



- 3.9 Issues relating to non-compliance with a process outlined in College policies or procedures, for example the child protection policy, discrimination policy, or privacy policy.<sup>1</sup>

#### 4. ISSUES OUTSIDE THIS POLICY

The following matters are outside the scope of this policy and should be managed as follows:

- 4.1 Child protection concerns including allegations of sexual abuse, likely sexual abuse or harm to children should be dealt in accordance with the College's Child Protection Policy.
- 4.2 Student bullying complaints should be dealt with under the NCC Student Bullying Policy.
- 4.3 Student discipline matters, including matters involving suspension or expulsion, should be dealt with under the NCC Responsible Thinking Process Secondary or the NCC Responsible Behaviour Framework Junior
- 4.4 Student or employee violence or criminal matters should be directed to the Executive Principal who will involve the Police as appropriate.
- 4.5 Disputes between board members, should be dealt with in accordance with the Nambour Christian College Education Group Constitution.
- 4.6 Formal legal proceedings should be managed as appropriate in the circumstances.
- 4.7 Complaints relating to the education and training services provided by the College an overseas student should be dealt with in accordance with the Education Services for Overseas Students Act 2000 and National Code and the College's International Student's Complaints and Appeals Policy.

#### 5. OVERVIEW

There will be times when members of the Nambour Christian College community (sta.6 (t)-S -27.239 -1.

## 6. RESPONSIBILITIES

### 6.1 College

The College has the following role and responsibilities:

6.1.1 Develop, implement, promote, and act in accordance with the College's Complaints Policy and Procedures.

6.1.2 Approve and implement the College's Complaints Policy and Procedures.



- 8.6.1 Information has the 'necessary quality of confidence' in that any unauthorised use would be detrimental to a party, and
- 8.6.2 It was shared or confided under circumstances where there was a special need for trust e.g. between the Complaints / Liaison Officer and the complainant, between the Executive Principal and the alleged offender, between Executive Principal and College Leadership.

9. STUDENT COMPLAINTS.004 Tw [(C)2 (o.04 -t3.5 (l)-6.T2i804 0 Td [(STU)2.6 (D)2.6 (EN)2.6 (T COnc)



## 15. MEDIATION

If mediation is to take place, an agreed mediator will be engaged.

- 15.1 The mediation will take place– with support persons (support persons, including Union Representatives, do not have a speaking role).
- 15.2 Both parties will be required to commit to supporting, in good faith, any outcome arrived at, and
- 15.3 Sign what was agreed upon.
- 15.4 The matter will thereafter be monitored at set intervals

## 16. INVESTIGATION

If an investigation takes place:

- 16.1 An outside investigator may be engaged as Complaints Investigator.
- 16.2 The investigator will attend the College to interview both parties and other witnesses.
- 16.3 The investigator will liaise with the College and witnesses through the Complaints / Liaison Officer (as delegated by the Executive Principal).
- 16.4 All interviewees will be requested to sign a Confidentiality Protocol (see Annexure B).
- 16.5 In the College investigation, names of witnesses and their statements will not be shared with the parties– only to the Executive Principal and Complaints / Liaison Officer.
- 16.6 All statements/notes taken will be signed as a ‘true record’ of information given and complete.
- 16.7 The investigator (whether internal or external) will provide a report of the investigation and findings (e.g. whether or not any of the allegations in the complaint have been substantiated) to the Executive Principal.
- 16.8 The Parties have no right to view or receive a copy of the investigation report. The parties may receive feedback derived from the report by the Executive Principal or their delegate (at the discretion of the Executive Principal or delegate, as the nature of the case may permit).
- 16.9 The report may be legally privileged.

## 17. CONSEQUENCES AND OUTCOMES OF A COMPLAINT

- 17.1 The Executive Principal, after consulting the relevant parties, will decide on the most appropriate outcomes/consequences.
- 17.2 The Executive Principal must inform the parties of the outcomes decided.
- 17.3 They will also be informed of the progress of the complaint that has been investigated and dealt with accordingly.
- 17.4 The Executive Principal will advise the parties of the consequences resulting from the decision. These may include disciplinary action against staff and Students, including:

For Students

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17.5 Disciplinary outcomes may apply to anyone who brings a complaint which is considered vexatious or without any basis.

17.6 Anonymous complaints will be responded to the extent reasonable possible.

## 18. COLLEGE-INITIATED INVESTIGATION

There may be times when a complainant feels unable to or does not want to initiate or continue with any formal process or investigation or to bring a formal complaint at all. That is their choice.

However, there may also be the circumstance where the concerns raised by that person are assessed as college-wide issues rather than issues affecting one person. If the issues raised are such that the health and wellbeing of staff or students is being adversely affected, the College will initiate its own investigation into the issues.

The College reserves the right to set up an investigation. In the circumstances where the investigation is College-initiated, the employee/ person who raised the complaint will not be named as complainant. That person will simply be interviewed as one of the witnesses.

The College has a duty of care for students for a safe workplace.

## 19. ANNEXURES

Annexures have been provided to guide the Executive Principal or delegate as they handle the issues of each complaint. Each annexure may be adapted and used according to the situation being dealt with.

## 20. RIGHT OF APPEAL

The decision of the Executive Principal marks the end of the formal complaint process offered by the College. There is no right of appeal to the College Board although the aggrieved may pursue any external rights available under law.

## 21. REFERENCES

- x Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)
- x Fair Work Act 2009 (Cth)
- x Work Health and Safety Act 2011 (Qld)
- x Privacy Act 1988 (Cth)
- x Anti-Discrimination Act 1991 (Qld)
- x Australian Human Rights Commission Act 1986 (Cth)
- x Sex Discrimination Act 1984 (Cth)
- x Age Discrimination Act 2004 (Cth)
- x Disability Discrimination Act 1992 (Cth)
- x Racial Discrimination Act 1975 (Cth)
- x Standards Australia, Guidelines for complaint management in organizations (ISO 10002:2022, NEQ)
- x Nambour Christian College Enterprise Bargaining Agreement
- x Nambour Christian College Enrolment Contract
- x Nambour Christian College Child Protection Policy
- x Nambour Christian College Work Health and Safety Policy
- x Nambour Christian College Responsible Thinking Process - Secondary
- x Nambour Christian College Responsible Behaviour Framework - Junior
- x Nambour Christian College Student Bullying Policy



- x Nambour Christian College Staff Code of Conduct
- x Nambour Christian College Unprofessional Behaviour Policy
- x Nambour Christian College Privacy Policy

## 22. DEFINITIONS

Allegations	Example of purported conduct/actions of the respondent toward the complainant/s.
Complaint	An expression of dissatisfaction made to or about the College, related to the College's services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required. <sup>2</sup>
Complainant(s)	The person(s), organisation or their representative making a complaint
Formal Complaint	A complaint about a matter that is serious, complex or may pose a threat to the health and safety of any person. Examples include serious allegations or breaches of policy, complaints against a senior staff member, including the Executive Principal or an informal complaint that could not be resolved informally. Assessment of the complaint is required by a relevant member of the senior leadership team. Formal complaints are to be made by using the Formal Complaints form (see annexure A).
Informal Complaint	A complaint about a matter that is likely to be simple, straight forward, easily manageable, or minor, where a simple or quick resolution is appropriate such as discussion of the matter with a relevant staff member.
Parties	The complainant(s) and respondent(s)
Respondent	The person who is referred to in a complaint by a complainant as the person responsible for their concerns or who can best respond to their concern.
Support Person	A person nominated to by the respondent, complainant or other witness to attend meetings/interviews with them in order to provide them with emotional support.
Unacceptable Risk	An assessment by the Executive Principal / leadership that the attendance at the College by the respondent would not be in the best interest of those involved with the complaint process.

## 23. Review

This policy will be reviewed every two (2) years or as required by legislation.

<sup>2</sup> Standards Australia, Guidelines for complaint management in organizations (ISO 10002:2018, NEQ), s.4.3

<sup>3</sup> Standards Australia, Guidelines for complaint management in organizations (ISO 10002:2018, NEQ), s.4.2



## ANNEXURE B

This interview is being conducted by Nambour Christian College due to a formal complaint and will be carried out based on the principles of procedural fairness and in good faith.

### PLEASE NOTE THE FOLLOWING

1. True and accurate disclosure and cooperation is essential in establishing the facts.
2. Confidentiality is to be maintained at all times to protect privacy and avoid defamation. Only people required to know the information are:  
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ANNEXURE C

Name of Matter \_\_\_\_\_

Investigator is to check that the following has been complied with:

1. Process has been explained to both parties and witnesses.
2. Confidentiality has been explained.
3. The process of procedural fairness has been explained.

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