



<b>Policy Number:</b>	COLLEGE 15
<b>Policy Name:</b>	Complaints and Concerns Policy
<b>Contact Officer:</b>	Deputy Principal Community
<b>Date Approved by Leadership:</b>	November 28, 2019
<b>Date of Next Review:</b>	November 2022
<b>Related Policies:</b>	Child Safe Policy Harassment and Bullying Policy Learning, Teaching and Curriculum Policy Student Device Acceptable Use Agreement Social Media Policy Pastoral Care Policy Conditions of Enrolment (within the Enrolment package for new students) Complaints & Concerns Brochure

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## PREAMBLE

God is at the centre of our College...Mercy is the heartbeat of the Gospel. We encourage every student to grow in the fullness of life and realise their potential through the bread we break at school, the bread of relationships and the bread of conversation. Let us engage the heart and bring faith to life and life to faith (Thomas Groome).

## LEGISLATION

This policy takes into account relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards as set out in *Ministerial Order No. 870*. This policy applies to St Joseph's College staff, including employees, volunteers, contractors and clergy.

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## 1. PURPOSE

1.1 St Joseph's College, as a Mercy Education school, is committed to justice which necessitates resolution of conflict arising from complaints and concerns. When conflict arises, all who are associated with St Joseph's College are called to show respect for others and to act with compassion and courage. Complaint resolution procedures provide the opportunity to promote service, develop understanding, prevent further issues and ensure just outcomes.

1.2 At St Joseph's College we are committed to providing a safe and caring environment for all employees, students and families.

1.3 The purpose of this document is to provide a structure by which employees/students/families can have concerns and complaints addressed in a manner where justice and respect underpin the process and outcome

## 2. INTRODUCTION

2.1 At St Joseph's College we are committed to building a school culture that features positive and respectful relationships. As a Catholic school, these relationships are grounded in the values of the Gospel, in particular the values of justice, compassion, reconciliation, truth and love. In keeping with Catholic social teaching, a respect for the innate dignity of each person shapes all our relationships.

2.2 Complaints or concerns may arise from:

- Parents (and caregivers)
- Students
- The public
- Staff

2.3 Every member of our College community has a right to have their grievances or complaints addressed, and we will work positively and resolutely to achieve a satisfactory outcome for the people involved. This policy outlines our principles and procedures for receiving and resolving complaints. It ought to be read in conjunction with related policies and core documents of the College namely:

- Child Safe Policy
- Child Protection/Mandatory Reporting Policy
- Student Behaviour Support Policy
- Bullying and Harassment Policy
- Privacy Policy
- Mercy Education Limited Code of Conduct

### **3. DEFINITION**

3.1 The term *Staff* is defined as the Principal, Deputy Principal/s, Director of Students, Heads of School, House Leaders, Domain Leaders, Pastoral/Welfare/Support staff, Homeroom Teachers or subject teachers.

3.2 A complaint or concern relates to a perception of unjust treatment that causes resentment and is seen as grounds for action; such a complaint could be judged eventually as justified or not.

3.3 The complainant is the person raising the concern.

3.4 The subject of the complaint is the person, persons or organisation against which a complaint is made.

3.5 Concerns can be between any combinations of parents, staff, volunteers, students, Principals or Mercy Education Board.

### **4. GUIDING PRINCIPLES**

4.1 As the delegated authority for schools governed by Mercy Education, the Board of Mercy Education will be ultimately responsible for investigation of complaints concerning Mercy schools. In receiving and responding to complaints, the following guiding principles will direct and shape the actions taken by St Joseph's College:

4.1.1 We will work with the complainant with respect, courtesy and openness and with a genuine desire to achieve a fair and reasonable outcome.

4.1.2 Complaints will be responded to in a prompt, impartial and just manner.

4.1.3 Personal information disclosed will be treated as confidential.

4.1.4 Conflict resolution processes will reflect the principles of participation, co-responsibility and subsidiarity.

4.1.5 Wherever possible, concerns should be resolved by a process of discussion, co-operation and conciliation. The aim is to reach an acceptable outcome that minimizes any potential detriment to ongoing relationships.

4.1.6 Both the person raising the complaint and the subject of the complaint will receive appropriate information, support and assistance in resolving the concern. No person will be victimised because they raise a complaint or are associated with a concern.

4.1.7 Members of the school community should not instigate complaints that are frivolous, vexatious or malicious. All individuals are expected to participate in the complaint resolution process in good faith.

4.1.8 Complaints will be initially responded to at the lowest possible level, taking into account the seriousness of the complaint, and escalated if and when a satisfactory resolution is not obtained. Mercy Education acknowledges that most complaints are dealt with most effectively at the school level. This may be modified by the nature of the concern and the wishes of the person who is seeking a resolution of the concern. Mercy Education has a role where this has not proved satisfactory or is not appropriate due to the sensitivity of the issue.

4.1.9 Staff members who have students at the College must comply with all expectations of external parent behavioural guidelines. Staff are required to follow procedures as set out in the Complaints & Concerns Brochure.

## **5. EXPECTATIONS OF COMPLAINANT**

5.1 In making a complaint, the College requests and expects that the complainant 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.

## **6. PROCEDURES**

6.1 Procedural fairness will be followed in all aspects of complaint handling, including:

- Giving the complainant the opportunity to present their case;
- Informing the subject of the complaint that it has been received and what the allegations are;
- Giving the subject of the complaint an opportunity to respond;
- Advising all parties of the outcome of the investigation;
- Informing parties of any avenue of review.

6.2 Complainants will be encouraged to address their issues with the subject of their complaint personally in the first instance without third party involvement. Assistance will be provided where appropriate.

6.3 If the complainant is a parent, and their concern/complaint relates to their child's treatment by another student or students while at school, the school expects that the parent will refer the complaint directly to the school, via their child's teacher, Homeroom Teacher or Head of School. Under no circumstances should a parent approach another student while in the care of the school to discuss the issue or chastise him or her. Direct contact with parents to resolve the matter is also discouraged if the complaint pertains to issues or incidents that have arisen at school.

6.4 All signed, written complaints addressed to Mercy Education Limited, Principals or staff of Mercy schools will receive a response.

6.5 In the case of an informal verbal complaint, the complainant will be encouraged to document the issue. If this does not occur; the complaint will be assessed as to whether it merits further investigation.

6.6 Information in an anonymous complaint will be assessed as to whether it merits further investigation. The complaint and any action taken will be documented.

6.7 Complaints will be handled in a manner which is consistent with current Australian legislation and practice, and relevant industrial agreements.

6.8 Mercy Education and the Principal are mindful of the impact any complaint or dispute may have upon a school in addition to its resolution, and will take steps to address this.

6.9 Appropriate levels of confidentiality will be adhered to at all times. Complainants should be advised that for legal reasons absolute confidentiality may not always be possible. These reasons include, but are not limited to, duty of care, workplace health and safety and mandatory reporting.

## **7. RESPONSES TO COMPLAINTS AND CONCERNS**

7.1 As St Joseph's College supports a House Pastoral Care system, the parent or caregiver would normally make initial contact with the Homeroom Teacher (Year 7, Years 9 - 12), the Pastoral Care Teacher (Year 8). In instances of more serious concern a House Leader or Head of School is to be informed of any parent or caregiver complaints. This senior staff member will ensure that the matter is brought to the attention of the Director of Students, the Deputy Principal or Principal.

7.2 If staff are approached about a matter that lies outside their area of responsibility it should be referred to the appropriate person. The parents or caregivers who made the complaint are to be informed when a matter is referred.

7.3 Matters incapable of resolution at a particular level should be referred to the appropriate senior staff member, with parents or caregivers kept informed of the action being taken. Senior staff will refer those issues that need to go directly to the Deputy Principal, with whom lies the responsibility for more serious concerns.

7.4 There may be some who will wish to go directly to the Principal with their concerns. This should be requested through the Personal Assistant to the Principal. However, the Principal may refer the concern to the level that he/she believes is most appropriate.

7.5 Responses to issues of serious concern will be communicated by the Principal in verbal or letter form only - not electronic/email.

7.6 The processes for addressing any complaints or concerns raised by parties will be initiated as soon as possible and the person making the complaint or raising the concern will be informed about the progress of the complaint or concern as developments occur.

## **8. REDUCING ANXIETY**

8.1 As the person expressing concern may feel vulnerable, the College can reduce anxiety by taking the matter seriously and dispelling uncertainty about how the complaint will be handled.

8.2 The following factors will assist in reducing anxiety:

- Information about the complaints procedure should be clear;
- Complaints are to be acknowledged as soon as is practical, but within a maximum of five days. Staff are to inform parents or caregivers as to what is happening to their concern or complaint and, if a more detailed response is needed, by what date it should be received. The issue is to be dealt with as quickly as possible.
- The nature of the complaint and what is concerning the complainant should be clear:
  - a) If it is not immediately obvious the parents or caregivers may need more time to explain;
  - b) If the concern is deemed to be of a serious nature, the complainant will be asked to put the concern in writing;

- c) It may be helpful to discuss possible outcomes.

## **9. RECORDING**

9.1 The College is to keep an effective log of serious concerns. This may be required because:

- It may become the cause of future legal action;
- Patterns in the record may indicate a need for action;
- The principal should be able to check the log regularly.

9.2 The log, to be maintained by the Personal Assistant to the Principal, is to contain the following:

- Date when the issue was raised;
- Name of all parties involved;
- Brief statement of the issue;
- Member of staff handling the issue;
- Brief statement of the outcome.

9.3 Records of the complaint, the process for handling the complaint and any outcomes will be kept. Where the complaint is found to be vexatious or based on misinformation, etc. any record pertaining to the complaint or handling of the complaint will be kept in a file separate from the teacher or staff member concerned and the student.

9.4 Where a complaint is addressed or acted on, a copy of any reports related to the handling of the complaint will be provided to the teacher or staff member concerned. Teachers and members of staff will have access to the files kept on them by the College.

9.5 Policy and procedures at St Joseph's College will be consistent with the procedures outlined in the Mercy Education Procedure 1.06A Complaints Management and 1.06B Complaints Management. Key Steps in the Management of Complaints in Mercy Schools.

## **10. CONFIDENTIALITY**

10.1 Confidentiality is an important issue for students, parents, caregivers and staff. It is essential that any complaint be treated in a confidential manner and with respect.

10.2 Complainants often seek an assurance of confidentiality before expressing their concerns. It should be made clear to all concerned that it is the College's policy that complaints made by parents and caregivers are not to rebound adversely on their children and similarly complaints raised by students should not rebound on them or on other students.

10.3 The question of confidentiality will be discussed sensitively and on an individual basis with the complainant. The College's policy is to be carefully explained.

10.4 Members of staff are rightly concerned that they should know about complaints that might be damaging to their reputation. Such complaints will be made known to them and those who may need to be consulted.

10.5 Confidentiality is a major issue in the handling of complaints. Confidentiality shall be maintained at all stages of the complaint procedure with communication limited to those people who need to be informed in order to resolve the complaint.

10.6 Members of our College community are encouraged to give their names and should be given re-assurance on the issue of confidentiality. Anonymous complaints will not be acted upon officially.

## **11. RESOLUTION**

11.1 Sometimes the very acknowledgment of an issue by the College brings peace of mind to parents and caregivers. Satisfactory resolution may come from any of the following:

- Knowing that changes have been made, and that matters will be different in the future;
- Knowing that the College is now alert to a possible problem;
- Feeling that their concerns have been considered seriously;
- An outcome which may be different from the one sought, but which is perceived to be well-considered;
- A considered letter;
- An apology.

11.2 If time is required to consider matters of serious concern, parents should receive a report letter. This should cover:

- The issues raised;
- How the issues were considered;
- The people consulted;
- Action that is to be taken;
- An apology, if appropriate.

## **12. INTRACTABLE COMPLAINTS**

12.1 Most complaints can be resolved if approached positively. If a complaint becomes intractable it is the responsibility of the Principal to come to a decision that is appropriate for the welfare of all parties concerned.

## **13. TRAINING**

13.1 The College will provide access to training to help staff deal not only with complaints made to them, but also to complaints that are made about them.

13.2 The College is also aware there is a need to provide support for staff against whom a complaint is made.

13.3 Training should encompass:

- The complaints procedure;
- Communication skills, such as listening, questioning and calming;
- Handling complaints, negotiation and mediation skills;
- Skills in observing, recording and reporting;
- The benefits of handling complaints well;
- The necessity to seek advice from experienced colleagues.

## **14. A LEAFLET FOR PARENTS**

14.1 A leaflet explaining the recommended avenues for expressing concerns at St Joseph's College is available from the College.

## **15. STUDENT COMPLAINTS**

15.1 The principles that apply to parental complaints also apply to complaints and concerns from students.

15.2 There are, however, differences in approaches. One important difference is that students should be able to raise concerns with any member of staff with whom they feel comfortable.

15.3 In more complex situations, once the matter is resolved, a member of staff, designated by the Principal, should discuss the outcome with the student.

## **16. A LEAFLET FOR STUDENTS**

16.1 A leaflet explaining the recommended avenues for expressing concerns at St Joseph's College is available from the College.

## **17. CONCLUSION**

17.1 If a concern or complaint is dealt with seriously and sensitively at an early stage, it is likely to have a satisfactory outcome. A healthy complaints procedure is an integral part of the Catholic ethos and values of St Joseph's College.