



Complaints Policy

28 March 2014

POLICY

Liberty College will provide a procedural pathway for complaints with compassion, fairness, equity and in the grace of Jesus.

Who must comply with this document:

Staff
Students
Parents

Related documents:

Privacy Policy
Child Well Being and Child Protection Policy
Communications to Parents Policy

INDEX

CLAUSE	TITLE	PAGE
	Policy Statement, Compliance, Related Documents and Index	1
1	Biblical Rationale	2
2	School Context	
3	Child Protection Context	
4	Student Complaint	3
5	Family Complaint	
6	Staff Complaint	4
7	Resolution Principles	6
8	Confidentiality	
9	External Arbitration	

1 Biblical Rationale

Liberty College takes as its foundational principle the conflict resolution expressed in the Bible through the following passages:

Matthew 18:15-17

If your brother or sister sins, go and point out their fault, just between the two of you. If they listen to you, you have won them over.

But if they will not listen, take one or two others along, so that every matter may be established by the testimony of two or three witnesses.

If they still refuse to listen, tell it to the church

Colossians 3:13

Bear with each other and forgive one another if any of you have a grievance against someone. Forgive as the Lord forgave you.

2 School Context

There will be occasions when there will be an offence, complaint or a grievance (collectively known as a complaint) arise between the school and persons involved in the school.

The Matthew passage use of “sin” refers specifically to this complaint in the context of Liberty College, and does not refer to any judgement or preconceived position held by any person.

The fundamental strategy used by Liberty College can be summarized thus:

1. The complaint is to be resolved firstly between the two parties involved
2. If not resolved, then there will be an appeal process available to the next level of authority
3. If still not resolved with the first appeal, then there will be another appeal process available to the highest level of authority

All formal discussion and processes involving complaints will be documented. All documentation will be kept secure in the main office of Liberty Church Inc.

3 Child Protection Context

If a complaint comes under the jurisdiction of the Child Protection (Working with Children) Act 2010 and Ombudsman Act 1974, then the legislative requirements of the Working with Children Act will take precedence over this policy. The school’s Child Well Being and Child Protection Policy will then be the appropriate policy document to deal with this type of complaint.

There cannot be any action taken in these matters under this policy unless specifically allowed by Child Well Being and Child Protection Policy.

4 Student Complaint

Minor matters will normally be resolved in the setting of the student's normal routine through conversation with the teacher or other staff member, or through the student leaders of the school.

For more serious matters that require a formal resolution the following steps will be implemented:

- a) Student raises the issue with their classroom teacher. The teacher may consult with the Principal if required. It is expected that a classroom matter will be dealt with at this step
- b) If the matter is not able to be resolved or if the matter is of a more general school based nature, then either the student or the teacher may refer the matter to the Principal for resolution
- c) The Principal may refer this matter to Liberty College School Council for advice. The Principal will also communicate with the parents of the student, if appropriate, when a matter is to be referred to the School Council
- d) When a formal determination by the School Council regarding the resolution of the matter occurs, this will be communicated to the Principal and to the parents in writing

5 Family Complaint

The family of the student refers specially to the responsible parents or guardians or other persons who have authority to act on behalf of the student.

- a) For a minor complaint, the parent will be asked to raise the issue with the classroom teacher of the student. It is expected that a classroom matter of a minor nature will be dealt with at this step
- b) If the matter is not able to be resolved or if the matter is deemed to be more serious by either party, then either the parent or the teacher may refer the matter to the Principal for resolution. A written report from the teacher or a written complaint from the family may be provided for this referral
- c) The Principal will convene with the parties involved to consider all aspects of the complaint. Witnesses and supporting documents should be provided at this time, if appropriate and relevant
- d) The Principal may at their discretion refer this matter to Liberty College School Council for advice. The Principal will also communicate with the parents of the student, if appropriate, when a matter is to be referred to the School Council
- e) When a formal determination by the School Council regarding the resolution of the matter occurs, this will be communicated to the Principal and to the parents in writing

6 Staff Complaint

There are two broad areas where a staff member may complain within the context of school. There may be a complaint about salary and working conditions, or there may be a complaint of a general nature, either administrative or personal, within the school community.

6.1 Complaint regarding Awards

- a) A complaint involving working conditions, duties and salary matters specifically covered by the relevant award and the staff member's contract of employment is to directly made to the Administrator of Liberty Church Inc. (the employer)
- b) The complaint may be made either verbally or in writing
- c) Unless the matter is considered to be of a minor nature, it is requested that a complaint be made in writing with all possible information to allow proper and appropriate investigation into it
- d) The Administrator will respond to the staff member with a determination, in writing if so requested
- e) Advice will be sought from Christian Schools Australia Staff Relations as necessary
- f) The staff member has the right of appeal to the Board of Liberty Church Inc. if the matter has not been resolved
- g) The staff member will be able to address the Board if so desired and is allowed a witness of their choice at the hearing.
- h) The Board will confirm its decision in writing to the staff member
- i) The Board may request the staff member to attend a hearing as expediently as possible, within 7 days of lodging a complaint. The staff member retains the ability to have a witness of their choice present
- j) If the matter is unable to be resolved then the staff member may approach Fair Work Australia for their consideration

6.2 Complaint regarding General School Matter

- a) A complaint regarding a general school matter, not involving a personal dispute with another person, will be made directly to the Supervisor of the staff member. This would generally be the Principal
- b) If the matter cannot be resolved then the Supervisor or the staff member may request the School Council to consider the issue
- c) Documentation in support of the complaint may be given to the School Council within 3 days of the complaint being made
- d) The School Council will meet within 7 days of the complaint being made to make a determination
- e) The determination will be conveyed to the staff member, in writing if so requested and a record of the complaint and resolution will be kept secure in the main office
- f) If the matter is unable to be resolved then the staff member may appeal to Liberty Church Inc. for their consideration
- g) The staff member will be able to address the Board if so desired and is allowed a witness of their choice at the hearing.
- h) The Board will confirm its decision in writing to the staff member

i) The Board may request the staff member to attend a hearing as expeditiously as possible, within 7 days of lodging a complaint. The staff member retains the ability to have a witness of their choice present

6.3 Complaint regarding a Personal Dispute

- a) A complaint regarding a personal dispute with another person, will be made directly to the Principal or Chairman of the School Council
- b) A decision will be made whether to deal with the matter directly by the officer receiving the complaint or to refer it to the School Chaplain or the Council
- c) The School Chaplain may be an appropriate person to resolve the complaint after consideration of the nature of the personal dispute
- d) If the matter is serious enough, it may be brought to the School Council
- e) The School Council may decide to bring the matter to the Liberty Church Inc. Board at its sole discretion
- f) Both parties will be given a hearing date within 7 days of the complaint being made
- g) Both parties retain the ability to have a witness of their choice present at all stages of this process
- h) All documentation will be kept secured in the main office and copies placed in the personal files of both parties

7 Resolution Principles

The resolution of a complaint must be consistent with the philosophy, policy and procedures of Liberty College and consistent with the biblical standards of Liberty Church Inc.

The following points are to be considered in the process of resolving a complaint:

- a) Discuss the range of resolution options available, examining potential strategies and outcomes
- b) Attempt to resolve by negotiation with the parties concerned individually and through conciliation
- c) The issue should be discussed and if possible resolved within the school
- d) The principal or other officer involved will attempt to clarify and resolve the issue fairly and discreetly. This may involve some investigation to ascertain the facts related to the issue at hand
- e) If, after investigation, it is concluded that the complaint is substantiated, both parties should be told of the decision and immediate, appropriate steps taken to address any issue arising from the cause of the complaint
- f) If it is considered the complaint is not substantiated, both parties will be told of the decision, and the appeal process explained if such action may be taken

8 Confidentiality

All complaints are to be kept confidential both during and following investigative procedures. Documentation shall be thorough and kept securely in the main office.

9 External Arbitration

Every attempt will be made by all staff involved to resolve complaints within the framework of this policy.

It is acknowledged that a complaint may not be able to be resolved satisfactorily. In such case the aggrieved person may desire to pursue other avenues.

Christian Schools Australia and Australian Christian Churches' State Executive are the umbrella organizations for Liberty College and Liberty Church Inc.

Fair Work Australia and Christian Schools Australia Staff Relations are the organizations for award and workplace issues for Liberty College and its staff.