



Complaints Handling

Policy and Procedures

Name of Document	Complaints Handling Policy and Procedure (V1)
Status	APPROVED by Executive Committee
Date of Approval	13 February 2025
Owner	Principal
Contact	Deputy Principal
Review Cycle	Two (2) years
Date for Review	February 2027

Complaints Handling Policy

PURPOSE

The purpose of this Policy is to outline how MLC School handles 'general' complaints made:

- in respect of services provided by MLC School.
- or against its Staff members.

This Policy does not apply:

- To personal grievances between parents or carers, guardians or other members of the MLC School community.
- To grievances between MLC School Staff members; or
- In circumstances where Section 4.1 and Section 4.2 applies.

SCOPE

This policy applies to all staff of MLC School which includes employees, contractors, and volunteers.

POLICY STATEMENT

MLC School will seek to resolve a matter informally where possible but acknowledges that in some cases a person may wish to make a formal complaint, rather deal with the matter as a concern (as defined in DEFINITIONS).

MLC School may publish age appropriate guidelines and flow charts to assist the understanding of students and their parents and carers in raising a concern and or a complaint or with the operation and administration of this Policy: please refer to the MLC School Student Diary and the MLC School Parent Handbook.

Parents and carers are reminded to have regard to MLC School's Code of Behaviour for Parents and Carers when seeking to address matters affecting them or their child.

Subject to its legal obligations, MLC School will generally not act on an anonymous complaint.

KEY PRINCIPLES

The key principles of this policy are:

- i. Complaints will be treated seriously and sensitively, with regard to procedural fairness, confidentiality, and privacy. Requirements relating to confidentiality and privacy extend to the use and storage of any information and records related to a complaint.
- ii. Complaints should be handled quickly and as close as possible to their source. This may be modified by the nature of the complaint and the complainant's wishes. Complainants should raise concerns as early as possible after the incident/s occurred.
- iii. Wherever possible, complaints should be resolved by a process of discussion, cooperation, and conciliation. The aim is to reach a mutually acceptable outcome that minimises any potential detriment to ongoing relationships.
- iv. Both the person raising the complaint and the person against whom the complaint is made will receive appropriate information, support, and assistance in resolving the complaint.
- v. No person should be victimised because they raise a complaint or are associated with a complaint.
- vi. No person should instigate complaints that are frivolous or malicious. All persons are expected to participate in the complaint resolution process in good faith.
- vii. Complaints about Privacy – please refer to the School's Privacy Policy for registering a complaint.

DEFINITIONS

TERM	MEANING
Chair	Chair of the Council
Complainant	The party/person/s who makes the complaint
Concern	An informal matter raised as a concern and not formally raised as a complaint under this Policy
Council	The Council of MLC School
MLC School	MLC School, ACN 645 102 325
Policy	MLC School Complaints Handling Policy and Procedures
Resolution Decision	Making a decision about how the complaint will be resolved
Respondent	A person who answers a complaint, letter, email message, or anything that requires a response
Staff	All employees, contractors and volunteers engaged by MLC School
The School	MLC School

Complaints Handling Procedures

1. PURPOSE

The purpose of this procedure is to:

- To assist members of the MLC School Community to resolve a complaint within an atmosphere of respect, guidance, and support.
- To resolve complaints in a timely and effective manner.

2. SCOPE

This policy applies to all students, staff, parents/carers, and external parties. A complaint may be about a process or another MLC School student/s or staff member/s. In certain circumstances, these procedures may be used to manage a complaint about a person who is not an MLC School employee or student but who is involved in a School related activity.

Complaints include any allegation of serious misconduct, including corrupt conduct or improper behaviour.

Complaints may relate to any concern about communication, behaviour or activity that has occurred within the School.

Complaints should not include:

- Any disagreement with a Policy or Procedures of the School.
- An expression of dissatisfaction with the general direction or School strategy.

3. KEY PRINCIPLES

The following general key principles are to be considered:

- i. Complaints will be treated seriously and sensitively, with regard to procedural fairness, confidentiality, and privacy. Requirements relating to confidentiality and privacy extend to the use and storage of any information and records related to a complaint.
- ii. Complaints should be handled quickly and as close as possible to their source. This may be modified by the nature of the complaint and the complainant's wishes. Complainants should raise concerns as early as possible after the incident/s occurred.
- iii. Wherever possible, complaints should be resolved by a process of discussion, cooperation, and conciliation.
- iv. Both the person raising the complaint and the person against whom the complaint is made will receive appropriate information, support, and assistance in resolving the complaint.
- v. No person should be victimised because they raise a complaint or are associated with a complaint.
- vi. No person should instigate complaints that are frivolous or malicious. All persons are expected to participate in the complaint resolution process in good faith.
- vii. Complaints about Privacy – please refer to the School's Privacy Policy for registering a complaint.

4. PROCEDURES

4.1 Whistleblowing Complaints

This Policy does not apply to whistleblowing disclosures. The procedure for handling whistleblowing disclosures is dealt with in MLC School's Whistleblower Policy. The MLC School Whistleblower Policy may be found on MLC School's website and applies to MLC School in protecting eligible whistleblowers and managing qualifying disclosures made regarding misconduct in relation to MLC School.

MLC School's Whistleblower Policy defines 'Eligible Whistleblowers' to include a Council member, Staff member or a person who supplies goods or services to MLC School (or a relative of any of these people).

4.2 Related Policies

Complaints about reportable conduct will be addressed in accordance with MLC School's Child Protection Policy.

Complaints regarding a grievance between students will be addressed, as appropriate, in accordance with MLC School's Student Code of Conduct, and or the MLC School Anti-Bullying for Students Policy and Procedures.

Complaints regarding a grievance between Staff members about work matters, including work relationships and decisions made by other Staff members which impact on their work, will be addressed in accordance with MLC School's Staff Grievance Policy and] Staff Handbook.

Complaints regarding unlawful discrimination, harassment or bullying between Staff are generally addressed in accordance with MLC School's Discrimination, Harassment and Bullying Policy Statement.

Complaints regarding teacher accreditation processes will be addressed in accordance with MLC School Teacher Accreditation Procedures – Complaints and Grievances in relation to Accreditation, and the MLC School Teacher Accreditation Procedures - Issues with a Teacher's Practice and other relevant procedures.

4.3 Confidentiality

- i. All parties involved in complaints handling are required to maintain appropriate confidentiality, including in relation to handling and storing records.
- ii. MLC School will keep information about a complaint confidential, except where the disclosure of the information is necessary to:
 - Obtain a response from the respondent.
 - Conduct an investigation.
 - Ensure the safety and wellbeing of students, staff and or other members of the MLC School community; or
 - Meet MLC School's legal obligations.

- iii. Complainants and respondents must keep confidential:
 - The identity of the complainant, the respondent and participants in the resolution or investigation of a complaint.
 - The information provided or collected during the resolution or investigation of a complaint.
 - The fact that a complaint has been made; and
 - Any report, outcome or determination of a complaint.
- iv. Complainants or respondents may disclose the information in this section in order to obtain support or advice from:
 - Their immediate family members.
 - A qualified counsellor or psychologist.
 - Their union representative or lawyer; or
 - The police.

5. COMPLAINTS

A complaint or grievance is an expression of dissatisfaction made to MLC School about an educational and/or operational matter relating to services provided by MLC School or the behaviour or decisions of a Staff member, including misconduct.

Complaints may be made by a student, a parent or carer or any stakeholder of the MLC School community.

If a student, parent or carer or any stakeholder of the MLC School community has an issue regarding the conduct of a Staff member, they should raise it with MLC School in accordance with Section 4 below. Complainants are not required to assess whether the matter they have raised meets the threshold of reportable conduct before making a complaint. Any matter relating to a child's wellbeing or the conduct of a member of Staff or other member of the MLC School community may be reported under this Policy.

As noted in Section 4.2, if a complaint which relates to the behaviour of a Staff member may constitute reportable conduct, the matter will be addressed under MLC School's Child Protection Policy. A complaint about a reportable conduct matter may be current or historical. Timeframes for investigation of complaints relating to reportable conduct are dependent on the individual matter and may be over an extended period of time, particularly in the case of a historical allegation.

MLC School is bound by privacy or other confidentiality requirements when conducting investigations of reportable conduct allegations, which may limit the information that can be shared with the complainant regarding the outcome of an investigation. Please refer to MLC School's Child Protection Policy for information about reportable conduct.

6. RAISING A COMPLAINT

6.1 The Complainant

Complaints may be raised by a complainant directly with the Staff member or their direct line manager. In such circumstances, the complainant should contact MLC School and arrange to speak to the appropriate person, who may, depending on the nature of the issue, be a subject or classroom teacher, Luminary, Year Co-Ordinator, Head of Year or Head of Department. If the:

- i. Matter is not resolved between the parties directly in the first instance,
- ii. Complainant does not feel comfortable raising the complaint directly, or the matter is one where it may not be appropriate to do so; or
- iii. Complaint relates to serious misconduct or relates to allegations of reportable conduct,

then the complainant may raise the matter formally with MLC School. A formal complaint can be made in writing, and accompanied by relevant supporting materials, to the Deputy Principal deputyprincipal@mlcsyd.nsw.edu.au.

Where a person wishes to make a complaint regarding the Deputy Principal, the complaint should be made in writing to the Principal of MLC School:

CONFIDENTIAL

Attention: Principal

MLC School

C/- MLC School PO Box 643

Burwood NSW 1805

Where a person wishes to make a complaint regarding the Principal, the complaint should be made in writing to the Chair of MLC School Council:

CONFIDENTIAL

Attention: Chair

MLC School Council

C/- MLC School PO Box 643

Burwood NSW 1805

In such situations, the references in this Policy relating to the role of the Deputy Principal should be read as references to the Principal, and the references in this Policy relating to the role of the Principal should be read as references to the Chair of MLC School.

6.2 MLC School

The Deputy Principal, Principal or Chair of MLC School Council, as appropriate, will generally acknowledge receipt of a complaint raised with MLC School in writing as soon as practicable.

7. HANDLING COMPLAINTS

7.1 Assessing a Complaint

The Deputy Principal, Principal or Chair of MLC School Council, as appropriate, will generally assess the complaint and determine:

- i. Whether the complaint is one to be addressed under:
 - This policy.
 - MLC School's Whistleblowing Policy (refer Section 4.1)
 - Another MLC School policy, including those identified in Section 4.2.
- ii. The priority of the complaint in accordance with the urgency and/or seriousness of the matter raised; and
- iii. Whether MLC School may be required to report the matter to any of the Office of the Children's Guardian, Police, Department of Communities and Justice or other relevant authorities where the complaint relates to possible unlawful conduct or other reportable matters.

7.2 Managing a Complaint

The Deputy Principal, Principal or Chair of MLC School Council, as appropriate, will manage a complaint by:

- i. Advising the complainant of the likely steps that will be undertaken by MLC School in relation to the complaint.
- ii. If appropriate, advising the relevant parties about the complaint at the relevant time and providing them each with an opportunity to respond.
- iii. Collecting any additional information MLC School considers necessary to assess the complaint.
- iv. Making a decision about how the complaint will be resolved and,
- v. To the extent appropriate:
 - Advising the complainant in writing, and any other relevant parties, of the resolution decision; and/or
 - Any proposed action to be taken.

There may be circumstances where some of the steps outlined above are not appropriate and MLC School will determine, on a case-by-case basis the most appropriate method of handling the complaint.

A complainant and the relevant parties that the complaint is about may choose to have an appropriate support person present at any meeting with representatives of MLC School about the complaint.

However, MLC School maintains the right to determine whether the person's preferred support person is appropriate and may not approve the attendance of a support person where they are determined by MLC School to be inappropriate.

MLC School may have attendees present as it considers appropriate at any such meeting and may use technologies as are appropriate, to facilitate the recording of proceedings.

8. ACTIONS AND RESPONSIBILITIES

The actions and responsibilities to be undertaken in respect of this procedure are set out below:

- i. **Deputy Principal is responsible for:**
 - Reviewing policy and procedures regularly.
 - Ensuring procedural fairness at all times.
 - Support and care of parents and students.

ii. **People and Culture are responsible for:**

- Staff support and awareness of policy and procedures for staff.
- Support and care of staff.

9. RELATED POLICIES AND SUPPORTING DOCUMENTS

- MLC School Child Protection Policy
- MLC School Whistleblower Policy
- MLC School Student Code of Conduct Policy and Procedures
- MLC School Anti-Bullying Policy for Students Policy and Procedures
- MLC School Staff Handbook
- MLC School Code of Conduct for Parents and Carers Policy
- MLC School Teacher Accreditation Procedures – Complaints and Grievances in relation to Accreditation
- MLC School Teacher Accreditation Procedures - Issues with a Teacher's Practice

10. ACCESS

Not restricted.

This document is available to all stakeholders via the School's Community website.

This document is available to all staff via Domus.