

# Policy

## Complaints (Parent, Student and Community)

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### 1. Policy Statement

Scotch College (“the College”) will provide a clear and accessible process by which the College strives to promptly and fairly resolve any complaints the College receives from the College community in a manner grounded by our Christian values and principles of procedural fairness.

### 2. Rationale

In any situation that involves people it is normal that some of the people are dissatisfied at least some of the time. The causes vary but may include procedures not being followed, expectations not being met (whether reasonably or otherwise), or opportunities for improvement being identified. The question then becomes about how that dissatisfaction is exercised, and how it is responded to. Whether the response leads to satisfaction and improvement, or not, a good process can avoid aggravating the dissatisfaction and at least leave people feeling well-treated.

The Policy aims to:

- increase awareness of the College’s approach to complaint management including how to lodge a complaint
- outline the College’s procedures and guiding principles for managing complaints
- help ensure that the College meets its obligations to respond to complaints in an accessible, fair, equitable and efficient manner
- help ensure that all complaints are handled objectively and with sensitivity, with an aim to identifying both specific and systemic issues (if applicable) which will inform future improvements.

### 3. Scope

This Policy applies to complaints received from parents/guardians, students and members of the wider College community in relation to, but not limited to:

- Teaching and learning, including assessment and reporting of student learning and learning programs
- Student behaviour that may be contrary to the College’s Student Code of Conduct
- Student wellbeing and safety (excluding allegations of child abuse)
- Enrolment, fees and payment
- General College operations
- College policies and procedures
- Staff behaviour that may be contrary to the College’s Staff Code of Conduct

This Policy does not apply to:

- Employee concerns and complaints, which should be raised under College’s People and Culture policies and procedures.
- Concerns about child abuse, reportable conduct and student safety, which must be reported in accordance with the College’s Child Safety policies and procedures. Matters of possible criminal conduct will be referred to external authorities.

The Policy applies to all of the College’s environments as defined in Section 4. Additional requirements for Overseas Student complaints are outlined in Section 14.

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### 4. Definitions

**College environments** – means any of the following physical, online or virtual places, used by students during or outside school hours as part of school authorised activities:

- a) the College boarding facilities
- b) a physical campus of the school
- c) online or virtual school environments made available or authorised by the school governing authority for use by a student (including email, intranet systems, software applications, collaboration tools, and online services)
- d) other locations provided by the College or through a third-party provider for a student to use including, but not limited to, locations used for:
  - i. camps
  - ii. approved accommodation provider
  - iii. delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school, or
  - iv. sport, music, service, excursions, trips, competitions, travel or other events or activities.

**College Community** – includes past students, members of the Old Scotch Collegians’ Association (OSCA), members of the Scotch Parent Association (SPA) Auxiliaries, volunteers, external service providers and for the purposes of this policy, members of the public.

**Complaint** – is an expression (either written or verbal) of school-related concerns, grievances, conflicts or dissatisfaction with an action taken, decision made or service provided by the College; or the failure to provide a service, take action or make a decision at the College.

**Complainant** – is the party making the complaint. This could be a student, a parent or guardian, a member of the College community, including a member of the public

**Support person** – is a friend/teacher/relative not involved in the grievance and whose role is to provide emotional and moral support, and who is preferably selected by the person who is to receive the support. The role does not include advocating but may include note-taking, asking questions of clarification and helping ensure a meeting is conducted fairly.

**Student** – currently enrolled day, boarding and CRICOS students of the College

**Overseas student** – means a student who holds a student visa.

**Parent** – includes parents, step-parents and/or legal guardians of a student enrolled at Scotch College.

### 5. Guiding Principles

***In receiving and responding to complaints, the following guiding principles will apply:***

- complainants can expect their complaint to be taken seriously and to receive a response in a respectful and timely manner
- processes will be child-focussed
- the principles of procedural fairness will be followed – such as right to be heard, the right to respond to the particulars of the allegations being made against them, and the right to appeal
- all parties to a dispute will be treated with dignity and with impartiality
- complainants will have the right to be assisted or accompanied by a support person
- written records will be maintained of formal complaints and investigations, and will include a statement of outcome with reasons for the decision
- confidentiality of information will be maintained as far as reasonable
- the restoration of good and respectful relationships will be an aim as far as possible; and

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- complainants will not be victimised, or subjected to reprisal, for raising complaints in good faith and according to specified process.

### 6. Process

#### Step 1 - Making a complaint (informal)

Prior to making a formal complaint, you (the complainant) are encouraged to discuss your dissatisfaction informally with the person involved, in an attempt to resolve the issue directly. However, depending on the nature and severity of an issue, it may be more appropriate to raise a complaint with a senior staff member. If you are a student, you may get a support person such as your parent, a carer, another teacher, chaplain or a psychologist to raise a complaint on your behalf. Senior staff members of the College are listed below under Step 2. The following documents (available on the Parent and Student Portals) will help you to understand the way in which you can raise a complaint:

- Parents should refer to the College's '[Parent Communication Guide](#)' for steps for communicating concerns and queries. See Appendix 2.
- Students should refer to the College's document '[Raising Concerns – A Student's Guide](#)' for a child-friendly version of the steps for communicating concerns and queries. See Appendix 1.

If this discussion leads to a resolution, then no further steps need be taken.

#### Step 2 – Making a formal complaint

**If you are not happy with the outcome of making an informal complaint in Step 1, then you can make a complaint formally. You can make a formal complaint either in person, via telephone or in writing (post or e-mail). Complaints made verbally will be documented in writing by the recipient.**

If you are a student or a parent of the College, your complaint should be directed to one of the following recipients:

- Vice Principal Teaching and Learning (Teaching and Learning matters)
- Vice Principal Head of Junior School (all Junior School matters)
- Dean of Boarding (Boarding matters)
- Vice Principal Senior School (all other matters)

All other complainants should direct their complaint to [scotch@scotch.vic.edu.au](mailto:scotch@scotch.vic.edu.au) or contact main reception on **9810 4321** or Junior School reception on **9810 4236**.

If the complaint relates to the College Principal, it must be made in writing to the Chairman of the College Council, noting that in no other circumstances will members of the College Council be approached, or become involved in hearing, assessing or adjudicating disputes between parents/students/community members and the College. Complaints about the Principal should be mailed to:

Chairman of the School Council  
Scotch College  
1 Morrison Street  
Hawthorn, VIC 3122

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When raising a complaint, it's important to include the following information:

- Name and contact details of the complainant;
- Clear identification of the issue or problem and details of the incident/s relevant to the complaint
- Dates and times of any specific incidents relevant to the complaint;
- Details of any witnesses and supporting materials such as photographs or recordings
- Details of any informal action taken in an attempt to resolve the issue prior to progressing to formal complaint;
- Names of the party or parties involved such as any students or staff relevant to the complaint; and
- Any outcome being sought.

Complainants will receive a written acknowledgement within 5 working days (during term time) of the College receiving the complaint. The written acknowledgement will:

- Confirm receipt of the complaint;
- Provide next steps in the process, including expected timelines and any supports available;
- College contact details for communication in relation to the complaint; and
- Provide a copy of this Policy.

### Step 3 – Investigation and Response

Each complaint will be investigated impartially and without bias – either by a staff member or an external independent person who the College may appoint for that purpose where this is deemed appropriate. The investigator will deal with the complaint on the facts presented and will contact the complainant if additional information is required. The purpose of an investigation is to determine the substance of the complaint and whether consequential action is required. It may involve:

- interviewing the complainant, the person the complaint has been made about, any witnesses
- examining relevant documents and supporting materials
- referrals to external support services.
- Based on the available information the investigator may:
- request a face-to-face meeting with the relevant parties and attempt to achieve resolution through discussion
- suggest an alternative method of dispute resolution such as mediation or conciliation
- reject the complaint and provide reasons for the rejection
- accept the complaint and possibly suggest an appropriate remedy
- refer the complainant to external agencies to explore the matter further.

Adequate notice of any interview will be given (and a convenient time arranged, as reasonably practicable) for the complainant and any accompanying support person to be present at the College. Refer to Section 13 for specific requirements when an interview is required with a child or young person.

The College will endeavour to complete all investigations within **21 days** of having acknowledged the complaint.

The findings of the investigation will be communicated to the complainant and the person against whom the complaint was made, noting that consequential actions may not be communicated with the complainant, particularly where that may breach rights to privacy or contractual responsibilities.

The communication will include the following:

- A summary of the investigations undertaken and the findings, subject to the College's Privacy Policy;
- The College's position with respect to the complaint; and
- A recommended resolution.

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If appropriate, the complaint will be referred to an agency such as the Commission for Children and Young People, Department of Families, Fairness and Housing, Department of Health, or Victoria Police.

### 7. Resolutions

Resolutions will vary from case-to-case depending on the nature and circumstances of each complaint. Resolutions may include, but are not limited to:

- Acknowledgement of the complaint circumstances;
- A finding that the complaint is not justified or proven;
- Counselling;
- A verbal or written apology;
- An official warning or referral for disciplinary action; or
- Any other resolution that may be appropriate in the circumstances.

If a resolution is made, a communication confirming the resolution of the complaint will be sent to the complainant.

If resolution cannot be achieved using the procedures outlined in this policy, the College may recommend mediation or conciliation.

#### Step 4 - Appeal

If a complainant is not satisfied with the outcome, a review of the decision can be made in writing (setting out reasons for the request and the outcome sought) to the College Principal. A request for review must be made within **10 working days** of the date of the written notification of the outcome of the complaint. Upon receipt of the appeal, the Principal will determine the most appropriate way to review the decision. Once the review is complete, the Principal will advise the complainant in writing of the outcome and reasons for the outcome. Options the Principal may adopt include:

- Confirming the original resolution action;
- Varying the original resolution action; or
- Setting the original resolution action aside and substituting a new resolution action.

### 8. External Redress

If the complaint is unable to be resolved to the satisfaction of the complainant, the complainant has a right to seek alternative independent advice through other entities such as the [Victorian Registration and Qualifications Authority \(VRQA\)](#), the [Victorian Equal Opportunity and Human Rights Commission](#), the [Victorian Civil and Administrative Appeals Tribunal](#).

The VRQA can investigate complaints about breaches of standards and guidelines under which the College operates<sup>1</sup>. The VRQA will not intervene in contractual, financial or personal disputes between a complainant and the College. Refer to Section 7 for further external appeal mechanisms for overseas (CRICOS) students.

### 9. Records Management and Reporting

Strict confidentiality is maintained with respect to all documentation received and generated by the College relating to complaints. All documentation is stored securely, with physical and electronic access restricted to appropriately authorised users.

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<sup>1</sup> The *Education and Training Reform Act 2006* (Vic), the *Education and Training Reform Regulations 2017*, the *Education Services for Overseas Students Act 2000* (Cth), the *Child Wellbeing and Safety Act 2005* (Vic), a Ministerial Order, or a condition of the College's registration/approval (including boarding premises registration, CRICOS registration and school registration).

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When deemed necessary, the Principal will notify the Chairperson of the College Council of the details of an escalated complaint. Complaints referred to the Principal for a resolution are also reported to the College Council's Risk Committee on a quarterly basis.

### 10. Student specific complaint resolution procedures

Students have a right to be heard and to express their concerns. Whilst the College encourages its senior school students to address concerns directly, the College understands that not all students would feel comfortable in approaching a staff member or another student with whom there is a dispute. It's important to remember that students can always approach a support person to make a complaint on their behalf. A support person may be a parent, another teacher, a coach, a carer, a chaplain or the school's psychologist. Refer to **Appendix 1** of this document for steps for students to raise their concerns.

The College will adhere to the following requirements when a student is being interviewed as part of the complaint investigation:

- No aggrieved student will be interviewed by a teacher with whom there is a dispute
- The following staff must be made aware that an interview with a student will take place:
  - (i) Head of House or the Vice Principal Head of Senior School for Senior School student complaints
  - (ii) Director of Boarding for Boarders
  - (iii) Vice Principal Head of Junior School for Junior School student complaints.
- When interviewing students, all staff should be within the line of sight of passersby.
- Another member of staff will act as note-taker.
- During the interview, students will be advised what will occur should the complaint be found to be supported / not supported by evidence, and from who they may seek assistance if they are unhappy with the way the designated person is dealing with the complaint.

Throughout any complaints or appeals process, the student is required to maintain enrolment and complete coursework as normal.

If the College has determined that it is appropriate for the student not to attend school, he will be provided with work at home until the complaint (and any appeal) process is completed.

### 11. Additional requirements for Overseas Students

The Director of Admissions and Head of Advancement must be informed if an overseas student lodges a complaint or appeal, and must be kept updated on the progress and outcome.

In addition to responding to any formal complaint made by an overseas student about the College, the College will also respond to complaints made regarding the student's dealings with any Education Agent engaged by the College and any related party that the College has an arrangement with to deliver the overseas student's course or related service.

In accordance with the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*, where the internal complaints and appeals process is being accessed because the student has received notice from the College that the College intends to report the student for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has **twenty working days** (from the date of notification) in which to lodge a written appeal before his enrolment may be cancelled.

If the outcome of the complaint/appeal investigation finds in favour of the overseas student, the College will immediately implement the decision/recommendation and take any corrective/preventative action required. The overseas student will be informed of any action taken.

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If the outcome of the investigation does not find in favour of the overseas student, the overseas student may lodge an external appeal or complain about a decision by contacting the [Commonwealth Ombudsman](#). Within **10 working days** of concluding the investigation, the College will ensure the overseas student is aware of his right to access this external complaints handling and appeals process, and provide the student with contact details for the Commonwealth Ombudsman.

### 12. Review and Monitoring

This Policy will be reviewed at least once every three years or following any significant incident, audit or legislative changes.

### 13. Related Documents

1. [How to Raise Your Concerns – A Student’s Guide – Appendix 1](#)
2. [Parents Communication Guide – Appendix 2](#)
3. [Scotch College Privacy Policy](#)
4. [Admissions - Overseas Students Policies \(Parent and Student Policy Portals only\)](#)

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### Appendix 1: How to raise your concerns – a Student’s Guide



### How To Make A Complaint

#### 1. Find Support

Ask someone you trust. Like a parent, friend, carer, teacher or coach. You can make a complaint on your own or they can support you to do it. You can also get someone who speaks your language to help you. Your support person can help you find out how to make a complaint, like get a copy of the College’s Complaints Policy and they can help you to make a complaint if you don’t feel comfortable making a complaint on your own.

#### 2. Tell Your Support Person About Your Problem

- Try to be clear about your problem.
- Why are you unhappy?
- How has the problem made you feel?
- What would help fix it?

#### 3. Make Your Complaint

You might feel nervous, worried or upset, just try your best. You or your support person can take notes to remember what was said. You can also ask:

- Who will be told about your complaint?
- What will happen next?
- Who will follow up and get back to you?
- How long will it take?
- What can you do if the problem is not fixed and you’re still not happy?
- How will they make sure you’re not treated differently because you made a complaint?

Different ways you can make a complaint:

- Face-to-face
- by phone
- in writing

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**Adults should always listen, treat you with respect.**

### WHAT IS A COMPLAINT?

A complaint can be about anything – like the school’s programs, the way staff or another child or young person behaves or makes you feel, or the way a problem was handled.

### SPEAK UP

- If you don’t feel safe
- If you’re being hurt
- If you’re unhappy with the way you’re being treated.

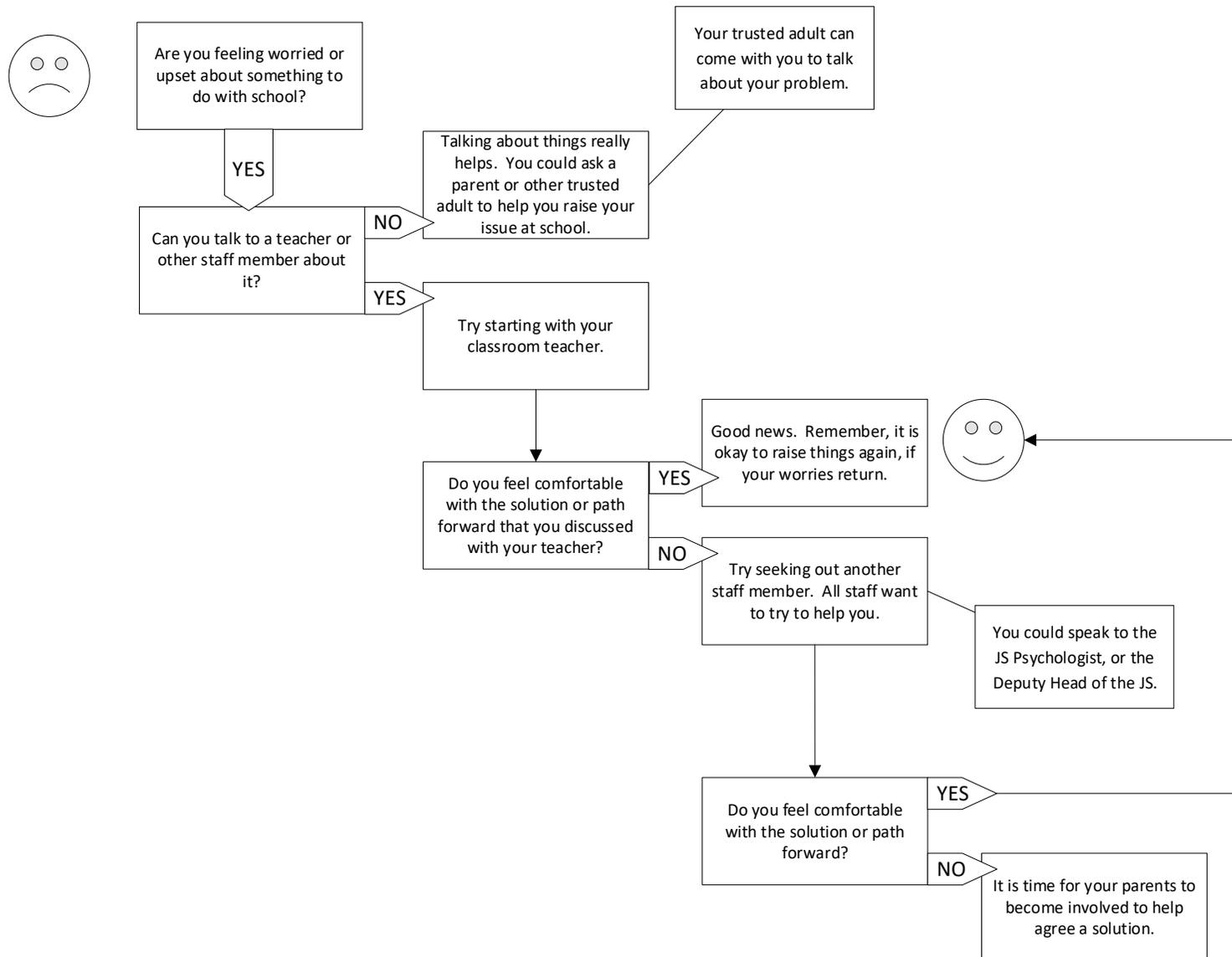
It takes courage to make a complaint. It doesn’t have to be a negative experience.

**It’s always ok to speak up.**

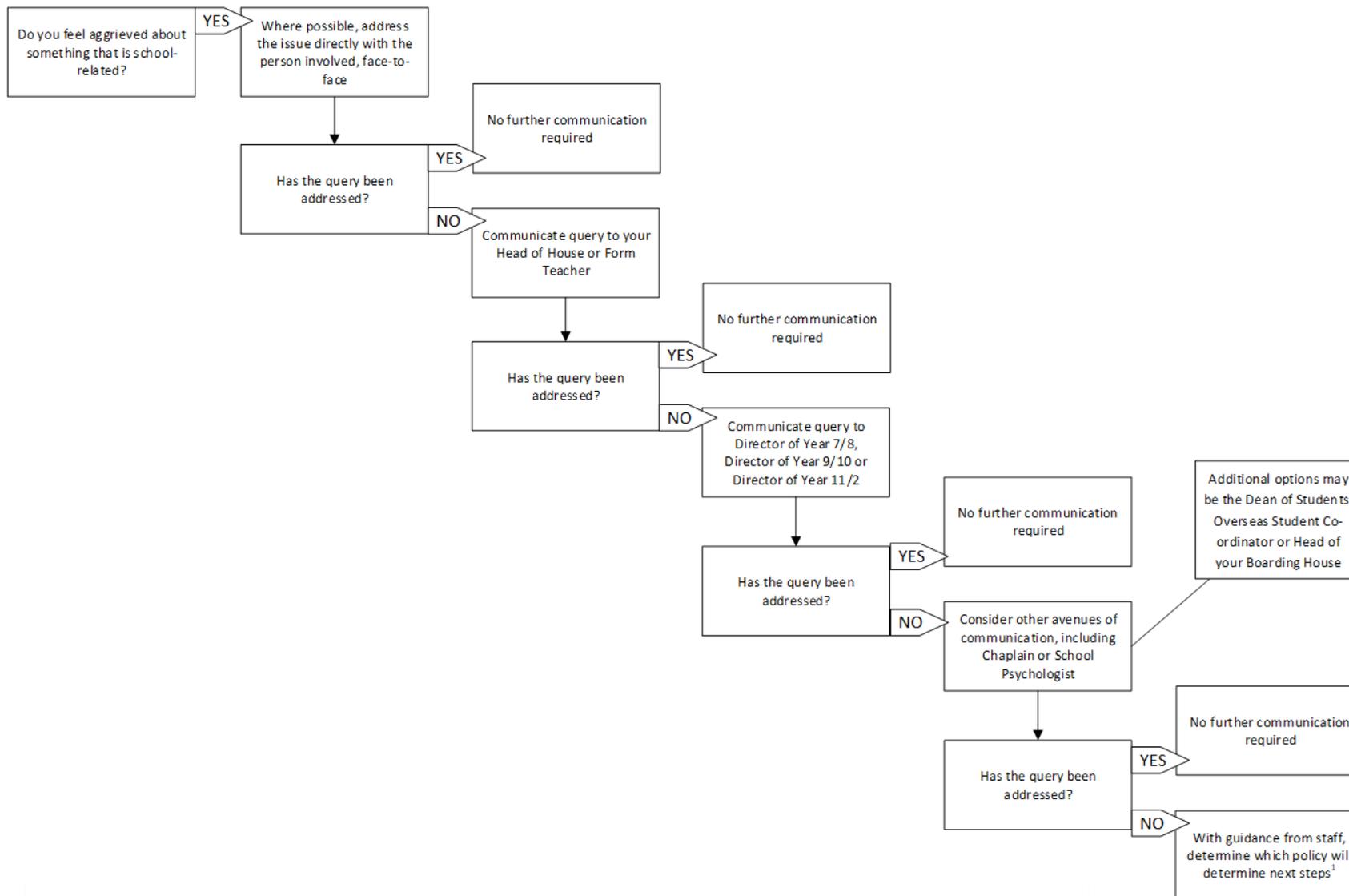
### OTHER ORGANISATIONS YOU CAN GO TO:

- **Online and phone counselling for children and young people:**
  - Kids Helpline – 1800 55 1800 or [counsellor@kidshelpline.com.au](mailto:counsellor@kidshelpline.com.au)
- **Mental health support for children and young people:**
  - Headspace and eheadsace – [www.headspace.org.au](http://www.headspace.org.au)
- **Information about children’s rights**
  - Australian Human Rights Commission – [www.childsafe.humanrights.gov.au](http://www.childsafe.humanrights.gov.au)

# A process guide to making a complaint – Junior School Student version



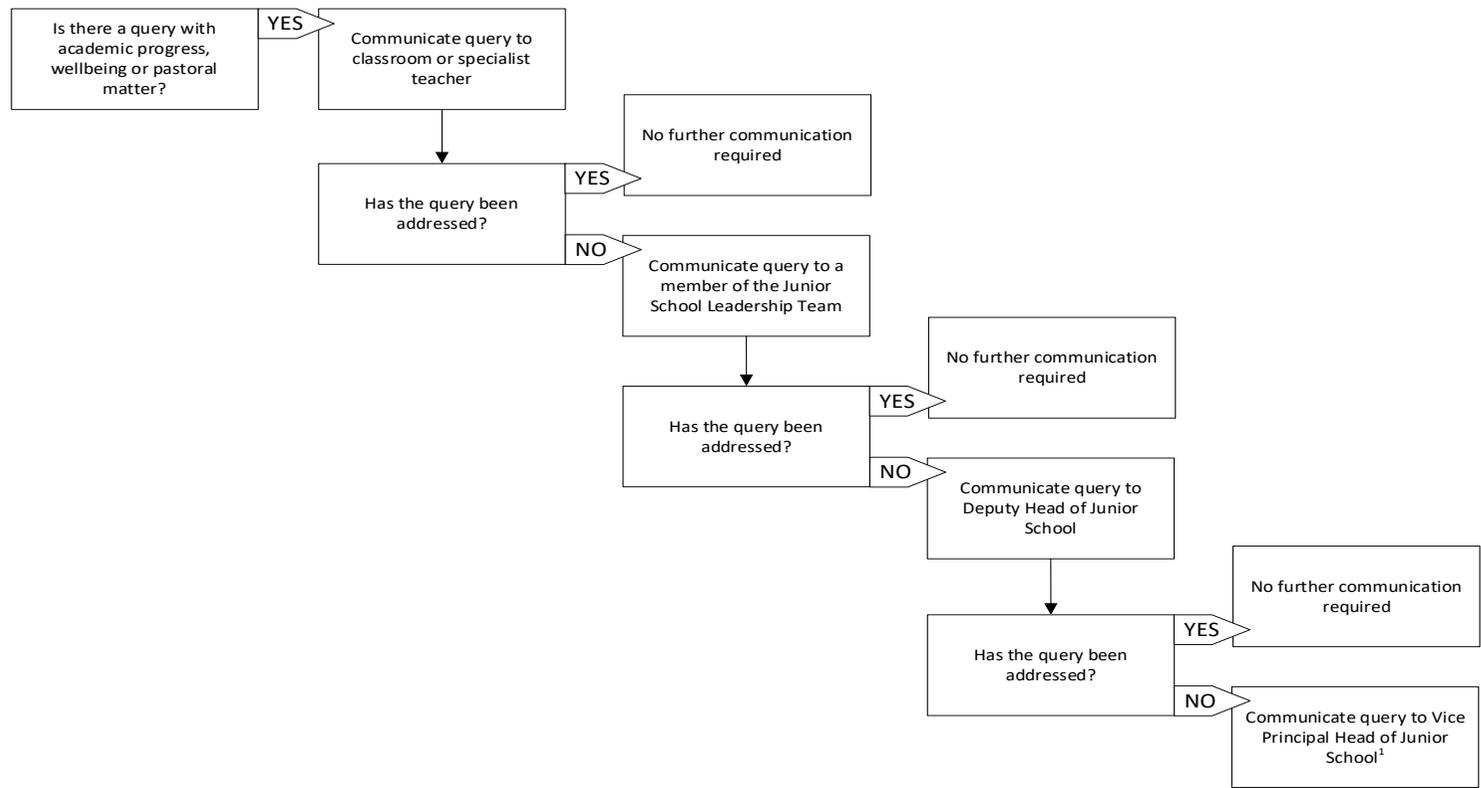
# A process guide to making a complaint – Senior School Student version



1. Where an informal approach has not succeeded in resolving the query of issue, next steps will be determined depending on the nature of the complaint. This may involve steps outlined in the College's Bullying and Harassment Policy (Students), Assessment Policy or Complaints Policy (Parent, Student and Community).

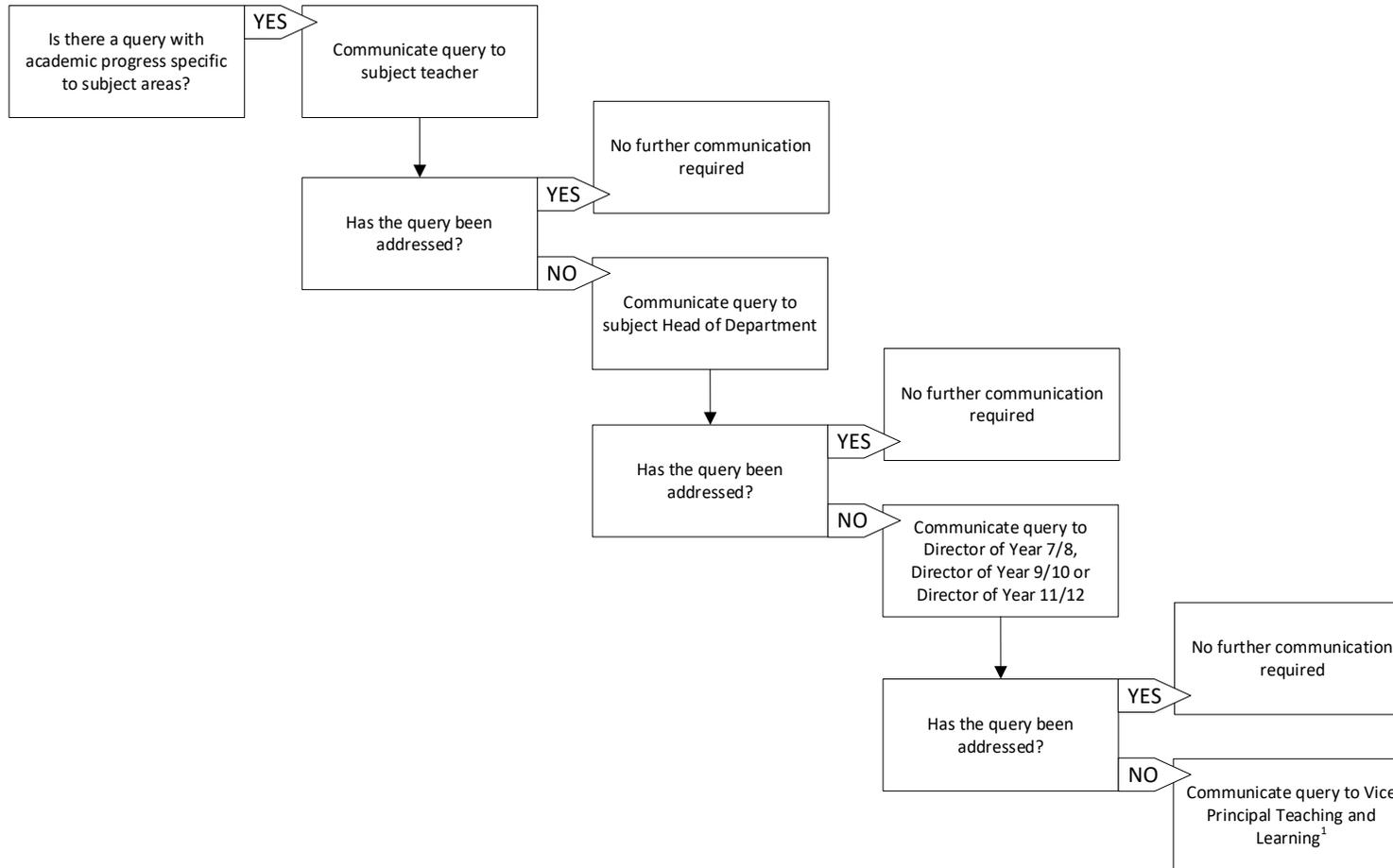
# Appendix 2: Parents Communication Guide

## Junior School Academic or Pastoral Query



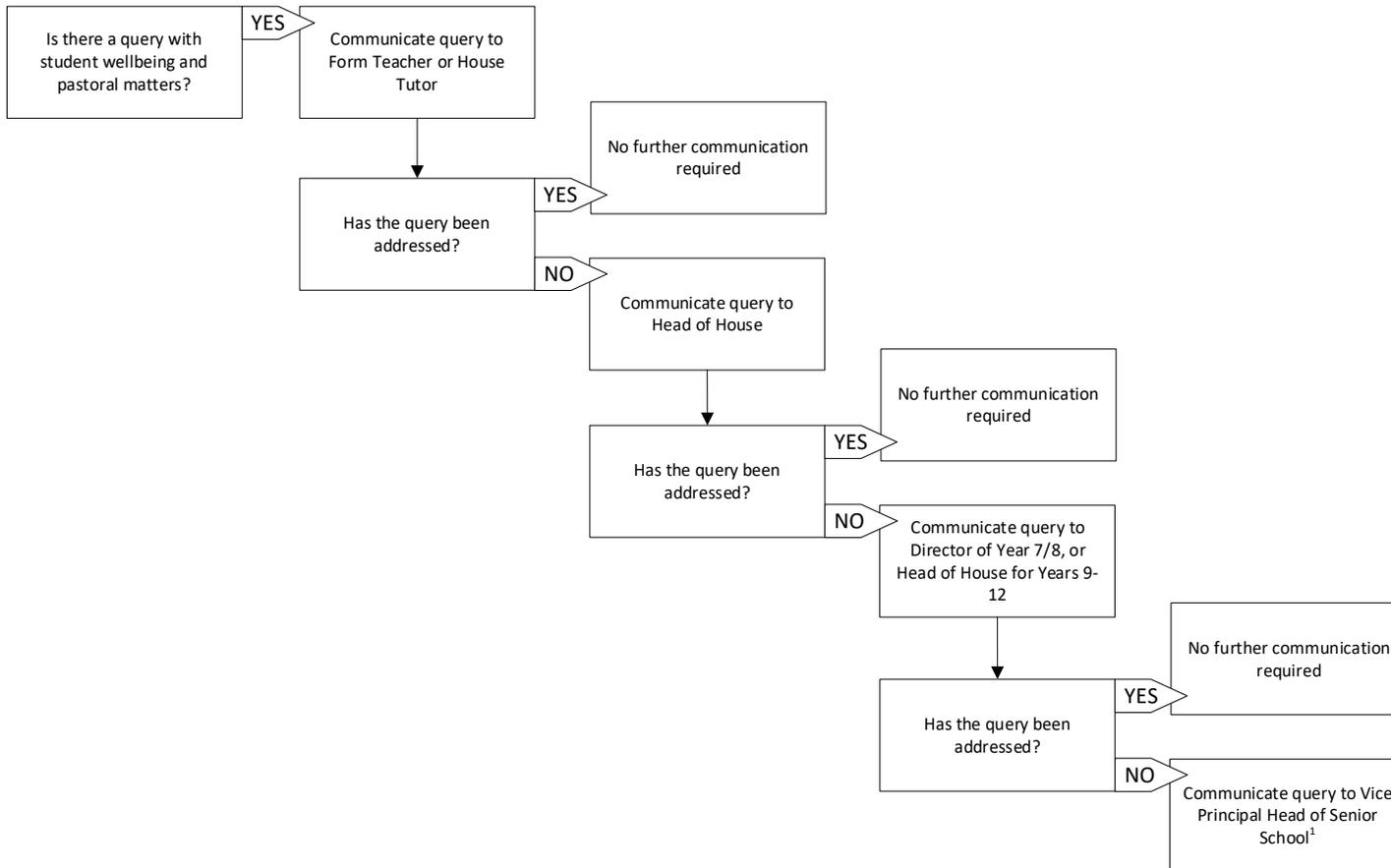
1. Where a query remains unresolved after completing all steps outlined above, a parent may consider lodging a formal complaint utilising the College's Complaints and Grievances (Parent, Student and Community) policy.

## Senior School Academic Query



1. Where a query remains unresolved after completing all steps outlined above, a parent may consider lodging a formal complaint utilising the College’s Complaints and Grievances (Parent, Student and Community) policy.

## Senior School Pastoral Query



1. Where a query remains unresolved after completing all steps outlined above, a parent may consider lodging a formal complaint utilising the College’s Complaints and Grievances (Parent, Student and Community) policy.