



# Complaints and Grievance Policy

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## Introduction

St Bernadette's Primary School is committed to providing a safe and supportive working and learning environment for all members of the school community. To achieve this the school fosters trusting and cooperative relationships where regular, open and constructive communication between all stakeholders is encouraged. The school acknowledges that misunderstandings and differences of opinion may occur from time to time and that these need to be resolved in a satisfactory manner for all parties. St Bernadette's Primary School has developed a framework for resolving parent, guardian (parent) or student complaints and grievance (complaints) in a dignified and respectful manner.

St Bernadette's Primary School's approach to handling complaints is based on the school's intention:

- » To provide a safe and supportive learning environment.
- » To build positive and genuine relationships between students, parents and staff.
- » To provide a safe working environment for all staff.
- » To resolve complaints fairly, efficiently, promptly and in accordance with DET guidelines.

St Bernadette's Primary School is committed to resolving all complaints promptly at a school level, in a non-judgemental manner where parents and students are treated fairly and given ample opportunity to present their views.

Where parents or students are dissatisfied with the school's response or feel that the complaint remains unresolved, they may seek further resolution via the relevant Catholic Education Office.

## Purpose

The purpose of the school's Complaints & Grievances Policy is to establish clear guidelines for responding to and resolving concerns raised by parents, caregivers or students. The policy ensures that:

- » The school and the relevant regional office meets its obligation to respond to parent, caregiver or students complaints in a fair, effective and efficient manner.
- » Parents, caregivers and students are informed of how they may raise their concerns or complaint with the school.
- » A formal and transparent process for resolving complaints is maintained and communicated to all members of the school community.

This policy does not apply to critical incidents, emergency management, criminal offences, conduct of religious clergy or other religious individuals.

## Scope

The policy applies to any member of the school community who has concerns or feels dissatisfied with the treatment of their child, educational outcomes or pastoral care provided by St Bernadette's Primary School at any time.

**Key Definitions:**

**Complaint:** An expression of dissatisfaction with action taken, decisions made, services provided, or failure to provide a service, take action or make a decision.

**Complainant:** Parent or caregiver who formally expresses dissatisfaction with the school over action taken, decisions made or services provided, or failure to provide a service, take action or make a decision.

**Grievance:** A real or believed complaint over something believed to be wrong or unfair.

**Parent:** A 'parent' includes:

- » Any person who has parental responsibility for 'major long term issues' as defined in the Family Law Act 1975 (Commonwealth).
- » Any person appointed as 'guardian' pursuant to the Children Youth and Families Act 2005 (Victoria).
- » An informal carer with whom the child normally or regularly resides, and who has day-to-day care and control of the child.

**Resolved:** A complaint is considered to be 'resolved' when the complaint and the school agree on an appropriate response or course of action.

**Unresolved:** A complaint is considered 'unresolved' when an agreement cannot be reached on an appropriate response or course of action to be taken.

**Guiding Principles:**

The School's *Complaint and Grievances Policy* reflects the following guiding principles in accordance with *AS/NZ 10002:2014 Guidelines for Complaint Management in Organisations*.

**Visibility / Accessibility:** Information about how and where to make a complaint, as well as how they will be handled, will be regularly communicated to the school community. This policy will be made publically available via the school website. The complaint-handling process is flexible and includes the ability to make a complaint in person, via email, by phone or in writing. Support will also be provided to parents with special needs, including translations, interpreters and enabling a parent to seek the services of an advocate.

**Responsiveness:** Receipt of a written complaint or email will be promptly acknowledged by a member of the school. Dependant on the grievance or complaint this may be by a member of staff the Leadership Team or the Principal. Complaints will be addressed promptly with parents kept informed on the progress of their complaint.

**Objectivity:** Each complaint will be treated in an equitable, objective and unbiased manner.

**Cost:** There will be no cost to the parent for access to the complaint-handling process at the school or relevant Catholic Education Office.

**Protection of Privacy:** Personally identifiable information concerning the parent will be actively protected from disclosure except where needed in relation to the complaint. This means that the complaint will only be discussed with those directly involved in the complaint-handling process.



**Student Focused:** The school will remain open to feedback including complaints and will demonstrate a commitment to resolving complaints with the educational wellbeing of students as the first priority.

**Accountability:** The schools are accountable, both internally and externally, for their decision making and complaint management performance. The school will provide explanations and reasons for decisions made and provide these to relevant stakeholders as required.

**The best interests of the school community will generally exceed those of any individual.**

### **Implementation:**

#### **Making a Complaint:**

Where a parent is dissatisfied with action taken, decisions made or educational services provided a complaint can be made to the school in person, via the phone or in writing or email.

Prior to making a formal complaint the school encourages the complainant to raise their concern or issue with the relevant staff member in an attempt to resolve the issue.

The complaint should be made to the following stakeholders dependant on circumstance:

- » The Student's Teacher where it relates to teaching and learning issues or incidents that occur in their class or group.
- » The Year Level Coordinator if students from several classes are involved.
- » The Principal or a member of the Leadership Team where an issue or concern relates to a staff member or complex student issues.
- » The Principal about issues relating to school policy or school management.
- » The Principal about issues relating to students or other families.

Clarification regarding the appropriate point of contact for a complaint can be made by contacting the office on (insert number).

Complainants can seek the services of an advocate when they feel they are unable to express their concern clearly. An advocate can be a friend or someone who is available through an appropriate support organisation who does not receive a fee for service.

- » All parties involved in addressing a complaint may seek the services of a mediator when there is difficulty coming to an agreement.
- » St Bernadette's Primary School will ensure that the complainant is aware of these supports. A complainant who wishes to use these support services should ensure the person addressing the concern or complaint is aware of their intention and is in agreement.

#### **Parent Expectation:**

St Bernadette's Primary School expects parents raising concerns or complaints to:

- » Do so promptly, as soon as possible after the issue occurs or the concern has been realised;
- » Provide complete and factual information about the concern or complaint, preferably in writing or via email;
- » Maintain and respect the privacy and confidentiality of all parties;
- » Acknowledge that a common goal is to achieve an outcome acceptable to all parties;



- » Act in good faith, and in a calm and courteous manner;
- » Show respect and understanding of differing points of view and value difference, rather than judging and blaming;
- » Recognise that all parties have rights and responsibilities which must be balanced.

Complaints & grievances can be made via the School's *Formal Complaints Form* located on the school's website.

St Bernadette's Primary School will not tolerate parents who approach children from other families with a school related complaint. In the interests of safety and respect for all within the school community, parents must bring their concerns or complaints to the relevant Staff Member, or the Principal to ensure that an appropriate resolution can be achieved.

#### Initial Response to Complaints:

St Bernadette's Primary School will make all reasonable efforts to promptly respond and resolve complaints made by any member of the school community.

Upon receipt of a complaint of a serious nature (those that require intervention or investigation), the school will document:

- » Name and contact details of the person with a concern or complaint;
- » The date the concern was expressed or complaint made;
- » The form in which the concern or complaint was received (such as face-to-face, by telephone, in writing, by email);
- » A brief description of the concern or complaint;
- » Any recommendations for future improvement in the school's policy or procedures.

The School will then:

- » Promptly acknowledge receipt of the concern or complaint either in writing or via email.
- » Establish a clear timeline for investigating and responding to the complaint and commit to adhering to this timeline.
- » Provide the complainant with a copy of the school's Complaints & Grievances Policy in order to establish clear expectations. This may also be accessed via the school's website.

Upon receipt of a concern or complaint of a less serious nature (those anticipated not to require intervention or investigation) the school will:

- » Acknowledge receipt of the concern or complaint verbally and will commit to providing a prompt response to the complainant with possible resolutions.

#### Addressing Complaints:

St Bernadette's Primary School may choose to consider either an informal or more formal approach to addressing complaints. The school will generally, in the first instance, choose an informal approach as it may prevent the escalation of a minor dispute to a more serious complaint.

#### Informal Options:

The following informal options could be considered:



- » **Self-resolution** – The parties themselves may resolve concerns in open discussion with the provision of relevant information or the clarification of issues. This option involves reflection and conversations respectful of each person's needs in the school.
- » **Supported self-resolution** – The parties may be assisted to resolve a possible misunderstanding, miscommunication or lack of clarity about the issue in question by a support person such as the Principal, a member of the Leadership Team, a colleague, or counsellor providing professional advice or support.

#### Formal Options:

In circumstances where no mutually acceptable resolution to the matter is reached through informal resolution, or in cases where the matter is considered to be serious, formal procedures can include:

- » **Intervention** – The principal may meet with the party, or parties separately or jointly. If this does not resolve the issue then the principal makes a decision and notifies the parties of that decision.
- » **Facilitated mediation** – The parties may be assisted by a facilitator who is trained in mediation to identify issues, explore options and consider alternatives to find a resolution. The facilitator may be an external mediator, the principal, a member of the Leadership Team or a counsellor.
- » **Investigation** – A complaint about a person concerning an alleged serious breach of legislation, school policy or procedure (e.g. student bullying, student drug and alcohol issues) may require an investigation. This may also involve relevant members of the Catholic Education Office.

#### Complaint Escalation:

If a matter cannot be resolved at the school level through formal or informal options, or if the complaint is about the principal of the school, the complainant may be referred to the relevant Catholic Education Office or Regional Office or the relevant governing authority for the complaint to be dealt with in accordance with their complaints policy.

#### Compliant Resolution:

Where a concern or complaint is substantiated in whole or part and a resolution has been agreed upon, the school will offer an appropriate response. This may include, but not be limited to the following:

- » An explanation or further information about the issue;
- » Mediation, counselling or other support;
- » An apology, expression of regret or admission of fault;
- » To change its decision;
- » To change its policies, procedures or practices;
- » To cancel a debt (such as for school payments);
- » A fee refund.

#### **Complaints Against Teachers & Staff Members:**

The nature of the complaint will determine who is the most appropriate person or body to manage a complainant's concerns.



### Misconduct:

All complaints of alleged misconduct or serious misconduct by a teacher or staff member should be reported to the Principal of the school. Complaints about teachers can also be reported to the Victorian Institute of Teaching (VIT) and the relevant Catholic Education Office, which is the regulator in relation to the registration and investigation of serious misconduct (including conduct which is of a physical or emotional nature) of all teachers in the state of Victoria.

In some cases, certain actions which involve physical or emotional misconduct, such as unlawful assault or threats to the person, may constitute a criminal offence. These types of offences should be reported to and investigated by the police. Initial consultation with the principal of the school may help to determine the appropriate course of action in these circumstances.

### Child Abuse (Including Sexual Offences):

There are legal obligations on all adults to report child abuse to police once a 'reasonable belief' is formed that a sexual offence has been committed against a child. Failure to disclose a sexual offence against a child is a criminal offence under Section 327 of the Crimes Act 1958 (Vic.) and applies to all adults (18 years and over) in Victoria.

The school also has a statutory duty to inform the *Victorian Commission for Young People & Children* of any alleged misconduct committed by a staff member or volunteer.

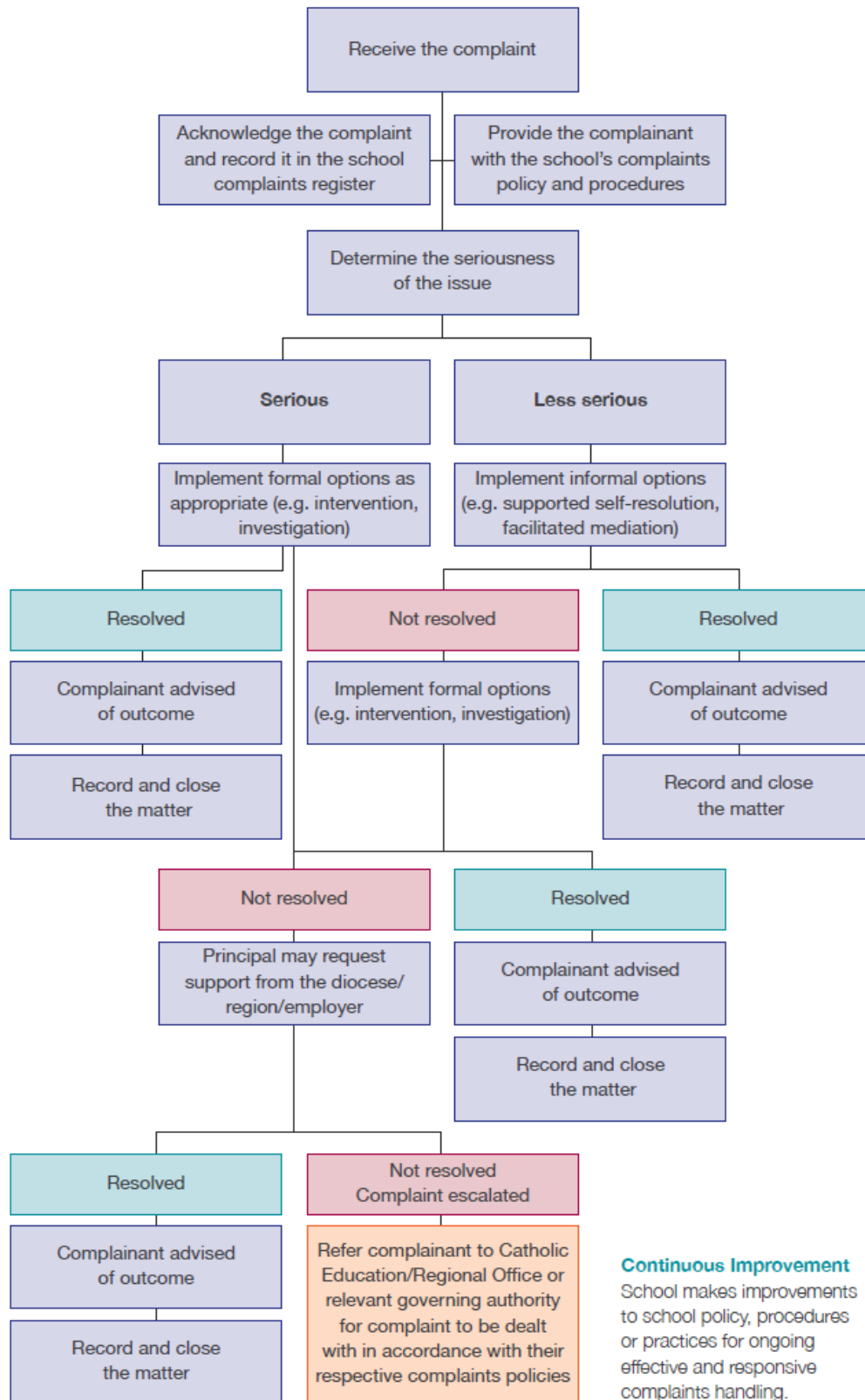
Complaints involving communication with children under 16 years by teachers, staff, or any other person to prepare or 'groom' a child for future sexual activity is a criminal offence under Section 49B (2) of the Crimes Act 1958 (Vic.) and must be reported to the police. The offence of grooming applies to any person aged 18 years or over and does not apply to communication between people who are both under 18 years of age.

### Complaints Against the School Principal:

In the case of complaints involving the principal, which forms part of a parish, the Parish Priest ('the employer') and the manager of the relevant Catholic Education Office which oversees that school should be informed immediately.



# Complaint & Grievances Flowchart





# Formal Complaints Form

## Complainant Details

Given Name:

Family Name:

Address:

Contact Number:

Email:

## Subject of the Complaint

 School Staff Member Student Policy / Procedure Other (please specify)

## Details Of The Complaint

(Please attached additional pages if space is insufficient.)

## Details Of The Outcome You Are Seeking

(Please attached additional pages if space is insufficient.)

## Have You Previously Raised This Concern with a Staff Member?

 Yes No

If Yes, When?

Who dealt with the matter?

What was the result?

Signature:

Date:

## School Office Use: Record of Outcomes

 Self-Resolution Supported  
Self-Resolution Facilitated  
Mediation Intervention Investigation

## Actions Taken to Resolve the Complaint

Date the matter was finalised:

Name of Staff Member:

Signature:



**References:**

Australian/ New Zealand Standards 10002:2014, *Guidelines for Complaint Management in Organisations*;

Catholic Education Commission of Victoria Ltd 2017, *Complaints Management, A Practical Guide for Schools*;

Commonwealth Government 1975, *Family Law Act*;

Victorian Department of Education & Training 2016, *Parent Complaints Policy (Interim), Resolving Parent Issues and Concerns*;

Victorian Government 2005, *Children, Youth and Families Act*;

Victorian Government 1958, *Crimes Act*;

Victorian Government 1988, *Privacy Act*;

The Victorian Registration and Qualifications Authority (VRQA) 2016, *Guidelines to the minimum standards and other requirements for registration of schools*.