**MILC**

**Student Complaints Policy**

**Purpose**

MILC is committed to providing a safe and supportive environment for all children and students. We have zero tolerance for child abuse in any form.

This Policy provides the key principles applied by MILC in receiving and resolving complaints from students.

**Scope**

A complaint may relate to:

* the performance of teaching, administrative or services functions of MILC;
* a third party involved in the delivery of services to MILC; or
* the behaviour or actions of by or in relation to **any child or student, staff member, contractor, service provider, visitor, or other person connected to MILC, whether on or off school premises.**
* **complaints may also relate to the behaviour or actions of families connected with MILC.**
* **complaints or concerns related to harm or abuse. including:**
* **Physical abuse**
* **Sexual abuse**
* **Emotional or psychological abuse**
* **Neglect**
* **Exposure to family violence**

This policy applies to complaints and concerns made

**This policy is sensitive to the diversity and characteristics of the MILC community, including cultural backgrounds, disabilities, and other individual needs.**

**Accessibility and Cultural Safety**

* This policy is publicly available on the MILC website: [**MILC Student Complaints Policy**](https://www.mymilc.com/_files/ugd/1763c3_17d0602e104b4f8f80f08f47668fca6b.docx?dn=MILC%20Student%20Complaints%20Policy.docx) and in easily accessible formats (e.g., printed copies, large print, translations as required).
* We are committed to creating a culturally safe environment where all members of our community feel comfortable reporting concerns.
* We will provide support and assistance to individuals from diverse backgrounds throughout the complaint process.

**Complaint handling principles**

MILC uses the following guidelines when a complaint is received:

* Student focused: MILC adopts a student focused approach to the resolution of complaints with students’ wellbeing as our first priority.
* Confidentiality and privacy: Complaints will be treated with appropriate confidentiality, except where MILC is required by law to disclose certain matters to external bodies.
* Good faith: MILC expect all parties will act in good faith and work with us to consider reasonable options for resolution.
* Procedural fairness: All complaints will be handled fairly and justly.
* Responsiveness: The complaint will be dealt with as soon as possible, in compliance with internal and external reporting requirements.
* No disadvantage: A student who makes a complaint will not be treated unfairly or unfavourably because they have made a complaint. MILC does not tolerate victimisation of any student exercising a right to lodge a complaint.
* Vexatious and trivial complaints: MILC will not tolerate vexatious (meaning a complaint without merit, designed to harass, annoy or cause financial or emotional distress to MILC or to another student) and trivial (meaning a complaint that lacks substance or merit) complaints and reserves the right to consider disciplinary action against a student who makes such complaints.
* Right to withdraw: A student has the right to withdraw a complaint. However, there will be some circumstances in which MILC has an external obligation to disclose such information and investigate the matter even if a complaint has been withdrawn.
* Support: A student who makes a complaint has the right to have a support person present at any meetings, investigations or hearings related to the complaint. The student is offered access to MILC’s support services to assist them through the process.
* Review and appeal: Students have a right to appeal against a complaint decision made by MILC.
* Record keeping and reporting: Accurate records regarding the complaint, investigation and outcome will be securely held by MILC.
* Continual improvement: MILC takes the opportunity to learn from the Complaints Process and ensures where possible that risk mitigation strategies are put in place to prevent reoccurrences.

**How to make a complaint**

There are three key ways in which a complaint may be resolved:

* Informal process: most complaints or concerns can be raised with a School Employee that are of a minor nature, or as a result of a lack of communication or understanding. These types of complaints are usually best resolved through an informal process.
* Conciliation: it may be appropriate to bring the student and the other party/s involved together with MILC management to discuss their perspectives on the issues.
* Formal process: if a matter cannot be resolved by informal resolution or conciliation, or by its nature is a matter which should be dealt with by way of a formal process, it will be dealt with by way of formal process. There are three steps involved for a formal procedure – investigation, making any findings, and determining appropriate action

**Formal Process**

Investigation

MILC management or delegate must use the following guiding principles when investigating a formal complaint:

* establish the precise nature of the complaint by filling a complaint form as provided in this policy
* investigate the complaint for substance (that it is not vexatious or trivial);
* notify the respondent in writing of the complaint/s against them;
* advise both the complainant and the respondent of their right to have a support person present at all interviews or discussions;
* interview the complaint and the respondent separately; and
* keep accurate and contemporaneous records of all interviews and discussions.

Making a finding or dismissing the complaint

* MILC management or delegate will consider all available evidence and make a finding. If it is established that the complaint has no substance, the complaint may be dismissed. The complainant and respondent will receive a letter outlining the outcome of the investigation.
* Determining appropriate action
* If a positive finding has been made, MILC management or delegate will take appropriate action and provide the complainant and respondent with a written response outlining the issues raised, the decision and the outcome of the complaint.

Appeals

* In the event that a dispute between a student and MILC cannot be resolved, an independent arbiter will be appointed.

**MILC Student Complaint Form**

**Your Information:**

* Your Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Your Age (if applicable): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Your Class/Year Level (if applicable): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Your Contact Information (Phone/Email): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Date of Complaint: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Guardian/Parent Information:**

* Guardian/Parent Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Relationship to Student: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Guardian/Parent Contact Information (Phone/Email): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**About Your Complaint:**

* What happened? (Please tell us what you are worried about or upset about. Use simple words. If you need more room, use the back of this form.)
* When did it happen? (Day, date, time)
* Where did it happen?
* Who was involved? (Names of people, if you know them)
* Did anyone see what happened? (Names of people, if you know them)
* How did it make you feel?
* Is there anything else you want to tell us?
* What would you like to happen to make things better?

**Support Person (If you want someone to help you):**

* Name of Support Person (if applicable): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Contact Information of Support Person: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**For Office Use Only:**

* Received By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Date Received: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Action Taken: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Outcome: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Follow-Up Required: Yes / No (If yes, describe)
* Investigating Officer:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_