

Complaints and Allegations Handling Policy

1. Purpose

Redlands (the School) welcomes feedback from all members of the School community and takes all concerns, complaints or allegations that may be raised seriously.

This Policy is designed to assist parents, staff, students and other members of the School community to understand how to raise a concern, make an allegation or lodge a complaint, and to set out how the School will respond.

2. Concerns, Complaints and Allegations

In this Policy:

A **concern** is an expression of worry or doubt over an issue considered to be important and for which reassurances are sought. Concerns can be raised in an informal manner with the relevant member of staff for reassurance or response.

A **complaint** is an expression of dissatisfaction about a situation, action or lack of action. In this context, it relates to educational and/or operational matters relating to services provided by the School where a response or resolution is explicitly or implicitly expected. It also encompasses disclosures of a child at risk of harm.

An **allegation** is a claim that someone or a group of people did something hurtful or damaging. This includes allegations of staff misconduct and allegations of reportable conduct.

A reference to **you** is a reference to a parent, student, staff member or another member of the School community who has raised a concern or made a complaint or allegation.

This Policy does not apply to concerns or complaints by staff relating to personal and work-related grievances which are to be dealt with under the *Grievance Resolution Policy*, or to Whistleblower disclosures which are managed under the School's *Whistleblower Protection Policy* available on the School website.

3. Informal Resolution of Concerns

The vast majority of issues causing concern in schools can be handled promptly and in an informal manner. Generally, concerns should first be raised directly with the relevant staff member: the person in **First Contact** column in the *Redlands Complaint Communications Structure* (Appendix 1).

4. Making a Formal Complaint

If you have been unable to resolve a concern informally and wish to make a formal complaint you may do so in any of the following ways:

- complete a *Record of Complaint* (Appendix 2) and email it to the School with any attachments
- email the appropriate member of staff (Appendix 1)

Complaints will be managed by the most appropriate member of staff, as determined by the Principal or their delegate and in line with the *Redlands Complaint Communications Structure* (Appendix 1). The Principal will not be directly involved in the resolution of those complaints which are more appropriately handled by others in the School.

If, after referring to Appendix 1, you remain unsure about who best to lodge the complaint with, email the Deputy Principal (deputy.principal@redlands.nsw.edu.au) and your complaint will be directed appropriately.

If the complaint pertains to the Deputy Principal, you should direct your complaint to the Principal (principal@redlands.nsw.edu.au).

If your complaint pertains to the Principal, you should direct your complaint to the Chair of the School's Board of Directors (boardchair@redlands.nsw.edu.au) who must then comply with the responsibilities under this policy that would otherwise fall upon the Principal or Deputy Principal.

5. Complaints Handling Procedure

Step 1

All complaints will be acknowledged in writing, as soon as is practicable but normally within three business days. The School aims to resolve complaints and disputes within three weeks but, if a complaint requires extensive investigation, within a reasonable time.

Complaints received during, or close to, school vacation periods may take longer to acknowledge and to resolve, depending upon the availability of relevant members of staff.

Step 2

Once the complaint is received, it will be initially assessed by the person receiving it with input from appropriate senior staff, and then allocated to the appropriate member of staff as per Appendix 1 to investigate. If the matter that is being complained of has been previously dealt with in accordance with this policy, the School may decline to consider the complaint again. Where a person raising a concern or complaint fails to do so in a courteous and respectful manner, the School may suspend any consideration of that concern or complaint until the person gives an assurance to the School that the person will continue in a courteous and respectful manner.

Step 3

The appropriate member of staff will investigate the complaint in accordance with the principles of procedural fairness, and make findings. This requires the investigator to be impartial, to give a person who is the subject of the complaint particulars of the complaint and a reasonable opportunity to respond, and to make findings based on all relevant evidence.

Step 4

Following the making of findings, the investigating member of staff will formulate a resolution, if appropriate. The School will then provide a written response to the person making the complaint. The matter will be closed if this response is accepted and agreed by the complainant. If the

complainant fails to acknowledge the response from the School within 10 days or if the complaint is found to be frivolous or vexatious the School will consider the matter closed.

Step 5

If the initial response is not accepted by the complainant before the matter is closed and the complainant requests a review, the matter will be reviewed by the Principal or their delegate.

The School aims to initiate this review process within five business days of the complainant requesting the review and to complete the review in a reasonable time. A review requested near or during a school vacation period may take longer to complete.

The Principal or their delegate may seek additional information from the complainant and others as part of the review and will assess the merits of the complaint, the investigation process and the findings in accordance with the School's procedures, any legal obligations, and the principles of procedural fairness. The Principal or their delegate will then make a final determination and formulate a resolution if appropriate.

The Principal will then provide a written response to the complainant. The matter will be closed if the complainant accepts the response or fails to respond within 10 days.

Step 6

The outcome of the investigation, the response, and any review by the Principal or their delegate will be entered in the Complaints Register. Where the School considers it appropriate, corrective actions will be implemented to address any underlying processes which the investigation revealed may require improvement.

Step 7

If the matter remains unresolved after the review process, the complainant may pursue external dispute resolution alternatives. As the Principal is entrusted with the day-to-day management of the School, there is no avenue of appeal to the Board of Directors (except where a complaint is in relation to the Principal, in accordance with Section 4 of this Policy).

6. Confidentiality

Subject to the School's legal obligations, confidentiality applies with respect to both information relating to the complainant, and, if relevant, to a person against whom a complaint is made. The School is committed to maintaining the confidentiality of information throughout the complaints process. Generally, information will only be shared to those who need to know in order to deal with the complaint.

As anonymity can make it difficult for the School to adequately address complaints, the School encourages complainants to identify themselves. Personal information about a complainant will only be made available for the purpose of addressing the complaint and (unless the complainant consents) the School will take reasonable steps to protect this information from disclosure.

7. Allegations of Staff Misconduct or Reportable Conduct

Staff misconduct is a broad term that could include breaches of the law, professional boundaries, codes of conduct or standards of behaviour.

Determinations of staff misconduct are reviewed against Redlands Values, the Employee Code of Conduct and the Bullying, Harassment, Discrimination and Sexual Misconduct Policy.

Reportable conduct refers to specific types of allegations or findings of misconduct or behaviour that poses a risk to the safety and wellbeing of children. The *Children's Guardian Act 2019* defines reportable conduct as:

- a sexual offence (such as sexual touching of a child, grooming and production, dissemination or possession of child abuse material),
- sexual misconduct (that is, conduct towards a child that is sexual in nature (but is not a sexual offence), including descriptions of sexual acts, sexual comments, conversations or communications and comments to a child expressing a desire to act in a sexual manner towards the child or another child)
- ill-treatment of a child (conduct that is unreasonable and seriously inappropriate, improper, inhumane or cruel)
- neglect of a child (a significant failure of a parent or carer to provide necessities such as food, clothing, medicine, shelter or supervision)
- an assault against a child (including the threat of physical harm)
- an offence under s 43B (failure to protect) or s 316A (failure to report) of the Crimes Act 1900; and
- behaviour that causes significant emotional or psychological harm to a child.

Examples of indicators of significant emotional or psychological harm include displaying behaviour patterns that are out of character, regressive behaviour, anxiety or self-harm.

The School has legal obligations to report certain staff misconduct and/or allegations of reportable conduct to external authorities.

Allegations relating to staff misconduct or reportable conduct should be made to the Deputy Principal (deputy.principal@redlands.nsw.edu.au).

If the allegation pertains to the Deputy Principal, you should direct your report to the Principal (principal@redlands.nsw.edu.au).

If your allegation pertains to the Principal, you should direct your report to the Chair of Board of Directors (boardchair@redlands.nsw.edu.au) who must then comply with the responsibilities under this policy that would otherwise fall upon the Principal or Deputy Principal.

Further information about the School's procedures for handling allegations of reportable conduct are contained in our *Procedures for Handling Child Safeguarding Matters* available on our public website.

8. Related Policies and Documentation

Employee Code of Conduct

Student Codes of Conduct

Grievance Resolution Policy

Redlands Discipline Policy

Redlands Child Safeguarding Policy

Procedures for Handling Child Safeguarding Matters

Redlands Student Anti-Bullying and Harassment Policy

Bullying, Harassment, Discrimination and Sexual Misconduct Policy

Whistleblower Protection Policy

9. Related Legislation

Education Act 1990 (NSW)

Children and Young Persons (Care and Protection) Act 1998

Children’s Guardian Act 2019

Child Protection (Working with Children) Act 2012

10. Policy Review and Evaluation

This policy will be reviewed as part of the School’s three-year review cycle or earlier if legislative, regulatory or operational circumstances render it appropriate. This review should evaluate the effectiveness of the policy and ensure that it that it supports organisational performance, meets current legislative and regulatory compliance, operational currency and provides opportunity for continuous improvement and risk identification and mitigation.

Procedures and guidelines may be updated more frequently if required to meet current operational needs or practices.

Policy Owner:	Deputy Principal
Policy Authoriser:	Principal
Approval Date:	May 2024
Version:	4.0
Next Review:	May 2027
Publication:	This policy is approved for internal and external publication

11. Version History

Version History:	Description of change
v1.0	Original version
v2.0	Reformatted document onto new template. Updated section 6. Removed section 7 External Agencies as not relevant. Added new section 7 Complaints and Allegations of Staff Misconduct or Reportable Conduct. Updated section 8 to clarify policy titles. Added sections 9, 10 and 11.
v3.0	Small change of terminology in Section 4. Section 5 Step 2 updated and additional Step added to clarify procedure.
v4.0	<ul style="list-style-type: none"> Renamed to include “allegations”. Updated Record of Complaint (Appendix 2). Changed all references to “child protection” to “child safeguarding”. Updated other document names. Included definitions for “you”, concerns and allegations.

Appendix 1: Redlands Complaint Communications Structure

Concerns or complaints are to be directed initially to the staff member concerned with the nature of the issue. If the matter remains unresolved at this level, then either party may escalate it to the next level of management until the matter is resolved or the parties accept that it is not possible, in the circumstances, to be resolved.

This communications structure provides a guide to the most appropriate staff member to approach with a concern or complaint. When raising a concern or making a complaint, it will assist the School if you are able to clearly identify the issue or problem, identify any parties involved and consider the outcome you wish to achieve. Normally, complaints should be raised by a complainant completing the record of complaint (Appendix 2) and emailing this to the School.

Concerns or complaints may also be sent to the Deputy Principal (deputy.principal@redlands.nsw.edu.au) if the nature of the complaint does not relate to a specific area listed below or the concern is with or the complaint is about the persons in the **First Contact** and the **Final step** columns or if they are likely to have a conflict of interest. The Deputy Principal will then direct the concern or complaint to the appropriate member of staff.

All communication between students, parents, guardians, carers, visitors and staff members should be conducted in a courteous and respectful manner, in line with the School Values and the relevant Code of Conduct.

CHILD SAFEGUARDING	Area of concern	First contact	Second contact	Final step
	Staff Misconduct or Reportable Conduct	Deputy Principal		
	Mandatory Reporting (Child at Risk of Harm)	Dean of Students	Head of School Section	Deputy Principal
	Child Safeguarding complaints about students at risk of significant harm, or allegations pertaining to serious employee misconduct or potential reportable conduct, should be directed to the Deputy Principal in line with the <i>Procedures for Handling Child Safeguarding Matters</i> .			

STUDENT WELLBEING	Area of concern	First contact	Second contact	Third contact	Final step
	Student Welfare	Class teacher / Tutor	Year Coordinator / Advisor	Dean of Students	Head of School Section
	Absences				
	Peer-to-Peer Issues				
	Bullying, harassment	Refer to the <i>Student Anti-Bullying and Harassment Policy</i>			Deputy Principal
Staff Misconduct or Reportable Conduct	Refer to the <i>Child Safeguarding Policy</i> and the <i>Procedures for Handling Child Safeguarding Matters</i>			Deputy Principal	

WHOLE SCHOOL OPERATIONS	Area of concern	First contact	Second contact	Final step
	Fees and Invoices	<u>Accounts Receivable</u>	Chief Financial Officer	Deputy Principal or Principal
	Admissions (previously known as Enrolments)	<u>Director of Admissions</u>	Head of Community Engagement	Deputy Principal or Principal
	ICT/Digital Services	<u>Digital Services team</u>	Director of Digital Innovation	Deputy Principal or Principal
	Staff performance	Line Manager	Executive Manager	Deputy Principal or Principal

STUDENT LEARNING	Area of concern	First contact	Second contact	Third contact	Final step
	Curriculum	Teacher	Year Coordinator / Subject Coordinator	Dean of Teaching & Learning (P-6) / Dean of Studies (7-10) / Dean of HSC (11-12)	Head of School Section
	Classes, Home Learning				
	Subjects				
	Student Results				
	Subject Selections				
	Subject Changes				
	HSC	Teacher	Year Coordinator / Subject Coordinator	Dean of HSC (11-12)	Head of School Section
	IB Diploma Program	Teacher	Year Coordinator / Subject Coordinator	Dean of IB (11-12)	Head of School Section
	Teacher performance	Teacher	Year Coordinator / Subject Coordinator	Dean of Teaching & Learning (P-6) / Dean of Studies (7-10) / Dean of HSC (11-12)	Head of School Section
Disability Provisions	Learning Support Tutor	Learning Support Coordinator (P-12)	Director of Learning and Growth	Head of School Section	

CO-CURRICULAR PROGRAMS	Activity	First contact	Second contact	Third contact	Final step
	Sport	Coach / Tutor / Teacher	Head or Director of Activity	Dean of Activities (7-12)	Head of School Section
	Music				
	Drama				
	Dance				
	Camps				

Appendix 2: Record of complaint

Please complete relevant fields in as much detail as possible.

Date of complaint lodgement	
Date of incident/s leading to the complaint	
Name of complainant	
Address of complainant	
Contact telephone number and preferred email	
Nature of complaint	Does this complaint indicate the possibility of child abuse (e.g., physical abuse, psychological or emotional abuse, sexual abuse or neglect)? If you are concerned about a child being in imminent danger or risk of harm, call 000 immediately. Otherwise email the Deputy Principal at deputy.principal@redlands.nsw.edu.au or safeguarding@redlands.nsw.edu.au .
Detail of complaint Include time, date, location (where an incident occurred), what happened and who was involved (this can include observations of the child's behaviour, if relevant).	

<p>Observation record</p> <p>Accurately record what was observed, including (if relevant) what the child said when describing what happened – verbatim.</p> <p>Record any observations / pieces of evidence (drawings or writing) which have led you to suspect abuse or ill-treatment.</p>	
<p>Witnesses (if any) with contact details</p>	
<p>Other relevant information, including why you are concerned, what has been done to attempt to resolve the situation (if anything) and what you would like to happen next.</p>	

Please attach any relevant documents or supporting evidence.