South West
Community College

Complaints Policy

1. Purpose

This policy provides information about how Bunbury Regional Community College Inc. trading as South West Community College ("SWCC") manages concerns and complaints received from a student, staff member, parent/carer, volunteer, stakeholder, or any other member of the SWCC school community.

This policy is applicable to everyone in the SWCC community and covers any matter that might be seen to be a Complaint, Dispute, Grievance, Concern, or sense of injustice arising from any aspect of the College, including its staff, activities, or resources.

SWCC operates on the basis that it is better to receive and resolve a Concern, rather than leaving it unresolved to become the basis for dissatisfaction and/or a Complaint. Receiving and resolving complaints or concerns enables the College to undertake continuous improvement by reflecting on and acting on matters raised through the complaints process.

SWCC prioritises its students' rights, safety, and wellbeing and is dedicated to delivering a fair and culturally appropriate process when managing complaints.

SWCC is also committed to handling complaints in keeping with Principles 6 and 9 of the National Principles for Child Safe Organisations. Refer Appendix 1 for further detail.

All concerns and complaints are taken seriously by the College and will be responded to promptly, thoroughly, and following the rules of procedural fairness. SWCC makes a commitment to ensuring that no one will be penalised or suffer adverse consequences for making a Complaint, raising a Concern, or reporting a breach of the SWCC Code of Conduct.

2. Related Documents

Complaints Register

Complaints Handling Procedure

Complaints Handling Flow Chart (Refer Appendix 2)

3. Definitions

College community includes all people involved with the College including students, parents/caregivers, staff, stakeholders, volunteers and contractors.

Complaint is a formal statement made in writing, expressing dissatisfaction about a particular situation, education service, decision, action, or person at the College. Once submitted, it will be subject to review and if deemed appropriate a formal investigation and resolution process.

Complainant a complainant is the person who is making the complaint.

Complaint Manager is the person responsible for investigating the Complaint under authority from the Executive with advice from HR and external Legal as required.

Concern is an informal expression of dissatisfaction or worry, often related to minor issues or suggestions for improvement. Concerns can be raised verbally or in writing and are typically resolved through informal discussions and prompt action.

Dispute a dispute is where an issue arises that results in a disagreement or argument and may involve two or more parties with opposing views and which, if continued unresolved, may be disruptive to the College community.

Executive is the senior leadership team of the Principal, Chief Operating Officer and College Director empowered by the Governing Council to make decisions in the best interests of the College, its students, staff and overall operations.

Grievance arises when a real or perceived injustice has been committed by one person against another, or by the College against an individual or a group within the College community and which leads to a formal complaint being made.

National Child Safe Organisation Principles incorporate the ten standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse in December 2017. These Principles were developed by the Australian Human Rights Commission and endorsed by the Council of Australian Governments in February 2019.

Respondent a respondent is the person against whom the complaint is being made.

Rule of Procedural Fairness – Are rules requiring: a hearing appropriate to the circumstances; a lack of bias; evidence to support a decision; and an inquiry into matters in dispute.

4. Policy

SWCC seeks to ensure that:

- any parent/carer, student, staff member, stakeholder or community member wishing to raise a Concern or lodge a Complaint knows how to do so;
- the Complaint or Concern will be treated in a confidential, culturally safe manner and with respect;
- required action is taken within a stated timeline;
- the process is fair and reasonable for all parties;
- complaints are examined and investigated by an authorised person i.e. Complaints Manager (refer definition above);
- a clear record of the Complaint is kept including the action taken and the outcome;
- if required, the matter will be referred to an external authority such as the Department for Child Protection or the Western Australian Police Service (WAPOL) for advice or immediate action;
- if necessary, a mediator or independent arbiter may be used;
- any action taken is evaluated and the process is reviewed as required.

Concerns – Informal Process

SWCC encourages those, especially staff, wishing to raise an issue to approach the person involved as the first step in the process. Often any issues or concerns can be handled and resolved quickly and effectively in an informal discussion with the appropriate person.

If the above is not appropriate or if the Concern is in relation to a students' wellbeing or safety, the formal complaints process should be followed.

Complaints – Formal Process

Complaints need to be made in writing (email or a letter) with any supporting information included.

If the Complaint relates to a member of staff or volunteer, please contact or write to the Principal. If the Complaint is about the Principal, then the Complaint should be directed to the College Director.

All complaints will receive a written acknowledgment within 5 working days of receipt that will outline what steps will be undertaken to resolve the Complaint. An investigation may follow which will be finalised as quickly as possible.

Complaints will be investigated by the Complaints Manager with support from Human Resources. To follow procedural fairness rules, if the Complaint is about a person, the substance of the Complaint will be provided to the Complainant. Every effort will be made to ensure the Complaints Manager is objective.

The Executive may consider a Complaint and determine that the College will not proceed if it is considered the Complaint cannot be substantiated, there is insufficient evident, it is vexatious, trivial or regarding previously finalised issues.

Student Concerns or Complaints

SWCC prioritises the rights, safety and wellbeing of its students and supports each student to feel free to speak up if they are concerned or feel unsafe. The College will make every effort to resolve a student's Concern or Complaint in an open and fair manner. Students' views are taken seriously by the College.

The College understands that a student may feel nervous about raising an issue and may need a person to assist in raising concerns or a Complaint. The list below are suggestions of who a student could turn to for help at SWCC:

- Advisory Teacher;
- Education Assistant;
- Social Worker;
- Social Work Manager;
- Registrar;
- Campus Manager;
- Campus Officer;
- Principal.

Confidentiality of the student's Complaint or Concern will be maintained where possible. An exception to confidentiality may be required when the safety and welfare of a student is concerned, and a duty of care is involved; or where Mandatory Reporting is required under law. This will be discussed with the student if it becomes apparent that the matter needs to be referred to an external authority.

Staff at SWCC should:

- listen and be respectful when being told about a Concern or Complaint;
- be understanding and encourage the student to explain in their own time;

- be helpful and offer advice and information about the complaints process, what the next steps will be and what the student can expect to happen;
- help the student navigate the complaints process;
- keep the student informed of progress by contacting or checking in with the student regularly.

If as a student, you feel unsafe or at risk and need help urgently, call the Police on 000 or Crisis Care on 1800 199 008.

Understanding Rules of Procedural Fairness and Natural Justice

SWCC are committed to providing a process that is safe and fair to all parties and ensures that all parties are listened to. Decisions will be based on the evidence provided and the views of an adult will not be weighted over that of a student. Conflicts of interest will be identified and managed to ensure the process and outcome is fair. SWCC will ensure the process is sensitive to all cultural, linguistic, religious and gender differences.

In addition to adhering to Rules of Procedural Fairness, the SWCC complaints process will also:

- protect people from being victimised because they have made a Complaint;
- protect people from vexatious and malicious complaints; and
- ensure appropriate confidential records are kept about complaints and that this information is stored and managed appropriately.

Anonymous Complaints

You can remain anonymous when you raise a Concern or Complaint. Anonymous complaints will be evaluated and actioned as far as the information provided allows.

SWCC would prefer to know who is making a Complaint as it can help in any investigation that may occur and provide resolution to the dissatisfied party. It also helps in offering Procedural Fairness and the right of the Respondent to address the allegations.

Complaints Register & Reporting

SWCC maintains a Complaints Register which records:

- the date of a Concern or Complaint;
- name of the person offering the Concern or Complainant and relationship to the College;
- nature of the Concern or Complaint, including the name of any person who is the subject to it;
- date when investigation is completed;
- outcome of investigation;
- If relevant, the date and details of a report made to an external agency e.g. Police

A copy of the communication and outcome of the Concern or Complaint will be kept in a student's or staff member's confidential file where applicable.

It is recognised it is not always appropriate to lodge a Concern in the Complaints Register if matters are dealt with quickly and informally. However, an accumulation of several minor Concerns may form the basis of a Complaint and should be included.

The Principal (or delegate) will undertake reporting to the Governing Council as required with an analysis of the complaints received, and detailing the actions taken. Any information

such as this which is shared for reporting purposes will have names redacted to ensure confidentiality.

The Principal will report all complaints received within 2 working days of receipt.

Confidentiality

SWCC respects and upholds the right to confidentiality of all parties involved in a Complaint as much as practically possible. The implication of the Complaint, may require other parties that are potential witnesses to the substance of the Complaint be interviewed as part of any investigation.

SWCC cannot completely rule out the need to make third parties outside the College aware of the complaint and possibly also the identity of those involved. This may happen when a student's safety is at risk, and it becomes necessary to refer matters to the Police or other external authority. Matters of this nature would include an allegation/complaint of grooming, child abuse and/or there was a breach of the Code of Conduct/student code of conduct.

If information is passed to a third party, the Complainant will be informed, unless this is prevented by legal obligation.

Role of the Director General

The Director General of the Department of Education is responsible for ensuring that the school 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 school has dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the school has breached the registration standards, she does not have power to intervene in a complaint or override the school's decision.

5. Responsibilities

Staff: All staff are responsible for acting in accordance with this policy and associated procedure. This may include as a Complainant, Respondent or helping a student navigate the Complaints process and policy.

Principal: is responsible for ensuring the Complaints Policy is being followed and reporting to the Governing Council. They also manage the complaints process, ensuring prompt, fair, and confidential handling of complaints. The Principal must keep accurate records through the Complaints Register, ensure procedural fairness, and maintain communication with all parties involved. Additionally, the Principal must discuss all complaints to the Executive and ensure that matters requiring external authority intervention are properly referred and managed.

Complaints Manager: is the person responsible with delegated authority from Executive to investigate a Complaint and make recommendations to the Executive in consultation with Human Resources.

Executive: Can delegate the role of Complaints Manager, but ultimately makes the decision on the outcome of any formal investigation.

The Governing Council: is responsible to ensure policy is being implemented and receiving regular reporting on Complaints either through Governing Council updates or submitting of

the Complaints Register (with names redacted). In addition to deciding on the outcomes of any escalated Complaints as per Appendix 2.

6. Policy Review Date

30 October 2027

This policy is owned by the Governing Council and is implemented by the Executive and will be reviewed with a change in legislation or by no later than 3 years after Approval by the Governing Council.

Date	New, Material, Minor, Review	Approval
December 2016	New	Governing Council
August 2021	Reviewed	Governing Council
October 2024	Material	Governing Council

7. Contact SWCC

If you wish to make a complaint about SWCC or about a staff member or a student at the College, please contact the Principal. If the complaint is about the Principal, please contact the College Director.

Web http://www.swcc.wa.edu.au
Principal Email principal@swcc.wa.edu.au
College Director Email posy@jsw.org.au
Phone 6724 6971
Bunbury Campus: 56 Wittenoom Street, Bunbury WA 6230
Busselton Campus: 50 Albert Terrace, Busselton WA 6280

Appendix 1

National Child Safe Organisation Principles

The National Principles for Child Safe Organisations incorporate the ten standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse in December 2017 but cover all forms of child abuse. They were developed by the Australian Human Rights Commission and endorsed by all members of the Council of Australian Governments (COAG) in February 2019.

SWCC is committed to the Child Safe Principles and ensuring they are embedded into the College's ethos and practices.

Principle 6 key action areas

(6.1) The organisation has an accessible, child focused complaint handling policy which clearly outlines the roles and responsibilities of leadership, staff and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct and obligations to act and report.

(6.2) Effective complaint handling processes are understood by children and young people, staff, families and volunteers, and are culturally safe.

(6.3) Complaints are taken seriously and responded to promptly and thoroughly.

(6.4) The organisation has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether the law requires reporting, and co-operates with law enforcement.

(6.5) Reporting, record keeping, privacy and employment law obligations are met.

Principle 9 key action areas

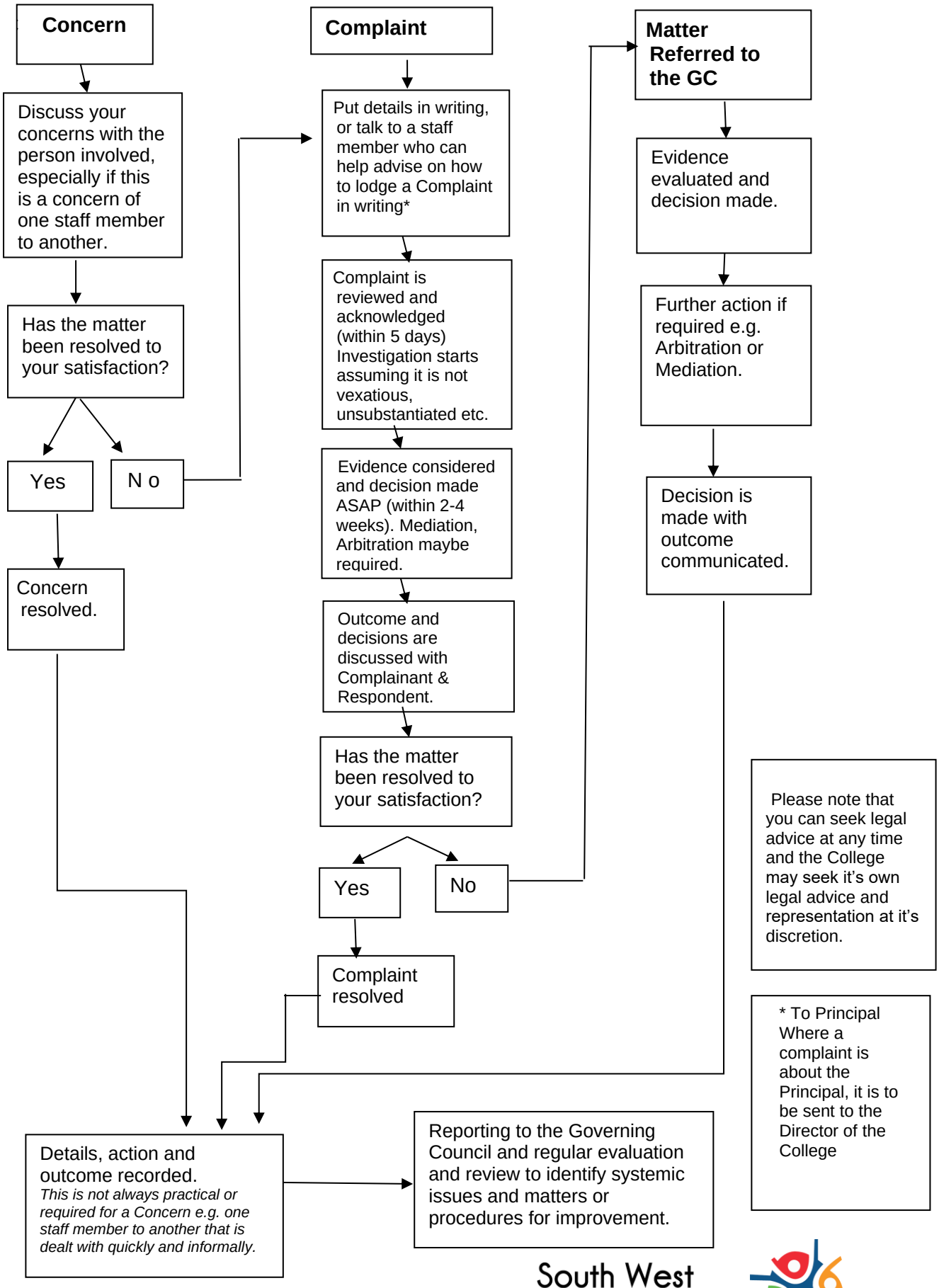
(9.1) The organisation regularly reviews, evaluates and improves child safe practices.

(9.2) Complaints, concerns and safety incidents are analysed to identify causes and systemic failures to inform continuous improvement.

(9.3) The organisation reports on the findings of relevant reviews to staff and volunteers, community and families and children and young people.

Appendix 2

Flowchart of handling Concerns and Complaints



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