



## Procedure for Handling Complaints

### Building a Safe and Supportive Environment in our Catholic Schools

#### Our Commitment to Diversity

All members of our school community will endeavor to promote awareness of cultural, religious, gender and political diversity. We seek opportunities to foster inclusiveness for all people and to promote the dignity of the human person. Our policies and programs will acknowledge the rich diversity of Australian culture and we will embrace each member of our school community regardless of ability, belief, gender affiliation or practice.

#### Our Commitment to Child Safety

All students enrolled have, and any child visiting has a right to feel safe and to be safe. The wellbeing of children in our care will always be our first priority. We have zero tolerance for child abuse and we will create a child safe and child friendly environment where children are safe and free to enjoy life to the full without any impediments to their safety.

#### How does a Complaints Procedure fit in?

Catholic schools in the Diocese of Ballarat are committed to a safe and supportive environment. This is characterised by fairness, mutual trust, respect and reconciliation. Those in leadership positions have a key role in promoting an environment and building a community based on these values.

A safe and supportive environment is developed when all members of a school community promote open communication, tolerance and positive relationships and embrace responsive, just and transparent processes. When clear preventative policies and practices are applied consistently and issues that can give rise to complaints are identified early, matters can be resolved before they escalate to the point where relationships are damaged. To promote positive and effective relationships all members of the school community are encouraged to recognise the distinction between personal and professional conflict so that appropriate relationships can be maintained, even where there might be professional disagreement.

Complaints and suggestions can be opportunities for growth and improvement. A community that is open to complaints and suggestions is characterised by signs of impartiality and confidentiality, respect for the dignity of those involved, and is proactive in ensuring there is no fear of victimisation. The processes in the Complaints Handling Procedure are to ensure procedural fairness, with a fair hearing and a reasonable decision.

A Complaints Handling Procedure helps build a safe and supportive environment as it ...

- encourages early intervention in issues before they damage sound relationships
- ensures that behaviours destructive to positive relationships (such as bullying, harassment and discrimination) are identified as being unacceptable and are appropriately managed
- ensures that complaints are dealt with consistently

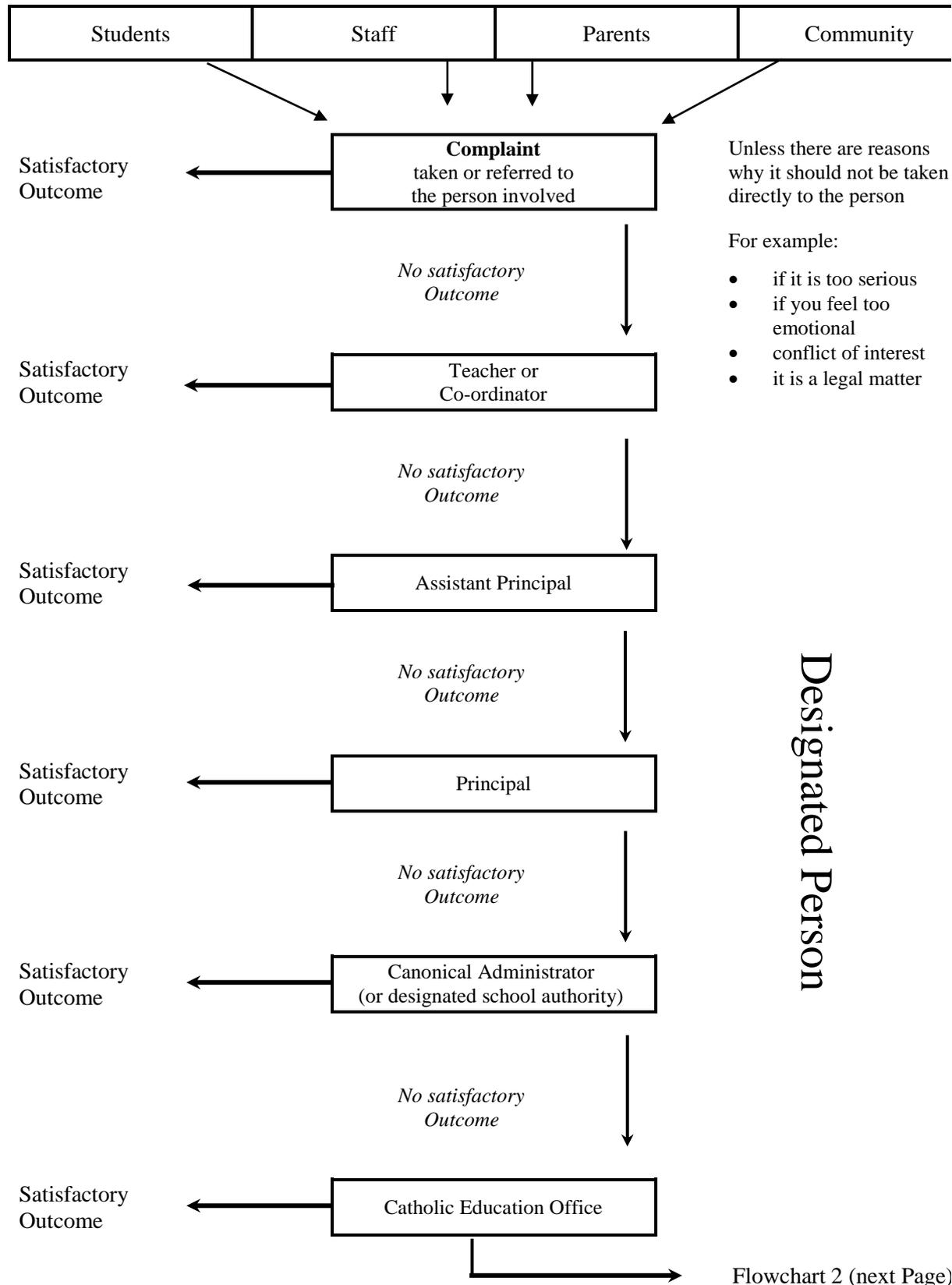
## St Patrick's Parish Primary School – Procedure for Handling Complaints

- enables a school community to identify patterns of unacceptable conduct and enables prevention strategies to be developed and implemented
- encourages individuals, with support, to resolve issues directly without third party intervention, and reduces the likelihood that external agencies will need to be involved

This procedure forms an important element in the Diocese's commitment to ensuring safe and supportive environments for our school communities. Leadership teams are responsible for ensuring that it is explained, that the processes for raising matters of concern are well understood, and that the processes for responding to matters of concern are implemented.

Catholic Education, Ballarat

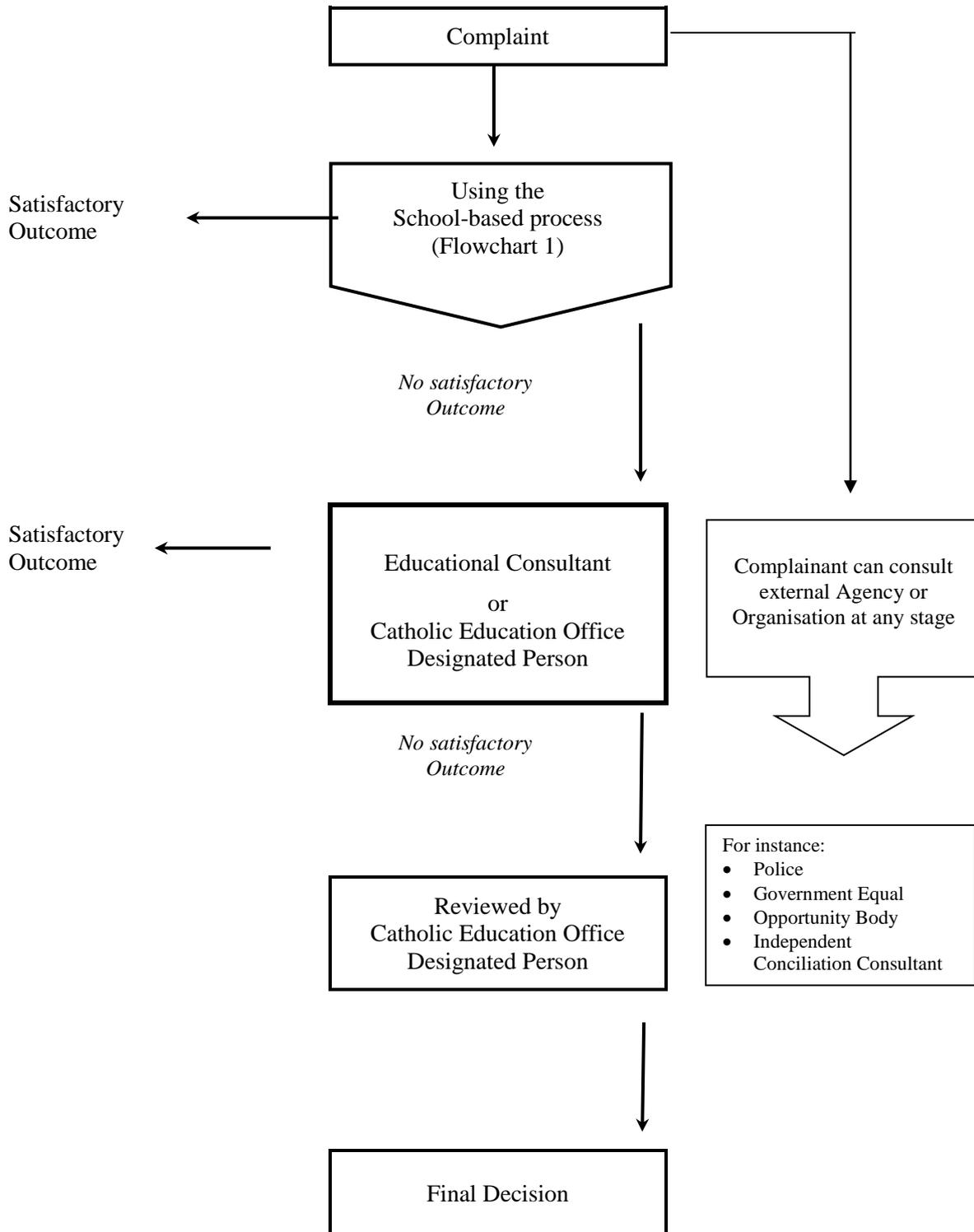
# School-Based Process for Resolution of a Complaint



Catholic Education Ballarat

# Process for Resolution of a Complaint

Involving the Catholic Education Office and/or External Agency



## A: WHAT TO DO IF YOU HAVE A COMPLAINT

In our Catholic Schools we are committed to providing a safe and supportive environment. We acknowledge that staff, students and parents can sometimes feel aggrieved about something that is happening at the school which appears to be discriminatory, may constitute harassment or be a cause of concern.

Most complaints are best dealt with informally and directly between the persons concerned. However, there may be instances when this is not possible. This procedure provides the basis of fair and reasonable resolution of such complaints and concerns.

Overall, our procedure aims to ensure that:

- all complaints are heard and responded to
- complaints not deemed vexatious or malicious are investigated thoroughly, fairly, and promptly
- wherever possible, a resolution will be found

**As a general rule, complaints need to be handled as close to the source of the concern as possible. Regardless of with whom the complaint is lodged, the first action must be to refer the complainant to that point.**

### The Process: In Summary

#### Approach the person involved

In many situations, the most appropriate thing to do first is to tell the person who is the cause of the complaint how you feel. If the complaint is about their behaviour, tell them that it is offensive/hurtful/not acceptable. If it is about a work decision, tell them why you think it is discriminatory or harassment or so unreasonable. Telling the person will give them a chance to stop or change what they are doing or explain what they had decided and why.

#### Contact the School

Where you feel you cannot approach the person directly or you are not happy with their response or reaction, then you can explain the problem to the appropriate person at the school. An inquiry at the school reception may be the first point of contact for people with complaints. You will be advised as to the person designated to deal with the nature of the complaint. The designated person will advise you about your options (including arrangements for advocacy) and what will happen if you make a formal complaint.

#### (In the case of parish schools)

##### Contact the Canonical Administrator

The Canonical Administrator (Parish Priest, Parish Leader or other person as authorised by the Bishop of the Diocese) of a Parish school is the employer and legitimate authority in all matters associated with the school. Before a complaint is referred beyond the school, the Canonical Administrator should be given the opportunity to assist with the resolution of the complaint.

In the case of congregational schools, contact should be made with the designated school authority or the Secondary Educational Consultant.

Contact the Catholic Education Office

Where you feel your efforts to effect a resolution at the local school level have been ineffective, then you can contact the Catholic Education Office (CEO) and explain the problem and issues.

Please note that if the designated person in the CEO forms the view that your complaint is more appropriately dealt with at the school level, then you will be advised of that and the school will be advised as well. Where students and parents make complaints, these will automatically be referred back to the school unless the complaint is against a decision of or about the Principal and has previously been raised with the Principal without resolution.

## B: THE PROCESS

### Informal Process (Records kept at the discretion of the persons concerned)

Approach the person involved.

In many situations, the most appropriate thing to do first is to tell the person who is the cause of the complaint how you feel. If the complaint is about their behaviour, tell them that it is a cause of concern to you. Telling the person will give them a chance to stop or change what they are doing.

### Formal Process (Records are kept. See Section D of this document)

It is important that schools and the Catholic Education Office have designated persons whose identities can be easily established, to receive and handle complaints. In normal circumstances, the CEO Designated Person would be the relevant Educational Consultant. (See section D of this document)

At School Level:

#### **Contact the school's designated person**

This person is to be the first point of contact for people with complaints. The designated person will advise you about what your options are and what will happen if you decide to make a formal complaint. Nothing will be done in relation to the complaint without your agreeing. The designated person for St Patrick's school is the Principal or Deputy principal.

#### **Statement of Complaint**

Before a complaint can be advanced, you need to complete a *Statement of Complaint*, using the form provided by the designated person.

#### **The complaint will either be accepted or referred.**

Once you have made the complaint to the designated person, he/she will then consider whether there are any reasons why he/she should not proceed to deal with the complaint. (There may be conflict of interest). If there is a reason why it is inappropriate for the designated person to deal with the complaint, it will, with your consent, be referred to another appropriate person.

### **Interviews**

#### The complainant is interviewed:

- Clarify the complaint
- Inspect/verify supporting evidence
- Note absence of evidence
- Make a record

#### The person about whom the complaint is made is interviewed:

- Clarify the “Other Side”
- Interview witnesses (These interviews will be conducted separately and impartially)

#### Feedback to the Complainant

- Reporting back what has been said by others
- Follow-up discussion
- Statement of desired outcome (This leads to an understanding of what the complainant believes he/she needs from the process. It will not dictate the remedy that might ultimately apply.)

*(In the case of parish schools)*

#### Canonical Administrator

If a complaint is not resolved satisfactorily at school level, it needs to be referred to the Canonical Administrator. If still unresolved, it can be referred to the Catholic Education Office.

*In the case of congregational schools, contact should be made with the designated school authority or the Secondary Educational Consultant.*

#### At Catholic Education Office Level

##### Educational Consultants or CEO Designated Person

In normal circumstances, the complaint is referred to the relevant Educational Consultant. It is understood that the primary role of the Educational Consultants is to support and advise principals.

In the light of this, the Educational Consultant will review the matter (including the Statement of Complaint) and form an opinion as to whether he/she is best placed to progress the matter. If it is decided that the Educational Consultant should not proceed to deal with the complaint (e.g. there may be conflict of interest), the Educational Consultant will contact the CEO Designated Person who will arrange for another CEO person to oversee the process.

Should the matter remain with the Educational Consultant, at any stage, the matter may be referred back to the CEO designated person if the process brings the consultant into conflict with his/her primary role of supporting and advising the principal.

#### Interviews are conducted

##### The complainant is interviewed:

- Clarify the complaint
- Inspect/verify supporting evidence
- Note absence of evidence
- Make a record

The person about whom the complaint is made is interviewed:

- Person is notified that a complaint has been made and that it is being investigated
- Arrange for an interview
- Outline the nature of the complaint and seek a response
- Interview witnesses (These interviews will be conducted separately and impartially)
- Make a record of all proceedings

Feedback to all parties

- Inform the parties of your findings
- Follow-up action if required

## C: REVIEW, OUTCOMES & APPEAL

### 1. Review

If the complaint remains unresolved, it will be reviewed by either the Deputy Director or Director (as appropriate). He/she will make a final decision as to the outcome of the complaint.

### 2. Possible Outcomes

a) If the complaint is upheld or sustained, the following are possible outcomes depending on the nature of the complaint:

- an agreement between the parties
- a verbal apology
- a written apology

b) If a complaint is not upheld or not substantiated (eg there is insufficient evidence) but some issues come out of the investigation that are required to be addressed then, possible outcomes include:

- relevant training for employees and/or students
- monitoring of the behaviour of employees and/or students
- support and/or training for parents
- counselling for the aggrieved person
- mediation at the local level

c) If the complaint is proved not to have happened at all, or if there is evidence that the complaint was made with the main purpose or intent of causing distress to the other named as the source of the grievance, the following are possible outcomes:

- counselling for the person who made the complaint
- a written apology from the person who made the complaint
- an official warning
- in the case students and staff, referral for disciplinary action
- a warning that vexatious or malicious complaints may result in legal action

**The relevant designated person will make sure that whatever outcome is decided upon actually happens. The school Principal or designated person (as appropriate) will also assess the effectiveness of the outcome from time to time.**

## **C: OTHER MATTERS**

### **Designated Persons For Complaints**

#### *At the school*

Each school will consider the local school context and organisation and will nominate the designated person/s responsible for dealing with complaints in specific areas of school activity. When this occurs it should be clearly communicated to staff, parents and students, as relevant. A designated person will generally be a Coordinator, Assistant Principal or Principal. If you are uncertain about who is the designated person for a specific issue, then contact the school office for this information.

#### *At the Catholic Education Office*

The designated person at the Catholic Education Office for complaints that are not able to be dealt with or resolved at the school will generally be the Deputy Director or Director for Catholic Education. In the first instance, if it is determined that CEO involvement is warranted, the complaint is to be referred to the relevant Educational Consultant. In all instances, the Deputy Director is the final authority in any complaints resolution procedure. (In the event the Deputy Director is a party to the dispute, the final authority would rest with the Director).

### **Child Protection Procedures**

Nothing in this document replaces obligations under law, procedures developed by the Catholic Education Commission of Victoria, Ballarat Catholic Education Office and the Victorian Independent Education Union.

### **Record Keeping**

Records of complaints, interviews and other documentation relating to a complaint are kept at the school (where dealt with at school level) in a separate complaints file. If the complaint is about a person, documents are placed in a restricted access file. If there are considered to be serious ongoing management or care issues relating to a complaint, there will need to be a cross reference to the restricted file on the staff member or student file.

### **School Advisory Council**

It is not appropriate for matters of grievance involving parents, a child, staff and / or the Principal to be raised or discussed at a School advisory council Meeting. It is beyond the jurisdiction of the council to arbitrate on such matters.

Date of next review: 2017



Catholic Education, Ballarat

## Statement of Complaint

1. Your details

Family Name:		
Given Name(s)		
Address:		
Phone Numbers	(home)	(work)
	(mobile)	

2. Are you a ... (Please tick box)

<input type="checkbox"/>	Student
<input type="checkbox"/>	Parent or Caregiver (Name of student)
<input type="checkbox"/>	Staff Member
<input type="checkbox"/>	Other (Please specify)

3. Have you discussed your matter with a designated staff member?  Yes  No

If Yes, when?	Who dealt with the matter?
What was the result?	

4. Please give details of complaint and outcome you are seeking.

Date:	Signature:

In accordance with the Guiding Principles of the CEO Handling Complaints Policy, complainants are bound by confidentiality in relation to this matter and agree to adhere to the process and maintain confidentiality until the matter is closed."

Privacy Notice:

The information provided on this form will be used by the school to follow up your complaint. The information may be provided by the school to the Catholic Education Office who monitor the services provided by the school or to the police for law enforcement purposes. The provision of this information is voluntary. It will be stored securely. You may correct any personal information provided at any time by contacting the school office.