**MILC**

**Student Complaints Policy**

**Purpose**

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

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 any School Employee or other student at MILC.

**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MILC has an external obligation to disclose such information and investigate the matter even if a complaint has been withdrawn.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;
* 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.