



## BBC Complaints Policy and Procedure

Purpose:	To state the policy, including the principles to be applied and the procedures to be followed, in the management of complaints in order to resolve complaints fairly, promptly and efficiently.	
Scope:	<p>The scope of this policy extends to complaints brought by students, parents or guardians. When a complaint falls within the provisions of another BBC or PMSA policy, then the complaint will be dealt with under that policy. If a complaint has been dealt with as a formal complaint under another BBC or PMSA policy, the same complaint cannot be the subject of a formal complaint under this policy.</p> <p>Complaints brought by employees shall be addressed and managed under the PMSA Employee Complaints Policy and Procedure.</p>	
References:	<ul style="list-style-type: none"> <li>• Child Protection Act 1999</li> <li>• Education (Accreditation of Non-State Schools) Act 2017</li> <li>• Education (Accreditation of Non-State Schools) Regulation 2017</li> <li>• Education (General Provisions) Act 2006</li> <li>• Privacy Act 1988 (Cth)</li> <li>• BBC Alcohol, Smoking Products &amp; Illicit Drugs (Students) Policy</li> <li>• BBC Privacy Policy</li> <li>• BBC Student Anti-Bullying Policy</li> <li>• BBC Student Anti-Discrimination Policy</li> <li>• BBC Student Diary</li> <li>• BBC Student Disability Policy and Procedure</li> <li>• BBC Student Discipline Policy and Procedure</li> <li>• PMSA Child Protection Policy</li> <li>• PMSA Code of Conduct</li> <li>• PMSA Employee Complaints Policy and Procedure</li> <li>• PMSA Procedural Fairness Policy</li> </ul>	
Authorised by:	Headmaster	Date of Authorisation: 25 <sup>th</sup> August 2016
Review Date:	Annually, or as appropriate, to take account of new laws, changes to school's operations and practices and to make sure it remains appropriate to the changing environment.	Next Review Date: 1 <sup>st</sup> July 2018
Policy Owner:	Headmaster	

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## 1.0 Policy Statement

The BBC Complaints Policy and Procedure provides a mechanism for complaints to be dealt with in a consistent, timely, fair and transparent way with sensitivity which gives effect to the above aims, and account to the legal obligations of Brisbane Boys' College, including (but not limited to) workplace health and safety requirements and the according of procedural fairness and natural justice.

Brisbane Boys' College views complaints as part of an important feedback and accountability process.

## 2.0 Policy Principles

- BBC is committed to having an effective system of complaint management that responds to complaints in a positive way and contributes to the continuous improvement of the teaching and learning environment.
- This Policy and related procedure will be promoted to and readily accessible by employees, students, parents and members of the wider College community, including through the BBC website.
- A student, parent or member of the wider College community has the right to make a complaint, and to submit an appeal on reasonable grounds about the determination of their complaint, to the College or the PMSA where applicable.
- Individuals are encouraged to resolve their complaint informally in the first instance. Should a complainant deem that informal resolution is not possible, appropriate or satisfactory; the complainant may submit a formal complaint.
- A complainant can appeal the outcome of a formal complaint, or of a determination under another Policy that does not have an appeal process, with regard to the procedural fairness of the complaint resolution process.
- A complainant may at any time withdraw their complaint. If a complaint is withdrawn, any processes arising out of the complaint may, at the discretion of the School, be either continued or discontinued.
- A complainant will not be treated less favourably, victimised, or otherwise discriminated against as a result of making or withdrawing a complaint.
- Complaints will be resolved in a timely manner.
- BBC will take appropriate action to discharge any of the College's duty of care obligations which arise during the complaint resolution process.
- Confidentiality will be maintained to the greatest possible extent at all stages of the complaint management process. Communication will be limited to persons to whom disclosure is consistent with their official position and responsibility, or with specific responsibility to assist in the resolution of the complaint or appeal.
- Parties to a complaint will conduct themselves honestly and courteously and seek to achieve an amicable resolution of the complaint where possible.
- The complaint resolution process will be conducted in accordance with the principles of natural justice.
- Parties to a formal complaint or appeal will be kept informed of the progress of the complaint or appeal, and, within a reasonable timeframe, will be provided with written advice of Brisbane

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- Boys' College's determination(s) in relation to the complaint or appeal and the reason for the determination(s).
- The availability of the Brisbane Boys' College complaint management processes does not remove a person's right to contact, lodge a complaint with, or seek a review by an appropriate external organisation or to take action under relevant laws.

## 3.0 Confidentiality

BBC is committed to the confidentiality of all complaints, at all steps in the process of their resolution. Only the College and persons directly involved in a complaint will have access to information the subject of the complaint. It is expected that parties involved will discuss the matter only with their support persons or the other parties involved.

- (i) Complainants and respondents have a duty to uphold strict confidentiality during the complaints procedure for the safety and consideration of others that may be involved.
- (ii) Complainants and respondents must not publicise the grievance or the progress of its resolution. BBC considers any breach of confidentiality a serious issue worthy of disciplinary action if warranted.
- (iii) Any documents created or dealt with during the course of the procedure will be marked "confidential" and put in a safe place. These documents may only be accessed by the parties involved in the grievance or by the College if the matter impacts upon the review of this policy.
- (iv) Whilst confidentiality is important, there may be circumstances in which it is not possible to uphold a person's right to confidentiality. For example, as a matter of procedural fairness, Respondents are generally entitled to know the nature of the allegation being made and who has made the allegation against them. As such, Complainants cannot be guaranteed anonymity with respect to their Complaint. For example, disclosure may otherwise be required by law, a person's health and safety may be at risk, or the complaint may involve criminal activity. In these circumstances, the College will always prioritise the safety of students, employees and the wider College community.

## 4.0 Time Limit

Brisbane Boys' College will endeavour to resolve all complaints as quickly as possible. However, the timeframe for resolution of a complaint will depend on the complexity, nature and scope of the complaint.

## 5.0 Types of Disputes that may be Resolved under this Policy

Brisbane Boys' College encourages students and parents to promptly lodge concerns regarding general complaints that include areas such as:

- the school or its employees have acted unfairly or contrary to the BBC standards of acceptable behaviour
- issues of student behaviour that are contrary to the relevant BBC or PMSA policy
- learning programs, assessment and reporting of student learning
- communication with students or parents
- complaints where an individual student has reasonable grounds that a process on which a decision was made was flawed or deficient, that is, not merely that the decision was unfair or unjust.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

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## 6.0 Complaints Outside of the Scope of this Policy

This policy **will not** apply in the following circumstances where a complaint relates to:

- harm, or suspected harm to a student under 18 years of age regardless of whether the harm has occurred within the school or outside. Such complaints shall be made and dealt with in accordance with the PMSA Child Protection Policy which is available from the BBC and PMSA websites.
- employee allegations of inappropriate behaviour and/or conduct including discrimination, bullying, sexual harassment or victimisation. Such complaints will be made and dealt with in accordance with the PMSA EEO, Anti-Discrimination, Sexual Harassment & Bullying Policy available from the PMSA Staff Portal.
- employee complaints where an individual has reasonable grounds that a process on which a decision was made was flawed or deficient, that is, not merely that the decision was unfair or unjust. Such complaints will be made and dealt with in accordance with the PMSA Employee Complaints Policy and Procedure available from the PMSA website.
- student bullying complaints should be made and dealt with under the BBC Anti-Bullying Policy.
- student violence or criminal matters will be addressed under the BBC Student Discipline Policy and Procedures as appropriate.

Student complaints may be brought by students or by parents on behalf of their children, as appropriate in the circumstances.

## 7.0 Responsibilities

Any member of staff, may have a role in the formal complaints process, depending on the particular circumstances. The key persons and their responsibilities under this policy are as follows:

### 7.1 Brisbane Boys' College

Brisbane Boys' College has the following role and responsibilities:

- Develop, implement, promote and act in accordance with the BBC Complaints Policy and Procedures
- Appropriately communicate the BBC Complaints Policy and Procedures to students, parents and employees
- Upon receipt of a complaint, manage the complaint in accordance with the BBC Complaint resolution model prescribed in the procedures
- Ensure that appropriate support is provided to all parties to a complaint
- Take appropriate action to prevent the victimisation or action in reprisal against the complainant, respondent or any person associated with them
- Appropriately implement remedies
- Appropriately train relevant employees
- Keep appropriate records
- Monitor and report on complaints



## 7.2 All Parties to a Dispute

The complainant and respondent have the following role and responsibilities:

- Apply and comply with the BBC Complaints Policy and Procedures
- Lodge complaints promptly as soon as possible after the issue occurs or as otherwise appropriate.
- Expect that the complaints will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that natural justice principles will be observed wherever practicable; that confidentiality and privacy will be maintained as much as possible
- Provide complete and factual information in a timely manner
- Not provide deliberately false or misleading information
- Not make frivolous or vexatious complaints
- Act in good faith, and in a calm and courteous manner
- Show respect and understanding of each other's point of view and value difference, rather than judge and blame
- Act in a non-threatening manner
- To be appropriately supported
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties
- Recognise that all parties have rights and responsibilities which must be balanced
- Maintain and respect the privacy and confidentiality of all parties
- Not victimise or act in reprisal against any party to the complaint or any person associated with them

## 7.3 Employees Receiving Complaints

Employees involved in the management of complaints have the following role and responsibilities:

- Acknowledge and respect that employees, parents and students are **entitled to raise a complaint** in good faith;
- Consider the **safety and welfare** of all parties involved where appropriate;
- Have a commitment to complaints handling procedures being accessible, promoted within the College and community, and **applied consistently and fairly** to all those to whom this Policy and Procedure is expressed to apply;
- Have a commitment to ensuring complaints are **dealt with sensitively** and **without undue delay**;
- Subject to the affording of natural justice/procedural fairness, maintain **confidentiality** of the process to protect its integrity and the welfare of all parties involved at all times; and
- Act in **good faith**, exercise good judgement, focus on the issues not the person (impartial) and communicate in a courteous, and respectful manner.
- Act in accordance with the BBC Complaints Policy and Procedures
- Inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required
- Provide the complainant with information about any support or assistance available to assist them in lodging their complaint
- Provide the complainant with a copy of the BBC Complaints Policy and Procedures
- Maintain confidentiality subject to section 3.0 above
- Keep appropriate records
- To forward complaints to more senior employees, including the Headmaster, as appropriate
- To be appropriately supported
- Not victimise or act in reprisal against the complainant, respondent or any person associated with them



## 8.0 Complaints Resolution Procedure

The Complaint procedure supports the BBC Complaints Policy as at the effective date and is to be read and applied in conjunction with the policy. The complaint procedure consists of the following three stage process. A complaint may be resolved at any stage of this process however where possible, complaints should be responded to at the local level and at the lowest level possible.

### 8.1 Process

(i) **Before an Issue Becomes a Complaint**

Students and/or parents are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned. Housemasters, the Dean of Studies and Student Counsellors are available to assist students at this level.

(ii) **Stage 1** outlines the *Informal Process*. If at all possible, a concern, issue, problem or conflict is best dealt with directly between the people involved before it escalates to the stage of making a complaint. Early action at this stage generally provides the best opportunity for positive resolution.

(iii) **Stage 2** outlines the *Formal Process*. It is anticipated this stage will only be utilised if a resolution cannot be reached using the Informal Process or the circumstances and/or the seriousness of the matter clearly require a formal process to be implemented. During the Formal Process, the outcome of the matter is determined by someone other than the immediate parties.

(iv) **Stage 3** outlines the Review Process. It is anticipated that this stage will only be utilised if a resolution cannot be reached using the Informal or Formal processes.

(v) **Support Person**

From the beginning of the process, Complainants and Respondents are encouraged (but not obliged) to seek out a support person who can provide support and encouragement throughout the process. Support persons are entitled to accompany a Complainant/Respondent to any meetings that take place during the complaint resolution process but it is not the role of the support person to be a spokesperson for the Complainant. The support persons should not themselves be directly involved in the matter which is the subject of the complaint.

### 8.2 Stage 1

#### *Informal Resolution*

Brisbane Boys' College recognises that often complaints are simple misunderstandings that can be satisfactorily resolved via effective communication.

Every complaint should normally be addressed via informal discussion in the first instance. Complaints should not normally be able to progress to the next phase unless both parties have first attempted to discuss the issue, if possible.

In the first instance, if appropriate, every attempt should be made to discuss the matter with the person most immediately and directly concerned. The complainant is to approach the respondent and explain their concerns in a non-threatening manner using effective communication. This list is not exhaustive but includes e.g:

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## 8.2.1. Student complainant: Curricular

- (a) Principal Teacher
- (b) Head of Early Learning (Prep to Year 3)
- (c) Head of Junior School (Years 4 -6)
- (c) Class/subject teacher (Years 7 to 12)
- (d) Housemaster (Years 7 to 12)
- (e) Head of Department

The teacher, Housemaster or Head of Department will make a record of the complaint and report the meeting and any outcomes to the Head of Junior School (Prep – Year 6), the Head of Middle School (Years 7 to 9) or to the Head of Teaching and Learning (Years 10 to 12).

## 8.2.2. Student complainant: Co-Curricular

- (a) Team or Activity coach
- (b) Director of the sport or activity

## 8.2.3. Parent complainant

If the complaint is about a non-teaching or administrative staff member, or a teacher other than their son's teacher, the complainant shall attempt to discuss the matter with the person to whom the complaint relates by agreement with that person's immediate supervisor.

## 8.3 Stage 2

### *Formal Resolution*

- (i) If the Complainant determines it is not appropriate to raise the complaint in accordance with the process outlined in 8.2.1, or if, after following that process, is dissatisfied with the manner in which their complaint was addressed then the complainant shall address their complaint, in writing, to the Head of Junior School (Prep to Year 6), Head of Middle School (Years 7 to 9) or the Deputy Headmaster (Years 10–12).
- (ii) If the complainant determines it is not appropriate to raise the complaint in accordance with the process outlined in 8.2.2, or if, after following that process, is dissatisfied with the manner in which their complaint was addressed then the complainant shall address their complaint, in writing, to the Head of Co-Curriculum.
- (iii) If after following the process outlined in 8.2.3, 8.3 (i) or 8.3 (ii) above, or if the complainant determines it is not appropriate to raise the complaint in accordance with the process outlined in 8.2 or 8.3, or if, after following that process, is dissatisfied with the manner in which their complaint was addressed then the complainant shall address their complaint, in writing, to the Headmaster. In the event that the Headmaster is the subject of the complaint then the complainant shall address their complaint, in writing, to the Chair of the BBC Council.

## 8.4 Stage 3

### *Review Process - PMSA*

If the complainant determines it is not appropriate to raise the complaint in accordance with the process outlined in 8.2 or 8.3 above, or if, after following that process, is dissatisfied with the manner in which the complaint was addressed then the complainant may address their complaint, in writing, to the PMSA Chairman via the PMSA Corporate Services Office.



The complaint must clearly state the grounds on which it is believed the complaint has not been properly dealt with and should:

- be received by the PMSA within fourteen (14) days of the complainant receiving the decision of the formal complaint (outcome of stage two);
- contain full details of all relevant documentation regarding the original complaint; and
- clearly state the reasons why the complainant is dissatisfied with the outcome of the complaint process, and not merely state a belief that the decision was unfair or unreasonable.

## 9.0 Implementation

The BBC Complaints Policy and Procedure is communicated to all BBC students, parents, and to both academic and support staff. It is placed:

- on the BBC website;
- in the BBC Student Diary
- in the BBC Boarding Handbook
- in the BBC Staff Handbook

Staff training in the procedures takes place with the induction of new staff. Periodic revisions of the procedures are communicated to all staff by the Headmaster, and appropriate professional development in the area is arranged by the Director of Professional Learning throughout each school year.

## 10.0 Definitions

**“Complaint”** is the mechanism for an individual to raise issues of concern and to seek a resolution.

**“Complainant”** refers to the person making the complaint.

**“Parties to a Complaint”** includes the complainant (person making the complaint) and the respondent (either BBC or the person who is subject to the complaint)

**“PMSA”** is the Presbyterian & Methodist Schools Association which includes the PMSA Corporate Office, Brisbane Boys' College, Clayfield College, Somerville House and Sunshine Coast Grammar School.

**“Procedural Fairness”**, also known as Natural Justice requires decision-makers to be objective, free from bias, and have no personal interest in the matter being decided. An individual should be informed of the allegation/s against them and have the opportunity to respond to the allegation/s before a decision is made.

**“Respondent”** refers to the person/s against who the complaint is made.

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## Amendment Register

Date of Issue	Page Number	Detail of and reason for amendment
1 <sup>st</sup> September 2016	All	New policy, endorsed by BBC Executive
1 <sup>st</sup> January 2018	Pg 1	Reference to Education (Accreditation of Non-State Schools) Act 2001 and Education (Accreditation of Non-State Schools) Regulation 2001 amended to Education (Accreditation of Non-State Schools) Act 2017 and Education (Accreditation of Non-State Schools) Regulation 2017