



1. Purpose

As the employer of the Principal, the Launceston Church Grammar School Board is responsible for dealing with complaints relating to the conduct of the Principal, as defined by the Concerns and Complaints Handling Policy and Procedure and other policies of the School and in accordance with relevant laws.

If raised informally these issues will be managed by the School's other policies and procedures.

The Board is committed to ensuring that complaints are addressed fairly, objectively and without undue delay.

2. Scope

This policy applies to the Principal and the Board of the School.

3. Related Documents

- (a) Staff Professional Code of Conduct;
- (b) Workplace Bullying, Harassment and Discrimination;
- (c) Concerns and Complaints Handling Policy and Procedures;
- (d) Education Regulations 2017; and
- (e) Regulations of the Launceston Church Grammar School Board of Management.

4. Related Legislation

- (a) The Christ College Act 1926;
- (b) The Tasmanian Education Act 2016;
- (c) Child, Youth and Families Act 2005;
- (d) Children, Young Persons and Their Families Act 1997;
- (e) Family Law Act 1975;
- (f) The Anti-Discrimination Act 1998 or Tasmanian Anti-Discrimination Act 1998;
- (g) Equal Employment Opportunity Act 1987
- (h) Workplace Relations Act 1996; and
- (i) Workplace Health and Safety Act 1995.



5. Definitions

Complaint:

A complaint against the Principal is defined as a behaviour, action or failure to act by the Principal that:

- (a) has or may have broken a law, for example discrimination or harassment on grounds prohibited by anti-discrimination legislation or a potential breach of health and safety legislation;
- (b) could reasonably be considered to raise issues concerning the fitness of the Principal to continue in office;
- (c) exposes a student at the school to an unacceptable risk of child abuse or neglect; or
- (d) may cause financial loss or serious damage to the School's reputation.

NB This complaints policy is not to be used as a means of appealing a decision made by the Principal in relation to a staffing or student matter, Concerns regarding working conditions of an Industrial nature will be dealt with under the Dispute Resolution section of the appropriate Launceston Church Grammar School Enterprise Agreement.

Principal:

The Principal is the Person Appointed as, or Acting in, the position of Principal as per the Christ College Act 1926.

6. Principles of Natural Justice

Natural Justice refers to a set of principles that describe general procedural fairness in the handling of a grievance. Natural justice involves the following elements:

- (a) The right to receive a fair hearing.
- (b) The right to attend hearings with a friend or support person, if desired.
- (c) The opportunity for all parties involved to be heard.
- (d) The respondent/s having full knowledge of the nature and substance of the complaint.



- (e) The complainant/s not determining the outcome, but may be party to it.
- (f) The right to an independent, unbiased decision-maker.
- (g) A final decision that is based solely on the relevant advice.

7. Responsibilities

The Chair of the Board is responsible for receiving and dealing with complaints against the Principal. The Chair will inform Board Members of the complaint within 24 hours of the complaint being made. The Chair of the Board will inform Board Members of the results of any investigation and proposed course of action in a timely manner.

- (a) The Chair of the Board is entitled to delegate the handling of the matter to any person internal or external to the School who he/she deems suitable.
- (b) The Board will maintain a register of complaints together with all relevant documentation associated with the complaint and subsequent investigation, and actions, if any.
- (c) The Board will ensure the register along with complaints documentation is stored correctly. Records of complaints will sometimes contain highly sensitive and potentially damaging personal information. It is therefore imperative that they are protected by reasonable security safeguard, any files or reports associated with the grievance should be kept in locked storage. Access should be restricted to authorised personnel only.

8. Process for Lodging a Complaint

A complaint in relation to the Principal must be provided in writing to the Chair of the Board.

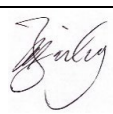
- (a) This can be provided electronically via email chair@lcgs.tas.edu.au or in hard copy addressed to, The Chair of the Board, c/o Launceston Church Grammar School, PO Box 136 Mowbray Heights TAS 7248. In both instances the correspondence is to be marked as confidential.
- (b) The notification must describe the details of the complaint, the substance of the complaint, when the alleged incident occurred, the name of the person/s required to respond to the complaint and the names of any witnesses.
- (c) Within 24 hours of receipt of a written complaint the Chair of the Board will acknowledge receipt of the complaint.
- (d) Within 24 hours of receipt of a written complaint the Chair of the Board will inform the Principal of the complaint.
- (e) The Board will write to the relevant parties outlining a process, including time frames in a timely manner.



- (f) The Chair of the Board or his/her delegate will investigate the complaint and propose an appropriate course of action.
- (g) All discussions held will be in accordance with the Principles of Natural Justice as outlined in Section 5 of this document. Each party will be provided with the opportunity to present their view in relation to the complaint.
- (h) Each party may be accompanied by a support person of their choosing and this option is to be provided by Launceston Church Grammar School.

9. Action Arising from a Complaint

- (a) The Board must have regard for the requirements of the Christ College Act 1926 in relation to any proposed disciplinary action, noting in particular Reg 43 if dismissal is contemplated.
- (b) The Board through the Chair is to inform the parties in writing of the outcome of any investigation and actions arising from the complaint.
- (c) The Chair is to provide a written report of the investigation and a recommendation for any actions arising from the complaint for consideration of the Board.
- (d) The Board is to deliberate on the recommendations of the report with a simple majority carrying any actions arising from the report.
- (e) In the case of a recommendation of dismissal the Board is bound by the provision of the Christ College Act 1926 and cannot act unilaterally.

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