

# Complaints and Grievances Policy

<b>Relevant legislation</b>	Anti-Discrimination Act 1998 (Tas) Australian Human Rights Commission Act 1986 (Cth) Fair Work Act 2009 (Cth) Disability Discrimination Act 1992 (Cth) Education and Care Services National Law (Application) Act 2011 (Tas) Education and Care Services National Regulations Privacy Act 1998 (Cth)
<b>Commencement date</b>	01 July 2020
<b>Last review date</b>	01 June 2024

## 1. Purpose

The purpose of this policy is to provide a set of principles and procedures for the resolution of grievances at The Hutchins School (the School). This policy is to be used in conjunction with the **Complaints and**



	Indirect discrimination occurs when there is a requirement or rule that is the same for everyone but in effect disadvantages people from a particular group more than people from other groups - unless the requirement is reasonable in the circumstances.
<b>Harassment</b>	Unwelcome behaviour that makes a person feel belittled, intimidated, offended or apprehensive, and that a reasonable person, taking into account all the circumstances, would expect to cause offence, intimidation or apprehension.
<b>Staff</b>	For the purpose of this policy, 'staff' refers to all people engaged with the School, whether in a paid or unpaid capacity. This includes volunteers and contractors.
<b>The Hutchins School community</b>	For the purpose of this policy, 'The Hutchins School community' refers to alumni, associations (including, but not limited to, the Hutchins School Old Boys' Association and the Parents' Association) and governing bodies (such as The Hutchins School Board). Parents, carers and families are also covered by this designation.
<b>Victimisation</b>	P



## Records Management

During the informal resolution phase, record keeping occurs at the discretion of the staff member managing the complaint. Where a complaint or grievance is between two staff members, records should be kept at step 2 (see the [Complaints and Grievances Procedure](#)). These will be managed by Human Resources in collaboration with the staff member managing the process.

Upon the completion of the process, the following records must be provided to Human Resources for retention:

- the Complaints and Grievances Form;
- notes of meetings
- interview notes;
- witness statements;
- phone call records; and
- any other written documentation (including, but not limited to letters and memoranda).

The staff member managing this process must act fairly, impartially, and without bias, considering all relevant information and mitigating factors, seeking wherever possible to allow the voices of both the complainant and the respondent to be equitably heard.

The staff member managing the process must also conduct a factual investigation of the allegation(s) made, interviewing all parties and considering all relevant information.

### Timelines for resolution

Timelines for the resolution of a complaint or grievance can vary significantly depending upon the circumstances of both the report and the process that ensues as a result. Where a complaint is complex, or has a long history associated with it, it may take months to resolve, and involve investigations, mediation and interviews. A grievance over a one-time incident, however, may be resolved within a matter of hours.

The School will endeavor to resolve all complaint and grievances as quickly as possible and within 30 business days. Updates must be provided to the complainant and the respondent every 10 business days irrespective of the length of time it takes to resolve the complaint or grievance.

### The role of Human Resources

detailed within this policy and its associated procedures, complainants and respondents have the right to request alternate personnel, or to move to the next step in the [Complaints and Grievances Procedure](#).

## The Complaints and Grievances Form

The [Complaints and Grievances Form](#) serves as a single point of entry for all complaints and grievances that have progressed to the formal stage. Despite being a single form, this process handles complaints from staff, students and the School community through distinct mechanisms, and will distribute the complaint to the relevant staff member automatically depending on the details entered by the complainant. Where a complaint is received via other mechanisms (e.g. email), and once informal resolution options have been exhausted, staff may either direct the complainant toward the online form, or complete the form themselves on the basis of the communication that they have received.

## Complaints and grievances against the Principal

Complaints and grievances against the Principal are managed via the same form as other complaints, but with a number of significant distinctions. It is important that an attempt at informal resolution is made. Where no resolution can be reached, complainants have the right to proceed to a formal process; however, in such instances it is not appropriate for the Principal to manage the complaint.

Formal complaints made against the Principal are directed to the Chairman of the Board for resolution. This process is managed through the [Complaints and Grievances Form](#) and according to the Complaints and

