



SMYL Complaints Policy

1. Policy Statement

This policy seeks to facilitate the prompt and fair handling of complaints arising in the course of the operations of SMYL Community Services Inc. It also applies to SMYL Community College and is designed to comply with the registration standards.

2. Aims

This policy is intended to:

- a) Ensure that all complaints are addressed in an equitable, objective and unbiased manner as prescribed by the principles of procedural fairness.
- b) Ensure that our complaints handling upholds the rights of students, whilst prioritising their health, safety and well-being as outlined in the National Principles for Child Safe Organisations.
- c) Ensure that all parties to a complaint are treated with respect, dignity and due consideration.
- d) Ensure that a robust complaints handling process is in place to receive, record, manage, resolve and report on complaints.
- e) Ensure that complaints are addressed in a confidential manner.

3. Related Documents

- AS/NZS 10002:2018 Australian Standards Complaints Handling
- Registration Standards for Non-Government Schools
- National Principles for Child Safe Organisations
- UN Convention on the Rights of the Child

4. Principles

- a) A complaint is as an expression of dissatisfaction made to the organisation about its services, decisions, actions or those of its staff, or about the complaint management process itself.
- b) SMYL acknowledges a difference between a concern and a complaint as follows:
 - i. A concern in the first instance may be treated as an expression of worry or doubt over an issue considered to be important for which reassurances are sought.
 - ii. A complaint, is recognised as an expression or statement of dissatisfaction, however made, about actions taken or a lack of action.
- c) It is in everyone's interests that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need for a formal investigation or other procedures, Notwithstanding, SMYL takes informal concerns seriously and will make every effort to resolve the matters as quickly as possible. However, there will be occasions when complainants want to raise their concerns formally. In those cases, the formal complaints process should be followed.
- d) SMYL adopts a people-focused and proactive approach to seeking and receiving feedback and complaints.
- e) SMYL ensures access to its complaints handling by providing ready access via the College's website and posters at College campuses, training sites and other client service locations.



- f) SMYL accepts complaints via a number of methods - written complaints, telephone complaints, verbal complaints, and electronically lodged complaints, and acknowledges that students and adults attending our College and services face a number of barriers when seeking to make a complaint, therefore, additional support is to be provided to students. SMYL also seeks to keep its complaints handling procedures in an easily understandable format and ensure that diversity and cultural differences are respected.
- g) SMYL views complaints as opportunities to receive constructive feedback and to review our operations for the purpose of continuous improvement.

5. Scope

This policy covers any matter raised by a student, client, parent/guardian, member of staff, or member of the wider community that falls within the definition of a complaint.

6. Responsibilities

- a) Responsibility for managing complaints at SMYL Community Services Inc. will be initiated by the relevant manager. At SMYL Community College in the first instance, this will be the Campus Coordinators and at other sites will be the most appropriate person as determined by the Director or his delegate.
- b) Complaints received at the College will be overseen by the Head of School who may delegate certain responsibilities as appropriate.
- c) If the complaint requires a substantial investigation, or if otherwise decided, the Director or their delegate will engage Human Resources.
- d) For issues relating to the capacity of a student at the College to engage in the complaint process, the matter should be discussed with the Campus Psychologist as well as determining what extra supports the student may need.
- e) Human Resources will maintain a complaints register that complies with the Registration Standards and captures relevant information including: date of complaint, name of complainant and relationship to organisation, subject matter of the complaint, complaint investigator and position or role, date investigation completed, whether complaint upheld, resolution agreed with or offered to complainant, date of referral for review (for example by the governing body), complaint reviewer and relationship to the organisation, date review finalised, review resolution review or agreed with complainant.
- f) For SMYL Community College *“the Director General of the Department of Education is responsible for ensuring that the College observes the registration standards, including the standards about its complaint handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the College dealt with a complaint. Information is available on the Department of Education website. While the Director General may consider whether the school has breached the registration standards, she does not have power to intervene in a complaint or override the College’s decision.”*

7. Procedures for Complaint Handling

Note: The following represents an overview of the general procedure for complaint handling. If a complaint relates to a child the National Principles for Child Safe Organisations must be adhered to (refer below). If the complaint relates to a Grooming or Child Abuse allegation, the Director must be informed immediately as this will be subject to Mandatory Reporting and constitute a Reportable Incident and will follow a different process in consultation with the relevant external authority. As such, it is not within the College’s remit to conduct an investigation for these type of complaints.



Step One – **Receive the complaint** – through any means e.g. written, verbal or electronically. Even anonymous complaints.

Step Two – **Record the complaint** – in an interview situation the SMYL staff member should record:

- i. Date of complaint
- ii. Name of person receiving complaint
- iii. The subject of the complaint;
- iv. The details of the complaint;
- v. Additional support required;
- vi. Any relevant issues;
- vii. If the matter is a 'concern' - what steps have been taken to resolve the matter;
- viii. Any risks managed and the outcomes.

Step Three – **Acknowledge the complaint** – preferably in writing and provide relevant information such as who will be managing the complaint and timeframes.

Step Four – **Assess the complaint** – the SMYL staff member must consider:

- i. Are there immediate risks to safety and well-being of student or staff member?
- ii. What are the issues?
- iii. What steps need to be taken?
- iv. How will risks be managed?
- v. Does a student or client involved in the complaint require additional support?
- vi. What information must be kept confidential?
- vii. Are the issues within the control of the College or organisation?
- viii. If numerous complaints or issues, will they be separated out?
- ix. What information should be provided to the complainants?
- x. What further information is required to assess and resolve the complaints?

Step Five – **Planning for the involvement of the student or client** – the SMYL staff member must consider, and record their rationale, for the following matters:

- i. Is support required?
- ii. Does the student or client have the capacity to participate in the process?
- iii. The extent to which the student wishes to be involved?
- iv. Will the parent/guardian be involved?

Step Six – **Resolving Complaints** – the SMYL staff member must:

- i. Plan actions;
- ii. Respond promptly;
- iii. Keep complainant informed;
- iv. Work with complainant to determine a satisfactory outcome;
- v. Make enquiries.

Step Seven – **Conduct an investigation** – the SMYL staff member is to:

- i. Action issues identified in assessment;
- ii. Prioritise safety risk to students/clients and the subject of the complaint;
- iii. Review statutory requirements and if necessary consult with external agencies;
- iv. Develop an investigation plan;
- v. Obtain evidence;
- vi. Afford fairness to the subjects of the complaint;



vii. Analyse, assess and make findings.

Step Eight- **Provide regular updates-** to the complainant and the subject.

Step Nine – **Provide the final outcome** – the SMYL staff member, bearing in mind procedural fairness and privacy concerns, is to report final findings. If unresolved at this stage, the Director (or the Board Chairperson, in cases when the Director is the subject of the complaint), may appoint an independent mediator and/or independent arbiter to finalise the complaint.

Step Ten – **Close the complaint and record the outcome** – The SMYL staff member is to inform Human Resources who are to record outcomes and recommendations and any systemic issues that require attention.

Step Eleven – **Ongoing support** – determine whether the complainant or the subject require any ongoing support. At the College this may be provided internally or by referral to an external agency,

Step Twelve – **Continuous Improvement** – Human Resources is to undertake a risk analysis and review of complaints for the purpose of identifying systemic issues and remedying any areas that require improvement.



National Principles for Child Safe Organisations

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children and young people.



Complaint Handling:

Upholding the rights of children and young people (an overview)

