



Complaints Handling Program

Executive Summary

Our ability to identify, manage and promptly resolve complaints, received from parents/carers, students, former students, former students' parents/carers and other key stakeholders, is an important aspect of a College's management practices.

St Mary's College's Leadership Team is committed to handling complaints effectively and efficiently. This commitment is demonstrated through:

- establishing, implementing and maintaining this Program
- appointing a Complaints Officer to oversee this Program
- appointing and training senior staff to act as Complaints Officers
- training all staff and representatives about our complaints handling procedures
- appointing and training Complaints Officers at the EREA level
- ensuring that our complaints handling procedures are accessible to all students, parents/carers and other members of the College community
- establishing and implementing our online complaints management system, CompliSpace Assurance
- regularly analysing complaints received and implementing rectification action where deficiencies in our internal systems and procedures are identified.

Our Complaints Handling Program includes:

- **BACKGROUND**
- **PURPOSE**

- **SCOPE**
- **ROLES AND RESPONSIBILITIES**
- **SCHOOL'S POLICY**
- **PROCEDURES**
- **IMPLEMENTATION**
- **BREACH OF THIS POLICY**
- **DEFINITIONS**
- **SOURCE OF OBLIGATION AND RELATED LEGISLATIVE INSTRUMENTS**
- **RELATED POLICIES AND PROCEDURES**
- **RELATED FORMS AND DOCUMENTS**
- **REFERENCES AND RESOURCES**
- **POLICY ADMINISTRATION**

BACKGROUND

What is a Complaint?

We have adopted the definition of "complaint" from the Australian complaints handling standard (AS 10002:2022) which defines a complaint as an:

“expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.”

The term “complaint” is used to refer collectively to any enquiry, comment, complaint or dispute raised by a person expressing dissatisfaction as to a particular circumstance, or situation, related to our services or operations.

This could include complaints about the conduct of our staff, volunteers or other people associated with the College, such as a student or a parent.

A complaint may be made by a student, parent/carer, former student, parent/carer of a former student, member of the wider College community, strategic partner, regulator or a member of the public generally. A complainant may be a natural person, an organisation, or a representative of an organisation.

A complaint can also be made anonymously.

It is often difficult to establish when feedback or criticism amounts to a “complaint” for the purposes of this Program. If you are in doubt as to whether a complaint is being made, you should attempt to clarify the situation as follows:

Ask yourself: “Does this feedback or criticism highlight a gap or deficiency in our service, operations and/or procedures?”

If the answer is “Yes” you should log the feedback or criticism as a complaint, even though on its face, it may be considered more generally as constructive feedback.

For example, a parent contacting the College and “complaining” that their child was not included in a sporting team, or not made a prefect, or did not get an “A” on a homework task, does not in itself amount to a complaint, provided that the particular incident does not suggest that the College could improve its service delivery or operations.

On the other hand, if the parent alleged bias in selection or assessment criteria, this would amount to a complaint for the purposes of this Program, because the allegation of bias would need to be investigated, and, if substantiated, indicates an area where the College could improve its service delivery or operations.

Frontline Complaints and Formal Complaints

Complaints can be generally classified as either frontline complaints or formal complaints.

A Frontline Complaint is a complaint that can generally be resolved, either at the time the complaint is made and received, or very shortly after it is received, by frontline or first point of contact staff. The majority of complaints are frontline complaints.

A Formal Complaint is a complaint that requires further investigation and/or a written acknowledgement and response.

As a Registered Training Organisation (RTO), the College is required to implement a transparent complaints and appeals policy to ensure that all complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively (Standards for Registered Training Organisations (RTOs) 2015, Standard 6).

Logging a Complaint in CompliSpace Assurance

All complaints, except for child safeguarding-related complaints, that are received by staff (whether frontline or formal), must be logged through CompliSpace Assurance.

CompliSpace Assurance is designed to assist us in capturing all the information that is relevant, to allow the College to investigate and respond appropriately to a complaint.

Complaints logged through CompliSpace Assurance are automatically submitted to a Complaints Officer for screening and further action.

For child safeguarding-related complaints, instead of logging through CompliSpace Assurance, staff must report these internally and record them pursuant to our Child Safety and Safeguarding Program.

PURPOSE

Feedback and complaints from students and parties external to St Mary's College including parents/carers, former students, parents/carers of former students, or members of the wider College community, can offer opportunities to improve our service levels and operations.

Encouraging complaints, and having an effective system to receive and manage them:

- is integral to being a child-safe organisation
- encourages constructive feedback
- enhances our ability to capture and resolve complaints in a consistent, systematic and responsive manner
- enhances our ability to identify systemic, recurring and emerging problems and to continually improve our internal systems and controls
- assists us to develop a customer-focused approach to resolving complaints and assists staff to improve their skills in working with students, parents/carers and other members of the College community
- builds trust with our customers and community and supports increased levels of customer satisfaction and confidence
- ensures that we comply with our legal and regulatory obligations
- assists staff in dealing with difficult and/or aggressive people.

The increased growth and speed of communications through social media make it more important than ever that we capture complaints early and manage them effectively. Our reputation is one of our greatest assets, and our ability to effectively manage complaints relates directly to our ability to maintain our reputation.

SCOPE

This Policy and its Procedures apply to students, parents and members of the public.

Staff complaints are not managed through this Program

Internal suggestions and complaints received from staff are not managed through this Program. Refer to our Internal Grievance Resolution Procedure.

Complaints about student behaviour are not managed through this Program

Complaints received about student behaviour, such as bullying or aggressive behaviour, are not managed through this Program.

Refer to our Student Behaviour Policy and Procedures and the Child Safety and Safeguarding Program. In particular, complaints about sexual behaviour by a student would be managed through our policies and procedures for Recognising and Responding to Sexual Behaviour in Children and Young People.

Child Safety and Safeguarding-Related Complaints

Complaints may involve allegations or concerns that a child, young person or student aged 18 or over has been or is being abused or otherwise harmed (or is at risk of abuse or harm) at the College or a College event, or by a person associated with the College.

Complaints may also involve allegations or concerns that a staff member, volunteer or contractor has breached our Child Safety and Safeguarding Codes of Conduct.

Complaints could also involve concerns about the College's response to or management of a child safety incident or concern, including an allegation of non-compliance with our **Procedures for Responding to and Reporting Child Safety Incidents or Concerns**.

We refer to all of these complaints as child safeguarding-related complaints.

A child safeguarding-related complaint can be made by anyone including a student, former student, parent/carer, other family member, staff member, Volunteer, Contractor or member of the wider community.

A child safeguarding-related complaint therefore includes any disclosure, allegation, suspicion, concern or internal report of:

- a breach of the College's Child Safeguarding Code of Conduct (Vic)

- a child safety incident or concern alleged to have occurred, be occurring or be at risk of occurring at the College or a College event
- child safety incidents or concerns involving College Staff, Volunteers or Contractors
- other staff misconduct (such as a procedural breach of the Child Safety and Safeguarding Program)
- any complaint about the College's response to or management of a child safety incident or concern, including complaints alleging non-compliance with our procedures for responding to and reporting child safety incidents or concerns.

All Child Safety and Safeguarding-related complaints are considered Formal Complaints. They must be reported internally following the policies and procedures in the Child Safety and Safeguarding Program.

All staff, volunteers and contractors must also follow any relevant policies and procedures in our **Child Safety and Safeguarding Program** (including in particular our **Procedures for Responding to and Reporting Child Safety Incidents or Concerns**) if a child safeguarding-related complaint involves:

- allegations or concerns that a child, young person or student aged 18 or over has been or is being abused or otherwise harmed (or is at risk of abuse or harm) at the College or a College event, or by a person associated with the College
- a breach of our Child Safety and Safeguarding Codes of Conduct.

However, although all child safeguarding-related complaints are Formal Complaints, they are not all managed under this Program:

- a child safeguarding-related complaint will only be managed under this Program if it **does not** involve abuse or other harm, or the risk of abuse or other harm, to a child, young person or student aged 18 or over (for example, a complaint alleging procedural breaches of the Child Safety and Safeguarding Program that does not involve or raise the possibility of a risk of, abuse or other harm to a child, young person or student aged 18 or over by a staff member). The Complaints Officer who is managing the complaint may refer to other relevant College policies and procedures (such as our Human Resources policies) instead of, or in addition to, this Program.
- child safeguarding-related complaints that **do** involve, or that raise the possibility of a risk of, abuse or other harm to a child, young person or student aged 18 or over are **not** managed through this Program. They are managed in accordance with our **Child Safety and Safeguarding Complaints Management Policy and Procedures** and other relevant policies and procedures in the Child Safety and Safeguarding Program (such as our policies and procedure

for mandatory reporting, reporting to Police and managing reportable conduct by staff, volunteers and contractors).

- child safeguarding-related complaints about the College's investigation of and/or response to a specific incident of or concern about abuse or other harm are also **not** managed through this Program. They are managed in accordance with our **Child Safety and Safeguarding Complaints Management Policy and Procedures** and other relevant policies and procedures in the Child Safety and Safeguarding Program (such as **Disciplinary Actions** and **Regular Reviews and Continuous Improvement**).

ROLES AND RESPONSIBILITIES

The EREA VSL Board

The EREA VSL Board is responsible for:

- understanding the legal and regulatory environment for complaints handling that is relevant to the College
- understanding the College's operational profile and the potential sources of complaints arising from the College's operations
- ensuring that there is effective implementation of this Complaints Handling Program and the clear delegation of responsibilities to the Principal and staff at all levels of the organisation
- ensuring that there is a clear understanding between the The EREA VSL Board, Principal and Leadership Team of the complaints received that must be escalated and the process for escalation
- reviewing and approving any substantial changes to the College's complaints handling policies and procedures
- ensuring regular reports are received about: complaint volumes, average response timeframes, number of open complaints, identification and rectification of systemic issues, any media associated with any individual complaint or systemic issue
- receiving regular reports regarding complaints handling risks and risk controls as part of reviewing operation risks in the College
- supporting and promoting a positive and open culture for receiving and dealing with complaints
- supporting staff to handle complaints in accordance with this Program
- where complaints reports indicate systemic issues and failures, new or emerging areas of risk or potential failures of operations or service, or non-compliance with legal and regulatory requirements, ensuring resources are allocated, systems reviewed, corrective actions

implemented and further reporting to the The EREA VSL Board occurs to enable service improvement and effective risk management

- allocating sufficient resources to enable the College to meet its legal and regulatory obligations in relation to complaints handling
- ensuring that appropriate guidance and training is provided to College staff so that they understand this Complaints Handling Program and their responsibilities in receiving and managing complaints.

Principal

The Principal is responsible for:

- appointing Complaints Officers
- providing support and direction to Complaints Officers and those responsible for managing complaints
- escalating to the The EREA VSL Board high-risk and systemic issues arising from complaints that pose a threat to the ongoing good reputation of the College
- ensuring that appropriate guidance and training is provided to College staff so that they understand the College's Complaints Handling Program and their responsibilities in receiving and managing complaints
- communicating openly and honestly with and providing advice to the The EREA VSL Board in relation to:
 - reports which may indicate new or emerging areas of risk or potential failures of operations or service, or non-compliance with legal and regulatory requirements or any breakdown in systems or processes and service failures
 - the steps to be taken to improve systems, policies and procedures and increased resources allocated to address new or emerging areas of risk or potential failures of operations or service, or non-compliance with legal and regulatory requirements
- promoting a positive and open culture among staff for receiving and dealing with complaints and promoting the benefits to the organisation of effective complaints handling
- monitoring and evaluating the effectiveness the College's Complaints Handling Program.

Leadership Team

Leadership Team is responsible for:

- reviewing, in consultation with the Principal, the College's complaints handling policies and procedures and their effectiveness

- implementing and deploying resources where rectification measures are required as a result of potential failures of operations or service, or non-compliance with legal and regulatory requirements or any breakdown in systems or processes are identified from the complaints received
- promoting a positive and open culture for receiving and dealing with complaints
- monitoring and evaluating the effectiveness the College’s Complaints Handling Program.

Complaints Officer/s

A Complaints Officer is responsible for:

- ensuring that all staff are educated about our Complaints Handling Program
- investigating and, where necessary, escalating Formal Complaints when requested by the complainant, other than child safeguarding-related complaints
- where necessary, escalating complaints to the appropriate EREA Complaints Officer
- liaising with complainants and frontline staff
- maintaining accurate records in the Complaints Register
- regularly reporting to the Leadership Team about complaints
- ensuring systemic complaints are identified and rectified
- monitoring the effectiveness of, and continually improving, our Complaints Handling Program.

Name	Position Title
Shaun Lancashire	Deputy Principal
Tristan McGlade	Business Manager

Child Safety and Safeguarding-Related Complaints

Our Child Safety and Safeguarding Program sets out roles and responsibilities for investigating and recording child safeguarding-related complaints, depending on the kind of child safeguarding-related complaint. For most child safeguarding-related complaints, the Principal is responsible for investigating and recording the complaint (or, if the complaint involves the Principal, the EREA VSL Director of Safeguarding).

All Staff

Complaints may be received by any member of staff, at any time, either over the telephone, email, or during face-to-face meetings. So that complaints can be handled properly, it is important for all staff members to:

- be trained on our complaints handling processes, and be familiar with our policies for **Receiving and Logging Complaints**
- be aware of their roles, responsibilities and authorities with respect to complaints
- be aware of what information to give to complainants
- report all complaints they receive
- treat complainants in a courteous manner
- identify when complaints are being made and assist people to make complaints if they wish to do so
- respond to individual complaints, when requested
- provide feedback to management on issues arising from complaints
- demonstrate good interpersonal and communication skills.

All staff are authorised to deal with Frontline Complaints other than child safeguarding-related complaints. Indeed, it is unlikely that any child safeguarding-related complaint would meet the definition of a Frontline Complaint, as these cannot be resolved on, or shortly after, receipt. Where a person makes a Formal Complaint, the staff member receiving the complaint must refer the complaint to a Complaints Officer or, for a child safeguarding-related complaint, to the Principal (or, if the complaint involves the Principal, the EREA VSL Director of Safeguarding).

EREA Complaints Officers

The Directors of Schools have been appointed to act as EREA's Complaints Officers, for complaints in relation to EREA-governed schools and Flexible Learning Centres respectively.

These individuals are authorised to investigate and manage Formal Complaints once they have been logged with or escalated to them.

The EREA Complaints Officers are responsible for:

- investigating and, where necessary, escalating complaints to the Deputy Executive Director of EREA
- liaising with complainants
- maintaining accurate records in the Complaints Register.

Who Manages Complaints?

Complaints at the College are handled as follows:

- against a student, parent or volunteer – the Principal or one of the College's Complaints Officers;
- against a teacher – the Principal or one of the College's Complaints Officers;
- against a member of the Leadership Team – the Principal or one of the College's Complaints Officers;
- against the Principal or Deputy Principal – the relevant EREA Complaints Officer;
- against a member of the College The EREA VSL Board - the Principal and the relevant EREA Complaints Officer, who will work with the Chair of the College The EREA VSL Board;
- against the Chair of the College The EREA VSL Board – the relevant EREA Complaints Officer.

Complaints Made Involving the Principal or Deputy Principal

If a complaint is made that involves the Principal or Deputy Principal, the complaint will be directed to the appropriate EREA Complaints Officer, who will deal with the matter in consultation with the EREA Deputy Executive Director.

A complaint "involves" the Principal if:

- the Principal is the subject of the complaint
- the Principal is otherwise involved in the chain of events surrounding an incident or event that is the subject of the complaint (for example, they are a witness to the incident or event)
- the Principal has an actual, potential or perceived conflict of interest in receiving or managing the complaint (for example, they are related to the complainant or to the person who is the subject of the complaint).

SCHOOL'S POLICY

Guiding Principles for Handling Complaints

To manage complaints effectively, we have established a Complaints Handling Program that meets our legislative and regulatory obligations and is in line with the Australian complaints handling standard (AS 10002:2022) and the Complaints Handling Guide: Upholding the rights of children and young people, published by the National Office for Child Safety (Child-focused Complaints Handling Guide).

When managing a complaint or an appeal, the College always aims to apply the following Guiding Principles as set out in AS 10002:2022 and aspires to the values enshrined in The Charter for Catholic Schools in the Edmund Rice Tradition.

<p>People Focused Approach</p>	<p>We treat complainants with respect and aim to understand the complaint from their point of view. We adopt a proactive approach with respect to handling complaints and are open to feedback on our complaints handling process.</p>
<p>Complainant Involvement</p>	<p>We aim to actively involve complainants in the complaint handling process, as far as practicable, except in cases where complainants wish to remain anonymous.</p>
<p>Transparency and visibility</p>	<p>How to make a complaint and our complaints handling process is communicated to staff, volunteers and contractors, the College community and other relevant interested parties. We provide individual complainants with adequate information about the handling of their complaint.</p>
<p>Accessibility</p>	<p>We aim to make the complaints handling process simple and easily accessible to all. Where appropriate, we also provide support to help people make complaints and accept complaints on behalf of complainants by authorised representatives. We make information available in relation to the details of making and resolving complaints and all complaints handling information is easy to understand and use.</p>
<p>No Charge</p>	<p>Access to our complaints handling process is free of charge to the complainant.</p>
<p>Responsiveness</p>	<p>We acknowledge the receipt of complaints in a timely manner and prioritise urgent complaints. We also advise complainants about the complaints process and notify them when we are unable to deal with their matter.</p>

Early Resolution	We aim to resolve complaints, where possible at the first point of contact with our organisation and training is provided to staff to enable early resolution by staff.
Impartiality, Fairness and Equity	We address each complaint, on its merits, in an equitable, objective, fair and unbiased manner through our complaints handling process. We provide avenues for review of the complaint outcome and also an alternative investigator for the complaint where the complainant perceives a conflict of interest, or potential for conflict of interest.
Communication	We provide clear information to staff to help resolve complaints, where possible, at the first point of contact with our organisation.
Conduct of Parties	We have procedures in place to ensure that both staff and complainants remain respectful and courteous during the handling of complaints. This includes procedures for identifying and managing unreasonable conduct by complainants.
Health and Safety of Staff	We take all necessary steps to ensure the health and safety of our staff involved in complaint management.
No Detriment	The complainant will not suffer any detriment as a result of making a complaint.
Information Integrity	We ensure that the information about our complaints handling process is accurate and not misleading, and that data collected is relevant, correct, complete, meaningful and useful.
Confidentiality and Privacy	Personally identifiable information about complainants is only made available for the purpose of addressing the complaint within the College and, unless the complainant consents, actively protected from disclosure. Personal information will be managed in compliance with privacy laws.
Multiple Parties	When complaints involve multiple parties, we work with each party to facilitate an appropriate and timely response to the complaint, subject to privacy and confidentiality obligations.
Accountability	We have established, and maintain, accountability for, and reports on, the College's decisions and actions with respect to complaints handling.
Continuous	Responding to and learning from complaints is an essential part of the

Improvement	College’s commitment to continuous improvement.
Prevention of Ongoing Disputes	We aim to minimise the possibility of unresolved complaints being escalated through adequate staff training, the accessibility of our complaints handling procedures and the availability of alternative dispute resolution mechanisms.
Procedural Fairness	Where a complaint specifies actions of a particular staff member, we will apply principles of responsiveness, accessibility, completeness, objectivity, confidentiality and transparency to both the complainant and the person against whom the complaint is made.
Empowerment	We empower staff to effectively implement our Complaints Handling Program by providing them with the skills, training and education necessary to handle complaints.
Respectful	Complaints are resolved in a manner that is respectful of the complainant and the person against whom the complaint is made.
Restorative	When dealing with a complaint, we aim to restore relationships which may have broken down.

We also apply the Guidelines set out in the Child-focused Complaints Handling Guide, to ensure that our complaints handling system upholds the rights of children and young people and meets the requirements of the National Principles for Child Safe Organisations and the National Catholic Safeguarding Standards in the following ways:

1. Embedding children’s rights, safety and wellbeing into the complaints process: creating a child-rights focused complaints culture is the first step in handling complaints involving children and young people.
2. Reporting responsibilities: our complaints handling system clearly articulates the roles and responsibilities of our staff and volunteers in meeting their obligations to report and take action to protect the safety of children and young people.
3. Sharing information and communicating with stakeholders: the College recognises the importance of sharing information in promoting the safety and wellbeing of children and young people and of fulfilling our legislative responsibilities concerning information sharing. We maintain awareness of what information we can share, with whom, and when and how it should be communicated.
4. Confidentiality and privacy: we comply with our legislative obligations to maintain confidentiality and protect the personal information and privacy of children, young people and adults.

5. Managing risks – complaints and incidents: we monitor and reassess the risks to children and young people throughout the complaints process.
6. Conducting investigations involving children and young people: complaints are properly investigated and taken seriously, and children’s rights are safeguarded throughout the investigation process. Investigations are planned, fair, proportionate and thorough, with findings supported by the available evidence.
7. Being fair and objective: an adult’s opinion is not prioritised over a child’s in the event that they differ; children and young people are listened to without judgement and their views are taken seriously.
8. Explaining outcomes and review options: the types of outcomes that are available for different complaints are explained to complainants; the final outcomes of a complaint, the reasons and options for review are clearly explained to the complainant and the person who is the subject of the complaint.
9. Record keeping and complaints data: the College keeps full and accurate records about complaints involving children and young people, in line with our record keeping obligations. These records are analysed to improve service and identify trends and risks.

In particular, we recognise that children and young people have the right to participate in decisions that affect them. The following principles guide the participation of children and young people in any decision-making processes, including our complaints handling process. Participation should:

- bring them no harm
- be voluntary and informed having regard to their age, maturity and capacities
- be responsive to their individual needs
- be respectful of culture and diversity
- be meaningful
- take into account any ethical considerations at the outset and as the process unfolds
- address power imbalances
- include continuous reflection.

Transparency and Accessibility

It is important that information about how to complain is made publicly available.

The College has implemented the following steps to encourage feedback, and to make it easy for people to lodge a complaint.

- EREA has developed Complaints Handling Policy and Procedures, which applies to all EREA-governed schools, including St Mary's College. The EREA Complaints Handling Policy is available on our public website.
- Our Child Safety and Safeguarding Complaints Management policy and procedures set out the avenues available to students to make a complaint and the avenues available to parents/carers and other College community members to make a child safeguarding-related complaint. A child-friendly version of this policy is provided to students and made publicly available.
- All staff are made aware of the importance of capturing and recording critical feedback. Many complaints are received via telephone, in person, or via email, and the ability of our staff to recognise a complaint, and to capture it effectively, is a central feature of our Complaints Handling Program.
- We have developed a [Complaints Handling Guide](#), which includes details of how to make a complaint. This plain English guide is provided to complainants to assist them during the complaints resolution process.
- Complaints or disputes do not need to be in writing. Insisting that complaints are in writing can be a disincentive for the complainant.
- Where we identify that a complainant has limited literacy skills, we give them help in expressing their complaint or dispute more clearly.
- Where complainants have special needs, the availability of interpreters and staff who are cross-culturally trained or trained to cater for special needs are provided.

We also encourage feedback from all members of the College by providing the option to make an anonymous complaint, or make a complaint using a pseudonym, in accordance with [Australian Privacy Principle 2](#).

Maintaining Confidentiality and Privacy

Maintenance of confidentiality of information throughout the complaints management process is critical.

Confidentiality applies with respect to both information relating to the person making the complaint, and, if relevant, to a person against whom a complaint is made.

Information that identifies a complainant or a person named in a complaint should only be made available for the purpose of addressing the complaint and (unless the complainant consents) be actively protected from disclosure.

Information that identifies a complainant or a person named in a complaint should only be made available for the purpose of addressing the complaint and (unless the complainant consents) be actively protected from disclosure.

Where a staff member receives a complaint and has logged the complaint through CompliSpace Assurance, they should not discuss the complaint with students, other parents/carers or any other person who does not have a need to know.

All written communications relevant to the complaint must also be kept confidential.

The Australian Privacy Principles apply to the complaints process. This means that the complainant has the right to be anonymous or, where a complainant has identified themselves, they have a right to request access to the personal information that the College retains about them. They can also request that amendments be made where they believe this information to be inaccurate. The Privacy Act (Cth) (Privacy Act) provides the conditions under which the College can accept or refuse these requests.

Procedural Fairness in Complaints Handling

It is critically important that throughout the entire complaints handling process, procedural fairness is accorded to the complainant and the person/s who are the subject of the complaint.

Procedural fairness in complaints handling requires:

- both the complainant and the person against whom the complaint is made to have the opportunity to be heard, in person or in writing as appropriate, and to respond to the allegations and/or evidence offered by the other
- an objective investigation of issues or facts which are in dispute
- that the investigator is free from bias, or the perception of bias, and is not 'judge in his or her own cause'
- that any complaint outcome is supported by the evidence, necessitating a finding on the balance of probabilities in the event of a dispute of fact
- that the complaint outcome is finalised by an adjudicator, who may also be the investigator, who is free from bias or the perception of bias
- that the outcome is consistent with the College's established policies and/or procedures relevant to the complaint.

While it is the College's policy that these elements of procedural fairness are to be applied to each complaint received by the College, procedural fairness should not otherwise dictate the outcome of a complaint.

PROCEDURES

The steps outlined in this section are intended to provide guidance about how to handle complaints generally.

Section 1 – Receiving and Logging Complaints is important for all staff.

Section 2 – Managing and Escalating Complaints and **Section 3 – Recording and Reporting Complaints** are important for Complaints Officers.

Every incident will vary in degree of seriousness and not all the steps outlined below will be required to be undertaken in full in every circumstance. For example, when dealing with a Frontline Complaint (Step 1) it generally would not be necessary to send a written acknowledgement of the complaint to the complainant (Step 2).

Complaints must be addressed promptly in accordance with their nature and level of urgency. We aim to acknowledge receipt of a complaint immediately and seek to resolve all complaints internally within our pre-determined timeframes for resolution of complaints to the extent possible.

Complaints that are made anonymously must still be addressed in the appropriate timeframes, even where a response cannot be provided to the complainant.

If we cannot resolve a complaint within these timeframes the complaint may become subject to external dispute resolution.

All complaints must be treated and managed confidentially on a need-to-know basis. The Privacy Act 1988 and the Australian Privacy Principles apply to personal information that is collected, used and disclosed as part of the complaints process. This includes the name or any identifying information relating to the complainant. A complainant may request access to the information relating to them that the College retains when managing the complaint.

Section 1: Receiving and Logging Complaints

This section is important for all staff at the College to understand because any staff member can receive and log a complaint.

Frontline Complaints and Formal Complaints

Complaints can be generally classified as either frontline complaints or formal complaints.

A Frontline Complaint is a complaint that can generally be resolved, either at the time the complaint is made and received, or very shortly after it is received, by frontline or first point of contact staff. The majority of complaints are frontline complaints.

A Formal Complaint is a complaint that requires further investigation and/or a written acknowledgement and response.

As a Registered Training Organisation (RTO), the College is required to implement a transparent complaints and appeals policy to ensure that all complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively (Standards for Registered Training Organisations (RTOs) 2015, Standard 6).

All complaints should be addressed promptly and in accordance with their urgency. For example, complaints involving significant health and safety issues should be processed immediately.

Complainants should be treated courteously and be kept informed of the progress of their complaint throughout the complaints handling process.

Logging a Complaint in Assurance

All complaints, except for child safeguarding-related complaints, that are received by staff (whether frontline or formal), must be logged through Assurance.

Assurance is designed to assist us in capturing all the information that is relevant, to allow the College to investigate and respond appropriately to a complaint.

Complaints logged through Assurance are automatically submitted to a Complaints Officer for screening and further action.

For child safeguarding-related complaints, instead of logging through Assurance, staff must report these internally and record them pursuant to our Child Safety and Safeguarding Program.

Step 1 - Dealing with Frontline Complaints

There are likely to be many occasions when someone makes a statement, or sends an email, that is an expression of dissatisfaction about some aspect of the College's service or operations that falls within the definition of a complaint, and where a resolution can be quickly and easily achieved usually through verbal communications (i.e. no written response is required).

In many of these instances the person making the statement, or writing the email, may not even consider that they are making a “complaint”. Often, they may simply be offering constructive feedback.

For example: A parent makes a complaint that their child’s teacher kept the class in after school and the student missed the school bus.

This is clearly an expression of dissatisfaction about an aspect of the College’s operations and therefore falls within the definition of a complaint. However, it is a relatively minor complaint that can be managed through a verbal acknowledgement and an explanation. In this circumstance, the parent would probably not expect to receive a formal written acknowledgement of their complaint, or for the matter to be escalated to a Complaints Officer.

While this kind of complaint may, on the surface, appear to be minor, if the College was to receive 10 similar complaints from parents/carers, or parents/carers of former students, it would indicate a systemic issue which would require formal rectification action.

When receiving verbal Frontline Complaints, it's important to apply the L.E.A.R.N.™ Complaints Handling Technique.

Step 2 - Receiving and Logging Formal Complaints

Receiving a Formal Complaint

A formal complaint is a complaint that requires further investigation and/or a written acknowledgement and response.

Formal complaints can be received in two ways:

- Verbal Complaint
- Written Complaint

Where an expression of dissatisfaction meets our definition of a complaint it should be logged as a complaint even when:

- the complainant expresses the dissatisfaction verbally
- the person receiving the complaint (e.g. frontline staff) considers the complaint lacks merit
- the matter has been resolved by frontline staff at the time the complaint was made.

All formal complaints, other than child safeguarding-related complaints that involve, or that involve the risk of, abuse or harm to a child, must be referred to a Complaints Officer. The Complaints Officer must then send a written acknowledgement of the complaint to the complainant.

In less serious matters, this written acknowledgement may be a relatively informal email communication. As the seriousness of the complaint increases, the formality of the communication should also increase.

When dealing with a more serious complaint that requires investigation and time to resolve, a more formal complaints acknowledgement communication should be sent to the complainant. Refer to our template [Complaint Response Letter](#).

A written acknowledgement should always be provided as soon as possible, and in any event within three business days of receipt of the complaint.

The nominated Complaints Officer should then contact the complainant prior to the target resolution date, and keep in regular contact, advising of the status of the matter and each time confirming when the next communication should be expected.

Child Safety and Safeguarding-Related Complaints

All child safeguarding-related complaints are considered formal complaints. However, most child safeguarding-related complaints must be managed under the Child Safety and Safeguarding Program rather than this Program.

All child safeguarding-related complaints must be immediately referred to the Principal, or, if the complaint involves the Principal, to the EREA VSL Director of Safeguarding. The complaint will then be dealt with pursuant to the Child Safety and Safeguarding Complaints Management policy in our Child Safety and Safeguarding Program.

Receiving and Acknowledging Verbal Complaints

Handling a verbal complaint efficiently requires patience and skill to avoid an initially negative situation becoming even more negative and escalating into a dispute.

Applying the L.E.A.R.N.[™] Complaints Handling Technique ensures that all verbal complaints are effectively handled to minimise the likelihood of dispute.

Our Complaints Handling Program has been purposely designed to minimise the potential for complaints to escalate into disputes.

Anonymous Complaints

Where a complainant chooses not to give their name or provides a pseudonym when making a verbal complaint, this must be respected. However, the person should be advised that the College will not be able to provide them with feedback on the resolution of the complaint and that any investigation may be limited because they cannot be contacted for further information. The staff member receiving the anonymous complaint should seek to obtain as much information as possible from the complainant in order to facilitate any investigation.

Applying the L.E.A.R.N.™ Complaints Handling Technique

When a verbal complaint is received, it is important to follow the L.E.A.R.N.™ Complaints Handling Technique.

The L.E.A.R.N.™ mnemonic is designed as a reminder that every complaint, whether frontline or formal, is an opportunity to learn, and find ways to improve the School's services and operations.

L

LISTEN

This is the first step in the complaints handling process. In face-to-face meetings, listening involves body language, as much as the ears. Allow the complainant to explain their position without being interrupted. Ask open-ended questions and focus on the details of the complaint, without thinking ahead to possible solutions or responses. If the complainant is agitated or aggressive, remain calm and level-headed.

E

EMPATHISE

Empathy is, at its simplest, awareness of the feelings and emotions of others. Put yourself in the shoes of the complainant. This is how you can attempt to understand what they are experiencing. Internally naming the emotions the complainant is feeling can help with this step. Showing empathy can help you to begin to resolve the situation.

A

ACKNOWLEDGE

It's important to acknowledge the complaint. You can do this by repeating the facts as you understand them. At this point you may acknowledge how the complainant may be feeling e.g. "that must have been very frustrating". In appropriate circumstances you may also offer an apology "I'm sorry for the inconvenience this has caused". If offering an apology, be careful not admit fault as this may lead to legal liability issues at a later time.

R

RESPOND

How you respond will very much depend on the circumstance of the complaint. Minor complaints may be dealt with immediately by providing an assurance that action will be taken. More significant complaints may require providing an overview of the school's complaints handling process and an undertaking to refer the matter on. At this stage you may ask the complainant what solution they would like to see.

N

NOTIFY

All complaints, including minor complaints, should be logged through CompliSpace Assurance. Keeping records of minor complaints can identify systemic issues. More serious complaints should be referred for action by a Complaints Officer.

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The L.E.A.R.N.™ mnemonic is used because the acronym itself is an important stage in the complaints handling process.

It acts as a 'meta mnemonic' to remind complaint handlers that every complaint, whether frontline or formal, is an opportunity to learn, and find ways to improve the College's services and operations.

Receiving and Acknowledging Written Complaints

When a written complaint other than a child safeguarding-related complaint is received, follow these guidelines:

1. All written complaints must immediately be forwarded to a Complaints Officer.
2. The Complaints Officer will review the complaint and log its details through CompliSpace Assurance, and allocate the complaint to another staff member, where appropriate.
3. The Complaints Officer will contact the complainant by telephone (if possible) to acknowledge receipt of the complaint and to obtain additional information that may assist in expediting the matter internally. Unless the complaint is a Formal Complaint (where a written acknowledgement is required), the College's guidelines for the management of verbal complaints should then be followed.
4. If it is not possible to contact the complainant by telephone, additional information should be sought through appropriately worded correspondence.

Providing Support to the Complainant and Consideration and Support for Vulnerable Complainants with Cultural and Diverse Needs

We will support and provide practical assistance to complainants to make a complaint and throughout the complaints process. We will seek to identify at an early stage a complainant who may need support and practical assistance.

We seek to recognise cultural differences and support complaints with diverse needs or cultural backgrounds. We recognise that cultural differences can affect perceptions of conduct and whether conduct is reasonable or unreasonable. We provide information to complainants that outlines our complaints handling processes and our behavioural expectations for complainants.

Unreasonable Conduct by Complainants

We insist on all complainants being respectful to and cooperating with staff as a prerequisite to the management of their complaint. Unreasonable conduct by a complainant is any behaviour which because of its nature or frequency raises substantial health and safety, resource or equity issues for the people involved in the complaint process. Examples of behaviour by the complainant that may be considered unreasonable conduct includes:

- aggressive and verbally abusive conduct
- threats of harm or violence
- bombarding the organisation with unnecessary and excessive emails and phone calls

- an unreasonable lack of cooperation including disorganised, excessive or irrelevant information, unwillingness to consider other viewpoints
- a refusal to adequately define issues of concern
- inappropriate demands of time and resources and insisting on outcomes that are unattainable, or insisting that a matter be dealt with in a particular way
- refusal to accept reasonable decisions and recommendations.

Unreasonable conduct does not mean that there are no valid issues that need to be addressed and it does not mean that the person behaving in that way is unreasonable. It is their behaviour that is unreasonable.

The following principles should inform training and procedures in managing unreasonable conduct:

- all staff are aware of what the procedures are for managing unreasonable conduct
- complainants' expectations are managed from the beginning of the process to ensure that they are reasonable and realistic
- cultural differences are recognised and responded to
- complainants are made aware that respect and cooperation for staff is a prerequisite for receiving service and further contact.

Section 2: Managing and Escalating Complaints

This section is important for Complaints Officers because they will manage and escalate complaints as appropriate.

Step 3 - Screening Complaints

All complaints logged through CompliSpace Assurance are automatically submitted to a Complaints Officer.

As we encourage staff to log all complaints (except child safeguarding-related complaints) through CompliSpace Assurance, it is important that the Complaints Officer review these complaints at the earliest possible opportunity to ensure that appropriate action is taken.

After the complaint is submitted and accepted, the Complaints Officer will screen the complaint and decide whether to deal with the complaint. If the decision is to deal with the complaint it will be managed through CompliSpace Assurance.

Any child safeguarding-related complaint will be dealt with in accordance with our Child Safety and Safeguarding Program.

Factors we consider in the initial assessment and screening of a complaint include:

- severity
- health and safety implications
- complexity
- impact on the individual, the general public or the organisation
- potential to escalate
- the need and possibility of immediate action
- jurisdiction, if applicable
- outcomes sought by the applicant.

Step 4 - Establishing the Facts, Investigating the Complaint and Communicating with the Complainant

When it has been decided that a Formal Complaint, other than a child safeguarding-related complaint that involves, or that involves the risk of, abuse or other harm to a child, requires further investigation, a Complaints Officer will conduct the investigation.

If the formal complaint was initiated by a child or young person, or if a child or young person will otherwise be involved in its investigation, their involvement will be planned and undertaken using the guidelines set out in the [Child-focused Complaints Handling Guide](#). In particular, the plan for involving the child or young person will include:

- any specific communication support or other specific needs they may have
- any issues that relate to their cultural background or to their sexual orientation, intersex status or gender
- the need to allow adequate time for discussions, which will take place in an appropriate venue
- explaining to the child or young person how they can participate, what is likely to be involved and what might be required of them
- explaining to the child or young person what information you may need from them, why it is important and whether or not it will be kept confidential or shared
- seeking information from the child or young person about how they would like to be kept informed and supported, recognising that their preferences may change as the matter progresses.

The Complaints Officer will contact the complainant prior to the target resolution date and keep in regular contact, advising of the status of the matter, and each time confirming when the next communication should be expected. Refer to **Timeframes for Managing Complaints Internally**.

Internal Investigation Process

In their publication on Effective Complaint Handling Guidelines 2017, the NSW Ombudsman suggests that an investigation usually involves:

- seeking to answer an identified question
- gathering sufficient reliable information to enable a decision to be made
- impartial fact finding
- reporting the outcome
- sometimes making recommendations.

The following investigation steps are a guide only and may be varied as circumstances require and will not always occur in the order as listed.

1. Provide an opportunity for the complainant to fully communicate the complaint in detail and afterwards provide a summary of the complaint to the complainant for approval.
2. Formulate statements or summaries of the issue or issues that outline the substance of the complaint.
3. Where the complainant involves a member of staff or another person associated with the organisation such as a volunteer, provide details of the complaint to them and seek their response.
4. Access any other relevant information in relation to the complaint. This may need to occur prior to the person the subject of the complaint being asked to respond to the complaint. Relevant information may include information from other persons who may have knowledge of the issue, other information and documents including emails and correspondence relevant to the complaint.
5. See steps 5 – 10 below.

Communicating with the Complainant

The Complaints Officer will communicate with the complainant to:

- acknowledge the complaint and advise who will investigate the complaint
- seek information from the complainant about the complaint and, as required, provide an opportunity for an 'in person' or online meeting with the complainant to further understand and clarify the nature of the complaint

- provide a summary of the complaint to the complainant so that the complainant can confirm that summary accurately reflects their complaint
- inform the complainant of the steps in the investigation
- provide updates on the progress of the complaint
- inform the complainant of the actions the organisation is taking in response to the complaint
- inform the complainant of the outcome of the complaint and investigation and decisions made about the complaint and reasons for the decision
- suggest remedies, including an offer of apology
- provide information about internal appeals processes and, as appropriate, external appeals processes.

Complaints Involving Staff Members

Complaints involving staff members should follow the same course as other complaints, however, if there are adverse findings made about a particular staff member, consideration should be given as to how that may be communicated with the complainant and any privacy obligations that may apply.

In general, where there is a complaint about staff performance, procedural fairness must be followed: the staff member should be notified as soon as possible and full information provided to them. They should have an opportunity to explain the circumstances and appropriate support should be provided to them.

Complaints against staff members should be separate to staff disciplinary procedures. Where complaints raise issues of staff professional misconduct, unsatisfactory professional conduct or employee performance issues the Complaints Officer should notify the person responsible for managing human resources issues and staff performance and conduct, to seek advice and determine if the matter should be dealt with as a complaint or instead, should be dealt with according to our staff disciplinary policies and procedures.

Step 5 - Making a Determination

After considering all the facts available, the Complaints Officer must make a determination that addresses all aspects of the complaint. The following options are available:

- decide to deal with the complaint and take rectification action without offering redress
- decide to deal with the complaint and offer redress
- offer redress without dealing with the complaint
- decide not to deal with the complaint and provide reasons for that decision.

Offers of redress or remedies may include:

- refunds
- technical assistance
- information
- referral
- financial assistance
- financial compensation
- apology
- goodwill gift or token
- indication of changes in services, process, policy or procedure arising from complaints.

Step 6 - Formulation of Proposed Resolution

The extent of any remedy will depend on the nature of the complaint. Some complaints are administrative in nature and the remedy may be to rectify the administrative error and issue a verbal apology or acknowledgement to the complainant. Other remedies are more complex and may, for example, involve financial compensation. Where a financial remedy is considered appropriate, the aim is to provide fair compensation for any loss suffered.

In formulating a proposed resolution, matters to be considered include:

- extent to which others may have suffered in the same way as the complainant but whom did not make a formal complaint
- level of authority required internally to implement the proposed resolution
- implementation of a strategy for following up where appropriate
- method for disseminating information to relevant personnel within the organisation.

Step 7 - Presenting a Final Response and-or an Offer of Redress

The complainant must be advised of the outcome of any investigation or subsequent determination.

This communication should set out:

- the substance of the original complaint
- an outline of the investigation undertaken
- the finding of the investigation
- the reason for decision
- any proposed resolution or offer of redress.

The level of detail in the communication to the complainant should reflect the complexity of the complaint and the nature and extent of any investigation into the complaint. The information provided to the complainant should enable the complainant to understand the reasons for the decision and findings that have been made. Care should be taken to ensure that the information provided in the response to the complainant does not breach our privacy policy or privacy laws.

Where the resolution includes an offer of a financial remedy, the Complaints Officer may discuss the proposed offer with the complainant prior to providing the offer formally. This will allow the Complaints Officer to clearly explain the reasons behind the decision and allow a complainant to have any queries they may have answered directly.

All final responses and/or offers of redress should be approved by the Complaints Officer and, if different from the Principal, the Principal or, in their absence the Deputy Principal, or if the complaint involves the Principal, the EREA VSL Director of Safeguarding. Where appropriate, offers of redress should be made in writing.

Section 3: Recording and Reporting Complaints

This section is important for Complaints Officers as they have ultimate responsibility for complaints records and complaints reporting at the College.

Step 8 - Complaints Register

Assurance is designed to capture the key data with respect to any individual complaint that is not a child safeguarding-related complaint and to track the resolution process. Assurance automatically creates a Complaints Register that provides a summary of key data about all complaints in the system at any particular point in time.

The information contained in our Complaints Register can be used to identify trends in complaints and any systemic issues. This helps us determine where to focus attention on improving our internal processes (refer to Step 9 - Rectification and Risk Management) and improve our levels of stakeholder satisfaction.

The Complaints Register is reviewed in Leadership Team meetings and key information is provided to the Leadership Team on a regular basis (refer to Complaints Reporting).

Step 9 - Rectification and Risk Management

Regardless of whether a complaint has been resolved internally or not, it is important that we consider the circumstances that led to the complaint arising, and whether or not an opportunity exists to improve our internal systems and procedures, to reduce the risk of a similar complaint occurring again.

To clarify whether or not rectification work is required, the Complaints Officer will meet with the person responsible for the relevant area of work, review the underlying factors leading to the complaint, and make a recommendation as to what, if any, rectification work is required.

Where it is agreed that rectification work is required, the Complaints Officer will make a corrective action request by creating a task through Assurance. The use of corrective action tasks allows the College to monitor and report on the progress of rectification work.

Step 10 - Closing a Complaint

The complaint will be closed on CompliSpace Assurance once:

- the complaint has been resolved with the complainant (either internally or externally) or all reasonable internal and external options of rectification or remedy have been exhausted
- all relevant information about the complaint has been captured
- consideration has been given to the underlying risk associated with the complaint and, where appropriate, the risk has been included on the College's risk register
- any recommendations with respect to rectification work have been recorded in a corrective action task.

Processes for Review of a Complaint's Resolution

Part of the College's complaints handling process includes the option for review of a complaint's management and resolution.

Complainants or other persons who are involved in the matter (for example, a staff member whose behaviour is the subject of the complaint, a student who was the subject of the behaviour complained about or their parent/carer) and who are not satisfied with the management of a complaint or its outcome may request an internal review of:

- the procedures undertaken
- the findings made
- the disciplinary actions proposed or taken

- other outcomes (including a decision not to make a finding or to take disciplinary or other action).

They also have a right to request access to the personal information that the College retains about them. They can also request that amendments be made where they believe that this information to be inaccurate.

Requests for internal reviews of child safeguarding-related complaints should be made to the Principal, together with complaints officers.

Internal reviews are undertaken by the Principal, together with complaints officers.

For more information about internal reviews of child safeguarding-related complaints, refer to Child Safety and Safeguarding Complaints Management in our Child Safety and Safeguarding Program.

Complainants are also afforded a number of options throughout the complaints handling process should they be dissatisfied with the way the complaint is being handled, including:

- seeking alternative dispute resolution other than through the College's Complaints Handling Program, for example, through mediation which involves the assistance of an independent third party who helps parties to negotiate a settlement of the complaint or dispute
- seeking legal advice, should a complaint escalate to a dispute, to ensure that they know their rights relating to the issue at hand
- making a request for an alternative investigator for the complaint where the complainant perceives a conflict of interest, or potential for conflict of interest.

Complaints Program Administration

Timeframes for Managing Complaints Internally

Timeliness in responding to complaints is a key element of successful complaints handling.

Where the complaint is initiated by, or otherwise involves, a child or young person, any communications with the child or young person will follow the principles for participation by children and young people in decisions that affect them, set out in the [Child-focused Complaints Handling Guide](#).

Our important measures of timeliness include the time taken to acknowledge the complaint and the time taken to close the complaint.

Immediate Acknowledgement of Complaint

We strive to immediately acknowledge the receipt of complaints and address them promptly in accordance with their degree of urgency.

Where we cannot acknowledge a complaint immediately, acknowledgement should be made as soon as practicable and, in any event, within ten business days.

Target Resolution Within 20 Days

We aim to resolve all complaints within 20 Days, with the initial investigation completed within 10 business days.

Anonymous complaints should also be addressed within this target time frame wherever practicable.

Extension Beyond 20 Days

If we are unable to respond to a complaint within 20 Days, the Complaints Officer will, prior to the end of the 20 Days period:

- contact an adult complainant by telephone, if possible, or otherwise in writing
- advise them of the reasons for the delay in resolution of their complaint
- advise them of a new target resolution date.

The Complaints Officer will then keep the adult complainant regularly updated on the status of their complaint.

Where the complaint has been initiated by a child or young person, or a child or young person will otherwise be involved in the internal investigation, their involvement – including how they will be updated on the status of their complaint – will be planned and undertaken using the guidelines set out in the Child-focused Complaints Handling Guide. In particular, the College will consider the most appropriate way to communicate information about the outcome of the complaint to the child or young person, and the support they might require.

External Dispute Resolution

In circumstances where a complaint cannot be resolved within a reasonable timeframe, the complaint may become subject to external dispute resolution.

St Mary's College may engage the services of one of the following organisations for the purposes of external dispute resolution:

- private conciliators or dispute resolution counsellors; or
- a complaints and appeal body established by a peak industry body.

It is St Mary's College's policy that when an external resolution process needs to be implemented, it is done having regard to the nature of the complaint.

Program Maintenance and Record Keeping

In maintaining our Complaints Handling Program, we take into account the issues which informed the design of the program:

- our legal and regulatory obligations as well as obligations to meet various guidelines, codes of practice, and standards, published or referenced by regulators
- our objectives to improve internal processes and approval levels
- our College's context by:
 - identifying and addressing external and internal issues that are relevant to the College's purpose and that affect our ability to achieve our objectives to improve internal processes
 - identifying the interested parties that are relevant to our complaints handling processes, for example current and former students, parents, carers and community members, and addressing the relevant needs and expectations of these interested parties
 - identifying the scope of the complaints handling process, including its boundaries and applicability to various types of feedback received by the College and internal grievance procedures.

Record Keeping

Complete records of all complaints received, other than child safeguarding-related complaints, together with data regarding the overall performance of our complaints handling process, are recorded through CompliSpace Assurance and are readily accessible to the Leadership Team.

We adopt the complaints handling guiding principle that whenever dealing with a complaint, and, in particular, when recording information relating to a complaint, this information may at some time in the future be requested by the complainant or a regulator or may be made public as a result of litigation (whether related or unrelated to the particular complaint), subject to privacy laws. Our complaint records are maintained in a format which allows them to be provided to a regulator, or a complainant, if so requested.

If any information relating to a complaint is requested by an external party, we consider all of the circumstances of the request and, if necessary, seek legal advice as to what, if any information, we

are legally required to provide.

Records with respect to training undertaken by our staff and representatives relating to this Complaints Handling Program are maintained CompliLearn.

The above records are maintained for a minimum of seven years. Child protection records are maintained indefinitely.

Maintenance

All complaints are categorised, and then analysed to identify systemic, recurring and single incident problems and trends, and to eliminate the underlying cause of complaints (refer to Step 9 - Rectification and Risk Management).

We continually monitor the overall performance of our complaints handling processes having regard to the size, nature and complexity of our organisation and to historical complaints data. This includes taking action to determine the levels of satisfaction of complainants after going through the complaints handling process.

Issue Investigation and Analysis and Continuous Improvement

We undertake an analysis of complaints received to identify:

- systemic issues and service failures
- steps that can be taken to reduce the likelihood of any service failures occurring again
- failures or inadequacies in risk controls
- new or emerging risks
- training needs of staff
- requirements for review and amendment of existing policies and procedures and the need to additional policy and procedures.

Our analysis involves:

- identification of the problem that led to the complaint
- identifying possible causal factors for the problem
- identifying why the problem occurred
- contacting previous complaints where appropriate to gain their feedback regarding our complaints handling process.

Continuous Improvement

Once the analysis has been completed, we implement corrective action to reduce the likelihood of a recurrence of the problem and ensure that corrective actions are documented including timeframes for completion of specific actions and persons responsible for implementing corrective actions. We then evaluate the effectiveness of the corrective actions.

Program Review and Improvement

The Leadership Team reviews this Program annually to:

- ensure the continuing suitability, adequacy, effectiveness and efficiency of the Program
- identify and address instances of non-conformity with health, safety, environmental, customer, statutory, regulatory and other relevant requirements
- identify and correct systemic issues that have been identified through complaints
- evaluate the effectiveness of the actions taken in relation to the complaints received, and risks and opportunities identified through complaints
- evaluate potential changes to the Program.

Complaints Officers and the Leadership Team are responsible for providing relevant information, including changes in legislative and regulatory requirements, and complaints reports for the review and reporting on the outcome of the review to the The EREA VSL Board.

The information obtained from these reviews is used to continually improve the Program.

Complaints Reporting

All complaints, other than child safeguarding-related complaints, are logged through CompliSpace Assurance, which is maintained in real-time allowing a variety of reports to be produced that analyse complaints as they occur. These reports can be produced as needed.

Our complaints handling reporting includes:

- numbers of complaints
- the type or category of complaints
- the severity or seriousness of the complaints received
- numbers of complaints that were escalated
- time taken to close a complaint
- outcomes of complaints
- systemic failures or trends from complaints
- the results of complaints analysis.

Complaint Status

Complaints are either categorised as rejected, open or closed.

A complaint may be rejected from the outset as not being a complaint within the definition.

A complaint will be closed once it has been resolved, or once all reasonable options of recourse have been exhausted.

Reporting to EREA

It is critical that the Principal, Leadership Team and, where necessary, EREA, are notified of significant complaints as quickly as possible, and regularly informed as to the College's performance with respect to complaints handling.

It is the responsibility of Complaints Officers to report to the Leadership Team, to the College The EREA VSL Board as and when required, and to EREA.

IMPLEMENTATION

Complaints Officers are responsible for ensuring that all staff are educated about our Complaints Handling Program, and monitoring the effectiveness of, and continually improving, the Program.

BREACH OF THIS POLICY

DEFINITIONS

Term	Definition
Complaint	<p>We have adopted the definition of "complaint" from the Australian complaints handling standard (AS 10002:2022) which defines a complaint as an:</p> <p>“expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.”</p> <p>The term “complaint” is used to refer collectively to any enquiry, comment, complaint or dispute raised by a person expressing dissatisfaction as to a</p>

particular circumstance, or situation, related to our services or operations.

This could include complaints about the conduct of our staff, volunteers or other people associated with the College, such as a student or a parent.

A complaint may be made by a student, parent/carer, former student, parent/carer of a former student, member of the wider College community, strategic partner, regulator or a member of the public generally. A complainant may be a natural person, an organisation, or a representative of an organisation.

A complaint can also be made anonymously.

SOURCE OF OBLIGATION AND RELATED LEGISLATIVE INSTRUMENTS

The legislative and regulatory obligation to provide effective complaints handling stems from several sources.

National Principles for Child Safe Organisations

The National Principles for Child Safe Organisations (National Principles) set out best practice for being a child safe organisation. Compliance with these Principles (or similar state or territory versions) is either already mandatory or will soon become so for all child-related organisations around Australia.

Principle 6 of the National Principles requires the College to have processes for complaints and concerns that are child focused. To meet this Principle, the College must:

- have an accessible, child-focused complaints handling policy which clearly outlines:
 - the roles and responsibilities of leadership, staff and volunteers
 - approaches to dealing with different types of complaints
 - breaches of relevant policies or the child safe codes of conduct; and
 - obligations to act and report
- ensure that our complaints handling processes are understood by children and young people, staff, families and volunteers, and are culturally safe
- take complaints seriously and respond promptly and thoroughly

- have policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and cooperates with law enforcement
- meet reporting, privacy and employment law obligations.

National Catholic Safeguarding Standards

The National Catholic Safeguarding Standards (NCSS) align directly with the National Principles and set out specific requirements for how Catholic entities are expected to be child safe organisations. All Catholic entities are expected to comply with the NCSS.

Standard 6 of the NCSS requires the College to have processes for raising concerns and complaints that are responsive, understood, accessible and used by children, families, carers, communities and personnel. To meet this Standard, the College must:

- have an effective complaints handling policy and procedures which clearly outline:
 - roles and responsibilities
 - approaches to dealing with different types of complaints
 - reporting obligations; and
 - record keeping requirements
- ensure that our complaints handling system is child-focused, and understood by children, families, carers and personnel
- take complaints seriously and respond promptly and thoroughly
- have policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and cooperates with law enforcement
- meet reporting, privacy and employment law obligations.

Registration Requirements

Clause 11.2 of Ministerial Order No. 1359 Implementing the Child Safe Standards – Managing the risk of child abuse in schools and school boarding premises (Ministerial Order No. 1359) requires The EREA VSL Board to:

- develop a complaint-handling policy that is made publicly available and that is accessible, child-focused, culturally safe and easily understood by the College community and that clearly outlines:

- the process for making a complaint about the College or the behaviour of any person within the College
- the roles and responsibilities of leadership, “school staff”, “school boarding premises staff”, and volunteers in relation to handling complaints
- the process for dealing with different types of complaints, breaches of relevant policies or the code of conduct
- obligations to act and report
- ensure complaints are taken seriously and responded to promptly and thoroughly
- have policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and cooperate with law enforcement
- ensure record keeping, reporting, privacy and employment law obligations are met when responding to complaints and concerns
- have a clear procedure or set of procedures for responding to complaints or concerns relating to child abuse.

The Guidelines to the Minimum Standards and Requirements for School Registration require the College to have policies and procedures about managing complaints, as evidence of compliance with the Care, Safety and Welfare of Students Minimum Standard (schedule 4, clause 12 of the Education and Training Reform Regulations 2017 (Vic)) (ETR Regulations). These policies and procedures should address how the College’s policies and procedures ensure procedural fairness and are accessible to the College community and are consistent with the College’s enrolment agreement.

CECV Requirements

The CECV’s Compliance Standards Evidence List 2022 requires the College to publish the Complaints and Grievances Policy on the College’s website.

ESOS National Code

Standard 10 of the ESOS National Code 2018 outlines requirements for a registered provider’s complaints and appeals processes for overseas students. These requirements include that the internal complaints handling and appeals process must commence assessment of a complaint or appeal within 10 working days of the complaint being made, ensure that the overseas student is given an opportunity to formally present their case and be accompanied and assisted by a support person at any relevant meetings, and, in the event of an unsuccessful outcome, advise the overseas student of their right to access to an external complaints handling and appeals process at minimal or no cost.

Standards for Registered Training Organisations

As a Registered Training Organisation (RTO), the College is required to implement a transparent complaints and appeals policy to ensure that all complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively (Standards for Registered Training Organisations (RTOs) 2015, Standard 6).

RELATED POLICIES AND PROCEDURES

- [Internal Grievance Resolution Procedure](#)
- [Student Behaviour Policy and Procedures](#)
- [Child Safety and Safeguarding Complaints Management Policy and Procedures](#)

RELATED FORMS AND DOCUMENTS

[EREA Complaints Handling Policy and Guidelines](#)

[Complaints Handling Guide](#)

[Complaint Response Letter](#)
