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Complaints Handling Policy

This policy details how the department assesses, resolves and follows up complaints in order to improve its delivery of education programs and services.

1. Policy statement

- 1.1** Complaint handling in the Department of Education is fair, efficient and accessible. The department has a respectful and productive workplace culture where consumers, members of the community, and staff can raise their concerns directly.
- 1.2** A complaint in the department can be:
 - an expression of dissatisfaction made by a community member or consumer about any aspect of a service provided (or contracted) by the department, the behaviour or decisions of staff, or about practices, policies and procedures
 - a staff complaint about another staff member relating to a range of concerns, including interpersonal conflict, staff behaviour, disagreements about how work is allocated or managed, disagreements about the application of workplace policies or other perceived unfairness.
- 1.3** Wherever possible, staff should attempt to directly resolve an issue or complaint raised by a member of the school community, a consumer, or other person by providing feedback or relevant information.

Staff should also attempt to resolve issues and concerns with other staff, face to face.

- 1.4** If a complaint cannot be resolved directly or face to face, it should be referred to the principal or immediate workplace manager. If the complaint is about the principal or workplace manager, it should be referred to their supervisor.

Any formal complaint by a staff member about another staff member should be made in writing (using the staff complaint form linked to the staff complaint procedure).

All staff involved in a complaint must keep information confidential and only discuss the issues raised by the complaint on a 'need to know' basis. Staff who raise a complaint must not be subjected to reprisal action.

- 1.5** The principal or workplace manager will appoint a complaint manager to manage the complaint process (including managing it themselves unless the complaint is about them).

The complaint manager should gather information, assess the issues raised by the complaint and consider reasonable outcomes.

- 1.6** Some complaints are not dealt with by the department.

Where there is a risk of significant harm to a student, the matter must be referred to the Child Protection Helpline as advised by the Mandatory Reporter Guide.

Allegations of criminal conduct must be referred to NSW Police.

- 1.7** A number of other complaints must be referred to particular specialist areas of the department as specified in the School Community and Consumer Complaint Procedure and the Staff Complaints Procedure.
- 1.8** If a complaint is made anonymously, the person who receives the complaint should, wherever possible, consider the issues raised and respond appropriately.
- 1.9** Complaints should be finalised within 20 working days and all parties will be kept informed of the progress of the complaint, the reasons for any decisions and the outcomes that will be implemented.
- 1.10** A complainant can request a review of a complaint outcome, which should be done within 10 working days from the decision, and will be carried out by an independent person and a person of equivalent or more senior level within the department who has not previously managed the complaint.

2. Audience and applicability

- 2.1** This policy applies to all departmental staff including school and corporate staff.

3. Context

- 3.1** The department is committed to strengthening the way it handles and resolves complaints.
- 3.2** The current approach detailed by this policy and implementation documents is the result of extensive consultation with key stakeholders, and is consistent with broader policy reforms on complaint management.

4. Responsibilities and delegations

4.1 Secretary:

- reports publicly on the department's complaint management program in accordance with the department's Customer Service Improvement Plan.

4.2 Executive Group:

- supports a culture that values complaints and their effective resolution in accordance with the policy and procedures.

4.3 Executive directors and directors:

- support a culture that values complaints and their effective resolution
- foster workplaces that are respectful and productive
- review systematic issues arising from complaints
- review complaints that could not be resolved in schools or in the workplace
- when requested, handle certain individual complaints in accordance with this policy and procedures
- support staff to handle complaints promptly and responsively.

4.4 Principals and workplace managers:

- manage individual complaints in accordance with this policy and procedures, when appropriate
- review complaint outcomes and management
- escalate high risk and systematic issues arising from complaints
- identify and support complaint managers to manage complaints in accordance with this policy and procedures
- encourage staff to resolve concerns directly wherever possible
- support all staff involved in the complaints process.

4.5 All staff:

- treat all people with respect including people who make a complaint and any person who is the subject of a complaint
- read and comply with this complaints policy and procedures
- identify when complaints are being made and assist people to make complaints if they wish to do so
- respond to individual complaints, when requested
- escalate certain complaints and reviews of complaint handling to more senior staff, if necessary.

5. Monitoring and review

- 5.1** The Executive Director, Performance and Ethical Standards is responsible for monitoring the implementation of this policy and reviewing its effectiveness every three years, or sooner if necessary.

6. Contact

- 6.1** Executive Director, Performance and Ethical Standards
PES@det.nsw.edu.au [\(mailto:PES@det.nsw.edu.au\)](mailto:PES@det.nsw.edu.au)

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