

Complaints and Appeals Policy

Purpose

A complaint is an expression of dissatisfaction made to the School, related to its services, staff or operations or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

The purpose of this policy is to ensure that students, parents/guardians and other external complainants can raise matters of concern, lodge complaints and have them dealt with and responded to efficiently.

Employees of Kincoppal-Rose Bay School are responsible for managing the resolution of enquiries, concerns, complaints and disputes lodged by students, parents/guardians and members of the community. Staff will make every effort to resolve all enquiries, concerns and disputes promptly and in accordance with procedural fairness/ natural justice principles.

Relevant to	KRB School Community
Reviewed by	Deputy Principal Risk and Compliance Manager
Modification history	Created January 2010 Reviewed January 2012, March 2015 Substantial Review June 2019 Reviewed January 2023
Related documents	KRB Child Protection Procedural Guidelines KRB Child Protection Procedural Guidelines KRB Positive Peer Relations (Anti Bullying) Policy KRB Behaviour Management Policy KRB Whistleblowers' Policy KRB Parent Code of Conduct
Related legislation	Australian Human Rights Commission Act 1986 Privacy Amendment (Enhancing Privacy Protection) Act 2012 Education Services for International Students Act 2000 National Code of Practice for Providers of Education and Training to Overseas Students 2018
Review	The policy is to be reviewed every three years or in the event of any information or incident that would warrant a review (including legislative or organisational change).

Principles

When managing a complaint or appeal, the School seeks to ensure

- Student well-being is the first priority
- Procedural fairness is offered to all parties
- That all persons in the school community are treated with respect and courtesy
- That information is provided to the School community about how and where to complain and to make the process as simple and accessible as possible
- That confidentiality is maintained as appropriate
- The process is accessible to all parties and there is a commitment to cooperation by School Staff
- That the subject of the complaint is informed of its substance
- That the School will keep records of complaints and the information collected in the complaints resolution process.
- The process of complaints and appeals are available to all parties and there is a commitment to cooperation by all staff

Complaints to KRB are monitored and their management is evaluated to pre-empt systemic/ recurring issues.

The Principal may appoint an independent investigator as required when dealing with a complaint.

How the School Manages Complaints and Disputes

Informal Complaints and their Resolution

Expressions of dissatisfaction with School services may come in a variety of forms; a phone call, a statement or an email or written complaint. Some complaints may be dealt with quickly, usually via verbal communication. An informal complaint is the most common form of complaint.

KRB requires that there is an attempt to informally resolve the issue through meetings or informal discussions regarding the complaint.

Formal Complaints

If you have been unable to solve a matter informally, the complaint is more serious or you simply wish to make a formal complaint, you may do so by contacting the relevant person below and putting your complaint in writing.

Where to Direct your Complaint

My matter relates to:	Point of Contact:
Early Learning	Leader of Early Learning (reports to Head of the Junior School)
Academic Care and Pastoral Welfare concerns	Junior School – Assistant Head of Junior School (reports to Head of Junior School) Senior School – Director of Students
Mandatory Reporting - Physical, Sexual or Emotional Abuse of Students	Principal (or delegate Head of Junior School or Deputy Principal)
Teaching and Learning concerns	Junior School – Assistant Head of Junior School (reports to Head of Junior School) Senior School- Head of Department (reports to Director of Pedagogy)
Boarding concerns	Head of House (reports to Director of Boarding)
Financial concerns	Finance Manager (reports to Director of Corporate Services)
Sport/ Co-curricular concerns	Head Coach of relevant Sport (reports to Junior Head of Sport who reports to Head of Junior School or Senior Head of Sport who reports to the Deputy Principal)
Enrolment concerns	Registrar (reports to Director of Advancement & Community)
Matters relating to the Newsletter and Communications	Communications Manager (reports to Director of Advancement & Community)
Property and Maintenance	Campus Manager (reports to Director of Corporate Services)
Technology and IT	IT Manager (reports to the Deputy Principal)
The Principal	Chair of the Board
All other matters	Deputy Principal

Formal Complaints Procedure

Complaints are handled confidentially and are a matter between the complainant and those persons directly involved in the complaints handling process. Personal information about a complainant will only be made available for the purpose of investigating and addressing the complaint.

The School will acknowledge the receipt of the complaint, as soon as practicable, typically within 3 business days.

The School will attempt to resolve complaints as soon as practicable.

An investigator will be appointed to investigate the issues raised following the principles of procedural fairness.

The investigator will formulate a resolution where appropriate. KRB will then provide a written response to the complainant. The complaint will be closed if this response is acceptable.

If the initial response is not accepted and the complainant requests a review of the decision, the Principal will appoint an Internal Appeals Panel made up of Senior staff independent from the matter. The review process should be initiated within 5 days of the request for review.

An Appeals panel aims to decide about a complaint as soon as practicable from the date of the review process being initiated. The School will then provide a written response to the complainant. The matter will be closed if the response of the Appeals Panel is accepted.

If the matter remains unresolved, the complainant may choose to seek external dispute resolution alternatives.

All formal complaints will be recorded in the Kincoppal-Rose Bay Complaints Register.

Timeframes

The School will endeavour to respond within the timeframes indicated above. However, during or close to school holiday periods this may not be possible due to the absence of key personnel. In this instance the School will respond as soon as reasonably practicable and will advise the person making the complaint of the likely timeframe for a response.

Whistleblowers

A Whistleblower is anyone who discloses unacceptable or reportable conduct to Kincoppal-Rose Bay School. Unacceptable/ Reportable conduct is behaviour that is dishonest, improper, fraudulent or corrupt. People who are intending to make this type of complaint are advised to refer to the KRB Whistleblower Policy (2019).

Allegations of physical, sexual or emotional abuse of students

If there is an allegation of physical, sexual or emotional abuse of students, the Principal will report any matter that has been notified to Community Services and/ or NSW Police to investigate. A notification will also be made to the Office of the Children's Guardian.

Any allegations should be reported to the Principal or her delegate – Head of Junior School or Deputy Principal. If the allegation is about the Principal, it must be reported to the Board Chair.

The Principal will ensure that the matter is investigated and take disciplinary action as appropriate.

In all cases the School's Child Protection Policy and Procedural Guidelines are to be followed.

International Students External Appeals Process

There are specific appeals processes that apply to International students

If an international student should not be satisfied with the outcome of an internal complaint, they may lodge an external appeal through the Overseas Students Ombudsman (OSO). The services of the Ombudsman are free. The role of this organisation is to investigate complaints about problems that international students (or future international students) may have with private education and training in Australia.

The OSO will determine whether the school followed the rules and its policies and procedures correctly and treated the International students fairly. The OSO does not deal with issues relating to academic merit. The OSO will only investigate a matter if it has been raised with KRB first.

Kincoppal -Rose Bay School is bound by the recommendations of the OSO.

The contact details for the OSO are:

Email: ombudsman@ombudsman.gov.au

Telephone: 1300 362 072 if within Australia

or +61 2 6276 0111 if outside Australia

facsimile 02 6276 0123 if within Australia

or +61 2 62760123 if outside Australia

Mail Address: GPO Box 442 Canberra ACT 2601

Website: www.osogov.au