



Complaints Handling & Disputes Policy

(OHA)PPCHP2023:1

Purpose:	The purpose of this policy is to ensure that student, parent, carer and staff complaints and disputes are dealt with in a responsive, efficient, effective and fair way.	
Scope:	Students, parents, carers and staff, including full-time, part-time, permanent, fixed-term and casual staff, as well as contractors, volunteers and people undertaking work experience or vocational placements.	
Status:	Approved	Supersedes: CHP2022-1.0
Authorised by:	Board	Date of Authorisation: 20 July 2023
Authorities & References:	<ul style="list-style-type: none"> • <i>Age Discrimination Act 2004 (Cth)</i> • <i>Anti-Discrimination Act 1991 (Qld)</i> • <i>Australian Human Rights Commission Act 1986 (Cth)</i> • <i>Disability Discrimination Act 1992 (Cth)</i> • <i>Education (Accreditation of Non-State Schools) Regulations 2017 (Qld)</i> • <i>Fair Work Act 2009 (Qld)</i> • <i>Privacy Act 1988 (Cth)</i> • <i>Racial Discrimination Act 1975 (Cth)</i> • <i>Sex Discrimination Act 1984 (Cth)</i> • <i>Work Health and Safety Act 2011 (Qld)</i> • Anti-Bullying Policy • Privacy Policy • RAP • Sexual Harassment Policy • Work Health and Safety Policy • Staff Code of Conduct 	
Review Date:	Annually	Next Review Date: August 2024
Policy Owner:	Board	

Introduction

In light of the embedded Advantaged Thinking framework, Ohana College ('College') views complaints as part of an important feedback and accountability process. Further, the College understands that not all persons are able to comfortably or eloquently articulate issues they are having to those who are in a position of perceived or actual power over them.

The College is committed to ensuring that student, parent, carer and staff complaints and disputes are dealt with in a responsive, efficient, effective and fair way.

The College acknowledges the right of students, parents/carers and staff to complain when dissatisfied with an action, inaction or decision of the College and the College encourages constructive criticism and complaints.

The College recognises that time spent on handling complaints can be an investment in better service to students, parents/carers and staff.

The College will provide any extra support that may be needed for any indigenous person wishing to make a complaint on the same basis as any other person.

Complaints that may be resolved under this policy

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

- the College, its staff or students having:
 - ◊ done something wrong;
 - ◊ failed to do something they should have done; and/or
 - ◊ acted unfairly or impolitely;
- issues of student or staff behaviour that is contrary to their relevant Code of Conduct;
- issues related to learning programs, assessment and reporting of student learning;
- issues related to communication with students, parents/carers or between staff;
- issues related to College fees and payments; or
- general administrative issues.

Student complaints may be brought by students or by parents/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 the College's Child Protection Policy.
- Student bullying complaints should be dealt with under the Anti-Bullying Policy or Positive Behaviour Policy.
- Student discipline matters, including matters involving bounces (suspension or expulsion), should be dealt with under the Positive Behaviour Policy and Responsible Behaviour Plan.
- Staff complaints related to their employment should be directed to their supervisor.
- Student or staff violence or criminal matters should be directed to the CEO, COO/HR Manager or Principal who will involve the Police as appropriate.
- Formal legal proceedings.

Complaints handling principles

The College is committed to managing complaints and disputes according to the following principles:

- All complaints are to be made in writing, including electronic form.
- Complaints
- Complaints will be taken seriously.
- Complaints will be resolved with as little formality and disruption as possible.
- Anonymous complaints will be treated on their merits, recognising the need to provide fairness to other parties and inability to obtain further information that may add clarity.
- Complaints will be dealt with fairly, objectively and in a timely manner.
- The College 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.
- Negotiation, informal resolution or mediation are the preferred options.
- 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.
- The College 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 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 College will keep records of complaints and disputes in accordance with privacy obligations.
- The College's insurer will be informed if a complaint could be connected to an insured risk.

Responsibilities

College

The College has the following role and responsibilities:

- develop, implement, promote and act in accordance with this policy.
- appropriately communicate this Policy to students, parents/carers and staff.
- ensure that the complaints handling procedures are readily accessible by staff, students and parents/carers.
- upon receipt of a complaint, manage the complaint in accordance with the complaints handling procedures.
- ensure that appropriate support is provided to all parties to a complaint.
- take appropriate action to prevent victimisation or action in reprisal against the complainant, respondent or any person associated with them.
- appropriately implement remedies.
- appropriately train relevant staff.
- keep records.
- conduct a review/audit of the Complaints Register from time to time.
- monitor and report to the governing body on complaints.
- report to the College's insurer when that is relevant.

- refer to the College's governing body immediately any claim for legal redress.

All parties to a dispute

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

- lodge the complaint in writing 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; that confidentiality and privacy will be maintained as much as possible.
- 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.
- acknowledge that a common goal is to achieve an outcome acceptable to all parties.
- recognise that all parties have rights and responsibilities which must be balanced.
- 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.

Staff receiving complaints

Staff receiving complaints have the following role and responsibilities:

- 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 this Policy.
- maintain confidentiality.
- keep appropriate records.
- to forward complaints to more senior staff, including the Principal, as appropriate.
- not victimise or act in reprisal against the complainant, respondent or any person associated with them.
- If a complaint is made about the Principal, this should be marked 'Confidential' and directed to the CEO (adevine@ohanacollege.qld.edu.au) or Board Chair (chair@ohana.org.au).

Implementation

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

The College is also committed to appropriately training relevant staff (especially senior staff) on how to resolve complaints in line with this policy and the related procedures.

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

The College will act to encourage students, parents/carers and staff to contribute to a healthy College culture where complaints are resolved with as little formality and disruption as possible.