THE HUTCHINS SCHOOL

Complaints and Grievances Procedure

Relevant legislation	Anti-Discrimination Act 1998 (Tas) Australian Human Rights Commission Act 1986 (Cth) Fair Work Act 2009 (Cth) Disability Discrimination Act 1992 (Cth) Education and Care Services National Law (Application) Act 2011 (Tas) Education and Care Services National Regulations Privacy Act 1998 (Cth)
Commencement date	01 July 2020
Last review date	15 June 2020

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1. Purpose

The purpose of this procedure is to outline the process by which complaints and grievances will be handled at The Hutchins School (the School).

2. Scope

This procedure applies to all staff, students, parents, and members of the School community, and may be used either in relation to grievances raised by groups or by individuals in relation to:

- bullying;
- discrimination;
- harassment;
- unfair treatment; or
- victimisation.

Circumstances do exist in which this procedure does *not* apply, including:

- in relation to issues which are outside of the responsibility or scope of the School in its role as an employer; or
- where an existing review, appeal or complaint procedure is already in process.

3. Definitions

Definitions for this procedure are defined in the Complaints and Grievances Policy. Please refer to that document for further information.

4. Responsibilities

Chief Operating Officer (COO)	Primary reception point of complaints and grievances; determines responsibility for dealing with complaints among relevant parties.
Headmaster	Ultimately responsible for dealing with grievances and complaints made in respect to most school matters; may delegate responsibility to Heads of School.
Heads of School	Deals practically with most grievances and complaints that escalate to a formal process; may oversee or advise on grievances and complaints at a less formal level upon request or where deemed helpful.

The Hutchins School staff	May receive grievances and/or complaints via informal channels; responsible for redirecting families to the formal process where informal processes fail. Should seek help or advice from their Head of School where required, or where escalation to a formal process seems likely.
Policy and Compliance Manager	Responsible for the development and maintenance of the Complaints and Grievances Policy and its associated procedure. Ensures that the systems that facilitate complaints and grievances reporting function in a way that supports all parties referred to within this document.

5. Supporting/related documents

Anti-Bullying Policy – Staff

Anti-Bullying Policy - Students

Anti-Discrimination Policy

Commitment to Kindness

Complaints and Grievances Procedure

Practice and Behaviour Standards

Privacy Policy

Records Management Policy

The Hutchins School Code of Conduct

These documents are available on SharePoint Online. If you are unable to view them, please contact the Policy & Compliance Manager.

6. Record keeping

This policy is to be kept for three (3) years until review, unless there is a significant legislative or organisational change requiring earlier review.

The master copy is kept in SharePoint Online in read-only in PDF form. All printed copies are uncontrolled.

7. Document history

Version	Date	Summary of changes
1.0	01/2008	Initial release.
2.0	04/2020	Complete re-write of policy; new procedures implemented.
2.01	1/3/2021	Supporting/related links updated; minor textual changes to ensure consistency with the rest of the policy body.

Complaints and Grievances Procedure

INFORMATION FOR STAFF

What do I do if I need to make a complaint, or if I have a grievance?

If you have a complaint regarding a situation, service, facilities, policy, procedure or behaviour within the School, please follow the flowchart entitled 'Staff: lodging a complaint'.

What if I receive a complaint from a parent, student or community member?

Any staff member at The Hutchins School may receive a complaint or grievance. If you receive a complaint or grievance, your first step should be to consider the nature of the issue and the possible risks associated with it. If you feel that a complaint or grievance is beyond your ability to resolve, you should seek help from your supervisor or Head of School. If it is appropriate for you to manage the complaint or grievance, refer to the 'Staff: managing a complaint' flowchart.

Are there complaints and grievances that I should *not* manage myself?

Some complaints and grievances must be referred to specialist staff, or to management. Should you receive a complaint about any of the following, please speak with your Head of School, the Headmaster or COO immediately:

- allegations of a safeguarding children nature against an employee;
- allegations of corruption or misconduct;
- a risk of harm or significant harm to a child;
- privacy or data breach issues; or
- issues or complaints relating to Children's Services (Pre-Kindergarten/Kindergarten/OSHC), or the National Quality Framework.

Reporting mechanisms have been established to deal with a number of these issues. Where a report involves inappropriate conduct by a staff member, but does not necessarily require an investigation or intervention beyond your own management, please use the Inappropriate Conduct Report Form.

Where informal processes have been engaged, but failed to provide resolution, you are required to complete (or encourage the complainant to complete) the Complaints and Grievances Form.

Where a complaint or grievance involves allegations regarding the safeguarding of children, your primary obligation is to report the matter to the appropriate authorities (as per the Mandatory Reporting Policy). The School also requests that you notify your Head of School, and the Headmaster immediately, and complete the Mandatory Report Notification Form.

Where a complaint relates to privacy or data breach issues, please contact the School's Privacy Officer at privacyofficer@hutchins.tas.edu.au.

The Complaints and Grievance Procedure

The subsequent pages of this document will outline the procedure to be undertaken upon the receipt of a complaint or grievance from a member of The Hutchins School community, including students and their families.

Complaints and Grievances Procedure

STAFF: MANAGING A COMPLAINT

As a staff member of The Hutchins School, there may be occasions in which you are required to manage a complaint presented to you by a parent, student, staff or community member. Where this is the case, the following procedure applies. At each step in this procedure, it is expected that staff will:

- listen to the complaint;
- acknowledge the issues raised;
- gather as much information as possible;
- communicate your decision, providing reasons;
- implement your outcome actions; and either
- close the complaint, or refer to the next step in the process.

(STEP 1: The informal process)

Most complaints should be resolved at this level, without the need for further escalation. Class teachers, subject teachers and mentors are often in the best position to handle routine concerns about matters relating to their own areas of responsibility. Manage the complaint or grievance at your discretion, being mindful to seek further help (step 2) if required.

(STEP 2: Further support)

Some complaints may require further support. Where this is the case, your next step is to speak with your supervisor or manager, who will support you through the resolution process and arrange a meeting between the relevant parties. Record keeping may be helpful at this point, particularly if the complaint is recurrent.

(STEP 3: The formal process)

It is the Hutchins School's expectation that relatively few complaints or grievances will require management at the next level. Should resolution prove impossible at the informal level, a complaint or grievance should now progress to the formal resolution process. This process is initiated at the completion of the Complaints and Grievances Form, which may be completed either by the complainant, or by the staff member in receipt of a complaint submitted via alternate means (e.g. email). Completion of the form will escalate the matter to your Head of School and trigger the commencement of formal record keeping. The Head of School should seek to resolve the complaint or grievance according to the same steps outlined above.

(STEP 4: Formal review by the Headmaster)

This is the final step in the Complaints and Grievance Procedure. Any decisions made by the Headmaster are final. The Headmaster will request to meet with both parties to seek a mutually agreed upon resolution. Where agreement cannot be reached, the Headmaster will collate all the available information and make a determination. Both parties will be informed of the Headmaster's decision in writing.

Complaints and Grievances Procedure

STAFF: MANAGING A COMPLAINT (FLOWCHART)

STEP 1:
Informal complaint
Complaint received from parent/student/community
Wherever possible, you should speak to informally to the person concerned and seek resolution.

Meet and discuss → Resolved

Unresolved

STEP 2:
Informal resolution
Complaint received from parent/student/community
Talk to a supportive colleague, supervisor or Contact Officer. Plan a course of action, meet with respondent. Consider the need for record keeping.

Meet and discuss → Resolved

Unresolved

STEP 3:
Formal complaint
The complainant should lodge an online Complaints and Grievances Form at this point. The matter will be referred to your Head of School or an appropriate supervisor. Record keeping (see the Complaints and Grievance Policy) is mandatory from this point onward.

Meet and discuss → Resolved

Unresolved

STEP 4:
Formal resolution
The Head of School will refer the matter to the Headmaster, who will make the final determination. The Headmaster will request to meet with both parties. Both parties will be informed of the Headmaster's decision in writing.

Meet and discuss →

STEP 5:
Final meeting
Reconciliation/re-establishing relationships.

Complaints and Grievances Procedure

STAFF: LODGING A COMPLAINT (FLOWCHART)

STEP 1:
Informal complaint
Before lodging a formal complaint:
Wherever possible, you should speak informally to the person involved and seek resolution. If your complaint is regarding a service, facilities, policy or procedure, speak with an appropriate staff member to voice your concerns.

Meet and discuss → Resolved

Unresolved

STEP 2:
Informal resolution
Talk to your supervisor, the Human Resources Department or a Contact Officer. Plan a course of action, meet with respondent. Record keeping requirements (see the Complaints and Grievance Policy) are engaged at this point.

Meet and discuss → Resolved

Unresolved

STEP 3:
Formal complaint
Lodge your concerns via the Complaints and Grievances Form. The matter will be referred to your Head of School or, for Support Staff, to the Chief Operating Officer. The name of the staff member responsible for managing your complaint or grievance will be disclosed to you prior to the submission of your form.

Meet and discuss → Resolved

Unresolved

STEP 4:
Formal resolution
The staff member managing the process will refer the matter to the Headmaster. The Headmaster will meet with both parties and make the final decision. Both parties will be informed of the Headmaster's decision in writing.

Meet and discuss →

STEP 5:
Final meeting
Reconciliation/re-establishing relationships

Complaints and Grievances Procedure

INFORMATION FOR STUDENTS

What do I do if I have a complaint or grievance?

If you have a complaint regarding a situation, service, facilities, policy, procedure or behaviour within the Hutchins School, please follow the flowchart enclosed after this information.

What should I expect throughout this process?

The first step of this process requires you to attempt to resolve the complaint or grievance by informal means. Speak with the person involved and try to reach a mutually beneficial outcome. If you cannot resolve the issue at this first step, speak with a staff member, or someone you trust, at the School. They will walk you through the rest of the grievance process. You can expect any of our staff to:

1. Listen to your Complaint.
2. Acknowledge the issues you have raised.
3. Gather as much information as possible.
4. Communicate their decision, providing reasons.
5. Implement their outcome actions.
6. Close the complaint or refer to the next step in the process.

If at any point you feel that the staff member assigned to the resolution of your grievance or complaint is not an appropriate person, you have the right to request that another staff member manage the process.

What is expected of me throughout this process?

The School expects that you will continue to maintain your enrolment and attendance throughout the complaints and appeals process.

Complaints and Grievances Procedure

FLOWCHART FOR STUDENTS

STEP 1:
Informal complaint
Wherever possible, speak informally to the person concerned and seek resolution.

Meet and discuss → Resolved

Unresolved

STEP 2:
Informal resolution
Contact, or ask your parents/carers to contact your class teacher, mentor or a supporting staff member who may help (e.g. Chaplain, Counsellor).

Meet and discuss → Resolved

Unresolved

STEP 3:
Formal complaint
Either you or your parents/carers may use the online Complaints and Grievances Form. The matter will be referred to your Head of School. Record keeping becomes mandatory from this point onward.

Meet and discuss → Resolved

Unresolved

STEP 4:
Formal resolution
The staff member managing the process will refer the matter to the Headmaster. The Headmaster will meet with both parties and make the final decision. Both parties will be informed of the Headmaster's decision in writing.

Meet and discuss →

STEP 5:
Final meeting
Reconciliation/re-establishing relationships

Complaints and Grievances Procedure

INFORMATION FOR PARENTS, CARERS AND THE SCHOOL COMMUNITY

What do I do if I need to make a complaint?

If you have a complaint regarding a situation, service, facilities, policy, procedure or behaviour within the School, please follow the flowchart on the following page.

What should I expect throughout this process?

At each step of the Complaints and Grievances process, it is expected that the managing staff member will adhere to the following process:

1. Listen to your Complaint.
2. Acknowledge the issues you have raised.
3. Gather as much information as possible.
4. Communicate their decision, providing reasons to you.
5. Implement their outcome actions.
6. Close the complaint or refer to the next step in the process.

(STEP 1: The informal process)

The Hutchins School requests that the first step in this process is an attempt at informal resolution. Please follow the flowchart (attached) to ensure that your complaint or grievance is directed to the appropriate member of staff.

(STEP 2: Further support)

Some complaints may require further support. Where this is the case, your next step is to speak with a senior staff member (e.g. Assistant Head of School).

(STEP 3: The formal process)

It is the Hutchins School's expectation that relatively few complaints or grievances will require management at the next level. Should resolution prove impossible at the informal level, a complaint or grievance should now progress to the formal resolution process. Should you wish to file a formal complaint or grievance, you will need to complete the Complaints and Grievances Form, which is available online. Completion of the form will escalate the matter to your Head of School and trigger the commencement of formal record keeping.

(STEP 4: formal review by the Headmaster)

This is the final step in the Complaints and Grievance Procedure. Any decisions made by the Headmaster are final. The Headmaster will collate all of the available information and make a determination.

Complaints and Grievances Procedure

FLOWCHART FOR PARENTS, CARERS AND THE SCHOOL COMMUNITY

STEP 1:
Informal complaint
Wherever possible, speak informally to the person concerned and seek resolution.

→ Meet and discuss → Resolved

Unresolved

STEP 2:
Informal resolution
Contact a senior staff member (e.g. Deputy Head, Year Head, Head of Faculty) who will assist you with your concerns.

→ Meet and discuss → Resolved

Unresolved

STEP 3:
Formal complaint
If your concerns are not resolved through informal processes, please use the online Complaints and Grievances Form. The matter will be referred to the relevant Head of School. Record keeping becomes mandatory from this point onward.

→ Meet and discuss → Resolved

Unresolved

STEP 4:
Formal resolution
The staff member managing the process will refer the matter to the Headmaster. The Headmaster will meet with both parties and make the final decision. Both parties will be informed of the Headmaster's decision in writing.

→ Meet and discuss →

STEP 5:
Final Meeting
Reconciliation / re-establishing relationships

Complaints and Grievances Procedure
FREQUENTLY ASKED QUESTIONS

What do I do if my complaint or grievances is not resolved by these processes?

If matters still remain unresolved, parties have the right to seek arbitration through the courts, an ombudsman, or other legal channels. These processes may entail a financial cost.

What if my complaint or grievance is against the Headmaster?

Complaints and grievances against the Headmaster are managed via the same mechanisms outlined in this procedure, with some important distinctions. It is important that an attempt at formal resolution is made. Where no resolution can be reached, complainants have the right to proceed to a formal process. In such instances, it is not appropriate for the Headmaster to manage the complaint.

Formal complaints made against the Headmaster are directed to the Chairman of the Board for resolution. This process is still managed through the Complaints and Grievances Form; however, neither the complaint nor any additional details provided with the complaint will be provided to or accessible by the Headmaster. Simply ensure that you select 'complaint against Headmaster' from the drop-down box, and your complaint will be directed accordingly.

I am an international student. Does this process apply to me?

Yes! There are, however, additional options available to you should these processes not resolve your complaint. These are detailed in the Complaints and Appeals Procedure – International Students document, which has been made available to you both online and in your initial induction. Should you wish to take the matter further, it is recommended that an any additional appeals are lodged within two weeks of the completion of the complaints and grievances procedure. Should you wish to lodge an external appeal, you may contact the Overseas Students Ombudsman at no cost. The Overseas Students Ombudsman offers a free and independent service, and may be contacted either via the web site (www.oso.gov.au), or by phoning 1300 362 072.

If you are concerned about the actions of the School, you may approach the chief executive of the Department of Education, Training and Employment. Concerns or complaints about the conduct of a registered provider should be addressed in writing to:

Executive Support Officer to the CEO Authority
Tasmanian Qualifications Authority
Level 6, 39 Murray Street, Hobart
Phone: +61 6165 6000

Complaints and Grievances Procedure

INFORMATION FOR MANAGERS AND SUPERVISORS

What do I do if I need to make a complaint, or if I have a grievance?

If you have a complaint regarding a situation, service, facilities, policy, procedure or behaviour within the School, please follow the flowchart entitled 'Staff: lodging a complaint'. If you need to lodge a formal complaint, the Complaints and Grievances Form will allow you to select the appropriate staff member to manage the process.

What if I receive a complaint from a parent, student or community member?

Where a complaint comes directly to you, you are free to manage the process according to the steps laid out in this document. As with any other staff, upon receipt of a complaint or grievance, your first step should be to consider the nature of the issue and the possible risks associated with it. If you feel that a complaint or grievance is beyond your ability to resolve, you may seek assistance from Human Resources, or from the Policy and Compliance Manager.

What if I receive a complaint from a staff member, or am asked to manage staff conflict?

Conflict between staff should be managed according to the processes laid out in this document. Please refer to the flowchart (attached) and commence the informal process. If your management leads to a disciplinary process, please refer to the Discipline and Performance Management Procedure for further information. Should you require support with this process, please contact Human Resources.

Are there complaints and grievances that I should *not* manage myself?

As a manager or supervisor, you should be equipped to manage most complaints at both informal and formal levels. Some complaints and grievances, however, require you to adhere to the School's established processes. Should you receive a complaint about any of the following, please inform the Headmaster or COO immediately:

- allegations of a safeguarding children nature against an employee;
- allegations of corruption or misconduct;
- a risk of harm or significant harm to a child; or
- privacy or data breach issues.

Reporting mechanisms have been established to deal with a number of these issues. Where a report involves inappropriate conduct by a staff member, but does not necessarily require an investigation or intervention beyond your own management, please use the Inappropriate Conduct Report Form.

Where informal processes have been engaged, but failed to provide resolution, you are required to complete (or encourage the complainant to complete) the Complaints and Grievances Form.

Where a complaint or grievance involves allegations regarding the safeguarding of children, your primary obligation is to report the matter to the appropriate authorities (as per the Mandatory Reporting Policy). The School also requests that you notify the Headmaster immediately, and complete the Mandatory Report Notification Form.

Where a complaint relates to privacy or data breach issues, please contact the School's Privacy Officer at privacyofficer@hutchins.tas.edu.au.

Complaints and Grievances Procedure

MANAGERS AND SUPERVISORS: MANAGING A COMPLAINT

As a manager or supervisor at The Hutchins School, there may be occasions in which you are required to manage a complaint presented to you by a parent, student, staff or community member. Where this is the case, the following procedure applies. At each step in this procedure, it is expected that you will:

- listen to the complaint;
- acknowledge the issues raised;
- gather as much information as possible;
- communicate your decision, providing reasons;
- implement your outcome actions; and either
- close the complaint, or refer to the next step in the process.

(STEP 1: The informal process)

Most complaints should be resolved at this level, without the need for further escalation. The School believes that class teachers, subject teachers and mentors are often in the best position to handle routine concerns about matters relating to their own areas of responsibility. Where a complaint has been either escalated to you, or brought to you directly, you may manage the complaint or grievance at your discretion, being mindful to seek further help (step 2) if required.

(STEP 2: Further support)

Some complaints may require further support. As a manager or supervisor, it is likely that this may be your entry point into the complaints and grievances process, as a case is referred to you by a staff member who has already attempted an informal resolution. Where this has not occurred, you are expected to encourage staff to attempt to resolve the complaint or grievance themselves at an informal level, and to provide support to that member of staff in doing so.

Should a complaint come to you after an informal process has failed to reach a resolution, you should arrange a meeting between the relevant parties. Record keeping may be helpful at this point, particularly if the complaint is part of a longer-term issue. You may wish to flag this process with Human Resources at this point.

Where a complaint relates to a staff member, and you are in contact with that person through either 1:1 conversations or through the probation process, this would be an ideal time to discuss these matters. Records are advisable at this point, but may be as simple as an email acknowledgement of the conversation, and a subsequent agreement for improvement. The probation documents provided by Human Resources for the 6-week and 5-month intervals may also be used. For further help or advice, please contact Human Resources at humanresources@hutchins.tas.edu.au.

(STEP 3: The formal process)

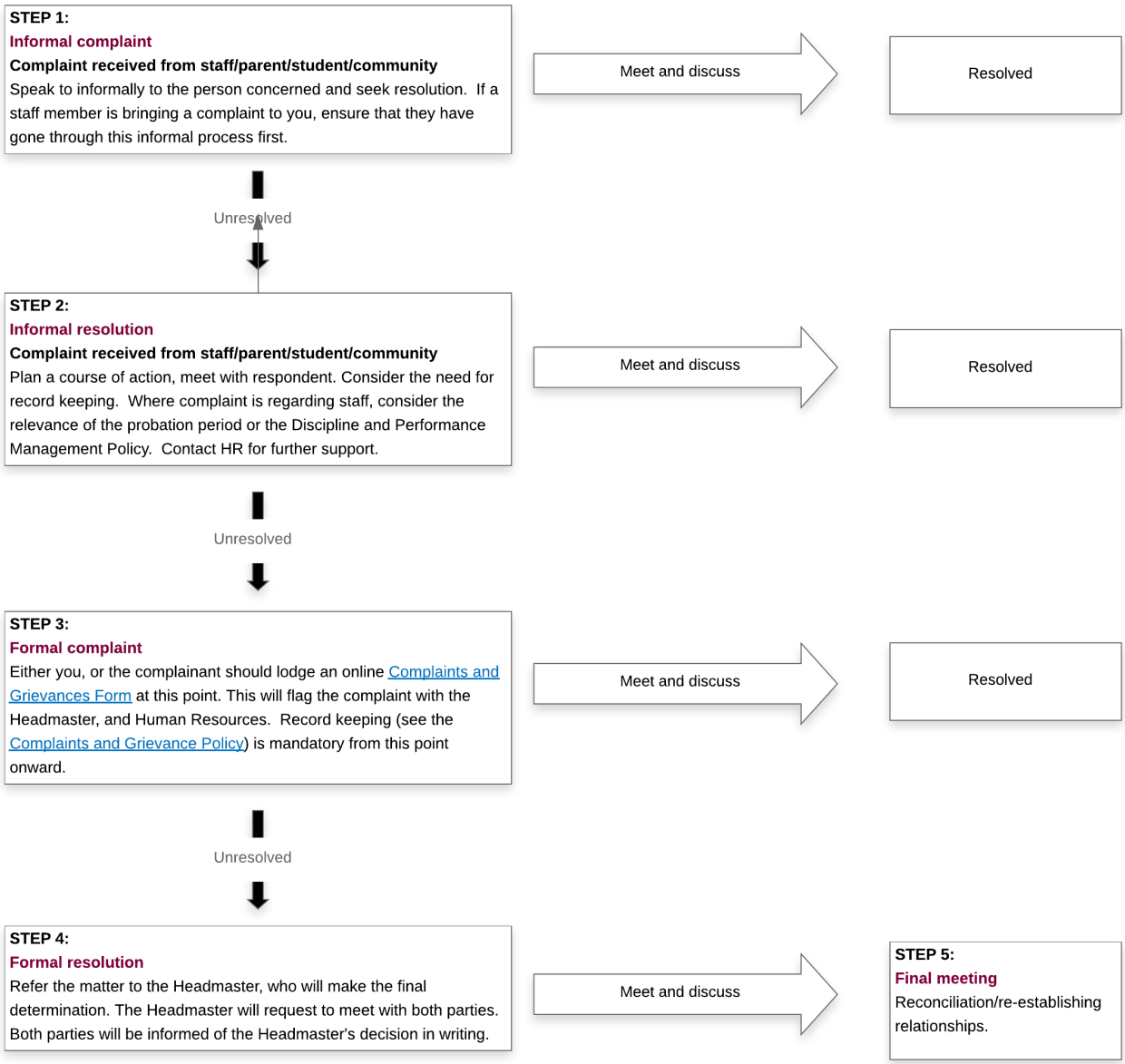
It is the School's expectation that relatively few complaints or grievances will require management at the next level. Should resolution prove impossible at the informal level, a complaint or grievance should now progress to the formal resolution process. This process is initiated at the completion of the Complaints and Grievances Form, which may be completed either by the complainant, or by you, as the manager of this process. Completion of the form will notify the Headmaster, Human Resources and the Policy and Compliance Manager, and trigger the commencement of formal record keeping.

(STEP 4: Formal review by the Headmaster)

This is the final step in the Complaints and Grievance Procedure. Any decisions made by the Headmaster are final. The Headmaster will request to meet with both parties to seek a mutually agreed upon resolution. Where agreement cannot be reached, the Headmaster will collate all the available information and make a determination. Both parties will be informed of the Headmaster's decision in writing.

Complaints and Grievances Procedure

MANAGERS AND SUPERVISORS: MANAGING A COMPLAINT (FLOWCHART)



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