

# Complaints Resolution and Grievances Policy

## Rationale

St Thomas the Apostle Catholic Primary School has both a desire and a responsibility to ensure that high standards of conduct are maintained by staff and students at all times, and that complaints are managed and resolved fairly, efficiently, promptly and in accordance with relevant legislation.

## Purpose

The purpose of this policy is to establish a harmonious, positive and productive school environment; and an environment where complaints are resolved fairly, efficiently, promptly and in accordance with relevant legislation.

## Implementation

- a. The Principal will ensure that all staff are aware of their rights and responsibilities with regard to responding to complaints.
- b. It is incumbent upon the principal to act where unacceptable conduct is observed or brought to his or her attention.
- c. The principal will use local complaints resolution procedures where appropriate: for resolving complaints in relation to issues that fall within the St Thomas the Apostle Catholic Primary School's area of responsibility. Sexual offences and potential criminal matters should be referred to the police. The Catholic Education Office Diocese of Sale must also be advised of all cases of serious misconduct – sexual offences, potential criminal matters, or other serious incidents.
- d. Where a complaint concerns the school's compliance with the VRQA minimum standards for school registration, the formal processes will involve notifying the Catholic Education Office Sale of the complaint and cooperating with the Office with regard to investigating the complaint and acting on the outcome.
- e. A complainant may at any stage choose to take their complaint directly to an external agency such as the Catholic Education Office Sale, the Victorian Institute of Teaching, Victorian Equal Opportunity Commission, the Human Rights and Equal Opportunity Commission or the Victorian Registration & Qualifications Authority.

## Key elements of the complaints handling procedure

- a. **Impartiality:** If you make a complaint, it will be investigated in a fair and impartial manner. No judgments or assumptions will be made, and no action will be taken until the investigation is complete. If a complaint is made against you, your rights will be protected and you will be given an opportunity to tell your side of the story.
- b. **Confidentiality:** You can feel secure that if you do make a complaint under this policy, it will remain confidential to only those who need to be informed or involved. Normally, the only people who will have access to information about the complaint will be the person making the complaint, the person investigating and the person against whom the complaint has been made.
- c. **No victimisation:** You can also rest assured that if you make a complaint you will not suffer in any way as a consequence. The school authorities will ensure that a person who makes a complaint is not victimised in any way.
- d. **Timeliness:** Each complaint will be finalised within as short a period as possible.
- e. **Subsidiarity:** According to the principle of subsidiarity, decisions should be made at the lowest level possible and the highest level necessary.

## Actions

- a. No further action will be taken when the complainant is satisfied with the explanation given at the time of making the complaint or enquiry except when the complaint refers to matters that must be investigated under Child Protection legislation or are criminal.
- b. All complaints, ensuing procedures and outcomes will be fully documented.
- c. The principal, or those persons authorised by the principal to deal with complaints, may choose to respond to a complaint through an informal process in cases where the complaint is minor, the complainant wishes the matter to be dealt with informally, or where the complaint has arisen from lack of or unclear communication.
- d. Formal processes will be used when informal processes have not been successful, a complainant seeks a formal process, or where the complaint warrants formal investigation.

## Informal resolution process

In less serious matters in which there is no risk of harm to any person, those involved will be encouraged to deal with the issue personally. Normally this would mean that the relevant people would discuss the issue of concern with a view to reaching an amicable resolution.

## Formal resolution process involves

1. Investigating the complaint including formal interviews, written statements, conveying the details of the complaint to the respondent in writing and providing the opportunity for a written response.
2. Dismissing or accepting the complaint.  
If the complaint is proved, the following are possible outcomes:
  - a written apology;
  - an official warning;
  - counselling;
  - disciplinary actionIf the complaint is unproved (not enough evidence), possible outcomes are:
  - relevant training for all staff; and/or
  - monitoring of behaviour of employees.If the complaint is proved not to have happened at all, the following are possible outcomes:
  - counselling for the person who made the complaint;
  - a written apology;
  - an official warning;
  - disciplinary action
3. Preparation of a detailed confidential report.
4. The Principal will make sure that whatever outcome is decided upon actually happens. He/she will also assess the effectiveness of the outcome from time to time.
5. If a complainant believes that the complaints procedure has not been followed properly, or that the outcome is unacceptable, he/she may appeal to the Educational Consultant, at the Catholic Education Office, Sale.

## Evaluation

This policy will be reviewed as part of St Thomas the Apostle Catholic Primary School four year review cycle or as required.

## Appendices 1.

### Rationale

At St Thomas the Apostle Catholic Primary School we believe that the relationship between the home and the school is a very important part of ensuring that children are happy, secure and open to learning. We recognize that parents, students and teachers need to work closely together to provide the best educational opportunities for the children. As a school community we are committed to working together to meet the differing needs of the various members of our community. This occurs most effectively when staff, students and parents are working towards the same ends. Central to achieving this is trust and open, effective communication between the people within the school community.

### Purpose

To ensure:

- That effective communication between school community members takes place.
- That processes are in place which allow for open and honest communication amongst school community members.
- That confidential information is managed in a manner consistent with community expectations, professional standards and legal obligations.
- That clear, positive and fair process exists to allow issues or concerns be aired and resolved in a timely and effective manner.
- That a positive, productive and harmonious school environment is maintained.

### Implementation

#### Communication

Parents Communication in the school community occurs in a variety of forms:

- Information sessions - Information sessions are held each year. These sessions focus on Teaching and Learning across the curriculum and Sacramental Programs.
- An annual information session for new enrolments will be held.
- Sacramental Parent/Child Workshops Parent/child workshops occur for families who have children receiving the Sacraments of Reconciliation, Eucharist and Confirmation for the first time.
- Information about St. Thomas the Apostle Catholic Primary School - The school website, information packages and brochures contain information about the school which is pertinent to families and appropriate for viewing of the wider community.
- Parent Teacher Meetings - At the beginning of each school year, a Parent/Teacher Exchange Meeting will take place. The purpose of this meeting is for parents to provide the child's classroom teacher with information about their child. At mid-year, parents are invited to attend a Student Conference, where they will review their child's Report. This provides parents and students with information regarding student achievement and progress. At the

end of the year, parents receive a Report and are provided with the opportunity to meet with their child's teachers.

- For those students who are eligible for LNSLN funding, meet the criteria for New Arrivals, have English as a Second Language, and/or have specific learning needs, a Program Support Group Meeting is held once each term. The purpose of these meetings is for student progress and achievement to be communicated to families and for goals to be set for the following term.
- Assemblies - Whole school or level assemblies are held regularly and parents are invited to attend. Flag raising assemblies are held each week and parents are encouraged to participate. Students assemble at the conclusion of each recess break and important messages are relayed at that time.
- School Newsletter - A regular Newsletter, 'The Spear' is provided to families by email and through the Skoolbag app. The Spear aims to keep parents informed of current school happenings, school routines, future events and current educational issue.

### **School**

It is essential that staff members of the school communicate information in agreement with established protocols so as to preserve the professionalism of the school, to protect the rights of individuals, to uphold our duty of care to students and comply with CEOSale, CECV and legal requirements.

- Our school has a policy of open and cooperative communication. This practice, however, recognises that staff members have legal, departmental, local, professional and social obligations with regards to the communication of information.
- We will provide annually two written reports and two Student Conferences for students, additional interviews upon agreement and a community report.
- The Privacy Amendment (Enhancing Privacy Legislation) Act 2012 (Cth) and the Health Records Act 2001(Vic) require that schools protect the interests of individuals with regard to their personal information and respect the individual's right to control how their personal information is used, and for what purpose.
- The school will only collect consensual information that it requires about individuals, and will only communicate and disclose information for the purposes for which it was collected.
- Any person seeking information from the school that falls outside the school's previous practices must be directed to the Principal who may require that a formal written letter of request be made.
- Information sought by police, including interviews of students must be directed to the Principal. Requests from Department of Human Services personnel regarding students or families will be complied with at all times.
- All staff will comply with court subpoenas to provide information at all times.

## **Confidentiality**

Confidentiality is a fundamental attribute of any professional organisation. The protection of confidential information relating to others is a serious moral, professional, ethical and legal responsibility that our school recognises and upholds.

Confidential information at our school may only be transferred from one person to another when it is professionally appropriate and legally acceptable to do so.

All staff will be reminded regularly about workplace confidentiality and professional expectations, as well as privacy obligations as detailed in the Privacy Amendment (Enhancing Privacy Legislation) Act 2012 (Cth) and the Health Records Act 2001(Vic)

All highly confidential information relating to any current or past parents, families, students or staff members will be maintained in individual files in the school office, and can only be accessed with the Principal's approval. •

Staff subsequently accessing confidential files must sign an access register.

Staff members provided with confidential documentation relating to students or families should present the documentation to the Principal so that it can be retained on the confidential individual files.

Staff members are to direct any requests for confidential information to the Principal.

Staff members will not disclose confidential information about students, families or staff, or be drawn into discussions about students, families or staff, with any third person or agency, which has no legal or compelling need to discuss such issues.

While staff members may have confidential discussions with others, particularly students, all staff members are compelled to report all disclosures of intentions to self-harm or to harm others.

Breaches of confidentiality relating to complaints, staff selection or staff performance are all serious offences. The Principal will thoroughly investigate any alleged breaches of confidentiality or privacy.

The Student Code of Conduct will make reference to each student's responsibilities relating to their own confidential information, and the confidentiality rights of others.

## **Community Grievances/Concerns**

The social, emotional, moral, spiritual and physical wellbeing of our students, in light of the values of St. Thomas the Apostle Catholic Primary School, is pivotal to their success at school and in their future lives. Students' ability to positively resolve conflict and grievances/concerns is an important part of their social and emotional health. As with the students, we acknowledge that the adults of the school community can sometimes feel aggrieved also. Positive, clear and effective processes for resolving grievances/concerns between the school and community members assists in the building of strong relationships, dispels anxiety, and ultimately provides students with an enhanced learning environment. Key elements of our grievance/concerns handling procedure:-

- Impartiality - If you make a complaint, it will be investigated in a fair and impartial manner. No judgments or assumptions will be made, and no action will be taken until the investigation is complete. If a complaint is made against you your rights will be protected and you will be given an opportunity to tell your side of the story.
- Confidentiality - You can feel secure that if you do make a complaint under this policy, it will remain confidential. The only people who will have access to information about the complaint will be the person making the complaint and the person investigating.
- No victimization - You can also rest assured that if you make a complaint you will not suffer in any way as a consequence. The school authorities will ensure that a person who makes a complaint is not victimised in any way.
- Timelines - Each complaint will be finalised within as short a period as possible. All complaints could be finalised within one month.
- It is important that all complaints, ensuing procedures and outcomes are fully documented.
- The Principal may choose to respond to a complaint through an informal process in cases where the complaint is minor, the complainant wishes the matter to be dealt with informally or the complaint has arisen from lack of or unclear communication. •
- Formal processes will be used when informal processes have not been successful, a complainant seeks a formal process, or the Principal believes the complaint warrants formal investigation.
- Community members may be accompanied by another person, in a support role, at appointments to resolve grievances/concerns.
- The Principal and Deputy will exercise his/her judgement as to whether or not they will act upon anonymous complaints.
- The Principal will seek the support of the CEO Sale if grievances are not resolved. •
- Full details regarding formal complaint resolution procedures are contained within the Diocesan Grievance Policy.

### **Process for Parents with a Concern**

Where a parent has a concern involving a student or parent or staff member, the following procedures are in place:

1. The parent should request an interview with the classroom teacher at a time convenient to both parties.
2. If no resolution, the parent should contact the Principal who will arrange a meeting between the parent, classroom teacher and Principal and any other relevant staff.
3. If no resolution, the parties may consult with the Parish Priest.
4. The Parish Priest may wish to involve the Education Consultant of the CEO Sale.

Where a parent has a family matter that they believe the school needs to know about, the following procedures are in place:

1. The parent contacts the Principal to discuss the matter.
2. If necessary the parent and Principal will meet with the classroom teacher to discuss the matter and the possible implications for the student in the school setting.

3. At the request of the parent, counselling can be sought for the family.

In the event that the parent contacts a staff member other than the Principal in the first instance:

- a. The staff member should direct the parent to meet with the Principal, and/or
- b. The staff member should record the purpose and content of the meeting and forward it to the Principal.

### Process for Students with a Concern

Complaints or grievances/concerns may be resolved informally by the classroom teacher or Principal however, appropriate procedures in dealing with complaints must be clearly communicated to the school community, these include:

- Students being aware of the ability to approach their teacher or the Principal if they have a complaint or grievance/concern. –
- Knowledge that all complaints will be heard, discussed and resolutions sought.
- Records of interviews and meetings and all documentation of the process, procedures followed and resolution are taken and kept.
- The services of the Wellbeing Leader or Student Counsellor may be engaged to assist in the resolution of the grievance or complaint.
- St. Thomas the Apostle Catholic Primary School may also seek the advice or services of the CEO Sale to assist in the resolution of the complaint or grievance/concern.

### Table of Grievance Procedures

#### STUDENTS

with a grievance should:

1. Talk to the person about the problem. Discuss the question or concern directly with the person involved, stating the problem clearly and objectively. Seek to resolve it in a way that respects the needs of those involved.

#### PARENTS/CAREGIVER

with a grievance should:

Issues related to the classroom:

1. Talk to the teacher about the problem. Discuss the question or concern directly with the person involved, stating the problem clearly and objectively. Seek to resolve it in a way that respects the needs of those involved.

#### STAFF

with a grievance should:

1. Talk to the person about the problem. Discuss the question or concern directly with the person involved, stating the problem clearly and objectively. Seek to resolve it in a way that respects the needs of those involved.

## **STUDENTS**

**with a grievance should:**

1. Talk to the person about the problem. Discuss the question or concern directly with the person involved, stating the problem clearly and objectively. Seek to resolve it in a way that respects the needs of those involved.

2. If you feel uncomfortable, speak to someone, 'who you feel comfortable with'. Talk to a teacher or School Services Officer, Student Representative Council Rep and or your parents about the problem at an appropriate time.

3. Allow a reasonable timeframe for the issue to be addressed.

4. If issue is unresolved, speak to your parent(s)/caregivers.

## **PARENTS/CAREGIVER**

**with a grievance should:**

Issues related to the classroom:

1. Talk to the teacher about the problem. Discuss the question or concern directly with the person involved, stating the problem clearly and objectively. Seek to resolve it in a way that respects the needs of those involved.

2. Allow a reasonable timeframe for the issue to be addressed.

3. If the grievance is not addressed arrange a time to speak with the Principal or Deputy Principal.

4. The Principal may discuss the issue with the Parish Priest and seek his assistance.

## **STAFF**

**with a grievance should:**

1. Talk to the person about the problem. Discuss the question or concern directly with the person involved, stating the problem clearly and objectively. Seek to resolve it in a way that respects the needs of those involved.

2. Allow a reasonable timeframe for the issue to be addressed.

3. If the grievance is not resolved speak to:

\* Your Principal/Deputy Principal

\* A nominated grievance contact

\* Racist/Sexual Harassment Contact

\* Union Rep - Ask their support in addressing the grievance by:

- Speaking to the person involved on your behalf

- Monitoring the situation

- Investigating your concern

- Acting as a mediator

**STUDENTS**

with a grievance should:

5. If the grievance is not addressed arrange a time for your parents and you to speak with the Teacher, Principal or Deputy Principal.

**PARENTS/CAREGIVER**

with a grievance should:

Issues related school policy:

1. Arrange a meeting time with the Principal to discuss your concern.
2. Allow a reasonable timeframe for the issue to be addressed.
3. If the issue is not resolved, the Principal may arrange a time to resolve the issue with the Parish Priest.
4. Additional to this, contact may be made with the Catholic Education Office Sale.

**STAFF**

with a grievance should:

4. If the issue is not resolved within a reasonable time the Principal may arrange a time to speak to the Parish Priest or Education Consultant.

