Purpose

The purpose of Kincoppal-Rose Bay School’s Complaints and Appeals Policy is to provide the opportunity to access procedures to facilitate the resolution of a dispute or complaint and to outline the principles applied to the handling and resolving of all disputes and complaints made to the School involving staff, students and parents. The Internal Complaints and Appeals processes are conciliatory and non-legal.

Document Management

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<tr>
<th>Relevant to</th>
<th>All Staff</th>
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<td>All Students</td>
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<td>All Parents and guardians</td>
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<tr>
<th>Reviewed by</th>
<th>Director of Students</th>
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<tr>
<th>Modification history</th>
<th>Created January 2010</th>
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<td>Reviewed January 2012, March 2015</td>
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<tr>
<th>Related documents</th>
<th>Complaints and Disputes Procedures</th>
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<tr>
<th>Related legislation</th>
<th>Australian Human Rights Commission Act, 1986</th>
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<td>NSW Anti-Discrimination Act, 1977</td>
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<th>Review</th>
<th>The Policy is to be reviewed every three years or in the event of any information or incident that would warrant a review (including legislative or organisational change)</th>
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Employees of Kincoppal-Rose Bay School are responsible for managing the resolution of enquiries, concerns, complaints and disputes lodged by students, parents and members of the community. Staff will make every effort to resolve all enquiries, concerns, complaints and disputes promptly and in accordance with procedural fairness/natural justice principles.

The Principal is responsible for establishing and maintaining processes for the management and review of enquiries, concerns, complaints and disputes.

The School’s mechanisms for the resolution of complaints include:

- Procedures outlined in this policy
- The KRB Positive Peer Relations Policy
- The KRB Behaviour Management Policy
- Complaints may also be lodged outside the School at the Australian Human Rights Commission

**Principles**

The following principles apply:

- Student well-being is the first priority
- The process is accessible to all parties and there is a commitment to cooperation by School Staff
- Procedural fairness is offered to all parties
- The subject of the complaint is informed of its substance
- Confidentiality is always maintained as appropriate
- Complaints are monitored and their management evaluated to pre-empt systemic /recurring issues
- All persons in the school community are entitled to respect and courtesy
- Complainants are entitled to be dealt with fairly and promptly
- Procedures for lodging a complaint are communicated to the school community
- The Principal will appoint an independent investigator as required when dealing with a complaint

**Procedures**

Students, parents, members of the community and Staff employed by the School may lodge a complaint with the Principal. This may be about the provision of education /conduct of a school employee.

Complaints will be handled promptly, confidentially and according to procedural fairness. Appropriate confidentiality will be maintained between parties involved and support persons (unions or professional associations).

Teachers must:

- Maintain confidentiality
- Resolve complaints where possible
- Communicate outcomes of all complaints to the Principal
- Refer complaints to the Principal where appropriate
The Principal must:

- Maintain confidentiality and impartiality
- Ensure complaints are resolved
- Ensure that procedures for resolving complaints are communicated to Staff and parents
- Ensure complainants and respondents are aware that they can have a support person present during discussion

An Investigator will be appointed by the Principal, follow direction from the Principal and according to the principles of procedural fairness. The Investigator will inform the Principal of the findings of the investigation. The Principal will inform the claimant and the respondent of the findings. In the case of International students / parents a suitable interpreter will be provided for the duration of the procedures.

**Complaints against other Students**

Grievances brought by a student against another student will be dealt with under the School’s Behaviour Management Policy (Senior) / (Junior).

**Informal Complaints Resolution**

- First, Kincoppal-Rose Bay School requires that there is an attempt to informally resolve the issue through mediation or informal resolution of the complaint.
- The student should contact the Year Co-ordinator in the first instance to attempt mediation/informal resolution of the complaint.
- If the matter cannot be resolved through mediation/informal resolution, it will then be referred to the Principal/Director of Boarding and Kincoppal-Rose Bay School’s internal formal complaints and appeals handling procedure will be followed, i.e.:
  - Boarding - Director of Boarding
  - Academic - Director of Curriculum
  - All other matters - Deputy Principal

**Formal Complaints Handling Procedure**

- The process of this grievance procedure is confidential and any complaints or appeals are a matter between the parties concerned and those persons directly involved in the complaints handling process.
- The student must notify the School in writing of the nature and details of the complaint or appeal.
- Written complaints or appeals are lodged with the Principal.
- Where the Internal Complaints and Appeals process is being accessed because the student has received notice from the School that the School intends to report the student for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has 20 days from the date of notification in which to lodge a written appeal.
- Internal Complaints and Appeals processes are usually available to students at no cost. Should a cost be incurred then the student will be advised of the minimal amount involved.
- Each complainant has the opportunity to present her case to the Principal.
Students may be accompanied and assisted by a support person at all relevant meetings.

The formal grievance process will commence within ten (10) working days of the lodgement of the complaint or appeal to the Principal.

Once the Principal has made a decision regarding the complaint or appeal, the student will be informed in writing of the outcome and the reason(s) for the outcome.

If the grievance procedure finds in favour of the student, Kincoppal-Rose Bay School will immediately implement the decision and any corrective and preventative action required.

Kincoppal-Rose Bay School undertakes to finalise all grievance procedures within ten (10) working days.

The student is required to maintain normal enrolment and attendance at all classes during the appeals process unless the School determines otherwise.

**External Appeals Process**

- If the complaints procedure does not find in favour of the student, or the student is dissatisfied with the result of the complaints procedure, the student will be informed of the External Complaints and Appeals process available at minimal or no cost.

- The external body used for Kincoppal-Rose Bay School’s External Complaints and Appeals processes is the Association of Independent Schools (AIS).

**Definitions**

- **working day** - any day other than Saturday, Sunday or public holiday during term time.

- **student** - a student enrolled at Kincoppal-Rose Bay School, or the parent(s) / approved guardian of a student where that student is under 18 years of age.

- **support person** - a friend/teacher/relative not involved in the grievance. It should be noted that the student's lawyer and/or education agents are not regarded as acceptable support persons at this stage of the complaints handling process.