

Owned and operated by Seventh-day Adventist Schools (Greater Sydney) Limited
ABN 63 106 908 767 CRICOS No. 02622J

Complaints and Appeals Guidelines

Rationale

Mountain View Adventist College is committed to providing a quality education for its students and working in an open and accountable way that builds the trust and respect of all in our community.

It is believed that this can be enhanced by listening and responding positively to the concerns of our parents and community members, and by putting mistakes right. Any concerns of a serious nature will be investigated by a senior member of the School staff.

Aims

These guidelines set out the responsibility of the School to:

- Recognise, promote and protect the customer's right to complain about their dealings with the School
- handle all complaints fairly and honestly regardless of who makes a complaint
- treat all members of the community equitably and not show bias to any particular individual or group
- Ensure an accessible, timely and well-publicised complaints procedure is in place
- Recognise the need to be fair to both the complainant and the organisation or person complained about
- Provide a mechanism for responding to complaints in a timely and courteous manner
- Determine and implement remedies
- Review annually the complaints Guidelines and procedures
- Provide adequate resources to support the complaints management process
- Record, assess and review complaints on a regular basis to ensure responsiveness and on-going commitment to service improvement.

Implementation

Definition

A complaint is

"An expression of dissatisfaction about the College's action or lack of action or about the standard of a service, whether the action taken or the service provided was by the College itself or a body acting on behalf of the College".

A complaint is not a request for information or clarification on School policy or procedures although these may lead to a complaint.

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Record Keeping

The School Principal will keep a log of all complaints with individual files storing all documents related to the complaint including the detail of the complaint, all the evidence gathered that was used to make a determination, the result determination and copies of any communications relating to the investigation of the complaint.

Cost

Complaints at the School will be processed at no cost to the complainant.

Roles and Responsibilities

School Staff member

It is recognised that many concerns will be raised informally, and hence can be dealt with quickly. It is the responsibility for any School staff member with any informal concerns to:

- resolve the concern quickly
- keep matters low-key
- enable mediation between the complainant and the individual concerned

An informal approach is desirable. If concerns cannot be satisfactorily resolved informally, then the formal complaints procedure should be followed.

With formal complaints it is the School staff member's responsibility to:

- recognise, promote and protect the customer's right to complain
- treat a complaint as a clear expression of dissatisfaction with our service which calls for an immediate review and possible adjustment to that service
- deal with the complaint promptly, politely and, when appropriate, confidentially
- respond in the appropriate way - for example, with an explanation, or an apology, or information on any action taken
- learn from complaints and use them to improve service.

Complainant

It is the responsibility of the Complainant to:

- raise concerns promptly, directly and informally with the appropriate member of the School staff
- explain the problem as clearly and as fully as possible, including any action taken to date and an indication of the desired solution
- be as dispassionate and constructive as possible about the complaint. Aggressive, obsessive or abusive behaviour cannot be tolerated as each employee has the right to a workplace free of such behaviour. If this negative behaviour occurs, employees are directed to cease discussion of the problem and report the matter to a supervisor. The supervisor may write to vexatious complainants to inform them that their behaviour is considered to be unacceptable.

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- allow the School a reasonable time to deal with the matter, and
- recognise that some circumstances may be beyond the School's control.

Investigation Manager

It is the responsibility of the investigation manager to:

- Investigate the complaint in a timely way.
- avoid bias and perceptions of a conflicts of interest by transferring the investigation to another party if one becomes apparent.
- keep the complainant informed particularly if the investigation is delayed.
- Seek further resources if the investigation stagnates.
- Maintain good records
- Communicate the finding of a formal investigation in writing.

Who can make complaints

Complaints may be made by students, parents, guardians, other key stakeholders and members of the public.

Right for a support person

The complainant has the right to bring a support person in any meeting where they are required to be present during the complaints and appeals process.

How to make a complaint

Many complaints can be sorted out informally by discussing the issue with the appropriate member of staff. It is suggested that this approach be attempted before formalising the complaint. However, if the issue remains unresolved a formal complaint can be made.

Formal Complaints can be made by:

- Phone
- Email
- Letter
- Contacting the school in person

While anonymous complaints will be investigated it should be understood that further clarification of details and a formal response are not possible and hence the School would prefer the contact details of the complainant.

Who is the best person to hear a complaint?

The Principal is usually the best person to give advice on who could investigate a complaint. If the complaint relates to the Principal the Director of Education, Seventh-day Adventist Schools (Greater Sydney) Ltd. is the best person to help you with the complaint. Contact can be made on:

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(Dr) Jean Carter
Executive Director of Education
Greater Sydney Conference
Seventh-day Adventist
4 Cambridge Street
EPPING NSW 2121

Phone (02) 9868 6522
Fax (02) 98684520
Email: JeanCarter@adventist.org.au

Matters that are Outside the Policy

A complaint will become outside the jurisdiction of this policy if it becomes a matter for the courts.

The Complaints Process

Stage 1 - Receipt of the complaint

Staff members receiving complaints by phone or in person should determine the appropriate investigating manager and redirect the call or person to that manager. If the manager is not available, the staff member should take a message and deliver the message via email.

On receipt of a complaint by phone or in person the investigating manager should:

1. Record the details of the complaint
2. Determine the required solution for the complainant.
3. Enquire on the desired level of confidentiality
4. Record if possible the following contact details: name, address, phone/s and email address

This information should be used to create a written complaint, a copy of which should be provided to the complainant.

The investigating manager should inform the principal of the complaint who will add the complaint to the complaints log.

If there are any factors, which may affect the perception of the impartiality of the investigating manager, he or she should stand aside on the grounds of a conflict of interest. Factors causing a conflict of interest are, but are not limited to:

- A close relationship to either the complainant or to the staff member being complained about
- Involvement in the investigation of the informal complaint, and
- Receipt of gifts from either of the parties.

In the event of a conflict of interest the manager's supervisor will appoint a replacement investigation manager.

The investigation manager should contact the complainant to indicate the receipt of the complaint and give an estimated time for the completion of the investigation.

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Stage 2 - Investigation

Confidentiality is vital when dealing with complaints. Information about the complaint should be handled on a need-to-know basis. Confidentiality for the complainant is not always possible given the nature of some complaints; however, wherever possible it should be protected.

Every employee mentioned in a complaint should receive a copy of the complaint and be provided with an opportunity to have a right of reply. The investigation manager may choose to interview witnesses or further question the complainant to clarify facts.

Stage 3 - Result Determination

A determination on the complaint should not be considered until all the facts are gathered. Each party to the complaint needs a right of reply. The result could be but is not limited to one of the following:

Result	Explanation	Corrective Action
Complaint justified	Behaviour is outside the policy of the School	Apology should be drafted and counter- signed by the Principal
Complaint justified	Behaviour is within the policy of the School but poorly communicated	Apology may be issued at the discretion of the investigating manager. The implementation of the policy should be edited to prompt staff on more effective methods to communicate in the future
Complaint justified	Behaviour is within the policy of the School however is an unforeseen and inappropriate outcome of the policy.	Apology may be issued at the discretion of the investigating manager. The policy should be revised to ensure the unintended event does not occur in the future
Complaint unjustified	Behaviour is within the policy of the School and has been adequately explained to the relevant parties	

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Stage 4 – Communicating the result

Ongoing communication with the complainant is essential to the smooth running of the investigation and the reconciliation of the parties. If the expected time for the determination of a result is extended the complainant should be notified with an explanation of the reason and a new expected date for the result given.

The result of a complaint investigation should be communicated in writing to the Complainant. If the complaint is justified serious consideration should be given to the wording and nature of an apology.

This communication should be termed a preliminary finding giving the reasons for the determination. It also should provide the complainant with an opportunity to provide any further facts relevant to the situation but not as yet considered. The complainant should be given a deadline for this submission.

If a submission is given, these new facts should warrant a review of the result. Once this has been done the letter can be redrafted as a final finding and should communicate the body to which the complainant has a right of appeal if still dissatisfied.

Stage 5 – Right of Appeal

The complainant has the right of appeal on the result of a complaint. This may include the positions of authority within the School, Governance bodies of the School or public oversight bodies set-up by the government. These may include:

- The Principal
- The Director of Education, Seventh-day Adventist Schools (Greater Sydney) Ltd.
- The College Council
- The Board of Directors, Seventh-day Adventist Schools (Greater Sydney) Ltd.
- Overseas Students Ombudsman - <http://www.oso.gov.au/>

The review of an appeal should commence no later than 10 days after the submission of an appeal.

If the appeal relates to the cancellation of enrolment the student's enrolment should be maintained until the appeals process is completed.

If the result of the appeal supports the complainant the School will immediately notify the student and implement the decision and any preventative or corrective action resulting from the result of the appeal.