COMPLAINTS POLICY

Background

RedGum is committed to providing a safe, respectful and positive learning environment for all students. We have both a desire and a responsibility to ensure that high standards of conduct and communication are maintained at all times. We acknowledge that students and parents can sometimes feel aggrieved about something that is happening at the School which appears to be discriminatory, is unfair, unjust or unreasonable, constitutes harassment or causes concern.

We aim to treat all persons within the School community with respect and in a manner mindful of the diverse nature of our School. We acknowledge our overarching responsibility in responding to all matters concerning complaints ensuring they are managed and resolved fairly, efficiently, positively, and in accordance with relevant legislation.

This policy sets out the internal procedures that apply within Redgum in addressing complaints. These procedures are designed to ensure that throughout the School there is a transparent process for ensuring complaints are dealt with fairly, consistently and promptly.

Persons who may use these procedures include:

- Parents/Guardians/Carers of students at Redgum
- Students within RedGum
- Staff at RedGum

Relevant Legislation, Policies and Procedures

- Education and Training Reform Act 2006
- Education and Training Reform Regulations 2007
- Information Privacy Act 2000
- Wrongs Act 1958
- RedGum Admissions and Enrolments Policy
- RedGum Behaviour Management Policy
- RedGum Anti-bullying and anti-harassment policy
- RedGum Privacy Policy
- RedGum Child Safe Policy
- RedGum Complaints Handling Procedure

The outcome of complaint investigations may be used to review CSSK policies and risk management strategies.

Definitions

Definitions and examples of complaints covered by this procedure include:

- issues related to learning and teaching
- issues related to student discipline procedures
- damage/loss of personal property

For the purposes of the policy, the following definitions apply;

A '**complaint'** is:

- an issue of interest (because of its importance and effect) that is seen as unsatisfactory or unacceptable which is raised in order to improve or change the situation. For example:

  I believe that the school's playground facilities are inadequate. I don't think that it caters for middle school students who wish to engage in creative play that does not involve competitive ball sports. I think the school should review its investment and procedures in this area. or

- an expression of resentment over something believed to be wrong or unfair where the complainant is seeking redress or justice. For example:

  My child has been assigned to a backstage role in the annual class play for the second time in a row. My child is desperate to take a turn on the stage and develop her confidence performing in front of others and deserves a speaking role in this play.

- A '**complainant'** refers to the individual making the complaint.
- An '**investigator'** refers to the person who may be asked to investigate allegations or details of a complaint, without personal interest or bias.
- **'Resolution'** means an outcome of a complaint that is satisfactory to both parties.
- **'External Mediation'** means a process of discussion and negotiation facilitated by an external, appropriately qualified mediator. The primary focus of mediation is to reach a fair and workable agreement between the parties in conflict. Either party to a dispute may request external mediation. Both parties must agree to the mediation voluntarily, taking responsibility for making decisions through the process. Costs of external mediation will be shared equally.
- The Principal will consider mediation only after all other avenues available under this policy are exhausted.
- **'Unresolved Complaint'** is a complaint which has not been resolved to the satisfaction

of the complainant and may be referred by the complainant to an outside agency

RedGum encourages all members of the school community to attempt to resolve complaints and concerns through the school if possible.

It is also your right to seek help from outside the school. For example, you can contact the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) for information or advice, or to make a complaint. To contact the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) call 1800 134 142

Aim

The aim of the Policy is

- to facilitate the smooth functioning of the school and to assist students, staff and parents to work successfully together. The guidelines complement the regular, informal communications that already take place between members of the school community.
- To make clear and transparent the Complaints processes CSSK follows
- To comply with the guiding principles of the National Safe School Framework, which states that Australian schools should:
    - Affirm the rights of all members of the school community to feel safe and be safe at school.
    - Acknowledge that being safe and supported at school is essential for student wellbeing and effective learning.
    - Accept responsibility for developing and sustaining safe and supportive learning and teaching communities that also fulfil the school's child protection responsibilities.
    - Encourage the active participation of all school community members in developing and maintaining a safe school community where diversity is valued.
    - Actively support young people to develop understanding and skills to keep themselves and others safe
    - Commit to developing a safe school community through a whole-school and evidence-based approach

Key elements of this policy:

1. Impartiality and procedural fairness

If yo u make a complaint, it will be investigated in a fair and impartial manner. No judgements or assumptions will be made, and no action will be taken until the investigation is complete. If a complaint is made against you, your rights will be protected, and you will be given an

opportunity to respond. All persons involved will be kept informed of the details as appropriate. If the School obtains legal advice in connection with a complaint, however, the advice is privileged.

2. Confidentiality

Where possible, a complaint made under this procedure will remain confidential. People who will have access to information about the complaint will be the complainant, the investigator and any third party who may be involved if deemed appropriate. The person about whom the complaint is made will also be informed. Where a complainant asks to remain anonymous, the investigator will decide whether that request can be conceded and/or whether it is practical to do so. The investigator will ensure any documentation is kept in a secure location.

While investigating the complaint, RedGum will only collect information that is required for the investigation and will not share this information without permission from the complainant. Depending on the nature of the complaint, however, RedGum reserves the right to disclose details of the matter to any other persons who, in our opinion, need to know, to facilitate the resolution of the complaint

3. No Victimisation

RedGum will make every effort to see that a person who makes a complaint is not victimised in any way; refer to the RedGum Anti-bullying and anti-harassment Policy.

4. Vexatious or malicious complaints

There is a n underlying assumption that complaints are made in good faith and with an intention for resolution as opposed to retribution. Where the investigator believes the complaint is malicious, vexatious, frivolous or lacks substance, he or she may deem not to investigate or proceed but will document the complaint and inform the complainant.

5. Timelines

Each complaint will be finalised within as short a period of time as possible. CSSK will acknowledge receipt of the complaint within 5 working days and aim to resolve or respond to the complaint within 20 working days

6. Subpoenas, Court Orders

RedGum must comply with the law and respond to any subpoenas issued. It must be informed of any court orders pertaining to a child and undertakes to do its best to support those court orders. The School, however, is not obliged to enforce court orders to the detriment of the safety of staff and other students. For example, if an attempt is made to remove a child from the School and this is in breach of an order, all reasonable efforts will be made to prevent this including the initiation of Lockdown procedure according to the Emergency Management Plan (EMP). The School will call police to enforce a current order.

7. Access and Transparency

RedGum will ensure that this policy is accessible to the public and that the policy is enforced in a clear and consistent manner. This Policy contains the RedGum Complaints Handling Procedure (see Appendix 1) is available on our website.

8. Accountability

RedGum acknowledges the need to ensure that the complaint handling procedures are open to review and scrutiny by all stakeholders.

9. Consideration for persons of Aboriginal Background, Culturally Diverse, Family Diverse or Linguistically Diverse Background, or with a Disability

RedGum respects the diversity of the School and understands that a range of issues may affect a complainant. The College will make allowances for, or provide assistance with, the process as set out in this policy. For example, an interpreter may be required to ensure that the facts are accurate and the exchange of information is fairly represented. The School will endeavour to honour due diligence in this area and make every effort to accommodate diverse needs to ensure equality of process.

10. Making a complaint

Some complaints, because of the seriousness of their nature, may be referred immediately to the Principal. All issues concerning the abuse of children will activate procedures outlined in the RedGum Child Safe Policy.

Responsibilities

The Board has overall responsibility for the review of this policy and delegate the Principal to implement this policy and related procedures. The Principal is the key point of contact at the School if you have any concerns. Teaching staff, including Casual Relief Teaching staff, and staff leading school-approved activities are responsible for keeping accurate records and advising parents and students of the correct Complaint procedures that should be followed. They are also responsible for timely escalation of a complaint to the Leadership team.

Appendix 1 – Complaints Handling Procedure

1 Procedure for Raising a Complaint

1.1 Approach the person involved

In many situations the aggrieved person can address the issue by raising the complaint directly with the person involved. The most appropriate thing to do is to make an appointment with the person to inform them of the complaint. Telling the person will give them a chance to respond to the complaint and work towards a resolution.

If the complaint can be resolved immediately, and no further action is deemed necessary, the person receiving the complaint will document it appropriately in their personal file for future reference.

Note: Parents are advised not to approach the children of other families with a School related complaint, nor should they approach the children of other families with a non-School related complaint on RedGum grounds. This is often a sensitive area and to protect all the parties it is advisable to work through the relevant teacher or members of the RedGum Leadership Team.

1.2 Contact the School

Where the aggrieved person feels they cannot approach the person directly or are not happy with the response or reaction, then they can explain the matter to the next appropriate person at the school. Refer to flow chart below.

The complainant will be advised as to the person designated to deal with the nature of the complaint, the investigator. This person may be a Class Teacher, Specialist teacher, Educational Leader, Principal or Board Member. The investigator will advise the complainant about the procedures if they make a formal complaint.

The Chair of Board should only be contacted directly if the complaint is about the Principal. Otherwise, they will serve only as an escalation point in the process for unresolved complaints.

2 Assessing the Complaint

The complaint is initially assessed to ensure the most appropriate person addresses the concern. In cases of serious misconduct, such as sexual offences, criminal charges, child protection matters or other serious incident, the matter will be directed to the Principal (or the Board if the complaint relates to the Principal). In these instances, a Mandatory report may

be made or situations referred to the police as a matter of urgency.

2.1 Interviewing the complainant

The investigator will conduct an interview with the complainant, giving the opportunity for the complainant to outline their complaint and for them to be supported if required.

The investigator will carefully check understandings of the issue raised to ensure full knowledge of the complaint and log in the Concerns and Complaints Register held by the Principal. They will formally record written notes containing the information given. An outline of the likely action is outlined as well as an approximate timeline follow-up contact maybe expected.

2.2 Gathering data on the complaint

The investigator will then explore the complaint. This includes gathering data from the person about whom the complaint is made (to understand their point of view on the complaint) and any witnesses. The person who had an allegation made against them, has the right to:

2.2.1 know the allegations related to the complaint and any other information which will be taken into account in considering the matter;

2.2.2 know the process by which the matter will be considered;

2.2.3 respond to the allegations; and

2.2.4 know how to seek a review of the decision made in response to the allegations.

All interviews will be conducted separately and impartially. Written reports about the complaint will be recorded. The importance of confidentiality will be stressed to all parties, and they will be warned of the consequences if there is a breach of confidentiality, for example possible defamation action or, initiation of a complaint of harassment.

The investigator may also need to refer to RedGum documentation such as policies and procedures, curriculum documentation and or other relevant guidelines.

2.3 Support person

During the interview process, any person may have a support person present during meetings or interviews. The support person would normally act as an observer but may take a more active role with the mutual agreement of all parties. Support persons must maintain confidentiality and other principles as set out in this procedure. The Support person will be

noted in all written notes. When meeting with the Principal, they are to be advised of the attendance of a support person before any meeting or interview. Similarly, the Principal will advise of any other person he/she may invite to attend.

2.4 Option for resolution

The investigator will outline options for resolution with all parties. On most occasions, these options will also be discussed with the immediate line manager or other appropriate people involved. Every endeavour will be made to address all concerned within reasonable timeframes and under mutual agreement.

3 Responding to the Complaint

3.1 Outcomes

The complaint is either dismissed or accepted based on the implementation of resolution options. In the case where the complainant is not satisfied with the response or recommended resolution options, they may choose to contact the VIT or VRQA or any relevant other statutory body for further advice.

If the complaint is upheld, the following are possible outcomes depending on the nature of the complaint:

- An agreement between the parties to resolve their differences;
- A reasonable compromise is agreed upon;
- A verbal or written apology is provided;
- Disciplinary action (student);
- Mediation and or
- Review of policies, procedures and practices.

Where staff members are the subject of a complaint, appropriate action may be taken in line with RedGum's Employment policies and Employment contracts. Where students are the subject of a complaint, action may be taken as stated in the relevant student discipline and well-being policies.

3.2 If a complaint is not upheld or not substantiated (e.g. there is insufficient evidence) RedGum may choose to monitor the situation and or provide guidance for student and or staff involved.

4 Child Protection Procedures

None of the information within this document replaces procedures developed by the College

in respect of the investigation of matters arising under the Child Safe Standards in the RedGum Child Safe Policy.

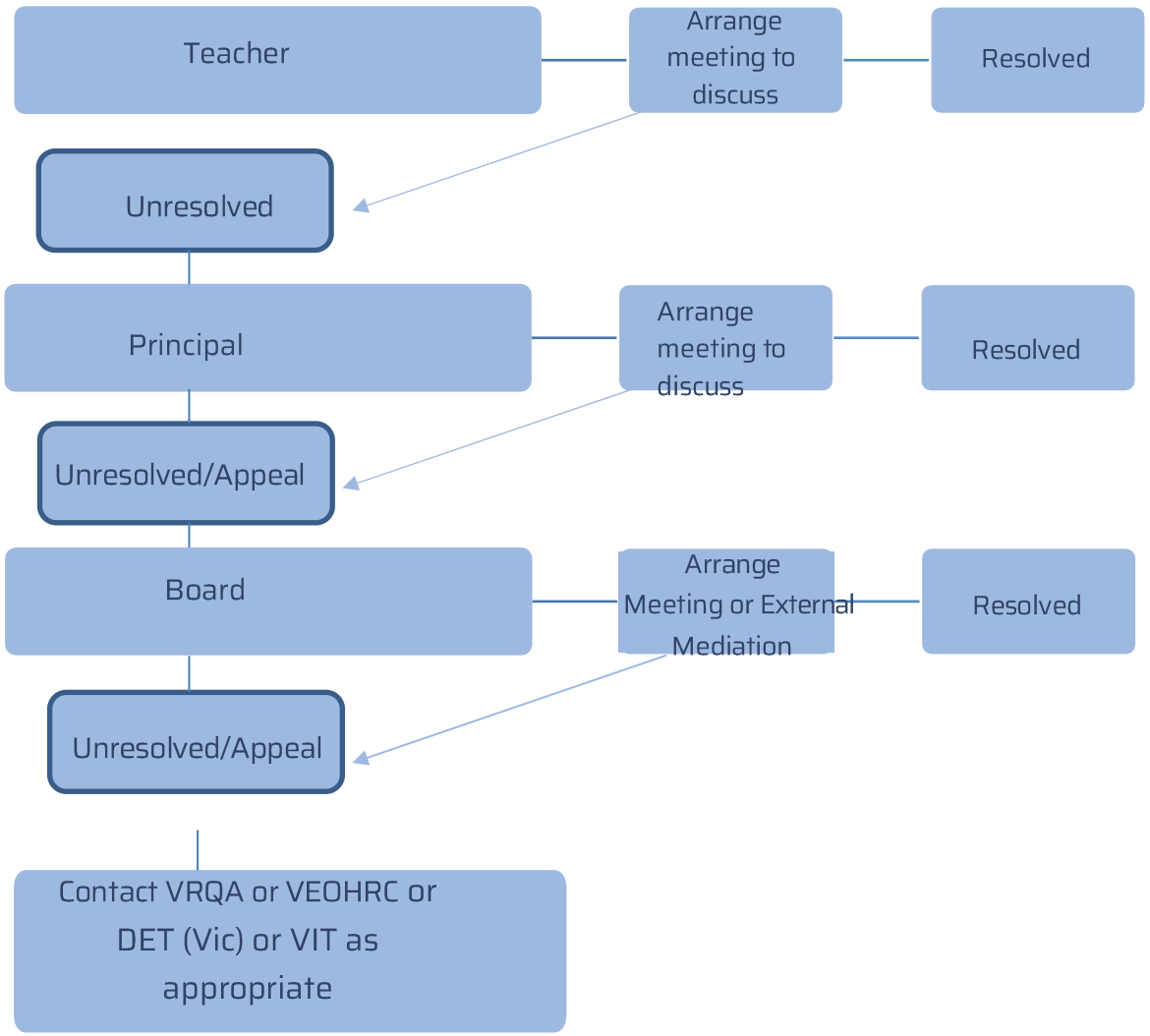
5 Record Keeping

Records of complaints, interviews and other documentation relating to a complaint are kept at RedGum (where raised formally at a School level) in a secure location with restricted access.

6 Flow Chart of Complaints Process for Parents/Guardians/Carers:

This is the recommended process. CSSK recognises the right of any complainant to directly approach the Principal should the complaint directly involve the Class Teacher, or they feel the matter is warranted, or the Chair of the Board should the complaint directly involves the Principal.

Parents/Guardians/Carers – recommended process

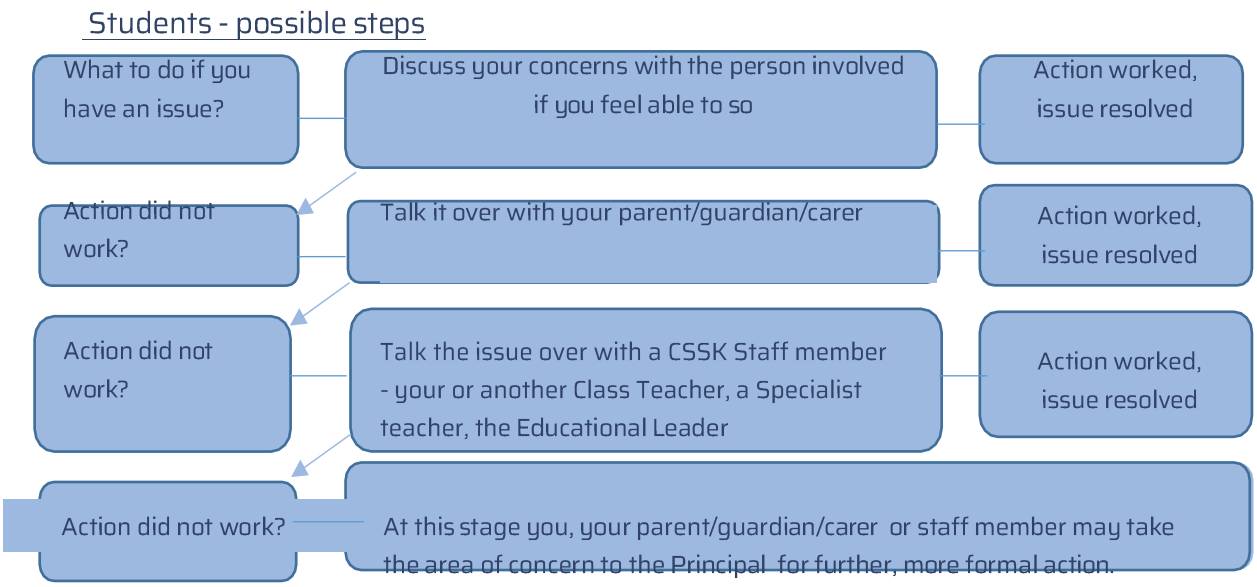


7 Flow Chart of Complaints Process for Students:

At RedGum, we believe it is important that everyone feels happy and safe so that the best learning can take place. If a student has a problem, a concern or a complaint, we encourage them to speak to someone about it. Students have the right to be listened to, be heard and taken seriously Below are some steps that the student may work through to help resolve their concern.

Suggestions to students if they have a problem, concern, complaint or suggestion of any size:

- Try to identify the problem that is upsetting you. If there is more than one problem, list them so that you are clear about what you feel or need.
- If you can, talk to the person you are having the problem with and if their behaviour is upsetting you, tell them to stop.
- If you do not feel that you could do this or, if your talk with the person does not solve your problem, talk to your parents or caregivers and or a trusted staff members and ask them to help you. They may be able to give you effective options on how to cope or take action.
- Try to stay calm when discussing your problem or concern. Even if you don't feel it, being calm will help you get your concerns across to them if you are upset or angry.
- If you are concerned about confidentiality, tell the staff member, they will understand



Document Control

Document ID	RedGum Complaints Procedure
Owner/Approver:	Principal
Author:	
Effective Date:	
Revision Due Date:	

Version History

Version	Effective Date	Description of changes from previous version	Authors
1.0			
1.1	20/02/2025	Reformatted and Document control and Version history added	H Ashwell
2.0	January 2026	Reviewed and RedGum added	N Johnson