



*Learning for life*

# GEMS COMPLAINTS HANDLING



# GEMS COMPLAINTS HANDLING POLICY

<b>Audience:</b>	This <b>GEMS Christian Education Limited (GEMS)</b> Policy applies to: <ul style="list-style-type: none"> <li>• Emerald Christian College</li> <li>• Ontrack College</li> <li>• ECC Little Gems</li> </ul>		
<b>Purpose:</b>	The purpose of this Policy is to ensure that student, parent/carer and employee complaints and disputes are dealt with in a responsive, efficient, effective and fair way.		
<b>Scope:</b>	Students, parents/carers and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.		
<b>Status:</b>	Approved		
<b>References:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Education (Accreditation of Non-State Schools) Regulations 2017</a></li> <li>• <a href="#">Australian Education Regulations 2013</a></li> <li>• <a href="#">Fair Work Act 2009</a></li> <li>• <a href="#">Work Health and Safety Act 2011 (Qld)</a></li> <li>• <a href="#">Privacy Act 1988 (Cth)</a></li> <li>• <a href="#">Anti-Discrimination Act 1991 (Qld)</a></li> <li>• <a href="#">Australian Human Rights Commission Act 1986 (Cth)</a></li> <li>• <a href="#">Sex Discrimination Act 1984 (Cth)</a></li> <li>• <a href="#">Age Discrimination Act 2004 (Cth)</a></li> <li>• <a href="#">Disability Discrimination Act 1992 (Cth)</a></li> <li>• <a href="#">Racial Discrimination Act 1975 (Cth)</a></li> <li>• <a href="#">Australian Standard AS 10002:2022 Guidelines for Complaint Management in Organisations</a></li> </ul>		
<b>Related Documents:</b>	<ul style="list-style-type: none"> <li>• GEMS Work Health and Safety Policy</li> <li>• GEMS Anti-Discrimination Policy</li> <li>• GEMS Sexual Harassment Policy</li> <li>• GEMS Disability Discrimination Policy</li> <li>• GEMS Workplace Bullying Policy</li> <li>• GEMS Privacy Policy</li> <li>• GEMS Complaints Handling Procedure</li> </ul>		
<b>Supersedes:</b>	GEMS Complaints Handling Policy, February 2023		
<b>Authorised by:</b>	GEMS Governing Body Chairperson	<b>Date of Authorisation:</b>	March 2023
<b>Review Period:</b>	Annually	<b>Next Review Date:</b>	March 2024
<b>Policy Owner:</b>	GEMS Governing Body		

**UNDERPINNING POLICY FOUNDATION**

GEMS Christian Education Ltd. bases its governance and operations on Biblical truths and the teachings of Jesus Christ.

GEMS Christian Education Ltd. pursues the following strategic intentions towards its core purpose so that:

- Students will embrace the GEMS values of God, Excellence, Members and Service; discover who they are as individuals and pursue God's purpose for their lives.
- Employees will embrace the Core Values and personally display Christ to students by utilising stimulating, creative, innovative curriculum and teaching practices.
- Resource sustainability will continue to provide and maintain an outstanding and inspiring place of teaching and learning within an environment of seeking partnerships with the wider community.
- Culture is Christ-centred, driven by GEMS values and demonstrated by GEMS FACETS of Friendly, Appreciative, Compassionate, Encouraging, Truthful and Self-Controlled.

# COMPLAINTS HANDLING

## 1. Policy Statement

- 1.1 GEMS is committed to ensuring that student, parent/carer and employee complaints are dealt with in a responsive, efficient, effective and fair way.
- 1.2 GEMS views complaints as part of an important feedback and accountability process.
- 1.3 GEMS acknowledges the right of students, parents/carers and employees to complain when dissatisfied with an action, inaction or decision of the College, and the College encourages constructive criticism and complaints.
- 1.4 GEMS recognises that time spent on handling complaints can be an investment in better service to students, parents/carers and employees.

### 1.5 Complaints that may be Resolved under this Policy

1.5.1 GEMS encourage students, parents/carers and employees to lodge promptly any concerns regarding sexual harassment, child protection, discrimination, workplace bullying and privacy breaches as well as more general complaints that include areas such as:

- The College, its employees or students having done something wrong
- The College, its employees or students having failed to do something they should have done
- The College, its employees or students having acted unfairly or impolitely
- Issues of student or employee behaviour that are contrary to their relevant code of conduct
- Issues related to learning programs, assessment and reporting of student learning
- Issues related to communication with students or parents/carers or between employees
- Issues related to the College fees and payments
- General administrative issues

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

### 1.6 Issues Outside this Policy

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

- a) child protection concerns or risks of harm to children should be dealt with in accordance with the law and the GEMS Child Protection Policy;
- b) student bullying complaints should be dealt with under the GEMS Student Bullying Policy;
- c) student discipline matters, including matters involving suspension or expulsion, should be dealt with under the GEMS Student Code of Conduct;
- d) employee complaints related to their employment should be directed to their supervisor;
- e) student or employee violence or criminal matters should be directed to the Executive Principal who will involve the Police as appropriate; and
- f) formal legal proceedings.

### 1.7 Complaints Handling Principles

GEMS is committed to managing complaints according to the following principles:

- a) complaints will be resolved with as little formality and disruption as possible;
- b) complaints will be taken seriously;
- c) anonymous complaints will be treated on their merits complaints will be dealt with fairly and objectively, and in a timely manner;
- d) GEMS will determine the appropriate person to deal with the complaint in the first instance. Complaints should be resolved with as little formality and disputation as possible;
- e) mediation, negotiation and informal resolution are optional alternatives;
- f) procedural fairness will be ensured wherever practicable, including the right of interested parties to the complaint to be heard;
- g) confidentiality and privacy will be maintained as much as possible;
- h) all parties to the complaints will be appropriately supported;

- i) GEMS will give reasonable progress updates;
- j) appropriate remedies will be offered and implemented;
- k) provide a review pathway for parties to the complaint if warranted;
- l) complainants, respondents and people associated with them will not be victimised as a result of lodging the complaints, and they will not suffer any other reprisals;
- m) GEMS will keep records of complaints; and
- n) GEMS' insurer will be informed if a complaint could be connected to an insured risk.

## 2. Responsibilities

### 2.1 GEMS acknowledges its role and responsibility to:

- a) develop, implement, promote and act in accordance with the GEMS Complaints Handling Policy and Procedure;
- b) appropriately communicate the GEMS Complaints Handling Policy and Procedure to students, parents/carers and employees;
- c) ensure that the GEMS Complaints Handling Procedure are readily accessible by staff, students and parents/carers;
- d) upon receipt of a complaint, manage the complaint in accordance with the GEMS Complaints Handling Procedure;
- e) ensure that appropriate support is provided to all parties to a complaint;
- f) take appropriate action to prevent victimisation or action in reprisal against the complainant, respondent or any person associated with them;
- g) appropriately implement remedies;
- h) appropriately train relevant employees;
- i) keep records;
- j) conduct a review/audit of the Complaints Register from time to time;
- k) monitor and report to the governing body on complaints;
- l) report to the College insurer when that is relevant; and
- m) refer to the College governing body immediately any claim for legal redress.

### 2.2 All Parties to a Dispute have the following role and responsibilities:

- a) apply and comply with the GEMS Complaints Handling Policy and Procedure;
- b) lodge the complaint as soon as possible after the issue arises;
- c) expect that the complaint will be dealt with fairly and objectively; in a timely manner; with procedural fairness wherever practicable; that confidentiality and privacy will be maintained as much as possible;
- d) provide complete and factual information in a timely manner;
- e) not provide deliberately false or misleading information;
- f) not make frivolous or vexatious complaints;
- g) act in good faith, and in a calm and courteous manner;
- h) act in a non-threatening manner;
- i) to be appropriately supported;
- j) acknowledge that a common goal is to achieve an outcome acceptable to all parties;
- k) recognise that all parties have rights and responsibilities which must be balanced;
- l) maintain and respect the privacy and confidentiality of all parties; and
- m) not victimise or act in reprisal against any party to the dispute or any person associated with them.

### 2.3 Employees Receiving Complaints have the following role and responsibilities:

- a) act in accordance with the GEMS Complaints Handling Policy and Procedure;
- b) inform the party lodging the complaint of how complaints can be lodged, when they should be lodged and what information is required;
- c) provide the complainant with information about any support or assistance available to assist them in lodging their complaint;
- d) provide the complainant with a copy of the GEMS Complaints Handling Policy and Procedure;
- e) maintain confidentiality;
- f) keep appropriate records;
- g) to forward complaints to more senior employees, including the Executive Principal, as appropriate; and
- h) not victimise or act in reprisal against the complainant, respondent or any person associated with them.

### **3 Implementation**

#### **3.1 Awareness**

GEMS is committed to raising awareness of the process for resolving complaints at the College, including the development and implementation of this Policy and related procedure, and via the clear support and promotion of the Policy and procedure.

#### **3.2 Training**

GEMS is also committed to appropriately training relevant employees (especially senior staff) on how to resolve complaints in line with this Policy and the related procedure.

#### **3.3 Complaints Procedure**

Implement the GEMS Complaints Handling Procedure.

### **4. Compliance and Monitoring**

#### **4.1 Record keeping, monitoring and reporting**

4.1.1 GEMS will keep appropriate records of complaints, will monitor complaints and their resolution and will report on a high-level basis to the GEMS Board about:

- a) Internal and external dispute resolution complaint volumes;
- b) Average response timeframes;
- c) Number of open complaints, in total and by status, with reference to the life cycle of the complaint;
- d) Percentage of open complaints within the stated timeframes, which may include 30, 60, 90, 180, or 365 days;
- e) Identification and rectification of systemic issues; and
- f) Media associated with any individual complaint or systemic issues.

4.1.2 GEMS will ensure adequate resourcing is allocated to manage complaints, address systemic issues and, if necessary, recall or cease production of associated products or discontinue associated services.

4.1.3 GEMS will provide appropriate reporting and disclosures to relevant regulators and agencies.

#### **4.2 Confidential and impartial information**

Information in this regard is to be reported to the Executive Principal.

#### **4.3 Culture**

GEMS will act to encourage students, parents/carers and employees to contribute to a healthy college culture where complaints are resolved with as little formality and disruption as possible.

**END OF POLICY**

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