



Catholic College Sale

COMPLAINTS MANAGEMENT POLICY

1.0 POLICY AUTHORITY

The Board of Catholic College Sale Limited ('the Board') governs the College. Based on the principle of subsidiarity and in keeping with the Board's Delegations Schedule, the Board delegates a broad range of duties, functions, powers and authority to the Principal of Catholic College Sale (CC Sale). This includes the effective implementation of this *Complaints Management Policy* and the compliance obligations outlined herein.

2.0 INTRODUCTION

Catholic College Sale is committed to ensuring that there is an effective process for how complaints are handled and resolved. We endeavour to address issues of concern in ways that are constructive, open, respectful and embedded in procedural fairness.

Every member of our College community has a right to have their concern or complaint addressed, and we will work positively and resolutely to achieve a satisfactory outcome for the people involved.

3.0 PURPOSE AND SCOPE

This policy outlines the College's principles and procedures for receiving and resolving complaints from students, parents, guardians and carers.

Complaints raised directly by students are generally addressed through a trusted adult of the student's choice (e.g. Pastoral Teacher, House Leader, Student Counsellor). Section 6.2 of this policy addresses student complaints in more detail. If a student has not been able to resolve the issue through this mechanism, then this policy applies. It enables parents and guardians/carers to raise the complaint on behalf of their child and have it resolved. The policy also applies when parents and guardians/carers have a specific parent-school concern (e.g. fees, curriculum offerings).

Complaints raised by College staff are generally addressed through issue-specific human resource policies, such as the *Workplace Equal Opportunity Policy*. Staff may also choose to have a grievance pertaining to employment conditions addressed through the Disputes Procedure in the Victorian Catholic Education Multi Enterprise Agreement (VCEMEA).

Complaints, allegations or concerns about child safety and suspected or alleged child abuse can be referred directly to the Principal or one of the College's Child Safeguarding Officers. Such matters will be managed in accordance with the College's *Responding to and Reporting Child Safety Incidents and Concerns Policy* (and the accompanying Procedural Guidelines).

The policies mentioned above are accessible from the College website.

4.0 PRINCIPLES

In receiving and responding to complaints, the following guiding principles will direct and shape the College's actions:

- We will work with the complainant(s) with respect, courtesy and openness and with a genuine desire to achieve fair and reasonable decisions.
- The complaint will be resolved as quickly as possible.
- Confidentiality, impartiality and the principles of natural justice will form the basis of our complaints resolution process.
- The person(s) facing the complaint will be provided with detailed information about the substance of the complaint and will have the opportunity to respond.
- Personal information disclosed will be treated as confidential but may need to be disclosed in connection with an investigation and resolution process and with regard to any legal requirements the College must observe.
- Our resolution process will be grounded in sound and fair procedures for information sharing, conciliation, investigation and decision making.
- The educational wellbeing of students will be at the forefront of complaint resolution decisions.
- If a satisfactory outcome cannot be achieved, the College will provide the complainant(s) with options for having the outcome mediated and/or reviewed by an external authority.

5.0 DEFINITIONS

Parent: inclusive of a guardian or carer where:

- a parent is the person who has parental responsibility for 'major long-term issues' as defined in the *Family Law Act 1975* (Cth)
- a guardian is appointed pursuant to the *Children, Youth and Families Act 2005* (Vic.)
- a carer is a person whom the child normally or regularly resides and who has day to-day care and control of the child.

Complaint: means an expression of dissatisfaction with an action taken, decision made or service provided, or the failure to provide a service, take action or make a decision at a school.

Complainant: means a person who makes a complaint under this policy.

Resolved Complaint: means when the complainant and/or the school agree on an appropriate response or remedy.

Unresolved Complaint: means when agreement cannot be reached on a course of action and/or a remedy, or if the remedy cannot be implemented.

6.0 PROCEDURES

6.1 Shared Expectations

Complainants

In making a complaint, the College requests and expects that the complainant(s) will:

- raise the concern or complaint as soon as possible after the issue has arisen;
- observe the College's stated procedures for raising and resolving the complaint;

- follow specified protocols for communication with staff, including making appointments at a mutually convenient time and communicating concerns in a constructive, respectful manner;
- provide complete and factual information about the concern or complaint;
- observe confidentiality and a respect for sensitive issues;
- act in good faith to achieve an outcome acceptable to all parties;
- have realistic and reasonable expectations about possible outcomes/remedies .

College staff

In responding to a complaint, the complainant can expect that staff will:

- observe confidentiality and a respect for sensitive issues;
- ensure your views and opinions are heard and understood;
- communicate and respond in ways that are constructive, fair and respectful;
- ensure a timely response to the complaint;
- strive for resolutions and outcomes that are satisfactory to all parties.

6.2 Receiving Complaints Directly from Students

Students who have a complaint or concern are encouraged to raise the issue with a trusted adult of their choice at the College (for example, their Pastoral Teacher, House Leader, a College Counsellor or a Child Safeguarding Officer). This trusted adult will take the concern or complaint seriously and explain what steps the student can take to try to resolve the issue.

Depending on the nature of the student's complaint or concern, the following College policies and procedures may be enacted:

- *Anti Bullying and Bullying Prevention Policy*
- *Cyber Safety Policy*
- *Responding to and Reporting Child Safety Incidents and Concerns Policy* (and the accompanying Procedural Guidelines)
- *Student Behaviour Management Policy*
- *Student Behaviour Monitoring and Support Policy.*

If a student has not been able to resolve the issue to their satisfaction, or if they are reluctant to approach College staff for assistance, a student's parents and guardians/carers may choose to raise the complaint or concern on behalf of their child and have it resolved.

Victoria's Child Safe Standards under Ministerial Order No.1359 emphasise the importance of processes for complaints being child-focused, culturally safe, and accessible to children and young people. To this end, the College is committed to:

- Letting students know that they can make a complaint about any kind of harm perpetrated at school, outside school, by an adult or by other children, including bullying or cyberbullying and other forms of harm;
- Providing opportunities for students to report bullying via the electronic learning management system (SIMON) and for members of the Wellbeing Development Team to provide the necessary support to ensure the student feels safe;
- Ensuring that the College's Child Safeguarding Officers are clearly identifiable by students through providing information within the student diary, displayed on the College E-noticeboards and via the electronic learning management system (SIMON);
- Encouraging students to talk to a member of the Student Leadership Team via a Student Voice Cabinet member from their pastoral class, to speak up and act on concerns relating to themselves or their peers;
- Asking students about their experiences of making complaints, and acting on feedback from students in the complaints process;

- Where necessary, making improvements following a complaint to address the source of the problem.

6.3 Parent/Carer Process for Making a Complaint

The process for making a complaint is via an email or phone call to the College, registering the complaint and requesting a phone conference or a face-to-face meeting with the relevant staff member.

We expect that complaints from parents relating to their child's alleged treatment by another student of the College community will:

- be referred directly to the student's Pastoral Teacher, Year Level Coordinator or House Leader;
- not involve a direct approach to anyone allegedly involved in the complaint.

We expect that complaints from parents/guardians/carers relating to their child's alleged treatment by a staff member will:

- be referred directly to the staff member concerned, the Deputy Principal, another member of the Leadership Team, or the Principal;
- not involve a direct approach to anyone allegedly involved in the complaint.

NOTE: Complainants and staff are strongly discouraged from sending or discussing confidential, contentious and/or emotional information via email. These matters are best discussed face-to-face or over the phone.

6.4 Informal and Formal Resolution Processes

Informal Process

Where possible, complaints will be resolved informally, that is, the parties themselves may resolve concerns in open discussion where relevant information and views are exchanged and issues clarified. This option involves reflection and conversations that are respectful of each person's needs and perspectives. The parties may be assisted to resolve a possible misunderstanding, miscommunication or lack of clarity about the issue by support persons nominated by each of the parties. The use of informal options is recommended in the first instance as it may prevent the escalation of a minor dispute to a more serious complaint.

Formal Process

If the complaint is not resolved informally, then the complainant may lodge a formal complaint through contact with the Principal or a member of the Leadership Team.

In moving to a more formal process, the Principal or member of the Leadership Team will:

- organise a face-to-face meeting
- fully investigate the matter;
- endeavour to ensure that no one is victimised as a result of a complaint being made;
- invite the complainant(s) to bring an agreed support person;
- enable the person against whom the complaint has been made to respond, and invite them to bring an agreed support person;
- fully document the complaint, the investigation process, any actions taken to resolve it, and outcomes of those actions;
- communicate in writing to respective parties the details of the investigation and the reasons as to the outcome, that is, why the complaint was unsubstantiated or action to be taken if it was substantiated, such as:
 - an apology or expression of regret
 - a change of decision
 - a change of policy, procedure or practice

- offering the opportunity for student counselling
- initiatives to support and restore the student, parent and school relationship.

6.5 Complaint Escalation and Avenues of Appeal

When it is unlikely that a complaint will be resolved using the College's complaint-handling procedures, or when a parent, guardian or carer is not satisfied with the manner in which their complaint has been treated by the College, the Principal may organise a process of investigation and mediation conducted by an external agency. The external investigation/mediation process will most likely entail:

- an open minded and comprehensive data gathering phase – including review of any relevant file notes, records of actions taken, witness reports;
- a formal interview with the complainant(s) and respondent(s);
- an assessment of information gathered and whether the complaint is substantiated.

If a parent, guardian or carer is dissatisfied with the outcome of this escalated complaint process, they have the right to appeal the decision to an external authority such as the Victorian Institute of Teaching (VIT), the Victorian Equal Opportunity Commission (VEOC), the Human Rights and Equal Opportunity Commission (HREOC), or the Victorian Registration & Qualifications Authority (VRQA).

6.6 Complaints of Staff Misconduct or Serious Misconduct

All complaints of alleged misconduct or serious misconduct by a teacher or staff member should be reported directly to the Principal, who will be guided by Victoria's Reportable Conduct Scheme and the College's internal policy directives for such matters.

Complaints about registered teachers can also be reported to the Victorian Institute of Teaching (VIT), which is the regulator in relation to the registration and investigation of serious misconduct of all registered teachers in the State of Victoria. If unsure if the complaint constitutes serious misconduct by a registered teacher, contact VIT on telephone 1300 888 067 or email vit@vit.vic.edu.au

6.7 Child Safeguarding Complaints

Complaints, allegations or concerns about child abuse, grooming or other harmful behaviours towards current or former students are managed by the College in a different manner to other complaints. This is because of the additional legal and privacy requirements surrounding these kinds of matters.

A number of senior staff members serve as the College's Child Safeguarding Officers. They receive additional specialised training with respect to child safety and protection issues and are a point of contact for raising child safety concerns within the College. The Assistant Principal – Student Learning and Wellbeing is the College's Senior Child Safeguarding Officer.

For further information about how the College manages child safety and protection matters, refer to the following policies posted on the College's website:

- *Child Safety and Wellbeing Policy*
- *Child Safety Code of Conduct*
- *Child Safety Policy – Student Input Version*
- *Child and Family Violence Information Sharing Schemes*
- *Responding to and Reporting Child Safety Incidents and Concerns Policy* (and the accompanying Procedural Guidelines).

6.8 Complaints Concerning Students with a Disability

As with all complaints to which this policy applies, parents, guardians and carers should, in the first instance, raise any concerns or complaints regarding the treatment of a student with a disability with the relevant College leadership personnel and the leader of any support group established for the student.

Parents, guardians and carers of students with a disability can also raise complaints or concerns regarding a student with a disability in a number of external forums, including:

- the Australian Human Rights Commission – for complaints regarding compliance with the *Disability Discrimination Act 1992* (Cth) or the *Disability Standards for Education 2005* (Cth)
- the Victorian Equal Opportunity and Human Rights Commission – for complaints regarding compliance with the *Equal Opportunity Act 2010* (Vic.).

6.9 Complaints Against the Principal

If the Principal is the subject of the complaint, the Chair of the College Board will assume responsibility for resolving the issue.

6.10 Anonymous Complaints

The College endeavours to address and respond to all complaints, however, in some situations, we may not be able to fully address complaints that are made anonymously or without sufficient detail being provided to enable an investigation or resolution of the matter.

6.11 Confidentiality, Privacy and Information Sharing

Confidentiality applies with respect to information relating to the complainant(s) and the person(s) against whom a complaint is made. The College is committed to maintaining the confidentiality of information throughout the complaints process.

Some exceptions may apply where the complaint concerns child safeguarding allegations or incidents. In such instances, the disclosure and/or sharing of information may be required or authorised by law (for example, under child safety legislation or under the Child Information Sharing Scheme (CISS) or the Family Violence Information Sharing Scheme (FVISS)).

6.12 Monitoring Complaints

The College welcomes feedback, both positive and negative, and is committed to continuous improvement. We value open communication with our students and families and are committed to understanding complaints and addressing them appropriately. We recognise that the complaints process provides an important opportunity for reflection and learning.

Our complaints handling approach includes the establishment of an online complaints management system which allows us to effectively capture, manage and report on complaints. We review the information about complaints made over time to:

- identify common or recurring issues that may need addressing;
- assess the effectiveness of these and other procedures and whether they are being followed.

The implementation of rectification action, where deficiencies are identified, are key to the College's commitment.

7.0 RELATED COLLEGE POLICIES

- Anti-Bullying and Bullying Prevention Policy
- Child Safety and Wellbeing Policy
- Child Safety Code of Conduct
- Child Protection Policy – Student Version
- Child and Family Violence Information Sharing Schemes Policy
- Cyber Safety Policy
- Privacy Policy
- Responding to and Reporting Child Safety Incidents and Concerns Policy (and the accompanying Procedural Guidelines)
- Student Behaviour Management Policy
- Student Behaviour Monitoring and Support Policy

8.0 MONITORING AND REPORTING

The Board is responsible for monitoring the implementation of this policy and for providing reports as required to the members of the company, i.e., the Bishop of Sale and the Provincial of the Marist Brothers Australia Limited (MSA Ltd).

The Principal is responsible for:

- Ensuring compliance with the obligations outlined in this policy;
- Assigning authority, responsibility and accountability at appropriate levels within the College for policy implementation and compliance;
- Providing delegated staff with the direction, support and resources necessary to fulfil policy requirements;
- Ensuring cyclic reviews of the policy and recommending to the Board any revisions that may be required to accommodate changes in legislation and diocesan directives;
- Reporting and escalating concerns, issues and policy breaches to the Board and working collaboratively with the Board to resolve them.

9.0 APPROVAL

Approved by	CC Sale Ltd Board
Person(s) Responsible	Principal
Date(s) Reviewed or Updated	June 2022
Next Review Date	June 2024