



**KINGSWAY**  
CHRISTIAN COLLEGE

Cricos Provider #01855M

# COMPLAINTS POLICY

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## Document Control

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1.0	November 2013	Principal	November 2016
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# COMPLAINTS POLICY

Key principles for handling complaints at Kingsway Christian College:

1. The College is open to the concerns of parents and pupils.
2. Complaints are received in a positive manner.
3. Parents and pupils can expect to be taken seriously and can approach a member of staff about their concerns.
4. Concerns are dealt with speedily and those who have raised them are kept informed about progress.
5. It is not acceptable for pupils to receive adverse treatment because they or their parents have raised a complaint.
6. Clear confidential records are kept.
7. Confidentiality is respected and maintained so far as is possible.
8. Resolution of the matter is sought.
9. Staff training covers the handling of complaints as appropriate.

Premise: If a concern/complaint is dealt with seriously and sensitively at an early stage, it is likely to have a satisfactory outcome. Having a sound system will therefore reflect positively on the ethos, mission and values of the College.

Complaints can also be helpful to the College – the information can be constructive and provide the College with helpful information. They can be used to improve standards and prevent cause for further problems or complaint.

**A complainant may be a parent or guardian, student, member of the public or staff member.**

A complaint is an expression of dissatisfaction with a real or perceived problem, whether it is about an individual, group, department or College as a whole.

Sharing complaints and having suitable protocols can reduce anxiety by taking the matter seriously.

As complaints may become legal action in the future it is essential that complaints be recorded, whether that be at a teacher, Heads of Students or Administrative level, and suitable records are kept.

Confidentiality is essential. In order for someone to express their concern they may feel the need for the security of confidentiality. Where possible individuals may not be named and the issues not

discussed with the broader staff/students. In some cases there is a need to share information and in that case the complainant should be informed that information will be passed on to only those whose role requires it. Also in some cases to undertake an investigation there may be a need to mention names. This again must be discussed with the complainant.

If there is a situation involving the police, the Principal or next most senior staff member if the Principal is unavailable, will take responsibility for action in the school and the Chairman of the Board will be informed as soon as possible.

Anonymous complaints are handled at the discretion of the Principal.

Feedback should be given to parents. Discretion must be used as to whether this feedback is given in person or in letter form. If time has been needed to consider a complaint the reply should be in letter form including: issues raised; how the issues were considered; people consulted; action to be taken; and an apology if appropriate.

There will be a small number of complainants who will not be satisfied, whatever the College does. Nevertheless the complaint must be taken seriously and approached positively. In the case of an intractable complaint the Principal may refer the matter to the College Board. In this case the complainant is encouraged to convey the matter in writing to the Chairman of the Board. The Chairman will discuss the matter with the Principal and the Board presented with the relevant documentation. The Board will consider the situation and the Chairman will respond in writing.

In the case where a conciliation conference may be beneficial, this meeting will comprise at least two appropriate staff, one of which will make notes during the meeting. The complainant may also wish to bring someone with them as support. The meeting aims to come to a positive resolution, which is conveyed to all attending the meeting, as well as the issue of confidentiality. Any outcome of a conciliatory meeting should be recorded and circulated to all attendees as soon as possible. A report will be given to the Principal should s/he not be in attendance.

If the complainant is still unhappy with the Board decision, a review will be held by a mutually agreed upon independent person. (Please refer to the Independent Arbitration Policy)

Protocols for staff are in the Staff Handbook.

## GUIDELINES FOR COMPLAINTS PROCEDURE FOR PARENTS

Kingsway Christian College welcomes suggestions and comments from parents and takes seriously complaints and concerns that may be raised. This document will show you how to use our Complaints system.

A Complaint will be treated as an expression of genuine dissatisfaction that needs a response.

We wish to ensure that:

- Parents wishing to make a complaint know how to do so
- We respond to complaints within a reasonable time and in a courteous, efficient way
- Parents realise that we listen and take complaints seriously
- We take action where appropriate.

### CONCERNS & FREQUENTLY ASKED QUESTIONS

#### *“How should I complain?”*

When you contact the school, be as clear as possible about what is troubling you.

Members of staff will be happy to help. It may be best to start with the person most closely concerned with the issue – for example, sports concerns could be addressed to the Head of Physical Education. The appropriate Head of Learning Area may be able to sort things out quickly, with the minimum of fuss. However, you may prefer to take the matter to a more senior member of staff, for example the Deputy Principal or the Principal.

#### *“I don’t want to complain as such, but there is something bothering me.”*

The school is here for you and your child, and we want to hear your views and your ideas. Contact a member of staff, as described above.

#### *“I am not sure whether to complain or not.”*

If as parents you have concerns, you are entitled to raise them. If in doubt, you should then contact the school, as we are here to help.

#### *“What will happen next?”*

If you raise something face-to-face or by telephone, it may be possible to resolve the matter immediately and to your satisfaction.

If you have made a complaint or suggestion in writing, we will contact you within five working days, to respond to your concerns and explain how we propose to proceed.

In many circumstances, the person you contact will need to discuss the matter with a colleague and consider it further before responding. You will be given a date by which time you will receive a response. If a detailed exploration of the issue is needed, a letter or report will be sent to you as quickly as possible. This will tell you of the outcome of your complaint. It will explain the conclusion, the reasons for it, and any action taken or proposed.

***“What happens about confidentiality?”***

Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Principal and those directly involved. The Chairman of the School Board may also need to be informed. It is the school’s policy that complaints made by parents should not rebound adversely on their children.

We cannot entirely rule out the need to make third parties outside the school aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child’s safety was at risk or it become necessary to refer matters to the Police. You would be fully informed.

Action, which needed to be taken under staff disciplinary procedures, as a result of complaints, would be handled confidentially within the school.

***“What if I am not satisfied with the outcome?”***

Our aim is that you will feel satisfied with the outcome, or at least that your concerns would have been fully considered.

If you are not satisfied, or the complaint directly involved the Principal, the Principal will refer the matter to the Chairman of the College Board. Alternatively, you may wish to write directly to the Chairman. The Chairman will call for a full report from the Principal, and will examine matters thoroughly before responding. The decision of the Board will be conveyed to you. This completes the process.

If the matter is not resolved to the satisfaction of all parties, an independent arbiter will be appointed by mutual agreement of the parties.

## GUIDELINES FOR COMPLAINTS PROCEDURE FOR STUDENTS

Any Problem, Complaints, or Suggestions?

If so, the College would like to hear.

How do I make a complaint? By talking about it or by writing it down if you find that easier. You can do it yourself, or through your parents.

**To Whom?** To anyone on staff.

**Does it matter what the issue is?** No, it can be a big problem or a small one. By discussing it, you may come up with some positive ideas.

**What will happen next?** If possible, the staff member will deal with it in person. If not, he or she will go on your behalf to someone who can help.

**Do others have to know?** If you are worried about confidentiality, tell the staff – they will understand.

Even if you find the issue hurtful or embarrassing, don't worry –

It will only be discussed by the staff who can help you.

## COMPLAINTS PROCEDURE (FOR PARENTS)

A complaint will be treated as an expression of genuine dissatisfaction that needs a response.  
All complaints are 'Confidential'



Contact School  
Be as clear as possible about what is troubling you, e.g. –  
Homework, Teacher, Uniform  
Response will be made within 5 days

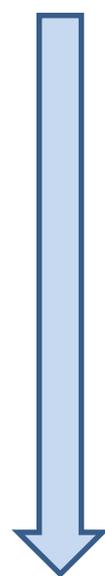
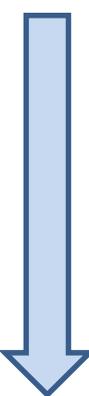


Complaint or concern regarding what is being taught/academic standards referred to **Classroom Teacher (for Primary) or Head of Learning Area (for Secondary)**

Complaint or concern – Bullying/Student Pastoral care/behaviour management referred to **Classroom Teacher (for Primary) or Head of Year (for Secondary)**

Complaint or concern regarding particular Teacher – referred to Head of Primary or Head of Learning Area

Complaint or concern regarding the Principal – referred to **Chairman of the Board**



If required further follow up referred to **Head of Primary (for Primary) or Deputy Principal (Staff & Administration) (for Secondary)**

If required further follow up referred to **Head of Primary (for Primary) or Deputy Principal (Students) (for Secondary)**

If required further follow up referred to **Principal**

If required further follow up referred to **Principal**

If required further follow up referred to **Principal**

If complaint is not resolved full report will be submitted to **Chairman of the Board**

If Plaintiff is still dissatisfied, concern will be referred to an independent arbiter by mutual agreement of all parties

Feedback



**STRICTLY CONFIDENTIAL**

# PARENT ENQUIRY/COMPLAINT FORM

## INFORMATION SHEET

**Parents Names:**

**Parent Contact  
Numbers:**

**Date:**


**Complaint:**


**Facts:**


**Outcomes Sought:**


**Investigated by:**


**Action Taken:**


**Resolution:**


**Parent/Student Informed:**


**Signatures:**

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**Date:**

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At Kingsway Christian College we do not mind who a complainant may wish to convey a grievance to, but what is essential is that the information is passed on and dealt with appropriately.

### **Teacher or Staff Member**

Must pass on the information to the relevant senior staff member or Executive member. If in doubt, think about who the complaint is most relevant to i.e. it is curriculum, administrative or pastoral? Staff are not encouraged to keep a complaint to themselves but rather utilize the support of Leadership staff.

### **Head of Students**

Head of Students keep their own records of parent contact where complaints can be noted. Head of Students are encouraged to share complaints with an Executive member and with the College Chaplain if it is felt that support for the complainant or staff may be needed. In the case of administrative or pastoral issues the Deputy (Staff & Administration) should be fully informed and involved in potential solutions and feedback.

### **Heads of Learning Areas and Deputy Heads of Primary**

Heads of Learning Areas and Deputy Heads of Primary are encouraged to share complaints with an Executive member. Particularly in the case of curriculum issues the Deputy (Staff & Administration) should be fully informed and involved in potential solutions or feedback.

### **Deputy Principals & Head of Primary**

Deputy Principals and Head of Primary are encouraged to share complaints with the Principal of the College. In the action of a serious allegation the Principal should be involved in the process of sourcing solutions and or feedback.

### **Principals**

The Principal is obliged to convey serious complaints to the College Board and ensure that the Chairman of the Board and the Executive is aware of ongoing serious matters in the College.

### **Independent Arbitration**

If the matter is not resolved to the satisfaction of all parties, an independent arbiter will be appointed by mutual agreement of the parties.



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# RECORDING COMPLAINTS

## Recording Parent / Student Complaints Made to Staff

It is essential that appropriate documentation is maintained of complaints made to staff, for future reference or even legal proceedings in some cases.

The recording of complaints, ensuing investigations and communications at Kingsway Christian College falls into two categories:

- i. **Minor Complaints** i.e. those that are typically dealt with over the phone or email, where clarification may be provided and the matter is quickly resolved. These issues are recorded on SEQTA as a 'communication' or 'pastoral' note.
- ii. **Significant or Serious Complaints** i.e. those which require further investigation or are of a serious nature e.g. complaint about the professionalism of a staff member, safety issues etc. These issues are typically investigated and brief notes are made to the following criteria:  
e.g.

Date of issue	Parent Name	Student Name	Issue Category e.g. Curriculum Pastoral HR Services	Location of further information	Staff Member Handling the Issue	Outcome (Brief)
<i>1/1/13</i>	<i>Mr X</i>	<i>XXXX</i>	<i>Pastoral - bullying</i>	<i>Student File</i>	<i>TJ</i>	<i>Disciplinary action; counselling</i>
<i>2/1/13</i>	<i>Mrs Z</i>	<i>XXXX</i>	<i>HR – unprofessional conduct</i>	<i>Student &amp; Staff file</i>	<i>TH</i>	<i>Mutual agreement</i>

and this is forwarded to the Principal's Personal Assistant for the Complaints Register in the College.

Notes on the issue must be maintained for up to 7 years and should be left on the child's file for ease of access.

Please remember that all issues must be handled with confidentiality.



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# INTERNATIONAL STUDENT COMPLAINTS PROCESS

# INTERNATIONAL STUDENTS' COMPLAINTS PROCESS

## **Purpose**

- The purpose of Kingsway Christian College's Complaints and Appeals Policy is to provide a student with the opportunity to access procedures to facilitate the resolution of a dispute or complaint.
- The internal complaints and appeals processes are conciliatory and non-legal.

## **Complaints against other students**

- Grievances brought by a student against another student will be dealt with under the College's Behaviour Policy/Code of Conduct.

## **Informal Complaints Resolution**

- In the first instance, Kingsway Christian College requests there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint.
- Students should contact their form teacher in the first instance to attempt mediation/informal resolution of the complaint.
- If the matter cannot be resolved through mediation, the matter will be referred to the Head of Students and Kingsway Christian College's internal formal complaints and appeals handling procedure will be followed.

## **Formal Complaints Handling Procedure**

- The process of this grievance procedure is confidential and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
- The student must notify the College in writing of the nature and details of the complaint or appeal.
- Written complaints or appeals are to be lodged with the Head of Students and copied to the Principal.
- Where the internal complaints and appeals process is being accessed because the student has received notice by the school that the school intends to report him/her for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has 20 days from the date of notification in which to lodge a written appeal.
- Internal complaints and appeals processes are available to students at no cost.
- Each complainant has the opportunity to present his/her case to the Principal.
- Students may be accompanied and assisted by a support person at all relevant meetings.
- The formal grievance process will commence within 10 working days of the lodgement of the complaint or appeal with the Principal.

- Once the Principal has come to a decision regarding the complaint or appeal, the student will be informed in writing of the outcome and the reasons for the outcome.
- If the grievance procedure finds in favour of the student, Kingsway Christian College will immediately implement the decision and any corrective and preventative action required.
- Kingsway Christian College undertakes to finalise all grievance procedures within ten working days.
- For the duration of the appeals process, the student is required to maintain enrolment and attendance at all classes as normal.

### **Independent Conciliator**

- In the event a dispute is not resolved to the satisfaction of either the KCEA or the student, an independent conciliator will be engaged by either the Association representatives or by the student to assist in bringing amicable resolution to a complaint.
- *The student or KCEA may also engage the services of the Conciliator located at the Department of Education Services. This is a free service provided by the State Government.*

The contact details of the Independent Conciliator are:

Conciliator  
 Non-Government and International Directorate  
 Department of Education Services  
 22 Hasler Road  
 OSBORNE PARK 6017  
 Western Australia  
 Phone: 9441 1900

### **External Appeals Process**

- If the complaints procedure does not find in favour of the student or the student is dissatisfied with the result of the complaints procedure, he/she will be informed of the external complaints and appeals process available to them at minimal or no cost.
- The external body used for Kingsway Christian College's external complaints and appeals processes is Ombudsman.

Contact Details: Website: [www.oso.gov.au](http://www.oso.gov.au),  
 Email [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au),  
 Phone: 1300 362 072,  
 Fax: 02 6276 0123,  
 Postal: GPO Box 442, Canberra ACT 2601.

# INTERNATIONAL STUDENTS' COMPLAINTS PROCEDURE

A complaint will be treated as an expression of genuine dissatisfaction that needs a response.  
All complaints are 'Confidential'



Contact School  
Be as clear as possible about what is troubling you, e.g. –  
Homework, Teacher, Uniform  
Response will be made within 5 days

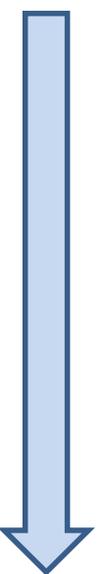
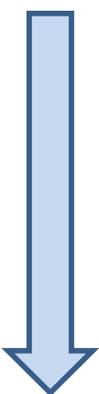


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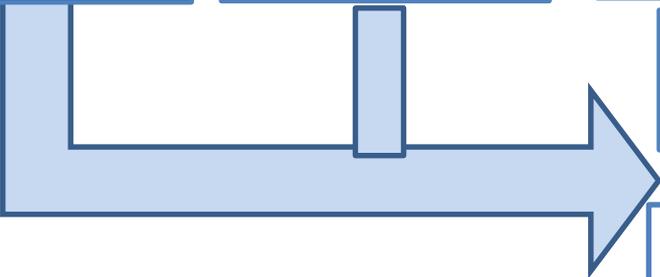
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If Plaintiff is still dissatisfied, concern will be referred to an independent arbiter by mutual agreement of all parties

Feedback





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# STAFF DISPUTES RESOLUTION PROCESS

Kingsway Christian College is a community and, although a work environment that is safe and free from all forms of conflict, harassment and discrimination is the preference of all, there will be times when staff will wish to make suggestions, may have a complaint or raise a concern that needs addressing.

Kingsway Christian College takes these issues seriously and welcomes such feedback. The Disputes & Complaints System is outlined briefly below to assist staff members, should such a need occur.

Please remember it is our policy that we wish to deal with issues sooner rather than later.

Premise: If a concern/complaint is dealt with seriously and sensitively at an early stage, it is likely to have a satisfactory outcome. Having a sound system will therefore reflect positively on the ethos, mission and values of the College.

Complaints can also be helpful to the Executive – the information can be constructive and provide the Executive with helpful information. They can be used to improve standards and prevent cause for further problems or complaint.

A complaint is an expression of dissatisfaction with a real or perceived problem, whether it is about an individual, group, department or College as a whole.

Sharing complaints and having suitable protocols can reduce anxiety by taking the matter seriously.

As complaints may become legal action in the future it is essential that complaints be recorded, whether that be at a teacher, Heads of Students or Executive level, and suitable records are kept.

Confidentiality is essential. In order for someone to express their concern they may feel the need for the security of confidentiality. Where possible individuals may not be named and the issues not discussed with the broader staff/students. In some cases there is a need to share information and in that case the complainant should be informed that information will be passed on to only those whose role requires it. Also in some cases to undertake an investigation there may be a need to mention names. This again must be discussed with the complainant.

If there is a situation involving the police, the Principal will take responsibility for action in the school and the Chairman of the Board will be informed as soon as possible.

There will be a small number of complainants who will not be satisfied, whatever the College does. Nevertheless the complaint must be taken seriously and approached positively. In the case of an intractable complaint the Principal may refer the matter to the College Board. In this case the complainant is encouraged to convey the matter in writing to the Chairman of the Board. The Chairman will discuss the matter with the Principal and the Board presented with the

relevant documentation. The Board will consider the situation and the Chairman will respond in writing.

In the case where mediation may be beneficial, this meeting will comprise at least two appropriate staff, one of which will make notes during the meeting. The complainant may also wish to bring someone with them as support. The meeting aims to come to a positive resolution, which is conveyed to all attending the meeting, as well as the issue of confidentiality. Any outcome of a mediation meeting should be recorded and circulated to all attendees as soon as possible. A report will be given to the Principal should s/he not be in attendance.

If the complainant is still unhappy with the Board decision, a review will be held by an independent person in the College community. (Please refer to the [Independent Arbitrator](#) Process)

### ***“How should I complain?”***

When you issue a complaint, please be as clear as possible about what is troubling you.

The informal complaint resolution process is usually the preferred option and generally offers the best outcome. However, an employee with a complaint regarding another employee that cannot be resolved informally or one that the complainant wishes to resolve through formal processes, should be submitted in writing to the Principal. Complaints should be lodged as soon as is practicable following the circumstances occurring from which the complaint arose and it is suggested that this takes place within three weeks.

The Staff Grievance Officer or Senior staff members will be happy to help. It should start with the person most closely concerned with the issue – for example, the Head of Learning Area or Head of Students. They may be able to sort things out quickly, with little fuss. However, you may feel the issue needs to go to a senior staff member such as a member of the Executive. Again they will be happy to help. The Grievance Officer is also a valuable resource to help you with the process.

### ***“I don’t want to complain as such, but there is something bothering me”***

We are all working towards the same purpose or goal – the education and well-being of children within this community, as well as good working relationships across the college. If you have a concern, you are entitled to raise it with the College. If in doubt, remember we are here to help. Sometimes it is reassuring just to talk your concerns through with someone safe.

### *“What will happen next?”*

Complaints should be handled promptly and reflect procedural fairness requirements whether they are being addressed through formal grievance processes or through line management.

If you raise something, it may be resolved immediately and to your satisfaction.

If you forward a formal complaint in writing, the Principal will investigate and reply to you within 5 working days to respond to your concerns and explain how the matter will proceed.

In some cases the person will need to discuss the matter with a colleague and consider it further before responding. You will be given a date by which time you will receive a response. If a detailed exploration of the issues is needed, a letter or report will be sent to you as quickly as possible.

The employee/s who are the subject of a complaint must be informed of the substance of the complaint and given a reasonable period of time to prepare their response (generally, 3-5 working days) and/or to meet with any parties authorised to manage the complaints process.

Complaints should be sufficiently detailed so as to enable the employee who is the subject of the complaint to respond to the allegations against them. A detailed description of the incident/s, the alleged time and place when the incident/s allegedly occurred and the names of any possible witnesses to the incident/s are to be provided, wherever possible.

A final letter will inform you of the outcome of the complaint, it will explain the conclusion, the reasons for it and any action taken or proposed.

### *“What happens about confidentiality?”*

Your complaint or concern will be treated as confidential and with respect. Knowledge of the issue will remain limited to the Principal and to those directly involved. The Chairman of the College Board may also need to be informed in some matters and any other parties who have a legitimate interest in the process. Such parties may include support persons, unions or professional associations and more senior line managers. It is a College policy that complaints should not rebound adversely on anyone.

We cannot entirely rule out the need to make third parties outside the College aware of a complaint and possibly also the identities of those involved. This would only happen in a case where the person’s safety is at risk or where it became necessary to refer a matter to the Police or other agency. You would be fully informed.

It is required that appropriate confidentiality is observed by all parties in any discussion of employee complaints. These matters should remain confidential between the employees concerned. All documentation relating to the complaint should be kept on a confidential file and should not be placed on either complainants or respondents personal files if other staff are named within the documents.

***“What if I am not satisfied with the outcome?”***

Our aim is that you will feel satisfied with the outcome, or at least that your concerns have been fully and fairly considered. It is recommended that an employee who is dissatisfied with the process used by a school to redress their complaint is offered the right to request a review of the process by lodging a claim through the school’s grievance resolution process.

If you are not satisfied, the Principal will refer the matter to the Chair of the Board. Alternatively, you may wish to write directly to the Chair. The Chair will call for a full report from the Principal, and will examine matters thoroughly before responding. This may result in a satisfactory solution, but if it does not, the Chair will invite you to a meeting.

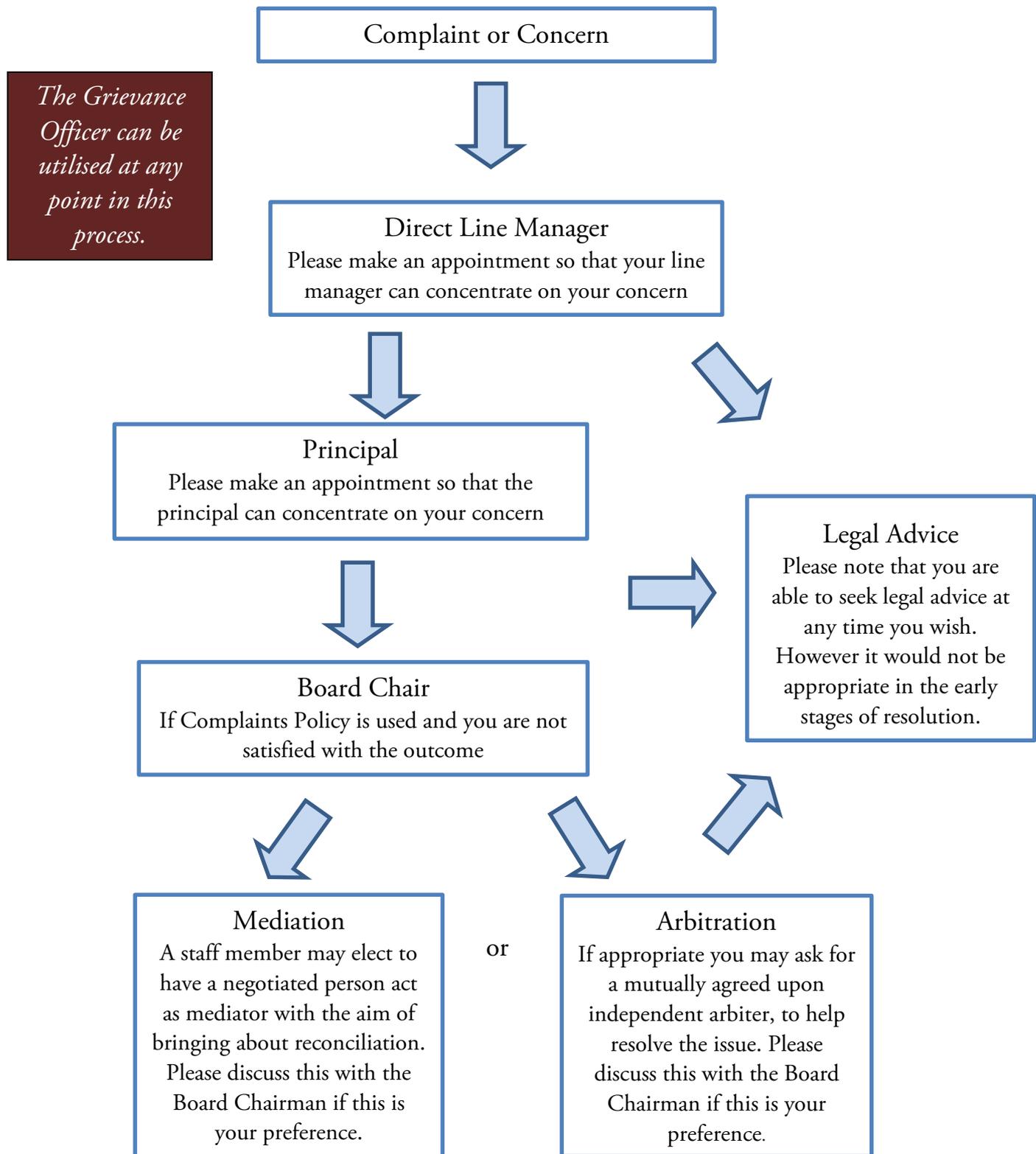
If the meeting does not bring about a resolution, the matter could be referred to a Mediator or an independent arbiter. It is their task to look at the issues in an impartial and confidential manner with the goal of bringing resolution. The Mediator/Arbiter will invite you to a meeting. You will be asked if there are any papers you would like to have circulated beforehand. As with the Chair’s meeting, you will be invited to bring a friend with you. An agreement around this process will be made. You are welcome to engage legal advice at any stage.

***Withdrawing a complaint***

An employee who wishes to withdraw a complaint should do so in writing. Upon receipt of the letter of withdrawal the principal would give notice to any parties affected by the complaint that it has been withdrawn. Regardless of an employee’s wish to withdraw a complaint, complaints that have disciplinary implications for an employee may still be followed up by the principal.

Should you wish to discuss any aspect of this Disputes/Complaints procedure, please do not hesitate to ask. This policy will be promoted annually through the Staff Handbook and review.

## Flow diagram



## Checklist for Conducting an Interview with the Complainant

### Pre-interview

- The Parties have been provided with the option of accessing counseling at any time throughout the process
- The parties have been provided with the opportunity and support to resolve the employee grievance informally, prior to escalating the issue to a formal grievance.
- Mediation and/or conciliation have been considered as a means of resolving the workplace issue.
- The complainant has been provided with copies of the grievance policy and procedure.
- The complainant has been advised that he/she may request the presence of a support person for any meetings.
- The complainant has had the opportunity to have the policy and procedure explained to them by an appropriate person.
- The complainant has had an opportunity to ask questions and clarify any issues relevant to how the grievance will be handled with an appropriate person.
- The complainant has been advised of the timeline you intend to follow.
- Strategies are in place to ensure appropriate confidentiality will be maintained.

The person who conducts the investigation is:

- Impartial
  - Is not a party to the grievance
  - Does not have a conflict of interest with any of the parties

## The Interview

- Outline the purpose of the interview-what will be covered, duration: how long is available for the interview, clarify expectations-what can you achieve in the interview vs what they want.
- Explain significance of your note taking.
- Explain the limited confidentiality of the information gathered-who will have access to it and where it will be stored and their responsibilities not to talk about it at work.
- Explain that they are protected from being victimised (if relevant-can do early on if raised as an issue or at the end).
- Confirm and clarify the grievance and agree on the issues to be covered in the interview.
- Ask open ended questions-how, what, when, where and who (avoid why questions) to collect all the facts, take notes. Check in with the person as you go that you have understood what they have said.
- Summarise facts at the end or in segments as you go, may use close ended questions to fill in the gaps.
- Ask for details of any other witnesses and any documentation to support allegations.
- Advise person of other legal options available to raise issues (e.g. Industrial Relations Commission, Equal Opportunity Commission, Fairwork Australia, WorkSafe).
- Develop an agreed upon action list for both you and the person being interviewed.
- Advise person of the next step in the process and the time frame.

## Post Interview

- Write up complainant's evidence/story into a witness statement. Give a draft copy of the statement to the complainant and either arrange another meeting to confirm story is correct or ask complainant to send any changes to you by xxxxx (date).
  
- Interview any other witnesses the complainant mentioned and go through the same process outlined in the steps above. Write up a draft copy of their witness statements and check with them to make sure it is accurate and make any necessary changes.
  
- Collect any other evidence the complainant has to support his/her evidence/story like emails, photos, text messages, telephone records, letters etc.
  
- Compile the evidence brief of all of the complainant's evidence and provide a copy of it to the complainant and to the respondent (or summary of).
  
- Allow the respondent xxx days to look through the evidence and make an appointment to meet with the respondent to conduct an interview.
  
- Document all interviews thoroughly and store documentation in a safe, locked, location.

## Checklist for conducting an interview with the Respondent

### Pre-interview

- The Respondent has been provided with the option of accessing counseling at any time throughout the process.
- The Respondent has been provided with copies of the grievance policy and procedure.
- The Respondent has been advised that he/she may request the presence of a support person for any meetings.
- The Respondent has had the opportunity to have the policy and procedure explained to them by an appropriate person.
- The Respondent has had an opportunity to ask questions and clarify any issues relevant to how the grievance will be handled with an appropriate person.
- The Respondent has been advised of the timeline you intend to follow.
- Strategies are in place to ensure appropriate confidentiality will be maintained.

The person who conducts the investigation is:

- Impartial
  - Is not a party to the grievance
  - Does not have a conflict of interest with any of the parties

## The Interview

- Outline the purpose of the interview-what will be covered, duration: how long is available for the interview, clarify expectations-what can you achieve in the interview vs what they want.
- Explain significance of your note taking.
- Explain the limited confidentiality of the information gathered-who will have access to it and where it will be stored and their responsibilities not to talk about it at work.
- If no support person is present check that they are aware that they can have a support person present and they chose note to.
- Agree on the issues to be covered in the interview-you can either break it down based on each allegation or go through each witness statement, read it out part by part and ask the respondent what his/her view/version is.
- Ask more closed questions-such as “did...., can you...., is.... Are...., do....” To deny/confirm complainant’s version, take notes. Check in with the person as you go that you have understood what they have said.
- Ask for details of any other witnesses and any documentation to deny the allegations.
- Advise respondent of the next step in the process and the time frame.

## Post Interview

- Write up Respondent's evidence/story into a witness statement. Give a draft copy of the statement to the Respondents and either arrange another meeting to confirm story is correct or ask Respondent to send any changes to you by xxxx date.
- Interview any other witnesses the Respondent mentioned and go through the same process outlined in the steps above. Write up a draft copy of their witness statement and check with them to make sure it is accurate and make any necessary changes.
- Collect any other evidence the Respondent has to support his/her evidence/story like emails, photos, text messages, telephone records, letters etc.
- Compile the evidence brief of all of the Respondent's evidence and provide a copy of it to the complainant and to the respondent (or a summary of or neither).
- Allow the Complainant xxxx days to look through the evidence and make an appointment to meet with the complainant to conduct an interview in order for the complainant to make any comments in relation to the Respondent's evidence. (this is optional, or you could restrict it to the complainant only being given new evidence from the respondent that the complainant has not had a chance to respond to previously)
- Compile all of respondent's and complainant's evidence into one document along with your conclusions about whether the allegation/s are substantiated and why. State your recommendation and why.
- Give the final report to the decision maker.
- Once the decision maker has made a decision notify the complainant and the respondent of the decision (optional to attach the final report)
- Advise both parties that they have xxxx days to object, in writing to the decision and/or the discipline imposed, if desired.
- If the decision is not object to, then store all the documentation in the relevant secure location and close the investigation file.



**KINGSWAY**  
CHRISTIAN COLLEGE

# INDEPENDENT ARBITRATION PROCESS

## **Referral to an Independent Arbiter**

Kingsway Christian College has established an independent arbitration process for formal complaints and the following sections propose a model of protocol for its operation.

- The Independent Arbiter is a non-Staff and non-Board Member.
- The Independent Arbiter is committed to keeping the proceedings of the committee confidential and to opening in a fair and objective manner – his/her aim is to conciliate.

- In accepting appointment, the Independent Arbiter accepts that he/she may never be called upon to meet.
- The Independent Arbiter is familiar with College policy and their main priority is to determine that College policy has been effectively communicated to families and adhered to.

The Chairman of the School Board, in consultation with the Principal and complainant may refer a complaint to a mutually agreed Independent Arbiter if the matter is not resolved.

The Chairman has no further involvement until the Independent Arbiter reports back at the end of their deliberations.

### **Meeting with the Independent Arbiter**

Those involved in meeting with the Independent Arbiter are:

- The relevant Staff member
- The Principal, and possibly a key member of staff
- The parents, who are invited to bring a supportive friend, as for the meeting with the Chairman of the School Board.

A sufficient amount of time is committed to the meeting, in case it is needed.

The Parents and the Principal are asked in advance whether there are any papers they would like to have considered at the meeting, bearing in mind the need for all to keep the proceeding confidential. The papers are copied and distributed before the meeting.

The Independent Arbiter emphasizes the he/she is concerned for a positive conclusion and invites first the parents, then the Principal to speak. After this, the independent Arbiter encourages question and general discussion.

If more time is required, it may be necessary to convene a second meeting. If so, all stakeholders must commit themselves to attend, as continuity is essential. If a positive solution is reached, the Independent Arbiter should summarise the outcome and confirm the nature of the agreement before the meeting disperses. The agreement should be recorded, copied and circulated as soon as possible.

Relevant Legislation:

- Equal Opportunity Act 1984
- Fair Work Act 2009 (Commonwealth)
- Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)
- Industrial Relations Act 1979
- Racial Discrimination Act 1975 (Commonwealth)
- School Education Act 1999
- Educational Services (Schools) General Staff Award 2010

- Educational Services (Teachers) Award 2010Independent Schools' Teachers' Award 1976
- Independent Schools (Boarding House) Supervisory Staff Award Number A9 of 1990
- Independent Schools Administrative and Technical Officers Award 1993 Number A15 of 1991
- Independent Schools Psychologists and Social Workers Award Number 3 of 1996
- Nurses' (Independent Schools) Award Number 21b of 1986
- School Employees (Independent Day & Boarding Schools) Award, 1980
- Teachers' Aides (Independent Schools) Award 1988