

## COMPLAINTS RESOLUTION POLICY

### 1. INTRODUCTION

In keeping with Catholic social teaching, the Proclamation of Our Lady of the Sacred Heart College (OLSH College), and the College's *Respectful Relationships Policy*, we are committed to building and maintaining a school culture that features a reverence for the innate dignity of each person, a shared resolve to respect members' rights and responsibilities, the pursuit of justice and a desire for conciliation.

In building and nurturing this culture, OLSH College acknowledges that students, parents and staff can sometimes feel aggrieved about something that is happening at OLSH College. 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.

### 2. COMPLAINTS PATHWAYS

Complaints raised directly by students are generally addressed through a trusted adult of the student's choice (e.g. a Learning Mentor, Head of House, Deputy Principal, Principal, Student Counsellor). Section 4.2 of this policy addresses student complaints in more detail. The *Student Anti Bullying Policy* is another mechanism by which a student can raise a relevant complaint in order for it to be addressed.

If a student has not been able to resolve the issue through these mechanisms, then this policy applies. It enables parents and guardians/carers to raise the complaint on behalf of their child and have it resolved. This policy also applies when parents and guardians/carers have a specific parent-school concern (e.g. fees, curriculum offerings).

Complaints, allegations or concerns about child safety and suspected or alleged child abuse can be referred directly to the Principal or the College's Child Safety Leader. Such matters will be managed in accordance with the College's *Child Protection Reporting Responsibilities Policy*.

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

Complaints against the Principal can be referred to the Chair of the College Board.

### 3. GUIDING PRINCIPLES

In receiving and responding to complaints, the following guiding principles will direct and shape OLSH 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.

- 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.

## 4. PROCEDURES

### 4.1 Expectations of People Making a Complaint

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

- raise the concern or complaint as soon as possible after the issue has arisen;
- communicate and respond in ways that are constructive, fair and respectful;
- 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.

### 4.2 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 Learning Mentor, Head of House, DP Student Wellbeing/Child Safety **Leader** College Counsellor, or any other staff member). 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 may be enacted:

- *Acceptable Use Policy*
- *Child Protection Reporting Obligations Policy*
- *Respectful Relationships Policy*
- *Student Anti Bullying 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;
- Encouraging students 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.

### 4.3 Parent/Carer Process for Making a Complaint

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

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.

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

- be referred directly to her Learning Mentor, Head of House, or other member of the teaching staff;
- not involve a direct approach to anyone allegedly involved in the complaint.

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

- be referred directly to a member of the Leadership Team;
- not involve a direct approach to anyone allegedly involved in the complaint.

In raising concerns or making a complaint about the College's practices or treatment of their child, **we expect that parents and guardians/carers will:**

- listen to their child, but remember that a different 'reality' may exist elsewhere;
- observe the College's stated procedures for raising and resolving a grievance/complaint;
- follow specified protocol for communication with staff members, including making appointments at a mutually convenient time and communicating your concerns in a constructive manner;
- refrain from approaching another OLSH College student to discuss or chastise them because of actions towards their child. Refer the matter directly to the College for follow-up and investigation.

In responding to concerns or a complaint, **we 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 your concerns/complaint ;
- strive for resolutions and outcomes that are satisfactory to all parties.

### 4.4 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(s) 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.

## 4.5 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).

## 4.6 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](mailto:vit@vit.vic.edu.au)

## 4.7 Child Safety 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.

The College's Child Safety Leader receives additional specialised training with respect to child safety and protection issues and is a point of contact for raising child safety concerns within the College.

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 Student Rights and Responsibilities Policy*
- *Child and Family Violence Information Sharing Schemes Policy*
- *Child Protection Reporting Obligations Policy*

## 4.8 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.).

## 4.9 Complaints Against the Principal

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

## 4.10 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.

## 4.11 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 safety 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)).

## 4.12 Staff Safety and Wellbeing

The College places high value and priority on maintaining a safe and respectful working environment for our staff. We regard certain behaviours as harmful and unacceptable insofar as they compromise the safety and professional wellbeing of our staff. These behaviours include, but are not limited to:

- shouting or swearing, either in person or on the telephone;
- physical or verbal intimidation;
- aggressive hand gestures;
- writing rude, defamatory, aggressive or abusive comments to/about a staff member (emails/social media)
- racist or sexist comments;
- damage or violation of possessions/property.

When a parent behaves in such unacceptable ways, the Principal or a senior staff member will seek to resolve the situation and repair relationships through discussion and/or mediation.

In accordance with the Catholic Education Commission of Victoria (CECV) *Safe and Sound Practice Guidelines* (2014), where a parent's behaviour is deemed likely to cause ongoing harm, distress or danger to the staff member and others, the College may exercise its legal right to impose a temporary or permanent ban from the parent entering the school premises. In an extreme act of violence that causes physical harm to the staff member and his/her property, the matter may be reported to the police for investigation.

## 4.13 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.

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.



## 5. RELATED COLLEGE POLICIES

- Child Safety Code of Conduct
- Child Safety: Student Rights and Responsibilities Policy
- Child and Family Violence Information Sharing Policy
- Child Protection Reporting Responsibilities Policy
- Privacy Policy
- Respectful Relationships Policy
- Student Anti Bullying Policy
- Workplace Equal Opportunity Policy
- Workplace Anti Bullying Policy

### 5.1 Melbourne Archdiocese Catholic Schools (MACS) Policy

- Complaints Handling Policy for Schools' Complaints

## 6. POLICY HISTORY AND REVIEW

At OLSH College, we are committed to continuous improvement of our policies and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

<b>Responsibility:</b>	Principal and College Board Policy Committee
<b>Reviewed and revised</b>	May 2017, July 2022
<b>Next review date:</b>	July 2024