

Complaint Handling

Table of Contents

Background	2
Purpose	2
Scope	2
Definitions and Interpretations	3
Definitions	3
Acronyms	4
Policy Statement and Principles	4
Policy Statement	4
Governing Principles	4
Roles and Responsibilities	5
EREAFLS and its Schools	5
Staff Receiving and/or Managing Complaints	5
All Parties to a Complaint	6
Complaint Handling Procedures	6
Three Stage Complaint Handling Process	6
Informal Complaint Handling Processes	6
formal Complaint Handling Processes	7
Internal Appeals Processes	8
External Appeals Avenues	10
Anonymous Complaints	10
Confidentiality	10
Access to Support and Representation	11
Additional Information and Resources	11
Conflict Resolution Practices	11
Informal Mediation Practices	11
Compliance and Accountability	12
Implementation	12
Record Keeping	12
Associated Information	13

Review	15
Further Assistance	15
Schedule 1 – Schools* under the administration of Edmund Rice Education Australia Flexible Schools Ltd.	16
Schedule 2 – EREAFSL Complaint Handling Report Forms.....	17
Schedule 3 – EREAFSL Complaint Handling Flow Chart.....	18

Background

Edmund Rice Education Australia Flexible Schools Ltd ('**EREAFLS**') is a Company Limited by Guarantee and is a registered not-for-profit with the Australian Charities and Not-for-Profit Commission ('**ACNC**').

EREAFLS administers a network of Catholic Schools across Australia (see [Schedule 1](#)) in the Edmund Rice Tradition. The charism of Blessed Edmund Rice expressed through the touchstones of Liberating Education, Gospel Spirituality, Inclusive Community, Justice, and Solidarity, underpins our continued commitment to a safe and inclusive environment for all.

Purpose

The purpose of this document is to outline the Complaint Handling principles, processes, expectations, and requirements of EREAFSL, its Schools and Staff.

Adherence with this document and the related policy is designed to ensure that best practice occurs for reporting, recording, investigating, finalising, reviewing, and monitoring Complaints, and their outcomes.

EREAFLS adheres to the standards for School Registration in all jurisdictions for which EREAFSL is the governing authority that requires all Schools to have evidence of their local policy and procedure in relation to complaints management.

Scope

This document applies to all Young People, parents, carers, families, Staff, Volunteers, Contractors, Board Directors, Board Committee members and SAC members at EREAFSL and in each of its Schools listed in [Schedule 1](#) of this document. This document covers all physical, virtual, and online environments, encompassing on and off-site school premises.

This document should be read in conjunction with the [Complaint Handling Policy](#).

This document covers the processes for the management of concerns and complaints relating to:

- a wrongful act;
- failure to do something that should have been done;
- behaviour or conduct that is unfair or impolite;
- an act or behaviour that is contrary to the EREAFSL Codes of Conduct, including Complaints from Young People, parents/carers or other members of the greater EREAFSL community that pertain to bullying, discrimination, harassment, sexual harassment and victimisation;
- issues related to enrolments;
- communication issues;
- general administration issues; and/or
- any other concern or issue similar to the above that is not specifically listed below as outside the scope of this document.

The following concerns and complaints are outside the scope of this document:

- Child Safeguarding and wellbeing concerns or risks of harm to Children and Young People. Please refer to the National [Safeguarding Policy](#) for more information;
- Complaints by Staff members relating to their employment, to discrimination, bullying or harassment in the

workplace, or other workplace related grievances. Please refer to the Workplace Complaint Management Policy for more information;

- Young Person discipline matters, including matters involving reflection or expulsion. Please refer to the Behaviour Management Policy for more information;
- formal legal proceedings.

Definitions and Interpretations

Where the following term(s) and acronym(s) are used within this policy they are intended to have the meaning(s) as outlined below:

DEFINITIONS

Term	Definition
Appeals Manager	means the Staff member who has been assigned the responsibility of considering and managing an initial Internal Appeals request.
Assurance	means the EREAFSL software and digital storage system used to record, store and report on compliance related matters in the organisation.
Board	means the EREAFSL Board.
Board Committee	means a Committee of the Board, which may include persons other than Board Directors.
Board Directors	means Directors of the Board.
Complainant	means the person making the Complaint.
Complaint	means a reasonable expression of dissatisfaction made to EREAFSL, or one of its Schools, related to our services or operations, or the Complaints handling process itself, where a response or resolution is explicitly or implicitly expected.
Complaint Manager	means the Staff member who has been assigned the responsibility of managing and investigating a Formal Complaint.
Contractor	means someone engaged by EREAFSL to perform specific tasks. Contractors are not employees of the EREAFSL.
Effective Date	means the date of publication of the policy.
Final Appeals Manager	means the Staff member (usually a member of the NLT) who has been assigned the responsibility of considering and managing a final appeals request.
Formal Complaint	means a Complaint about a matter that is serious, complex or may pose a threat to the health and safety of any person, or where it is not appropriate to be handled by the informal management processes.
Head of Campus / Principal	means the appointed authority of an EREAFSL School.
Informal Complaint	means a complaint about a matter that is likely to be simple, straight forward, easily manageable, or minor, where a simple or quick resolution is appropriate such as discussion of the matter with a relevant staff member.
Internal Appeal	means the internal process available for a Formal Complaint outcome / resolution to be reviewed.
Procedures	refers to the <i>Complaints Handling Guidelines and Procedures</i> .
Procedural Fairness	also known as natural justice, requires decision-makers to be objective, unbiased, 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 allegations before a decision is made.
Purpose	means the purpose section of this policy.
Regional Director	means the appointed authority of EREAFSL Schools within the Region.
Reporting Obligations	also known as reportable conduct, mandatory reporting, and means the definition under the relative jurisdictions in which each of the Schools operate. These include a sexual offence, sexual misconduct, ill-treatment of a child, neglect of a child, an assault against a child, failure to protect, failure to report under the respective legislative instruments applicable in each jurisdiction; and behaviour that causes significant emotional or psychological harm to a child.

Respondent	means the person who is referred to in a Complaint by a Complainant as the person responsible for their concerns or who can best respond to their concern.
School(s)	means the registered non-government schools (including Registered Training Organisations ('RTO') and other educational facilities) located in and operating within Australia that are listed in Schedule 1 , and such other schools, RTO or educational facilities as EREAFSL may establish in Australia or acquire, govern, and operate from time-to-time. This definition also applies to campuses of Schools and to a School operating across various sites.
Staff	also known as employee(s), means current EREAFSL employees.
Teacher	means a person employed in a School who is qualified in that jurisdiction to practice as a teacher of children and Young People of school age.
Volunteer	means a person associated with a School who does unpaid work for that School by agreement with the School.
Young Person / Young People	also known as students, means those who are currently enrolled at one of the EREAFSL Schools listed in Schedule 1 .

ACRONYMS

Acronym	Full Reference
ACNC	means the Australian Charities and Not-for-Profit Commission.
CEO	means the EREAFSL Chief Executive Officer.
DRC	means the EREAFSL Director of Risk and Compliance.
EREAFLS	means Edmund Rice Education Australia Flexible Schools Ltd.
NLT	means the EREAFSL National Leadership Team.
RTO	means Registered Training Organisation/s.
SAC	means School Advisory Council/s.
TEREA	means the Trustees of Edmund Rice Education Australia.

Policy Statement and Principles

POLICY STATEMENT

EREAFLS acknowledges the right of persons associated with EREAFSL to complain when dissatisfied with the manner in which it has managed its operations or services, including an action, inaction or decision. EREAFSL encourages honest and constructive feedback and are committed to ensuring that Complaints received are handled in a way that is responsive, efficient, consistent, effective, and transparent.

EREAFLS's approach to Complaint handling has been designed to be fair and robust aiming at reaching supportive and mutually positive outcomes.

EREAFLS will ensure that staff endorse this policy and can recognise, receive, and appropriately refer Complaints to the informal or formal Complaints procedures.

EREAFLS recognises that time spent on handling Complaints can be an investment in better service to Young People and parents / carers, and a better culture for Staff and other person associated with EREAFSL. EREAFSL views Complaints as a part of an important feedback and accountability process.

GOVERNING PRINCIPLES

EREAFLS is committed to handling Complaints in a manner consistent with the following guiding principles:

- Complaints will be taken seriously, dealt with fairly and objectively, in a way that is culturally safe and sensitive, without judgment and addressed in a reasonable timeframe;
- Complaints should be resolved with as little formality and disruption as possible, having regard to the nature of the Complaint, with mediation, negotiation and informal resolution being optional alternatives;
- involved parties to the Complaint (e.g., the Complainant and any respondent) will be heard and/or may provide relevant information in relation to the Complaint;
- Complainants will have access to an appeals process, should they be dissatisfied with the outcome of the



- initial Complaint handling process;
- confidentiality, protection of privacy, respect, access, dignity and impartiality will form the basis of the Complaints raising, reviewing and resolution process;
- the Complainant and any Respondent will be offered support as appropriate;
- victimising behaviour towards a Complainant, Respondent or other related persons will not be tolerated;
- anonymous Complaints will be treated on their merits like any other Complaint, where possible; and
- Complainants that lodge a complaint in good faith and on reasonable grounds will not suffer any other reprisals on the bases of lodging the Complaint.

Roles and Responsibilities

All members of the EREAFSL community play a part in implementing and upholding the principles of this policy. The details of those key responsibilities are outlined below:

EREAFL AND ITS SCHOOLS

EREAFL and its Schools have the following roles and responsibilities to:

- develop, manage, implement, promote and act in accordance with the Complaint Handling Policy;
- appropriately communicate and distribute this document and the related policy to all EREAFSL Young People and their parents and carers, and by making this document and related policy accessible to the greater EREAFSL school communities;
- select an appropriate person to take carriage of a Complaint;
- ensure the Complainant is aware of the correct process to lodge a Complaint, including timeframes and the specific information required;
- ensure that appropriate support is available to all parties to a Complaint;
- provide appropriate training and support to Staff members responsible for managing the Complaints processes;
- where appropriate report Complaints and outcomes to the EREAFSL Board;
- where appropriate report to the insurer if a Complaint is connected to an insured risk;
- provide relevant parties with reasonable progress updates;
- take appropriate action to prevent victimisation or action in reprisal against the Complainant, Respondent or any other person associated with them;
- provide ongoing support to ensure the Complaint remains resolved after the fact;
- maintain accurate records of all Complaints and resulting actions in a confidential Complaints Register and in accordance with the Records Management Policy and related Retention, Archival and Disposal schedule; and
- conduct annual reviews/audits of the Complaints Register to inform improvement processes.

STAFF RECEIVING AND/OR MANAGING COMPLAINTS

EREAFL staff that are responsible for receiving and/or managing Complaints have the following roles and responsibilities to:

- act in accordance with the EREAFSL [Complaint Handling Policy](#) and related Guidelines and Procedures;
- acknowledge and respect that Young People, parents/carers, Staff, and the greater EREAFSL School communities are entitled to raise a Complaint in good faith;
- refer the Complainant to the EREAFSL [Complaint Handling Policy](#) and related Guidelines and Procedures and provide additional information as necessary;
- encourage the use of Informal Complaint handling processes, where appropriate, in the first instance;
- maintain confidentiality as far as possible;
- keep appropriate records, in accordance with the Records Management Policy and related Retention, Archival, and Disposal schedule;
- forward Complaints to relevant Staff to manage the Complaint handling process in accordance with this document and the related policy, and considering the seriousness and nature of the Complaint, and who the Complaint pertains to; and
- not victimise or act in reprisal against the Complainant, Respondent, or any other person associated with them.

ALL PARTIES TO A COMPLAINT

The Complainant and Respondent both have the following roles and responsibilities to:

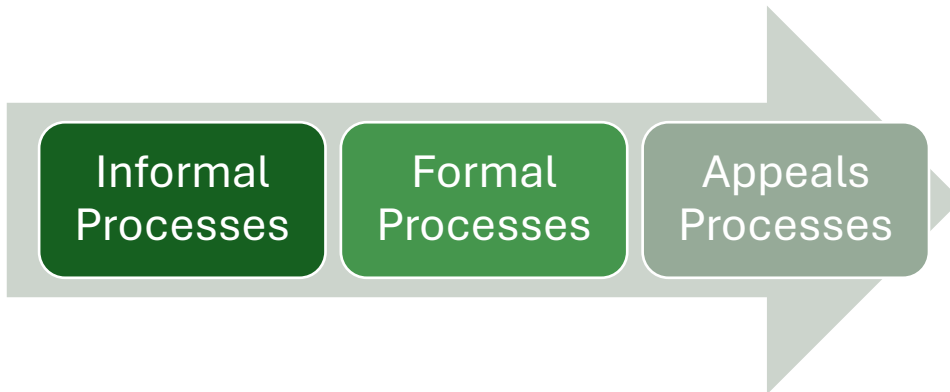
- read and understand the EREAFSL [Complaint Handling Policy](#), and related Guidelines and Procedures and how they should be correctly applied;
- lodge the Complaint as soon as possible after the issues arises;
- provide complete and factual information in a timely manner;
- not deliberately provide false or misleading information, or make frivolous or vexatious complaints;
- act in good faith;
- act in a non-threatening, calm and courteous manner;
- access available support, as needed;
- have realistic and reasonable expectations about the possible outcome(s), acknowledging that the common goal is to achieve an outcome acceptable to all parties wherever possible;
- recognise that all parties have rights and responsibilities which must be balanced;
- maintain and respect the privacy and confidentiality of all parties; and
- not victimise or act in reprisal against the Complainant, Respondent, or any other person associated with them.

Complaint Handling Procedures

The purpose of the following procedures is to provide EREAFSL Young People, their parents / carers, and members of the greater EREAFSL School communities with the opportunity to have a Complaint or concern dealt with through the most appropriate channel, ensuring a fair and consistent approach is applied.

THREE STAGE COMPLAINT HANDLING PROCESS

EREAFL operates a 3-stage Complaint Handling process:



INFORMAL COMPLAINT HANDLING PROCESSES

EREAFL recognises that often Complaints are simple misunderstandings that are easily resolved through effective communication. Young People, parents / carers, and members of the greater EREAFSL School communities are encouraged to communicate openly with School Staff to help remedy any issues that may arise.

EREAFL recommends that in the first instance, wherever possible and appropriate, using the following Informal Complaint Handling processes:

1.	<p>In the first instance (wherever possible and appropriate) where a Young People, parent, carer, Staff member and/or members of the greater EREAFSL School communities have a concern they are encouraged to approach their School for assistance with an informal resolution process.</p> <p>For Young People this may be a Teacher or Youth Worker.</p> <p>For parents / carers and members of the greater school community this may be the School administration or Head of Campus.</p> <p>For Staff / Volunteers this may be their direct manager or a member of the HR team.</p>
-----------	--

2.	<p>Informal discussions will be organised to take place between the relevant parties as soon as possible.</p> <p>Support persons are permitted, and Young People are encouraged to have someone with them during this process – this may include a parent or carer.</p> <p>The aim of an informal approach is to facilitate an open discussion about the concern / Complaint and work together to find a mutually agreeable resolution / outcome. In order to give the process the greatest chance of success all parties should:</p> <ul style="list-style-type: none"> • Adopt an open, non-defensive and unbiased approach to communication. • Focus on the issue or Complaint and not on the personality. • Have a clear idea of what the Complaint is and the grounds on which it was made. • Work cooperatively to determine how best to resolve the issue. • Look for constructive solutions.
3.	<p>The Staff member facilitating the informal discussion, will follow up with written correspondence to all relevant parties.</p> <p>A short email will be sent to outline what the agreed resolution / outcome was and highlight and other resolution processes available within the scope of the Policy that are available should the issue persist or escalate.</p>

FORMAL COMPLAINT HANDLING PROCESSES

Where the informal approach could not reach a satisfactory resolution, or an individual is not comfortable with the informal approach, or the seriousness of the issue is not suitable for resolution informally, the Complaint should be dealt with using the following Formal Complaint Handling processes:

Note	<p><i>Before lodging a Formal Complaint, EREAFSL encourages Complainants to make sure they have read and understood the Complaint Handling Policy as it applies to them, along with these supporting Guidelines and Procedures. More information or copies of these documents can be found on the EREAFSL website, or by sending an email to complaints@ereafsn.edu.au</i></p>
1.	<p>All Formal Complaints must be submitted in writing using the prescribed form. The Complaint Report form can be accessed and submitted in the following ways:</p> <ul style="list-style-type: none"> • via the Online Form in the Assurance system, which will automatically be submitted when you complete the form and click on the submit button at the bottom of the page, or • via the Printable Form, which can be accessed and completed either electronically or printed and handwritten. The completed form should then be emailed through to complaints@ereafsn.edu.au. <p>EREAFL encourages Complainants to take care completing the form, ensuring they provide as much detail and factual information about their Complaint as possible, including any relevant supporting information.</p>
2.	<p>All Complaints are received and initially managed by the Director of Risk and Compliance. It is their responsibility to:</p> <ul style="list-style-type: none"> • ensure the Complaint report form is complete, and any supporting documentation has been received, • allocate a Complaint Reference number, • undertake the initial assessment of the complaint, including to determining which Staff member will be assigned the ‘Complaint Manager’ to the management and investigation of the Complaint, • acknowledging receipt of the Complaint to the Complainant within 10 business days, including notifying them of the Complaint Reference Number, and the name of the Staff member that has been assigned as the Complaint Manager, and • monitor the ongoing Complaint Handling process to ensure a timely approach is applied by the Complaint Manager.

	The Director of Risk and Compliance will also ensure that the received Formal Complaint is recorded in the confidential Complaints Register.
3.	<p>The assigned Complaint Manager will be responsible for investigation and management of the Complaint from this point. They will undertake an assessment to decide on the most appropriate course of action, this may include:</p> <ul style="list-style-type: none"> • collecting and analysing information relevant to the Complaint, • working collaboratively with all parties involved, • identifying any contributing factors to the Complaint, • speaking with all relevant parties, including any witnesses, and/or • documenting the investigative process and outcomes. <p>All parties involved in the Complaint will be advised of the process to be followed and will receive progress updates as appropriate throughout the process.</p> <p>Regardless of the course of action selected, the Complaint Manager will always follow the principles of the Complaint Handling Policy.</p> <p>The Complaint Manager will endeavour to complete the assessment / investigation process within 30 business days of receipt of the Complaint. If a longer period is required, the Complaints Manager will advise all related parties in writing via email.</p>
4.	<p>Once all relevant evidence / information has been gathered from the related parties and any witnesses, the Complaint Manager will decide whether to:</p> <ul style="list-style-type: none"> • attempt to resolve the Complaint through resolution strategies such as mediation, • take no further action if the Complaint is not substantiated, • escalate and refer the Complaint to the relevant higher level of management or external agency, where appropriate, • initiate any further internal investigation of the Complaint if further information is required, or • other actions the Complaint Manager determines as appropriate in the circumstances.
5.	<p>The Complaint Manager is responsible for communicating and/or putting in place any outcomes resulting from the resolution of the Complaint Handling process.</p> <p>The outcome / resolution of all Formal Complaint Handling processes must be recorded, including on the Complaints Register.</p> <p>The Complaint Manager will communicate the outcome/resolution to all parties to the complaint via formal letter. The communication will include the reasons supporting the outcome, and information regarding the appeals avenues available should either party be dissatisfied with the outcome.</p>
Note	<i>Records of all Formal Complaint Handling processes will be maintained and managed in accordance with the Records Management Policy and the relevant Retention, Archival, and Disposal Schedule.</i>

INTERNAL APPEALS PROCESSES

Where the Complainant is dissatisfied with the outcome of the Formal Complaint Handling process, they are advised of their right to access two levels of Internal Appeal processes, as outlined below:

Note	<i>An Internal Appeal will consider the Complaint Handling process followed by the Complaint Manager, and the outcome / resolution reached. It will not re-investigate the original Complaint.</i>
1.	If a Complainant, or Respondent, is dissatisfied with the outcome of a Formal Complaint Handling process, they may appeal the outcome through two levels of Internal Appeals.

2.	<p>In the first instance, and promptly following the receipt of the Formal Complaint outcome, an initial Internal Appeal can be requested (by either the Complainant or the Respondent to a Complaint) by sending an email to complaints@ereafsn.edu.au. The email should include:</p> <ul style="list-style-type: none"> • clear communication that an appeal is requested in accordance with the EREAFSL Complaint Handling Policy, • the original Complaint Reference Number, • details of the Complaint outcome and the grounds on which it is believed the Complaint has not been satisfactorily dealt with, and • any other supporting information or documentation.
3.	<p>All Internal Appeal requests are received and initially managed by the Director of Risk and Compliance. It is their responsibility to:</p> <ul style="list-style-type: none"> • ensure the appeal request provides sufficient information to be processed, including the provision of any supporting documentation, • allocate an Appeal Reference number, • undertake the initial assessment of the appeal request to determine which Staff member will be responsible for the management and consideration of the appeal ('Appeals Manager'), noting that the Staff member that undertook the Complaints Manager responsibilities for the Complaint cannot be assigned the Appeals Manager role for the Internal Appeal process, • acknowledging receipt of the appeal request within 10 business days, including notification of the Appeal Reference Number, and the name of the Staff member that has been assigned as the Appeals Manager, and • monitor the ongoing appeals process to ensure a timely approach is applied by the Appeals Manager. <p>The Director of Risk and Compliance will also ensure that the receipted Internal Appeal is recorded in the confidential Complaints Register.</p>
4.	<p>The assigned Appeals Manager will be responsible for the consideration and management of the appeal from this point. They will undertake an assessment to determine:</p> <ul style="list-style-type: none"> • if the original Complaint Handling processes followed the governing principles and processes outlined in the Complaint Handling Policy and related Guidelines and Procedures, and • if the Complaint outcome / resolution was a reasonable conclusion to the Complaint Handling process given the results of the investigation, assessment and supporting information. <p>The Appeals Manager will endeavour to complete the assessment process within 30 business days of receipt of the appeal request. If a longer period is required, the Appeals Manager will advise all related parties in writing via email.</p>
5.	<p>The Appeals Manager will communicate the appeals outcome by formal letter, and will include the reasons supporting the outcome, and information about the next available Internal Appeals process that may be applicable should the appeal outcome be unsatisfactory.</p> <p>This outcome will be recorded in the Complaints Register.</p>
6.	<p>If the Complainant (or Respondent) of the original Complaint is dissatisfied with the outcome of the initial Internal Appeal, they may access a second and final Internal Appeal. This appeal can be requested by sending an email to complaints@ereafsn.edu.au. The email should include:</p> <ul style="list-style-type: none"> • clear communication that a second appeal is requested in accordance with the EREAFSL Complaint Handling Policy, • the Appeals Reference Number, • details of the initial appeal outcome and the reasons why that outcome is believed to be unsatisfactory, and • any other supporting information or documentation.

7.	<p>As with the initial appeal, the second Internal Appeal request will be received and initially managed by the Director of Risk and Compliance. They will:</p> <ul style="list-style-type: none"> determine which Staff member will be responsible for the management and consideration of the final appeal ('Appeals Manager') and assign it to them, noting that the Staff member that undertook the Complaints Manager and initial Appeals Manager responsibilities for the Complaint / appeal cannot be assigned the Appeals Manager role for the final Internal Appeal process, acknowledging receipt of the appeal request within 10 business days, including the name of the Staff member that has been assigned as the Appeals Manager, and monitor the ongoing appeals process to ensure a timely approach is applied by the Appeals Manager. <p>The Director of Risk and Compliance will also ensure that the receipted final Internal Appeal is recorded in the confidential Complaints Register.</p>
8.	<p>The assigned Appeals Manager will be responsible for the consideration and management of the final appeal from this point. They will undertake an assessment to consider the initial Internal Appeal process, including a review of the original Complaint Handling process, looking for adherence to EREAFSL policy and procedures.</p> <p>The Appeals Manager will endeavour to complete the assessment process within 20 business days of receipt of the final appeal request. If a longer period is required, the Appeals Manager will advise all related parties in writing via email.</p>
9.	<p>The Appeals Manager will communicate the final Internal Appeal outcome by formal letter, and will include the reasons supporting their decision, state that this is the final mechanism available internally with EREAFSL and provide information about other external appeal avenues that may be applicable.</p> <p>This outcome will be recorded in the Complaints Register.</p>
Note	<p><i>Records of all internal appeals processes will be maintained and managed in accordance with the Records Management Policy and the relevant Retention, Archival, and Disposal Schedule.</i></p>

EXTERNAL APPEALS AVENUES

There are several external Complaint Handling avenues available in instances where a person is not satisfied with the internal Complaint resolutions or appeal outcomes. Complainants can seek out advice from external parties such as the regulatory authorities for the jurisdiction of the related school, for example, in Queensland that would be the Non-State Schools Accreditation Board ('**NSSAB**'), the Anti-Discrimination Commission, the Human Rights & Equal Opportunity Commission, or the Fair Work Commission, or may seek their own independent legal advice.

ANONYMOUS COMPLAINTS

EREAFLS will investigate anonymous Complaints if there is enough information in the Complaint submission to do so. Complainants are encouraged to provide as much detail as possible, particularly when wishing to remain anonymous so that issues raised can be addressed fairly and effectively.

When faced with people who behave unreasonably or complaints that are found to be vexatious, EREAFSL will take proactive and decisive action to manage any conduct that unreasonable affects EREAFSL or its Schools and Staff will be supported to do the same.

CONFIDENTIALITY

EREAFLS will afford privacy and confidentiality to all parties to the extent required by and permitted by law. Information with respect to the Complaint will remain confidential and only be disclosed to Staff within EREAFSL and its Schools on a need-to-know basis. Personally identifiable information about a Complainant and/or Respondent will only be made available for the purpose of addressing the Complaint and, unless the Complainant and/or Respondent consents, will be actively protected from disclosure.

Members of Staff have a right, under procedural fairness, to know about Complaints that might be damaging to their reputation. Such Complaints will be known only to themselves and those who are consulted as part of the process.

EREAFLS requires and expects that all parties will, when addressing concerns and Complaints, maintain the confidentiality of all parties strictly in accordance with confidentiality and privacy policies and legislative requirements.

ACCESS TO SUPPORT AND REPRESENTATION

EREAFLS acknowledges that raising issues of conflict may be difficult for some people. Therefore, the option exists for a support person to be included in any meetings with the person investigating the Complaint upon request.

The role of a support person is to provide physical and emotional support to the Complainant or Respondent and will assist them throughout the meeting. They are not typically entitled to speak or advocate on their behalf during the meeting – an exception is made where the support person is a parent or carer providing support to a Young Person who is the Complainant or Respondent.

A support person for a Young Person could be a parent or carer, friend, or other family member. A support person for a Staff member could be a colleague, friend, family member, or union representative.

EREAFLS may refuse a Complainant and/or Respondents' choice of support person if there is a potential conflict of interest.

Additional Information and Resources

CONFLICT RESOLUTION PRACTICES

EREAFLS encourages the use of informal approaches to conflict resolution wherever possible and appropriate. The below information outlines recommended practices for conducting a conflict resolution meeting to ensure the best possible outcomes for all parties involved.

Notifying person should:

- Schedule an appointment promptly when a concern arises (early attention).
- Maintain respect in voice, tone, body language, and behaviour.
- Understand that disrespectful behaviour will not be tolerated.
- Clearly articulate the concern, reasons for concern, and the desired outcome.
- Provide all relevant information when expressing the concern.

Receiving Staff member should:

- Actively listen.
- Receive information with an open mind and exhibit respectful conduct.
- Acknowledge the person's concerns and express gratitude for bringing the matter forward.
- Summarise understanding through questions.
- Agree to actions resulting from addressing the matter.
- Communicate the need for time to consider, consult, and address the concern within the school's reasonable timeframe.
- Seek feedback on the agreed-upon course of action and timeline.
- Implement the agreed-upon next steps.
- Provide feedback to the relevant party regarding the matter and its resolution.

INFORMAL MEDIATION PRACTICES

Mediation is the most common form of Dispute Resolution. It's a confidential, informal process in which all parties, seek the assistance of an independent mediator to:

- Facilitate open communication and ensure each party is heard.
- Identify the disputed issues.
- Develop options and consider alternatives.
- Aim to reach an agreement if deemed appropriate.

The guiding principles of the mediation process are embracing a sense of responsibility within the group and aligning actions with school values, as well as attending to others with respectful listening, accepting diverse opinions, and committing to group decisions.

The mediation process typically commences with the mediator individually listening to each person to assess the suitability of mediation. Throughout the mediation, the goal is for both sides to collaboratively work towards reaching an agreement. The mediator guides the process, with input from both parties regarding the topics to be discussed. The following is a summary of each step within the mediation process:

Intake Session: The mediator listens to each party's viewpoint separately, without the presence of the other party.

Introduction: The mediator welcomes participants, including support individuals, and outlines how the session will be conducted.

Issues Set Out: The mediator collaborates with participants to summarise the disputed issues (defining the source of conflict).

Discussion: Participants engage in a comprehensive discussion about the issues and their concerns, without comment, and responds to the viewpoint of the other respectfully, acknowledging diverse perspectives.

Negotiation: Discussions focus on exploring options and potential resolutions, encouraging parties to look beyond the incident and propose solutions both can support.

Agreement: If an agreement is reached, participants record it in writing. In cases where no agreement is reached, the mediation often clarifies the disputed issues, necessitating potential further mediation or alternative dispute resolution methods.

Compliance and Accountability

IMPLEMENTATION

It is the responsibility of each School and office to ensure that their Staff, Volunteers and Contractors, and where relevant, Young People and their parents/carers, are trained in accordance with this document and the related policy. This document will be made available to Schools through the EREAFSL Policy Connect web portal.

On occasion where this document undergoes major / key changes and updates, the National Risk and Compliance team will communicate those changes with the relevant School level managers who will then be responsible for disseminating that information to their Staff, and where relevant, Young People and their parents/carers. Where major change makes it necessary, policy training modules will be developed by the National Risk and Compliance team and will be made available to all relevant Staff via the CompliLearn portal.

Continuous Improvement

Complaints can provide a valuable source of information about EREAFSL and its Schools performance and any areas that need improvement. EREAFSL will ensure that Complaints are recorded in a way that enables suitable analysis.

EREAFL will prepare regular reports on complaints that will include:

- the number and types of Complaints received in a given time period;
- the outcomes of the Complaints including implementation of improvements;
- any systemic issues identified;
- timeliness of responding to, and resolving Complaints; and
- any unresolved Complaints, or Complaints that have escalated to an appeals process.

RECORD KEEPING

All records pertaining to this document will be managed and maintained in accordance with the Records Management Policy and the related Retention, Archival, and Disposal schedule.

When handling all Complaints, EREAFSL and its Schools will keep and maintain any records as required in compliance with statutory authority requirements.

The National Risk and Compliance team will keep records, in accordance with the Records Management Policy, of all policy review processes, including records and notes from policy audits, feedback and consultation processes, and any subsequent changes.

Complaint Register

EREAFLSL will maintain a Complaint register, that can be separated out to School level, regional level, and national level. Each will include details such as the date, source and description of Complaints, the Staff member responsible for managing the complaint, the actions taken, outcome and date the complaint was closed.

Each Complaint register will be stored securely.

All Complaints shall be entered onto the Complaint register as soon as practicable after the Complaint is received.

To safeguard confidentiality and maintain the integrity of the Complaint handling process, access to the Complaint register will be limited to the Director of Risk and Compliance and the CEO, with exceptions extending to regulatory authorities who make requests as a part of audit or registration processes.

Associated Information

This policy aligns with, and is supported and complimented by, the following Commonwealth and State/Territory legislation, standards, regulations, EREAFLSL policies and procedures, and other supporting forms and documentation:

Related Legislation, Policies and Procedures	
Relevant Legislation, Legislative Instruments, Standards and Regulations	<p>Commonwealth</p> <ul style="list-style-type: none"> • <i>Age Discrimination Act 2004</i> • <i>Australian Education Act 2012 and Regulation 2013</i> • <i>Australian Human Rights Commission Act 1986</i> • <i>Disability Discrimination Act 1992</i> • <i>Disability Standards for Education</i> • <i>Family Law Act 1975</i> • <i>Privacy Act 1988</i> • <i>Racial Discrimination Act 1975</i> • <i>Sex Discrimination Act 1984</i> • <i>Standards Australia, Guidelines for complaint management in organisations (ISO 1002:2002, NEQ)</i>
	<p>Queensland</p> <ul style="list-style-type: none"> • <i>Anti-Discrimination Act 1991</i> • <i>Child Protection Act 1999</i> • <i>Civil Liability Act 2003</i> • <i>Criminal Code Act 1899</i> • <i>Domestic and Family Violence Protection Act 2021</i> • <i>Education (Accreditation of Non-State Schools) Act and Regulation 2017</i> • <i>Education (QCT) Act 2005 and Regulation 2016</i> • <i>Education (General Provisions) Act 2006</i> • <i>Public Health Act 2005</i> • <i>Work Health and Safety 2011</i>
	<p>Northern Territory</p> <ul style="list-style-type: none"> • <i>Anti-Discrimination Act 1992</i> • <i>Care and Protection of Children Act 2007</i> • <i>Care and Protection of Children (Screening) Regulations 2010</i> • <i>Criminal Code Act 1983</i> • <i>Education Act and Regulations 2015</i> • <i>Teacher Registration (NT) Act and Regulations 2004</i> • <i>Personal Injuries (Liabilities and Damages) Act 2003</i> • <i>Work Health and Safety Act NUL 2011</i>
	<p>New South Wales</p> <ul style="list-style-type: none"> • <i>Anti-Discrimination Act 1977</i> • <i>Child Protection (Working with Children) Act 2012</i> • <i>Children and Young Persons (Care and Protection) Act 1988</i>

	<ul style="list-style-type: none"> • <i>Civil Liability Act 2002</i> • <i>Crimes Act 1900</i> • <i>Crimes (Domestic and Personal Violence) Act 2007</i> • <i>Education Act 1990</i> • <i>Education Standards Authority Act 2013</i> • <i>Teacher Accreditation Act 2004</i> • <i>Work and Health and Safety Act 2011</i>
	<p>Tasmania</p> <ul style="list-style-type: none"> • <i>Anti-Discrimination Act 1998</i> • <i>Children, Young Persons and Their Families Act 1997</i> • <i>Civil Liability Act 2002</i> • <i>Criminal Code Act 1924</i> • <i>Education Act 2016 and Education Regulations 2017</i> • <i>Family Violence Act 2004</i> • <i>Registration to Work with Vulnerable People Act 2013 and Regulations 2014</i> • <i>Teachers Registration Act 2013</i> • <i>Work Health and Safety Act 2012</i>
	<p>South Australia</p> <ul style="list-style-type: none"> • <i>Children and Young People (Safety) Act and Regulations 2017</i> • <i>Child Safety (Prohibited Persons) Act 2016 and Regulations 2019</i> • <i>Civil Liability Act 1936</i> • <i>Criminal Law Consolidation Act 1935</i> • <i>Education and Children's Services Act 2019 and Regulations 2020</i> • <i>Equal Opportunity Act 1984</i> • <i>Intervention Orders (Prevention of Abuse) Act 2009</i> • <i>Teachers Registration and Standards Act 2004 and Regulations 2021</i> • <i>Work Health and Safety Act 2012</i>
	<p>Western Australia</p> <ul style="list-style-type: none"> • <i>Children and Community Services Act 2004 and Regulations 2006</i> • <i>Civil Liability Act 2002</i> • <i>Criminal Code Act Compilation Act 1913</i> • <i>Equal Opportunity Act 1984</i> • <i>Registration Standards for Non-Government Schools</i> • <i>School Education Act 1999 and Regulations 2000</i> • <i>Teacher Registration Act and Regulations 2012</i> • <i>Working with Children (Criminal Record Checking) Act 2004 and Regulations 2005</i> • <i>Work Health and Safety Act 2020</i>
Relevant EREAFSL Policies and Procedures	<ul style="list-style-type: none"> • <u>Code of Conduct (staff)</u> • <i>Code of Conduct (students)</i> • <u>Complaint Handling Policy</u> • <i>Records Management Policy</i> • <i>Records Management Guidelines and Procedures</i> • <i>Risk Management Policy</i> • <u>Safequarding Policy</u> • <i>Whistleblower Policy</i> • <i>Workplace Complaint Management Policy</i>
Other Relevant Reference Documents, Websites and Forms	<ul style="list-style-type: none"> • <u>Complaint Handling Report Form (online)</u> • <u>Complaint Handling Report Form (printable)</u> • <u>National Principles for Child Safe Organisations</u> • <i>Complaints Handling Program and CompliLearn module (web enabled)</i>

Review

This document will be reviewed **annually**, and amendments and updates made as required. Reviews may occur more regularly where a legislative or regulatory change requires it.

The National Risk and Compliance team is responsible for ensuring that the **annual** review of this document is undertaken, which includes applying any relevant legislative and/or regulatory changes, thorough consultation with relevant stakeholders, and having the policy reviewed and approved by the EREAFSL CEO.

Further Assistance

Policy queries should be directed to the Director of Risk and Compliance.

Document Version Control

Complaint Handling Guidelines and Procedures	
Status	Approved
Version	Version 1.0
Policy Code	RC.002 a
Category	Operational
Sub-Category	Director of Risk and Compliance
Effective Date	14/10/2024
Review Date	14/10/2025
Approval Authority	Chief Executive Officer ('CEO')
Governing Authority	EREAFLS Board
Approval Date	14/10/2024
Expiry Date	14/10/2025
Policy Owner	Director of Risk and Compliance
Policy Owner Delegate	Director of Risk and Compliance

Schedule 1 – Schools* under the administration of Edmund Rice Education Australia Flexible Schools Ltd.

School	Site Address
Albert Park Flexible School	1 Hale Street, Brisbane QLD 4000
Bowen Education Engagement Program	48 George Street, Bowen QLD 4805
Burdekin Education Program	Ayr Racecourse – Cunningham Street, Ayr QLD 4807
Deception Bay Flexible School	17 Silver Street, Deception Bay QLD 4508
Edmund Rice Flexi School (Davoren Park)	8 Skewes Street, Davoren Park SA 5113
Edmund Rice Flexi School (Elizabeth)	Bldg G21 Elizabeth TAFE – Woodford Road, Elizabeth SA 5112
FAME	13 McKinna Road, Christie Downs SA 5164
Flexi RTO	Unit 18, 56 Lavarack Avenue, Eagle Farm QLD 4009
Geraldton Flexible School	15 Bayly Street, Geraldton WA 6530
Gympie Flexible School	2 Bowen Lane, Gympie QLD 4570
Hemmant Flexible School	56 Hemmant-Tingalpa Road, Hemmant QLD 4174
Inala Flexible School	67 Poinsettia Street, Inala QLD 4077
Ipswich Flexible School	1 Queen Victoria Parade, Ipswich QLD 4305
Mount Isa Flexible School	74 Abel Smith Parade, Sunset Mount Isa QLD 4825
Noosa Flexible School	2 Girraween Court, Sunshine Beach QLD 4567
Pambula Beach Flexible School	149 Pambula Beach Road, Pambula NSW 2549
Rockhampton Flexible School	210 Upper Dawson Road, Rockhampton QLD 4700
St Edmund's College	60 Burns Road, Wahroonga NSW 2076
St Francis Flexible School	22 Ashbourne Grove, West Moonah TAS 7009
St Gabriel's School	190 Old Northern Road, Castle Hill NSW 2154
St Joseph's Catholic Flexible School	5 Bloomfield Street, Alice Springs NT 0870
St Laurence Flexible Learning Centre	137 Broadmeadow Road, Broadmeadow NSW 2292
St Mary's Flexible School	63 Forrester Road, St Marys NSW 2760
Southport Flexible School	2 Nakina Street, Southport QLD 4215
The Centre Education Programme	108 Mudgee Street, Kingston QLD 4114
Townsville Flexible School	22 Ingham Road, West End QLD 4810
Wollongong Flexible School	Corner Princes Highway and Towradgi Rd, Towradgi NSW 2518

* 'Schools' means the registered non-government schools (including Registered Training Organisations ('RTO') and other educational facilities) located in and operating within Australia that are listed in the above Schedule, and such other schools, RTO or educational facilities as EREAFSL may establish in Australia or may acquire, govern, and operate from time-to-time. This definition also applies to campuses of Schools and to a School operating across various sites.

Schedule 2 – EREAFSL Complaint Handling Report Forms

To access the Online version of the Complaint Handling Report Form – click [here](#).

To access the Printable / Editable PDF version of the Complaint Handling Report Form – click [here](#).

Schedule 3 – EREAFSL Complaint Handling Flow Chart

This flowchart provides a basic guide as to the internal complaint handling and appeals processes that are accessible to EREAFSL Young People, parents/carers, Staff, and the greater EREAFSL School communities.

