

POLICY AND PROCEDURE

CONCERNS, COMPLAINTS & GRIEVANCES POLICY - Students

Date Approved:	4/12/2020
Date Effective:	1/01/2021
Scheduled Review Date:	11/11/2022
Policy Category:	Wellbeing & Child Safety
Policy Owner:	Wellbeing Coordinator

1. Context

To establish a process at SEDA College WA (the College) for the making, handling, resolution and management of student, parent and school community concerns and complaints, that ensures procedural fairness.

2. Application

This policy applies to:

- all concerns, complaints and appeals made by students, parents and school community members.

A reference to a ‘student’ in this policy includes a student’s parents or legal guardians.

A complaint is an expression of grievance or dissatisfaction where the student is seeking a resolution or outcome.

3. Context

The College’s approach to handling concerns and complaints is based on the goal of building relationships between students, staff and parents/carers, and of creating a safe and supportive learning and working environment for students and staff.

The College expects that all parties will act respectfully and in good faith, in a calm and courteous manner where the rights and responsibilities of all parties are recognised.

3. What is a concern or complaint?

A concern is an issue or feedback which is raised informally in order to improve or change a situation. No resolution or outcome is sought by the student.

A complaint is an expression of grievance or dissatisfaction where the student is seeking a resolution or outcome.

A complaint can be made about:

- any product or service provided by the College
- a staff member of the College
- a third party providing services on the College's behalf including their trainers, assessors or other staff
- a student of the College.

4. How to raise a concern or complaint

A concern can be raised in person with a SEDA College staff member.

A complaint or appeal can be made in person or in writing using the Complaints Form (attached), sending this to the student's:

- Teacher about issues occurring in their class or College.
- Program Coordinator if the issue is across classes or relates to the teacher.
- Principal about any other issue.

Complaints may be anonymous. However, it may be difficult for the College to investigate a complaint if the complainant cannot be contacted.

5. Expectations

SEDA College WA expects a person raising a complaint to:

- do so as soon as possible after the issue occurs and to provide complete and factual information about the complaint.

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- maintain and respect the privacy and confidentiality of all parties and acknowledge that a common goal is to achieve an outcome acceptable to all parties.
- act in good faith, and in a calm and courteous manner.
- show respect and understanding of each other's point of view and value difference, rather than judge and blame.
- recognise that all parties have rights and responsibilities which must be balanced.

SEDA College WA expects its staff to:

- address concerns and complaints in line with the relevant federal and or state legislation
- follow the processes outlined in this policy and procedure.

SEDA College WA expects its staff, when handling a complaint, to:

- notify a student of the right to seek the assistance of a support person or advocate (who does not receive a fee for service).
- provide the student with a copy of this policy.
- maintain confidentiality where possible. In the interests of natural justice, and in order to effectively investigate complaints, the details of a complaint may need to be discussed with persons affected. While staff will conduct this process sensitively, it may not prevent the student's identity from being known.
- Adopt an ethical, fair and professional approach at every stage of the complaints and appeals process.
- View complaints as providing an opportunity to review and improve SEDA College policies and practices, and also to gain insight into levels of stakeholder satisfaction. Complaints will be viewed as opportunities for improvement.

6. Processes

This policy does not prevent external legal rights of complaint or review and appeal.

All complaints will be recorded and acted upon promptly in an effort to resolve complaints. A staff member will record the details of a complaint using the attached Complaints Form. Complaints will be acknowledged in writing and finalised as soon as practical.

SEDA College WA will try to resolve complaints within 20 working days or more quickly if possible. There may be occasions where more time is required to investigate a complaint. A student will be notified of any delay.

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Where a decision cannot be made within 60 calendar days the complainant/appellant will be informed in writing of the reason why and will receive fortnightly updates on the matter until a resolution is reached.

SEDA College WA will communicate the outcome or resolution of a complaint or appeal to affected persons.

Each complaint and its outcome will be recorded in writing, discussed at the SEDA College WA management meeting and filed on individual students' file.

7. Outcome or Resolution

After a complaint has been investigated, the relevant staff member may decide that the complaint is substantiated in whole or in part. A staff member may then offer an appropriate remedy or action.

A remedy or action may include one or more of the following:

- an explanation or further information about the issue.
- acknowledgement of each other's perspective and an agreement on ways to manage differences.
- agreement on what constitutes acceptable behaviour.
- an undertaking that unacceptable behaviour will change.
- mediation, counselling or other support.
- an apology or expression of regret.
- a change in decision.
- a change to policy, procedure or practice.
- the cancelling of a debt.
- a fee refund.
- a re-assessment.

A remedy or action will be implemented as soon as practicable. SEDA College WA seeks to use a restorative justice approach to resolve issues that pertain to student behaviours that have impacted on class colleagues, staff or the broader community. These outcomes are negotiated with the student as part of the restorative justice process.

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After a complaint has been investigated, a staff member may decide to dismiss the complaint. A complaint may be dismissed if the complaint cannot be substantiated. No remedy or action is required.

On communication of the outcome of the complaint the complainant may;

1. Accept the outcome
or
2. Request an internal review

A request for an internal review of a decision outcome is handled via the following procedure. There are no fees for an appeal or review of a decision unless engaging external services, in which case, the associated costs will be kept to a reasonable level.

- a) Each complainant can only request one internal review against a decision or outcome.
- b) If the complainant is not satisfied with a decision or outcome, the complainant must complete in full the *Complaint Review Form*. This is found in Appendix 2 of this policy and procedure. The *Original Complaint Form* and any supportive information is to be submitted by one of the following:
 - In person to the SEDA College Principal or the College Board Chairperson
 - Email: rockyc@seda.wa.edu.au
 - Post: Attention SEDA College Principal or SEDA College Board Chairperson

Should the *Complaint Review Form* be completed anonymously, acknowledging, investigating and providing a resolution/outcome may be difficult for SEDA College WA to complete.

- c) The College Principal or the College Board Chairperson will acknowledge in writing within 2 business days that they have received the *Complaint Review Form* and any supportive information.
- d) The relevant staff member/manager involved in the original complaint will report in writing within 3 working days to the College Principal or the College Board Chairperson including a copy of *Complaint Form* and the written response from the staff member/manager, including all correspondence.
- e) The complainant can revoke the request for review at any time, as such no remedy or action or decision is required.

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- f) Parties involved in the allegations of an internal review will be advised.
- g) The College Principal or the College Board Chairperson will establish a Review Committee (consisting of 3 members drawn from College staff and Board members) to convene and advise the complainant of the final outcome. The Review Committee may:
 - Uphold and confirm the decision;
 - Vary the decision; or
 - Set the decision aside and substitute a new decision.
- h) The complainant can request or may be requested to meet with the Review Committee to be interviewed or conduct a meeting to determine the facts of the matter.
- i) Either party has the right to have a third-party support person, present at any meeting. That support person may not act for fee or reward.
- j) The Review Committee must notify the complainant of the outcomes of the Review in writing within 20 working days of the original decision. The notice will outline the reason for the decision and also advise the complainant (if they are a Western Australian student) that they have the right to appeal to;
 - School Curriculum and Standards Authority,
 - Department of Education Western Australia.

8. Role of the Director General

The Director General of the Department of Education is responsible for ensuring that College observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the College has dealt with a complaint. Information is available on the [Department of Education website](#)¹. While the Director General may consider whether the College has breached the registration standards, she does not have power to intervene in a complaint or override the College's decision.

9. Implementation

¹ <https://www.education.wa.edu.au/non-government-school-concerns>

This policy is available via the MySEDA Portal, and upon request.

The preferred approach to conflict resolution is to implement restorative practices which forms part of the training and induction process for all new staff as per the College Staffing Policy.

Staff will be briefed annually about this policy.

SEDA College WA will monitor student complaints.

The Principal will report annually to the Board on the student complaint data. Reports will be de-identified of student information and will address common or recurring themes.

This policy will be regularly reviewed under the College's policy review process. As part of that process, the College will check that this policy remains consistent with relevant legislation.

10. Policy History

Version	Policy Owner	Approval Date	Effective Date	Summary of Changes

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Appendix 1: Complaints Form

Definitions:

- A complaint can be made about any product or service provided by SEDA College

Date submitted	
An informal attempt has been made to resolve the issue? (please detail)	

PART A: Student details

Student Name			
Address			
Suburb		Post Code	
Best contact number			
Email address			

PART B: Details of Complaint

Give a detailed explanation of your complaint. Please be detailed and specific.

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Give a detailed explanation of your complaint. Please be detailed and specific.

Are you attaching supportive evidence?

Please enter the name of the documents in the text box provided.

Yes

No

Declaration

I have read and understand the Complaints process.

I have provided a true and correct version of events in my complaint.

Name

Signature

Date

If you are under the age of 18, parent or guardian signature

Name

Relationship to student

Signature

Date

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Appendix 2: Complaint Review Form

Date submitted	
An informal attempt has been made to resolve the issue? (please detail)	

PART A: Complainant details

First and Last Name			
Address			
Suburb		Post Code	
Best contact number			
Email address			

PART B: Details of Complaint

Give a detailed explanation of your complaint. Please be detailed and specific.		
Are you attaching supportive evidence? Please enter the name of the documents in the text box provided.	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Declaration

I have read and understand the Concerns and Complaints Review process.

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I have provided a true and correct version of events in my complaint.

Name	Signature	Date

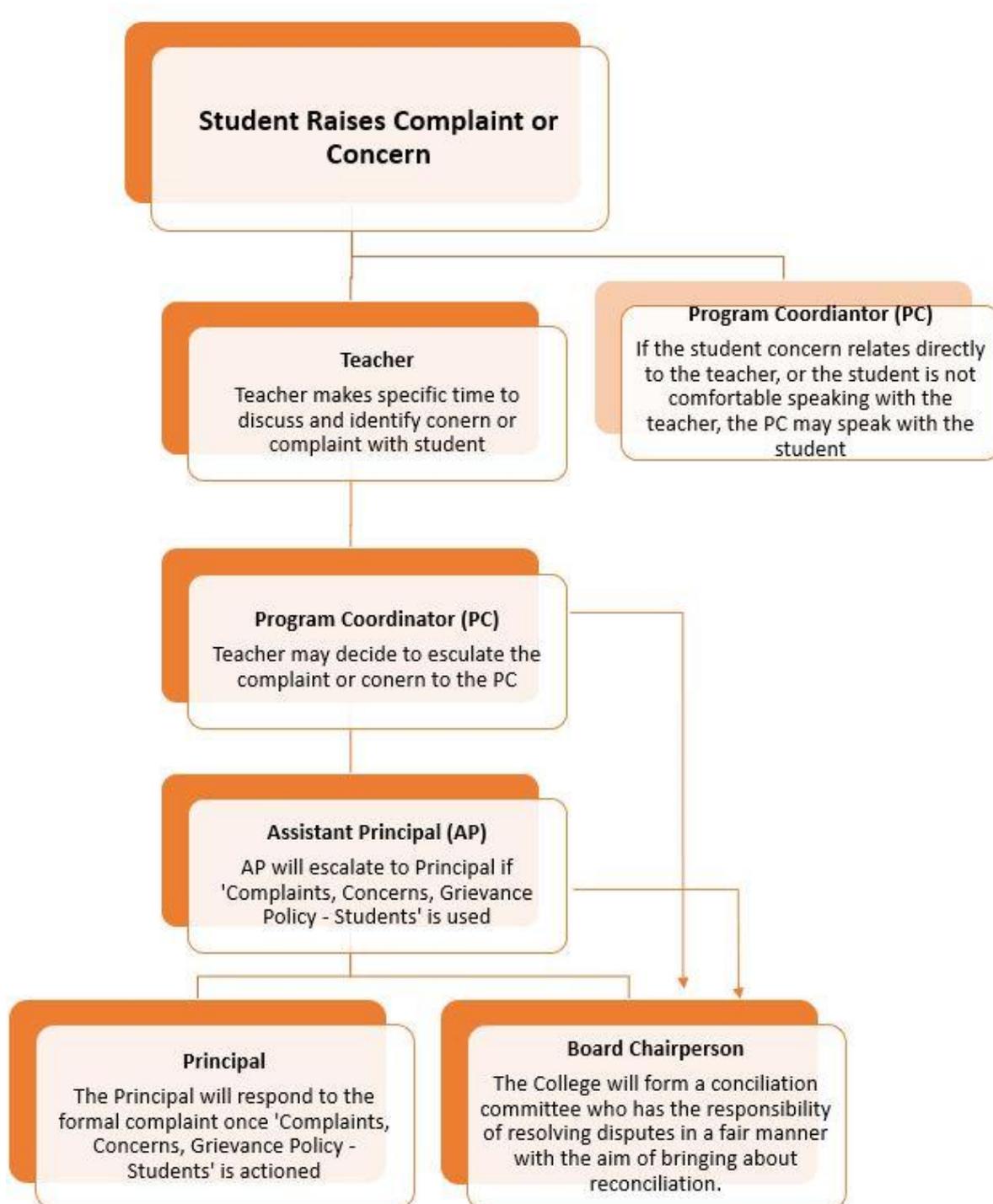
If you are under the age of 18 parent or guardian's signature

Name	Relationship	Signature	Date

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