



**GEMS**  
CHRISTIAN  
EDUCATION

***GEMS Christian Education Ltd***

**This policy applies to:  
Emerald Christian College  
ECC OSHC  
Ontrack College  
Little Gems**

# Complaints Handling Policy



**EMERALD  
CHRISTIAN  
COLLEGE**  
LEARNING FOR LIFE



<b>Created:</b>	<b>June 2020</b>
<b>Current:</b>	<b>Sept 2021</b>
<b>Next Review:</b>	<b>Sept 2023</b>

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## **PURPOSE**

The purpose of this Policy is to ensure that Students, Parents and Carers and Employees complaints are dealt with in an equitable, responsive, efficient, effective and fair way.

GEMS Christian Education subscribes to a process of fairness in receiving, assessing, investigating and addressing feedback and complaints made by Employees, Students, Parents/Carers and other Members of the GEMS Christian Education community.

## **PRINCIPLES**

All feedback and complaints are treated seriously and sensitively, having due regard to procedural fairness, confidentiality and privacy. All information given is private and confidential, and will be managed in accordance with our Privacy Policy.

The Company will attempt to deal with feedback and complaints as informally and with as little disruption as possible. For this to be achieved, the feedback or complaint should be raised with the Person best positioned to action it.

The following is a guide of who to contact:

- Learning Issues: Class Teacher, then Dean, then Campus Principal.
- Fees/Accounts Issues: Business Manager.
- General Welfare Issues: Class Teacher, then Dean, then Campus Principal.
- Health Issues: Student Services, Enhanced Learning Unit Director, Counsellor, School Nurse or First Aid Officer
- Conduct Issues: Class Teacher, then Dean, then Campus Principal.

Feedback and complaints can be raised with GEMS Christian Education via phone, email or in Person.

Anonymous feedback or complaints may be lodged; however, there may be limitations to achieving the most effective outcome this way. We recommend formal complaints be submitted in writing.

Please do not:

- Make frivolous or worrying complaints.
- Deliver the feedback or complaint in a threatening manner.
- Provide deliberately false or misleading information.

## **SCOPE**

This Policy covers Students, Caregivers, Employees, Visitors, Volunteers, Workers, Suppliers and any Other Persons while at GEMS Christian Education.

## **RELEVANT LEGISLATION AND POLICY:**

- Education (Accreditation of Non-State Schools) Regulation 2017

- Australian Education Act 2013
- Fair Work Act 2009
- Work Health and Safety Act 2011
- Privacy Act 1988
- Anti-Discrimination Act 1991
- Australian Human Rights Commission Act 1986
- Sex Discrimination Act 1984
- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- GEMS Child Protection Policy
- GEMS Stop Bullying Students Policy
- Complaint Procedure Parent Information
- GEMS Good Conduct Policy

## DEFINITIONS

- a) **The Company** - refers to GEMS Christian Education Ltd as a whole, its Employees, Properties, Assets, etc...
- b) **Campuses** - properties under the Company (Little Gems, Emerald Christian College and Ontrack).
- c) **The Board** - refers to the Directors and Board Members of Gems Christian Education Ltd.
- d) **The Executive** - Heads of each Campus/Department.
- e) **The Executive Principal** - the current Principal of GEMS Christian Education Ltd.
- f) **The Principal** - the current Principal of Ontrack.
- g) **Officer** - refers to the Executive Principal and/or Members of the Board.
- h) **Dean** - refers to the heads of Primary or Secondary.
- i) **Policy** - refers to this Policy – any other Policy will be referenced by full name.
- j) **Employees** - all Employees of GEMS Christian Education Ltd, including but not limited to Teachers, Administration, Auxiliary, Trainees, etc...
- k) **Students** - refers to all Students under GEMS Christian Education Ltd.
- l) **Parents and/or Carera** – those directly responsible for the care and needs of individual Students.
- m) **Other and/or Persons** - anyone not listed above.
- n) **TASS** - The Company's Technology Information Platform for Student and Employee Records.

## 1. FEEDBACK AND COMPLAINTS

GEMS Christian Education views complaints and disputes as part of an important feedback and accountability process and acknowledges the rights of Students, Parents/Carers, Employees and Other Persons to express dissatisfaction when not satisfied with an action, inaction or decision of the Company. GEMS Christian Education encourages such feedback and recognises that time spent on handling complaints can be an investment in better service to the GEMS Christian Education community.

### **1.1 Complaints that may be resolved under this Policy**

GEMS Christian Education encourages Students, Parents/Carers, Employees and Other Persons to promptly lodge concerns regarding sexual harassment, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- a) When the Company, its Employees or Students have done something wrong.
- b) When the Company, its Employees or Students have failed to do something that they should have done.
- c) When the College, its Employees or Students have acted unfairly or impolitely.
- d) Issues of Student or Employee behaviour that are contrary to their relevant Good Conduct Policy.
- e) Outcomes of learning programs, assessments and reporting of Student learning.
- f) Communication with Students or Parents/Carers or between Employees.
- g) College fees and payments.
- h) General administrative issues.
- i) Student complaints may be brought by Students or by Parents/Carers on behalf of their child/ren, as appropriate in the circumstances.

### **1.2 Issues Outside of this Policy**

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

- a) Child protection concerns or risks of harm to children should be dealt with in accordance with the Law and the GEMS Child Protection Policy.
- b) Student bullying complaints should be dealt with under the GEMS Stop Bullying Students Policy.
- c) Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the GEMS Good Conduct Policy.
- d) Employee complaints related to their employment should be directed to Human Resources and dealt with under the relevant Human Resources Policies and/or Legislation.
- e) Student or Employee violent behaviour or criminal matters should be directed to the Principal who will involve the Police as appropriate.
- f) Formal legal proceedings.

### **1.3 Complaints Handling Principles**

GEMS Christian Education is committed to managing complaints according to the following principles:

- a) Complaints will be resolved with as little formality, debate and argument as possible.
- b) complaints will be taken seriously.
- c) Anonymous complaints will be treated on their merits like any other complaint and will be dealt with fairly and objectively and in a timely manner.
- d) The Company 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.
- e) Mediation, negotiation and informal resolution are optional alternatives.
- f) Procedural fairness will be ensured wherever practicable, including the right of interested parties to the complaint be heard.
- g) Confidentiality and privacy will be maintained as much as possible.

- h) All parties to the complaint will be appropriately supported.
- i) All parties are entitled to reasonable progress updates.
- j) Appropriate remedies will be offered and implemented.
- k) A review pathway will be provided for parties to the complaint if warranted.
- l) The Company's Insurer will be informed if a complaint could be connected to an insured risk.
- m) The Company will keep confidential records of complaints.

## **2. ROLES AND RESPONSIBILITIES**

### ***2.1 Of GEMS Christian Education***

GEMS Christian Education has the following roles and responsibilities in relation to a complaint:

- a) To Develop, implement, promote and act in accordance with the Company's Complaints Policy.
- b) Appropriately explain the Company's Complaints Handling Policy and procedures to Students, Parents/Carers, Employees and Other Persons.
- c) Ensure that the Complaint Procedure Parent Information pamphlet is readily accessible by all Members of the GEMS Christian Education community.
- d) Upon receipt of a complaint, manage the complaint in accordance with the Complaints Handling Principles outlined in *1.3 Complaints Handling Principles*.
- e) Ensure that appropriate support is provided to all parties to a complaint.
- f) Take appropriate action to prevent the victimisation or actions in reprisal against the complainant, respondent or any Person associated with them.
- g) Appropriately implement remedies.
- h) Appropriately train relevant Employees in Complaint Handling Procedures.
- i) Keep appropriate records of complaints.
- j) Conduct a review/audit of the Complaints Register monthly.
- k) Report to the Company's Insurer when relevant.
- l) Refer, if unable to resolve, the complaint to the Board.

### ***2.2 Of All Parties to a Complaint***

The Complainant and Respondent both have the following roles and responsibilities:

- a) Apply and comply with the Company's Complaints Handling Policy and Procedures.
- b) Lodge the complaint as soon as possible after the issue arises.
- c) Expect that the complaint will be dealt with fairly and objectively, in a timely manner, with procedural fairness wherever practicable, that natural justice principles will be observed wherever practicable and that confidentiality and privacy will be maintained as much as possible.
- d) Provide complete and factual information in a timely manner.
- e) Not provide deliberately false or misleading information.
- f) Not make frivolous or vexatious complaints.
- g) Act in good faith, in a calm and courteous manner.
- h) Act in a non-threatening manner.
- i) To be appropriately supported.
- j) Acknowledge that a common goal is to achieve an outcome acceptable to all parties.

- k) Recognise that all parties have rights and responsibilities which must be balanced and fair to all involved.
- l) Maintain and respect the privacy and confidentiality of all parties.
- m) Not victimise or act in reprisal against any party to the complaint or any Person associated with them.

### **2.3 Employees Receiving Complaints**

Employees receiving complaints have the following roles and responsibilities:

- a) Act in accordance with the Company's Complaints Handling Policy and Procedures.
- b) Inform the party making the complaint of how complaints can be lodged, when they should be lodged and what information is required.
- c) Provide the complainant with information about any support or assistance available to assist them in resolving their complaint.
- d) Provide the complainant with a copy of the College's Complaints Handling Policy and procedures and Complaint Procedure Parent Information pamphlet.
- e) Maintain confidentiality.
- f) Keep appropriate records.
- g) To forward complaints to more Senior Employees, including the Executive Principal, as appropriate.
- h) Not victimise or act in reprisal against the complainant, respondent or any Person associated with them.

## **3. IMPLEMENTATION**

GEMS Christian Education:

- a) Is committed to raising awareness of the process for resolving complaints at the Company, including by the development and implementation of this Policy and related Procedures, and via the clear support and promotion of the Policy and Procedures.
- b) Is also committed to appropriately training relevant Employees (especially Senior Employees) on how to resolve complaints in line with this Policy and the related Procedures.
- c) Will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the Board on complaint resolution at the Company.
- d) Will act to encourage Students, Parents/Carers, Employees and all Other Persons to contribute to a healthy Company culture where complaints are resolved with as little formality and disruption as possible to all involved.

## PROCEDURE

### 4. LODGING A COMPLAINT OR DISPUTE

#### 4.1 Who does it get Reported to?

GEMS Christian Education will attempt to deal with the complaint or dispute as informally and with as little disruption as possible. For this to be achieved, the complaint/dispute should be raised with the Person best positioned to action it. The following is a guide of who to contact:

COMPLAINT/DISPUTE	GOES TO
Learning	Class Teacher ⇒ Head of Dept ⇒ Principal
Fees/Accounts	Business Manager
General Welfare	Class Teacher ⇒ Head of Dept ⇒ Principal
Health	Class Teacher
Conduct	Class Teacher ⇒ Head of Dept ⇒ Principal

If you are unsure of who to contact regarding the complaint or dispute, the Business Manager will be able to guide you in the right direction. All people involved in the complaint or dispute process have the right to be supported by an appropriate third party.

#### 4.2 How Do You Lodge a Complaint/Dispute?

A complaint or dispute:

- a) Can be raised with GEMS Christian Education via telephone, email or in Person.
- b) If the issue involves the Class or Teacher of your Child or relates to an issue concerning your Child's experience at the Campus, make an appointment with that Teacher as soon as possible.
- c) Discuss the details of the issue or element of dissatisfaction with the Teacher using facts and work with the Teacher on developing a solution or where appropriate provide the Teacher with an opportunity to suggest a solution.
- d) The Teacher will make a record in TASS of your complaint and endeavour to reach an amicable resolution. However if no resolution is achieved then the Teacher will report the matter to the Dean or Principal.
- e) If your complaint relates to more general matters, including issues of Company Policy and issues of Compliance or Non-compliance, you should raise your complaint directly with the Business Manager, Principal or their Delegate.
- f) The Principal may refer your complaint to a Delegate such as the appropriate Dean or Business Manager.
- g) The Person you have made the complaint/dispute to will make a record of your complaint and work with you to come to a resolution if able.
- h) All contact details are available via the GEMS Christian Education Office on (07) 4982 0977.



- i) Anonymous complaints or disputes may be lodged however there may be limitations to achieving the most effective outcome this way.

#### **4.3 What Information is Required?**

In the day to day operation of GEMS Christian Education incidents do occur and are resolved. Where these incidents are related to Students they are recorded in TASS. When lodging a more serious complaint it is important to give the following information:

- a) Name of Person raising the complaint or dispute and their contact details.
- b) Details of the dispute and the other parties involved in a factual and timely manner.
- c) Remedy being sought.

Do not:

- a) Make frivolous or annoying complaints.
- b) Deliver the complaint in a threatening manner.
- c) Provide deliberately false or misleading information.

### **5. MANAGING A COMPLAINT OR DISPUTE**

The College will endeavour to manage your complaint or dispute in the following way:

- a) Complaints or disputes will be resolved with as little formality and disruption as possible.
- b) Complaints or disputes will be taken seriously.
- c) Anonymous complaints will be treated on their merits like any other dispute.
- d) Mediation, negotiation and informal resolution are optional alternatives.
- e) Procedural fairness will be ensured wherever practicable.
- f) Natural justice principles will be observed wherever practicable.
- g) Confidentiality and privacy will be maintained as much as possible.
- h) All parties are entitled to reasonable progress updates.
- i) Appropriate remedies will be offered and implemented.
- j) A review mechanism will be offered.
- k) Complainants, respondents and people associated with them will not be victimised as result of lodging the dispute.
- l) Where conflicts of interest arise during the investigation, an impartial party will become part of the investigation.
- m) The Company will keep confidential records of the complaints and disputes.

### **6. REMEDIES**

When the complaint or dispute is first lodged, GEMS Christian Education will ask the complainant what remedy they are seeking. The Company will always attempt to offer a remedy that is fair to all parties and provide reasons for the decision.

Where more than one Person is involved in, or affected by the dispute, similar remedies will be offered to all Persons in the same situation.

### **7. Referral or Review**

Minor concerns that were easily resolved will be recorded in TASS.

If a party to a complaint or dispute is unsatisfied with the outcome of an investigation, they may refer the matter to the Executive Principal for review.

The Executive Principal will manage the review in accordance with the Company's Complaints Handling Policy, as determined to be appropriate in the relevant circumstances.

If a party to the complaint or dispute is unsatisfied with the original outcome as handled by the Principal, or the outcome of a review by the Executive Principal, then they should refer the matter to the Board.

The Board will manage a review and regardless of the decision, a letter from the Board is communicated to the complainant (usually at a face to face meeting), outlining:

- a) The outcome, as decided by the Board.
- b) Action required to respond to the outcome.
- c) The reasons why the Board reached the outcome.

## **8. RECORDS**

GEMS Christian Education will record the following information:

- a) The name and contact details of the complainant.
- b) The date the dispute was lodged.
- c) How the dispute was lodged e.g. in Person, via phone/email or letter.
- d) A brief description of the dispute, including names of other parties involved.
- e) The name and position description of the Company Employee with whom the dispute was lodged.
- f) The action the Employee took upon receiving the dispute.

Records will:

- a) Be kept of communications with relevant parties and of any actions taken as the dispute resolution process is undertaken.
- b) Records will be kept of the outcome or remedy that was agreed, and any recommendations for changes to Company Policy, Procedures or Operations in accordance with relevant Legislation.
- c) Records will be held centrally by the Company in a secure system with limited access to ensure confidentiality.

## **9. MONITORING AND REPORTING**

GEMS Christian Education has a standing agenda item at the Company Executive meetings to identify common or recurring issues that may need addressing, as well as monitoring the number of disputes referred for review by the Executive Principal and/or the Board.

The Company Executive and the Board (where appropriate) regularly reviews its Policies and Procedures on a maximum 2 yearly cycle unless required earlier due to the nature of the Policy or Legislative changes.

## **10. COMMUNICATION AND TRAINING**

The GEMS Complaints Handling Policy and Procedures will be communicated to Employees annually and to Parents and Carers via front Administration of each Campus and on each College's website.

Employees identified as having responsibilities under these Procedures may request additional training and support. Appropriate training will be made available to Board Members as requested.

## **11. SERVICES AUSTRALIA FRAUD TIP-OFF LINE**

PH: 131 524 - Use this line if you suspect someone may be committing fraud against Centrelink, Medicare or Child Support.

Monday to Friday 8 am to 5 pm ACST