

The BUSY School Ltd

Complaints Handling Policy

Purpose: The purpose of this policy is to ensure that as far as is reasonably practicable, student, parent, guardian, carer and employee complaints and disputes are dealt with in a responsive, efficient, effective and fair way.

Scope: Students, parents, guardians, carers and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.

Status: Approved **Supersedes:** V5 (February 2024)

Authorised by: Board Chair **Date of Authorisation:** 20 May 2024

References:

- National Principles for Child Safe Organisations 2019 (Cth)
- Education (Accreditation of Non-State Schools) Regulations 2017
- Fair Work Act 2009 (Cth)
- Work Health and Safety Act 2011 (Qld)
- Privacy Act 1988 (Cth)
- Anti-Discrimination Act 1991 (Qld)
- Australian Human Rights Commission Act 1986 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Age Discrimination Act 2004 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Disability Standards for Education 2005 (Cth)
- Racial Discrimination Act 1975 (Cth)
- The BUSY School (TBS) Complaints Procedure
- TBS Work Health and Safety Policy
- TBS Disability Discrimination Policy
- TBS Anti-Discrimination Inclusion Policy
- TBS School Privacy Policy

Review Date: Annually **Next Review Date:** 20 May 2025

Policy owner: The BUSY School Ltd - Board of Directors

Policy Statement

The BUSY School Ltd (TBS) is committed to ensuring that students', parents', guardians', carers' and employees' complaints are dealt with in a responsive, efficient, and effective and fair way.

TBS views complaints as part of an important feedback and accountability process.

TBS acknowledges the right of students, parents, guardians, carers and employees to complain when dissatisfied with an action, inaction or decision of the school. The school encourages constructive criticism and complaints.

TBS recognises that time spent on handling complaints can be an investment in better service to students, parents, guardians, carers and employees.

Complaints that may be resolved under this Policy

TBS encourages students, parents, guardians, carers and employees to lodge promptly any concerns regarding sexual harassment, child protection, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- TBS, its employees or students having done something wrong
- TBS, its employees or students having failed to do something they should have done
- TBS, its employees or students having acted unfairly or impolitely
- issues of student or employee behaviour that are contrary to the Code of Conduct for Employees and Students
- issues related to learning programs, assessment and reporting of student learning
- issues related to communication with students or parents/carers or between employees
- issues related to school fees and payments
- issues related to external service providers, e.g. Registered Training Organisations, guest speakers and community groups delivering a service as part of the learning program
- general administrative issues.

Student complaints may be brought by students or by parents, guardians or carers on behalf of their children, as appropriate in the circumstances.

Issues outside this Policy

The following matters are outside the scope of this policy and should be managed as follows:

- Child protection concerns or risks of harm to children should be dealt with in accordance with the law and TBS Child Protection Policy.
- Student bullying complaints should be dealt with under TBS Anti-Bullying Procedure.
- Student discipline matters, including matters involving suspension or expulsion, should be dealt with under TBS Student Code of Conduct.
- Employee complaints related to their employment should be directed to their supervisor.
- Student or employee violence or criminal matters should be directed to the Campus Principal who will involve the Executive Principal, General Manager, CEO and Police as appropriate.
- Formal legal proceedings.

Complaints Handling Principles

TBS is, as far as is reasonably practicable, committed to managing complaints according to the following principles:

- complaints will be resolved with as little formality and disruption as possible
- complaints will be taken seriously
- complaints will be dealt with fairly and objectively and in a timely manner
- TBS will determine the appropriate person to deal with the complaint in the first instance. Complaints should be resolved with as little formality and disputation as possible
- mediation, negotiation and informal resolution are optional alternatives but the school may elect any procedure it deems appropriate to deal with the matter
- procedural fairness will be ensured wherever practicable, including the right of interested parties to the complaint to be heard
- confidentiality and privacy will be maintained as much as possible
- all parties to the complaints will be appropriately supported
- TBS will give reasonable progress updates

- appropriate remedies will be offered and implemented
- a review pathway will be provided for parties to the complaint, if warranted
- complainants, respondents, witnesses, and people associated with them will not be victimised as a result of lodging the complaints and they will not suffer any other reprisals
- the school will keep records of complaints
- the school's insurer will be informed if a complaint could be connected to an insured risk.

Responsibilities

The BUSY School

TBS, where practicable, has the following role and responsibilities:

- develop, implement, promote and act in accordance with the Complaints Handling Policy
- appropriately communicate the Complaints Handling Policy to students, parents, guardians, carers and employees
- ensure the Complaints Handling Policy are readily accessible by staff, students and parents, guardians, carers
- upon receipt of a complaint, manage the complaint in accordance with the Complaints Handling Policy or other procedure deemed suitable given the nature of the matter
- ensure that appropriate support is provided to all parties to a complaint
- take appropriate action to prevent victimisation or reprisal action against the complainant, respondent or any person associated with them
- appropriately implement remedies
- appropriately train relevant employees
- keep records
- conduct a review/audit of the Complaints Register from time to time
- monitor and report to TBS Board of Directors on complaints
- report to the school's insurer when that is relevant
- refer to TBS Board of Directors immediately any claim for legal redress.

All parties to a dispute

The complainant and respondent both have the following role and responsibilities:

- apply and comply with TBS Complaints Handling Policy
- lodge the complaint as soon as possible after the issue arises
- expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable;
- provide complete and factual information in a timely manner
- not provide deliberately false or misleading information
- not make frivolous or vexatious complaints
- act in good faith, and in a calm and courteous manner
- act in a non-threatening manner
- to be appropriately supported
- maintain and respect the privacy and confidentiality of all parties
- not victimise or act in reprisal against any party to the dispute or any person associated with them.

Employees receiving complaints

Employees receiving complaints have the following role and responsibilities:

- act in accordance with TBS Complaints Handling Policy
- inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required
- provide the complainant with information about any support or assistance available to assist them in lodging their complaint
- provide the complainant with a copy of TBS Complaints Handling Policy
- maintain confidentiality
- keep appropriate records
- to forward complaints to more senior employees, including the Campus Principal, Executive Principal, General Manager or CEO, as appropriate
- not victimise or act in reprisal against the complainant, respondent or any person associated with them.

Implementation

TBS is committed to raising awareness of the process for resolving complaints at the school, including by the development and implementation of this policy and related procedures, and via the clear support and promotion of the policy and procedures.

TBS is also committed to appropriately training relevant employees on how to resolve complaints in line with this policy and the related procedures.

TBS will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to TBS Board of Directors on complaint handling at the school.

TBS will act to encourage students, parents/carers and employees to contribute to a healthy school culture where complaints are resolved with as little formality and disruption as possible where appropriate.

Please refer to TBS Complaints Handling Procedure for the process of complaint submission, recording and resolution.

Version no.	Date Effective	Approved by	Changes
1.0	September 2020	<ul style="list-style-type: none"> ▪ Approved by TBS Board of Directors 	<ul style="list-style-type: none"> ▪ Initial draft version
2.0	August 2021	<ul style="list-style-type: none"> ▪ Endorsed by TBS Governance, Compliance and Strategy Committee ▪ Approved by TBS Board of Directors 	<ul style="list-style-type: none"> ▪ Version control ▪ Formatting
3.0	August 2022	<ul style="list-style-type: none"> ▪ Endorsed by TBS Governance, Compliance and Strategy Committee ▪ Approved by TBS Board of Directors 	<ul style="list-style-type: none"> ▪ Reviewed against ISQ template ▪ Updated terminology aligning to School operations and policies / procedures ▪ Formatting and grammar ▪ Version control ▪ Separate Policy and procedure
4.0	August 2023	<ul style="list-style-type: none"> ▪ Endorsed by TBS Governance, Compliance and Risk Committee ▪ Approved by TBS Board of Directors 	<ul style="list-style-type: none"> ▪ Reviewed against ISQ template ▪ Version Control Table inserted ▪ Annual Review ▪ Includes reference to TBS Anti-Discrimination & Inclusion Policy
5.0	February 2024	<ul style="list-style-type: none"> ▪ Endorsed by TBS Governance, Compliance and Risk Committee ▪ Approved by TBS Board of Directors 	<ul style="list-style-type: none"> ▪ Updated escalation pathways to include new role in structure: General Manager ▪ Reviewed against ISQ template
5.1	May 2024	<ul style="list-style-type: none"> ▪ Endorsed by TBS Governance, Compliance and Risk Committee ▪ Approved by TBS Board of Directors 	<ul style="list-style-type: none"> ▪ Removed reference to repealed <i>Australian Education Regulation 2013</i>