



Related Policies

Peer Relations

Catholic Education:

Complaints Policy

Complaints – Intake and Management Policy

Guidelines for Professional Conduct in the protection of Children and Young People

Anti-Discrimination and Anti-Harassment Policy

Anti-Bullying Policy

Rationale/Purpose

At Merici we are committed to providing a safe and supportive work and learning environment for all employees and students. We acknowledge that employees, students and parents can sometimes feel aggrieved about something that is happening at the school. This policy describes the process for effectively managing complaints whilst protecting the rights of all parties involved and seeking a solution to the problem in the best interests of all affected.

Definitions

Complaint:

An expression of dissatisfaction with the service provided, a decision made or the performance of staff.

Complainant:

A student, parent or community member making a complaint.

Policy

Merici develops and implements clear, fair and effective policy on the management of complaints. A commitment to respond positively to feedback ensures that people have the opportunity to contribute to the continued improvement of the schools.

Staff demonstrate a commitment to ensuring that a culture of consultation and open dialogue is nurtured at every level, giving every member of the school community the opportunity to express dissatisfaction as well as satisfaction.

Complaints are addressed responsively, openly and in a timely manner.

Staff develop an open expectation of a cooperative and genuine effort to resolve any valid complaint.

This policy does not seek to limit the rights of any person under common law or legislation in the relevant jurisdiction.

In all matters the educational well-being of students is the first priority.

Procedures

An employee, student, parent or community member can have a complaint about any decision, behaviour, act or omission (whether by the Principal, members of the leadership team, other staff or students) that they feel is discriminatory or unreasonable.

Sometimes the aggrieved person can address the issue by raising the complaint directly with the person involved with the issue. However, this is not always possible, and sometimes several attempts at local or face-to-face resolution have been attempted or have taken place with little success. Whilst most issues can be resolved through direct discussion with the parties, there may be instances in which to take up the issue with the other person on a face-to-face basis is not possible.

Examples of complaints covered by this procedure include:

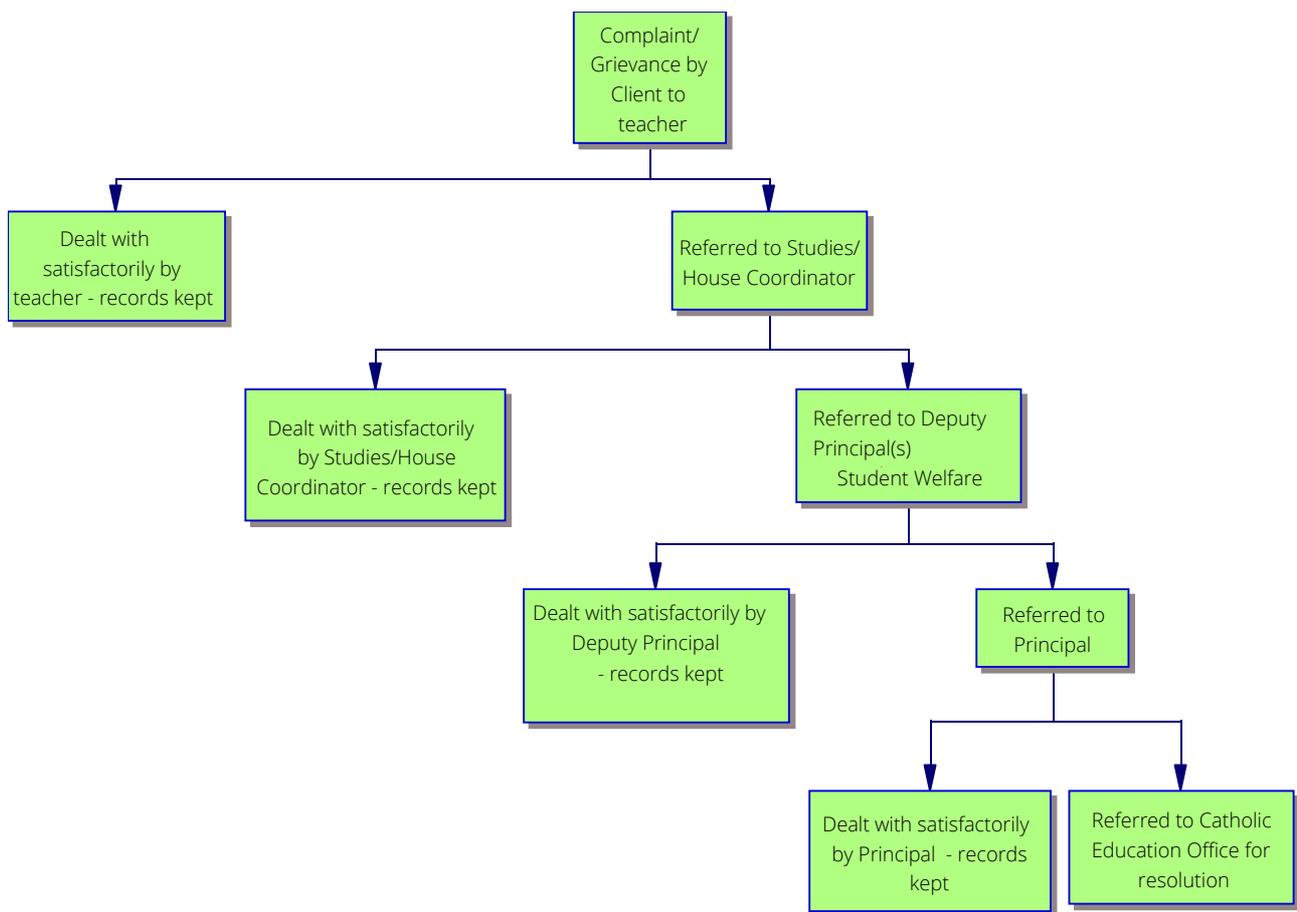
- Issues related to student discipline procedures not covered in the Peer Relations Policy
- Issues related to learning and teaching
- Damage/loss of personal property

Bullying or harassment of students by students is covered in the Positive Peer Relations Policy; Allegations of Reportable Conduct are covered by the CEO policy, Guidelines for Professional Conduct – In the Protection of Children and Young People.

In conjunction with this complaints procedure, note should be taken of relevant legislation, guidelines, policies and procedures pertinent to the issue, including for instance:

- Work Occupational Health and Safety issues
- Child Protection issues.
- CEO Enrolment Policy
- Suspension and Exclusion Policy
- Pastoral Care & Behavioural Management Policy
- Positive Peer Relations and dealing with bullying incidents policy.

Below is a simplified flow chart outlining the general process for a complaint made to a teacher. Complaints made to Coordinators or Executive staff would follow a similar pattern, ensuring that any person involved in the complaint is kept informed.



DOCUMENTATION

The school documents all complaints.

- The record of the complaint:
- Uses objective language clearly stating the facts
- Contains information in chronological order as practically possible
- Uses quotation marks, where appropriate and necessary
- Is neatly and legibly written in biro/pen or in print in clear unambiguous language
- Includes, where necessary, initialled and dated corrections
- Includes signature, designation of the author, and time and date of the incident/complaint.

Complaints of a serious nature are recorded and reported to the principal as soon as practicable after receiving the complaint.

COMPLAINTS MANAGEMENT PHASES

There are four key phases in handling a complaint, with the option of a fifth phase for review of a complaint outcome:

- Receiving and clarifying the complaint
- Deciding how to handle the complaint
- Finding out about the complaint
- Making a decision about the complaint
- Review

Phase 1 – Receiving And Clarifying The Complaint

A complaint may be made directly to the person involved or to a person in authority at the school.

Once the complainant indicates that they would like to register a formal complaint verbally, the member of staff makes a written outline of the issues concerned. The record is read to the complainant, with opportunity for appropriate amendments and the complainant is asked to sign, where possible, the written version of the complaint. The staff member also signs and dates the complaint.

No signature is required for verbal complaints taken over the phone, but the complainant is asked to provide verbal confirmation of the issues that have been recorded.

When a written complaint is received it is date-stamped and forwarded to the principal.

An anonymous complaint cannot be acted upon will be considered to the extent it can be without verifiable detail.

Phase 2 – Deciding How To Handle The Complaint

A plan of action is developed to outline how the complaint will be handled. .

The Principal ensures that records are kept of a complaint and any referral of a complaint for either internal or external review.

Phase 3 – Finding Out About The Complaint

The Principal or delegate gathers all the necessary facts about the complaint while keeping in mind the principles of natural justice of all parties concerned.

The Principal or delegate investigates complaints by:

- Collecting and analysing information relevant to the matter
- Working collaboratively with all people involved
- Finding the facts relating to the matter
- Identifying any contributing factors to the matter
- Consulting the relevant policy on issues that relate to the complaint

Documenting the investigation report or outcome.

If there is an interview of the complainant a number of things will be explained such as what will happen if the complaint is found to be supported by the evidence, or if it is found to be not supported by the evidence. The complainant will also be told where they can go for assistance if they are not happy with the way the school is dealing with the complaint. The designated person will then take a written record of the complaint.

The designated person will then speak to the person about whom the complaint is made to hear their side of the story. Any witnesses will also be interviewed. These interviews will be conducted separately and impartially. Written reports about the complaint may be requested. The importance of confidentiality will be stressed to all parties and they will be warned of the consequences if there is a breach of confidentiality (eg possible defamation action, initiation of a complaint for harassment).

The designated person will then discuss the matter with the complainant and ascertain the complainant's desires with regard to follow up action. It will allow the complainant to voice their perspective but not necessarily dictate the remedy that might ultimately apply.

Phase 4 – Making A Decision About The Complaint

Based on the facts about the complaint gathered in Phase 3, the Principal, or delegate makes a decision on the complaint and decides on further action where required.

If a complaint is upheld or sustained, appropriate follow up action is determined.

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; and/or
- Monitoring of the behaviour of employees and/or students
- Counselling for the aggrieved person
- Mediation at the local level.

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:

- A written apology from the person who made the complaint
- An official warning
- Referral for disciplinary action for students and staff.

Phase 5 - Review Phase

If the complainant is not satisfied with this response, they are encouraged to discuss it further with the Principal and/or advised to contact the CEO.

KEY ELEMENTS OF OUR COMPLAINTS HANDLING PROCEDURE

Impartiality

If a complaint is made, it will be investigated in a fair and impartial manner. No judgements or assumptions will be made, and no action will be taken until the investigation is complete. The rights of the person about whom the complaint is made will be protected and they will be given an opportunity to tell their side of the story.

Confidentiality

Complaints will remain confidential. The only people who will have access to information about the complaint will be the person making the complaint, the person to whom the complaint is made, the person investigating and CEO staff who may be involved. The person about whom the complaint is made also has a right to be informed.

No victimisation

The Principal will ensure that a person who makes a complaint is not victimised in any way.

Vexatious or malicious complaints

There is an underlying assumption that complaints are made in good faith (and with good will) and with an intention for resolution as opposed to retribution.

Timeliness

Each complaint will be finalised within as short a period of time as possible. Complainants will be advised if the matter cannot be finalised within one month.

Appendix

Protocols for staff receiving a complaint

All complaints are received in the following manner:

- Being respectful and helpful
- Giving the person your undivided attention
- Not being defensive, apportioning blame
- Remaining positive

- Not perceiving anger as a personal attack.

When a staff member receives a verbal complaint they:

- Listen carefully to the issues being raised
- Summarise the issues to clarify and check that they understand what the complainant is telling you
- Empathise and acknowledge the complainant's feelings
- Find out what the complainant wants to happen as a result of the complaint
- Tell the complainant that they may use the support of a third party in progressing the complaint, if they feel this is needed
- Resolve the complaint if possible, or assure the complainant that an appropriate staff member will address their complaint
- Tell the complainant of what will happen with their complaint
- Thank them for their complaint.

Forms

Nil

References

- CEO Policies
- Complaints Policy
- Child Protection (ACT) – Responding to Complaints Against Employees
- Child Protection (NSW) – Responding to Allegations of Reportable Conduct and Allegations of Misconduct that May Involve Reportable Conduct Made Against Employees
- Grievance and Dispute Handling – Management with Employee

Approved by: Merici Executive

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Merici Contact Officer: Deputy Principal Development
