, depending on the nature of the complaint. Anonymous complaints should be recorded in the log.

4.4 Recording Complaints
The Principal is responsible for maintaining a log of complaints by staff, students, parents and members of the public.

The log should contain the following information:
- date when the issue was raised
- name of complainant
- brief statement of issue
- location of detailed file
- member of staff handling the issue
- brief statement of outcome.

All staff should take confidential file notes when encountering or responding to Complaints. These may be cross-referenced with other files as necessary. The files should contain simple but clear notes of all conversations about any source of complaint or dissatisfaction. There should be a clear statement about the cause and nature of the Complaints.
5. REVIEW OF POLICY
The Principal will ensure that this policy is reviewed annually, unless required earlier because of changes to the risk profile of the workplace or relevant legislation. If necessary, further changes and actions may be introduced to ensure that workplace harassment is prevented and controlled.