

Henderson College

Complaints and Appeals Policy

Policy Version:	Description of Changes	Application
2012	Policy Constructed	<ul style="list-style-type: none">• Students• All staff• Volunteers• Parents/ Carers• School Council• Other
2019	Policy reviewed	As Above
2022	Policy reviewed Child Wise	

Henderson College

Complaints and Appeals Policy

PURPOSE:

1. The purpose of these guidelines is to provide a student or parent(s)/legal guardian with the opportunity to access procedures to facilitate the resolution of a dispute or complaint. These internal procedures are a conciliatory and non-legal process.
2. This policy is to be used in conjunction with the *Procedural Fairness Policy*.

Please Note: For allegations regarding child abuse and/ or neglect, please refer to the Henderson College [Child Safety and Wellbeing Policy](#).

BACKGROUND:

1. Henderson College seeks to establish and maintain high-level professional standards in relation to all its activities and areas of responsibility. This includes all academic, student welfare, discipline and management issues.
2. This policy is in accord with the College's "Vision", "Mission" and "Philosophy" documents as published and in line with School Council Policy.
3. This Policy is in line with the Guidelines of the Minimum Standards and Requirements for School Registration (1 July, 2019)
4. This Policy is in line with the eleven Victorian Child Safe Standards.

ISSUES/COMMENT:

At Henderson College we promise to listen to our student's concerns and complaints. Complaints will be taken seriously, and students will not get in trouble for speaking up and raising issues.

We want to make sure any problem students have is looked at as quickly as possible, so students are happy and feel safe at school. This policy has been created to show students how you can make a complaint, who to talk to and what will happen once a complaint has been made.

Definition

A grievance or complaint is a notification provided by a Henderson College community member, that they have suffered some form of offence, detriment, impairment, harm or loss as a result of a decision by the school.

A 'concern' is something that might be making a student or someone else feel unhappy, frightened or angry.

A "complaint" is something a student makes when they are unhappy about something or someone.

Aims

- In the first instance, Henderson College will attempt to informally resolve the issue. If this is unsatisfactory or does not result in a

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resolution of the matter, the School's internal formal complaints handling procedure will be followed.

- The handling of complaints is confidential and any complaints are a matter between the parties concerned and those directly involved in the complaints handling process. Information will only be shared on a need to know basis.
- If the student or parent(s)/legal guardian remains dissatisfied with the outcome, Henderson College will advise of a further review through the appeals process.
- Grievances brought by a student against another student will be dealt with under the School Code of Conduct.

Accessibility

This Policy is made available to students, teachers, volunteers and parents/carers and the wider school community via the Henderson College website, handbook and google docs.

Clarify the Issue

Before you or your child approach the school or your child's teacher:

- be clear about the topic or issue you want to discuss
- focus on the things that are genuinely affecting you or your child
- always remain calm and consider all parties' perspectives
- think about what would be an acceptable outcome for you and your child
- be informed; check the relevant school's policies or guidelines

Procedure

Students

- Complaints can be raised in a variety of ways including contacting the homeroom teacher/Primary or Secondary coordinator, another staff member, email, telephone or in writing.
- In the first instance, if appropriate and not of a serious nature the school will attempt mediation/informal resolution of the complaint
- If the matter cannot be resolved through mediation, the matter will be referred to the Principal/Primary or Secondary coordinator
- If the matter is serious in nature or raises concerns of immediate risks to the safety or wellbeing of a child the matter will be referred to the Principal/Primary or Secondary coordinator or Student Wellbeing Officer/Chaplain and our Student Disclosure and Reporting policy will be followed.
- Complaints will be acknowledged as soon as possible using the student's preferred communication method (within 2 days or sooner if a serious complaint).
- Students can nominate an additional contact point e.g. parent/carers.
- Each complainant has the opportunity to present his/her case to the Principal/other. Students may be accompanied by a support person
- The formal complaints process will commence within 10 working days (term time) of the lodgement of the complaint with the Principal/other
- Once the Principal has come to a decision regarding the complaint, the student will be informed in writing of the outcome and the reasons for the outcome

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- If the complaints procedure finds in favour of the student, the College will immediately implement the decision and any corrective and/or preventative action required
- If the complaints procedure does not find in favour of the student or the student is dissatisfied with the result of the complaints procedure, he/she will be informed of the complaints and appeals process available to them
- The school undertakes to finalise all grievance procedures within 10 working days (during term time) where possible.

Parent(s)/Legal Guardians

- Parent(s)/legal guardians should contact the Homeroom Teacher/Head of School/Deputy in the first instance to attempt informal resolution of the complaint
- If the matter cannot be resolved through informal processes, it will be referred to the Principal/other for mediation/formal processes
- At this point, parent(s)/legal guardians must notify Henderson College in writing of the nature and details of the complaint
- Each complainant has the opportunity to present their case to the Principal/other. Parent(s)/legal guardian may be accompanied by a support person
- Henderson College's internal formal complaints process will commence within 10 working days of the lodgement of the complaint with the Principal/other
- Once the Principal has come to a decision regarding the complaint, the parent(s)/legal guardian will be informed in writing of the outcome and the reasons for the outcome
- If the complaints procedure finds in favour of the parent(s)/legal guardian Henderson College will immediately implement the decision and any corrective and/or preventative action required
- If the complaints procedure does not find in favour of the parent(s)/legal guardian or the parent(s)/legal guardian is dissatisfied with the result of the complaints procedure, Henderson College will inform the parent(s)/legal guardian of the complaints and appeals process available to them
- Henderson College undertakes to attempt to finalise all grievance procedures within 10 working days within a term.

Please Note: If the matter is of a very serious or illegal nature. Adventist Schools Victoria and the appropriate legal authorities will be involved.

Procedures: Informal procedure

- Clarify the Issue
- Before you approach the College or your child's teacher:
- be clear about the topic or issue you want to discuss;
- focus on the things that are genuinely affecting your child;
- always remain calm and remember you may not have all the facts;
- think about what an acceptable outcome for you and your child would be;
- be informed; check the relevant College's policies or guidelines.
- Contact the College
- There are a number of ways you can informally raise concerns you have about your child and their education. You can:

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- write a note to your child's teacher outlining your concerns;
- make an appointment to speak on the phone or in person with their class teacher, the year level coordinator or home-group teacher; ensuring that you inform the College about the issue you wish to discuss;
- consider speaking with the College's student welfare coordinator if you feel that this would be appropriate;
- arrange any meeting times or phone calls through the College office (this is more convenient for both you and your child's teacher and does not interrupt teachers during the time they need to be with their students).
- The class teacher or year level coordinator, together with any others who may be involved, should be given a reasonable amount of time (no more than 5 working days) to take the steps required to resolve or address your concerns. A written response will be given at each step (if the matter is not solved informally). Remember, it may not always be possible to resolve an issue to your complete satisfaction. If you are unhappy with the outcome you can:

Formal procedure

Contact the Head of School/Head of Campus/Principal Most concerns are resolved by following the first two steps above. However, if the issue remains unresolved after you have approached your child's teacher you can then ask to see the head of school, head of campus or principal.

To do this, you will need to request an appointment through the College office. Please note that:

- the Principal may ask another senior staff member to speak with you on their behalf. If a teacher is going to be present at the meeting it is more likely to occur outside of classroom hours;
- you may choose to deal with this informally, or you may put the matter in writing to commence a formal process.
- If your concern is related to issues of College policy, as outlined in the College Handbook, or are in relation to the VRQA Minimum Standards, these should be raised more formally (in writing) with the head of campus, principal or the College council. If the matter is addressed formally, a written response for the decision will be provided.

2. Appeals procedure

The Principal or his/her representative is the agreed complaints officer - where the Principal is not the subject of complaint – and an appeal is to be referred to the College Council.

Ask for a Review by the College Council If you still feel that your complaint has not been addressed satisfactorily after speaking to the teacher and the head of school, head of campus and principal, you can then ask the School Council to review the decision.

A written response will be forwarded to you.

Contact Seventh-day Adventist Schools (Victoria) Limited Head Office Contact with the School's head office should only take place if all other steps have not led to a satisfactory resolution. All contact should be in writing to the Education Director educationdirector@adventist.org.au. A written response will be provided to you within 10 working days.

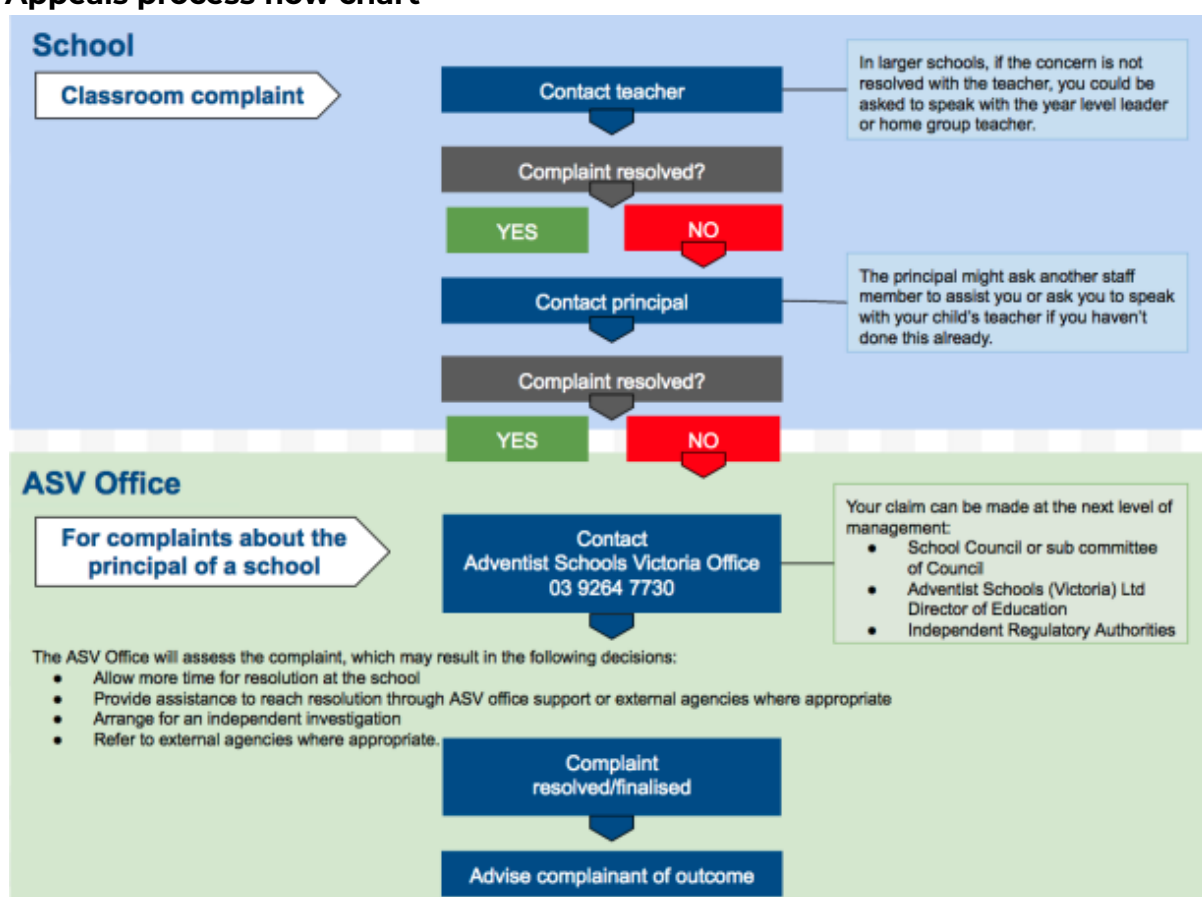
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Contact Relevant Independent Regulatory Authorities The complainant has the right to seek further resolution through relevant independent authorities, such as Independent Schools Victoria (ISV) and the Victorian Registration and Qualifications Authority VRQA).

At each level of formal and appeals process within the College, the complaints officer will provide written acknowledgement of complaint to all parties including:

- An outline of the process and expected time frame for the complaint to be reviewed.
- Consideration of all relevant information including the views of all parties in line with school policy.
- Ensuring an impartial decision is made based on appropriate evidence and proper investigation of the facts and inform all parties of the reason for the decision.
- Once an agreement between the parties has been reached, provide a written response.
- Provide all parties with details of the appeal process if a resolution is not reached at each level.

Appeals process flow chart



The Principal or their representative is the agreed complaints officer where the Principal is not the subject of complaint. If the Principal is the subject of the complaint, this is to be referred to the School Council.

If the matter is of serious nature and/ or regarding the school or a member of the School Council, the matter will be referred to Adventist Schools Victoria and the appropriate legal authorities will be involved.

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A school based policy is developed that incorporates the following process:

- Complainant is encouraged by a relevant school leader to seek a resolution at the level at which the complaint is made.
- If a resolution cannot be reached at the initial level, the claim can then be submitted to the next level of management as follows:
 - **Head of Primary or Secondary**
 - **Principal**
 - **School Council or sub-committee of Council**
 - **Adventist Schools (Victoria) Ltd** - Director of Education Contact with the School's head office should only take place if all other steps have not led to a satisfactory resolution. All contact should be in writing to the Education Director educationdirector@adventist.org.au. A written response will be provided to you within 10 working days.
 - **Independent Regulatory Authorities-** The complainant has the right to seek further resolution through relevant independent authorities, such as Independent Schools Victoria (ISV) and the Victorian Registration and Qualifications Authority VRQA).
- Provide written acknowledgement of complaint to both parties including an outline of the process and expected time frame for the complaint to be reviewed.
- Consider all relevant information including the views of all parties in line with school policy.
- Ensure an impartial decision is made based on appropriate evidence and proper investigation of the facts and inform all parties of the reason for the decision.
- Once an agreement between the parties has been reached, provide a written response.
- Provide all parties with details of the appeal process if a resolution is not reached at each level.
- Provide all parties with appropriate support and follow up during and post investigation.

EVALUATION:

Henderson College is committed to continuous improvement and aims to monitor these procedures and implement any learnings that may arise. This policy will be ratified by the Henderson College School Council every three years.

DIRECTION:

That all staff, volunteers, students, and parents/ carers comply with this Policy.

CONFIDENTIALITY and PRIVACY:

Henderson College recognises that children and young people have the same right to privacy, anonymity and confidentiality as adults (subject to reporting

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obligations)¹. It should be noted that assurance of absolute confidentiality cannot be given due to statutory obligations and the principles of natural justice.

Complaints will be kept confidential to the extent possible, consistent with the need to conduct an investigation respecting the principles of natural justice and fulfilling reporting obligations. Where student safety concerns arise, confidentiality is maintained as far as possible and only disclosed if required by law. This means that internal and external reporting must take place as per this and other relevant school policies, however internal dialogue about child abuse/exploitation concerns will be on a 'need to know' basis. This includes the alleged victim/survivor, caregiver, witnesses and alleged perpetrator. Any such information will be held in the strictest confidence by those involved. Any breaches of confidentiality will be treated seriously, and disciplinary action may be taken in those circumstances.

RELATED DOCUMENTS

- [Behaviour Management Policy](#)
- [Procedural Fairness Policy](#)
- [Child Safe Risk Management Policy](#)
- [Parent/Student Complaint Form](#)
- [Child Safety and Wellbeing Policy](#)

References:

[Victorian Department of Education](#)

[Guidelines to the Minimum Standards and Requirements for School Registration \(1 July 2019\): www.vrqa.vic.gov.au/Documents/schoolguide.doc](#)

[Education and Training Reform Regulations 2017 \(Education and Training Reform Act 2006\)](#)

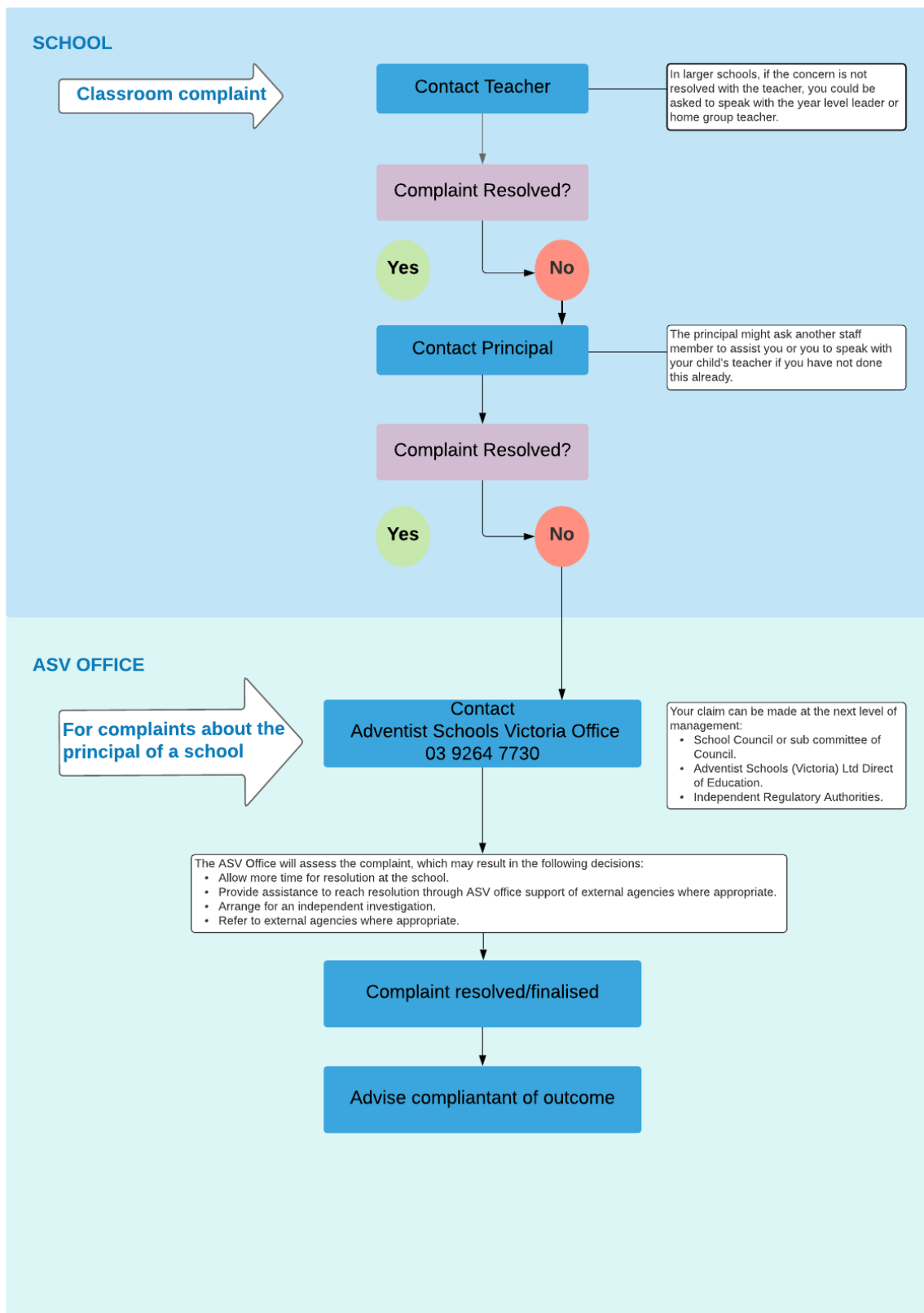
[Equal Opportunity Act 2010](#)

[Commonwealth Privacy Act 2001](#)

¹ Complaint Handling Guide: Upholding the rights of children and young people: Commonwealth of Australia 2019

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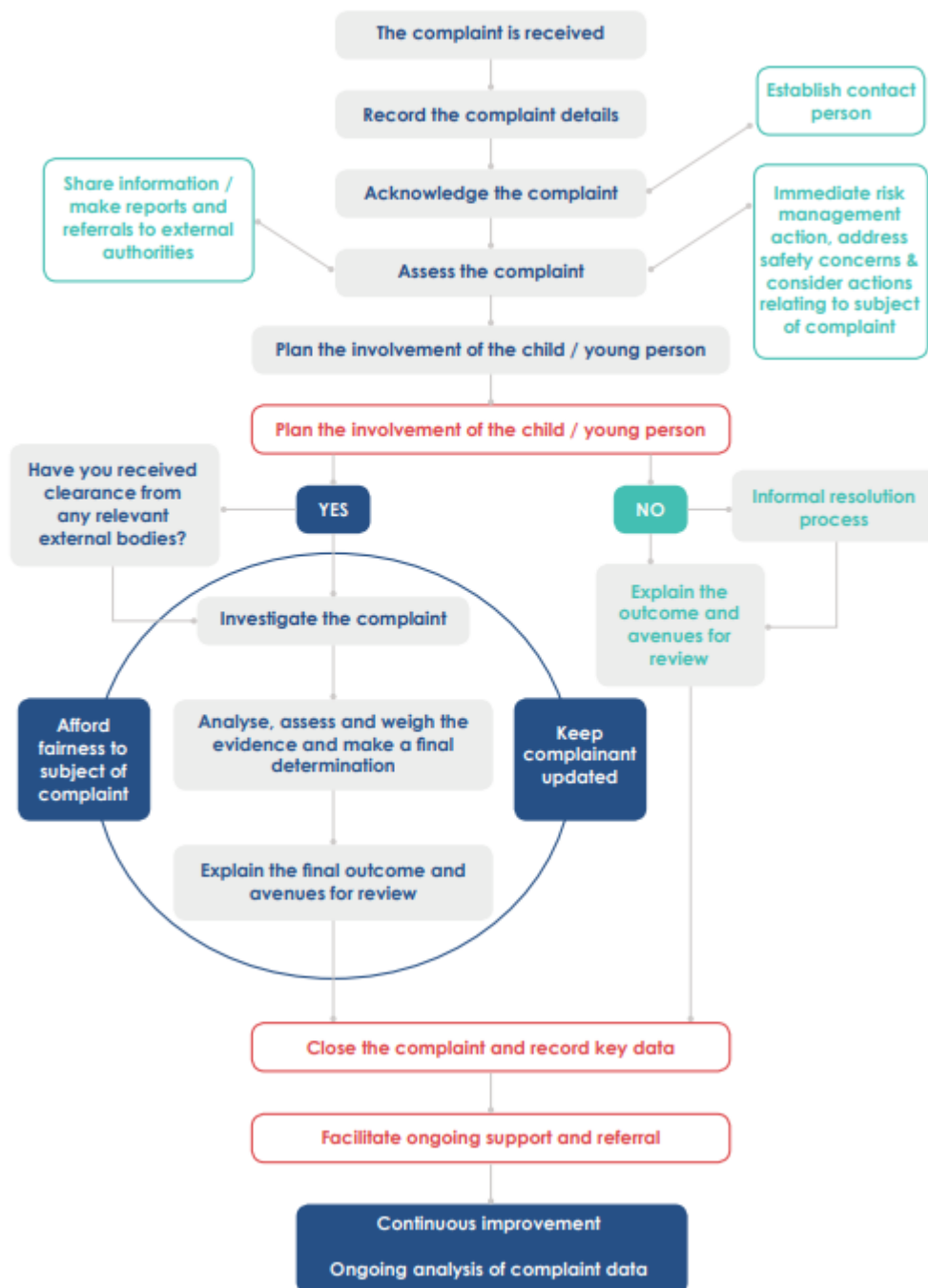
See Below for a Flow Chart of the Appeals Process



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Complaint Handling:

Upholding the rights of children and young people (an overview)



² Complaint Handling Guide: Upholding the rights of children and young people

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