

ST EUPHEMIA COLLEGE



PREP – YEAR 12

COMPLAINTS HANDLING

PROCEDURES

2019

Introduction

These Procedures should be read in conjunction with the Complaints Handling Policy.

Roles and Responsibilities

Responsibility of the Principal/Deputy Principal High School (DPHS)/Deputy Principal Primary School (DPPS) and/or the Board of Directors

The Principal/DPHS and DPPS and/or the Board of Directors are expected to:

- provide adequate support and direction to key staff responsible for handling complaints
- regularly review reports about complaint trends and issues arising from complaints
- encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly
- encourage staff to make recommendations for system improvements.

Rights and Responsibilities of the Complainant

The Complainant has a right to:

- be heard and listened to
- have the complaint addressed with procedural fairness
- have the complaint dealt with promptly and efficiently and within twenty one (21) days of receiving the complaint.
- confidentiality and sensitivity in the resolution process.

The Complainant has the responsibility to:

- approach the process in good faith
- uphold strict confidentiality
- be courteous in dealing with the respondent and all individuals responsible for handling the complaint
- ensure that any support persons understand their role in the process.

Rights and Responsibilities of the Respondent

The Respondent has the right to:

- be informed in writing of a complaint against them as soon as possible
- seek advice and support
- have a support person present during all meetings
- confidentiality and sensitivity in the resolution of the process
- know detailed information about the substance of the complaint and to have the opportunity to respond.

The Respondent has the responsibility to:

- approach the process in good faith
- uphold strict confidentiality
- be courteous in dealing with the complainant and all individuals responsible for handling the complaint
- ensure that any support person understands their role in the process.

The Staff has the responsibility to:

- treat all people with respect, including people who make complaints
- assist people to make a complaint, if needed
- comply with the Complaints Handling Policy and these Procedures
- keep informed about best practice in complaint handling
- provide feedback to management on issues arising from complaints
- provide suggestions to Senior Executives on ways to improve the School's complaints management system.

Procedures

A complaint can be about any aspect of the service provided, or not provided, at St Euphemia College, the behaviour or decisions of staff, or practices, policies or procedures. It could incorporate; discrimination, harassment, bullying, formal staff warnings and/or unfair dismissal. These matters are discussed in greater detail in the relevant St Euphemia College's Policies and Procedures documents. These include but are not limited to:

- Anti Bullying Policy and Procedures
- Child Protection Policy and Procedures
- Student Welfare Policy and Procedures
- Work Health and Safety Policy

Any person can make a complaint, including a student, parent, caregiver, or community member who uses the services at St Euphemia College and any employee, contractor or volunteer in a location where the College services are provided.

Any person in the School Community who receives a complaint, will need to determine whether it is a matter that can be resolved or whether it should be referred to the Pastoral Care Coordinator, Faculty Coordinator, Primary School Coordinator, School Counsellor, DPPS, DPHS, High School Administration Coordinator, Welfare Coordinator, Business Manager or Principal. Depending on the nature of the complaint, the complainant can attempt resolution via the procedures that follow.

Complaint Relating to a Child Protection Matter

Where the complaint involves child protection matters, the matter will be immediately referred to the Principal.

Child protection matters can include different forms of child abuse. These include neglect, sexual, physical and emotional abuse. If any stakeholder of the College has reason to believe that a child is at risk of significant harm and needs to file a complaint, the matter must be directed to the Principal. This includes reportable conduct against a member of staff or other stakeholder in the College.

However, if there is an immediate danger to the child or young person and the Principal is not contactable, either the DPHS or DPPS should be contacted, otherwise either the Welfare Coordinator High School or the Senior Coordinator Primary School is to be contacted. If none of the persons listed is contactable you should speak to the Police and/or the Child Protection Helpline (13 21 11) directly and then advise the Principal or next most senior member of staff at the School as soon as possible.

Further information regarding child protection matters and **reportable conduct** can be sought by referencing the St Euphemia College Child Protection Policy and Procedures and referring to Appendix 8 in these Procedures.

Student Complaints

Students are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned. If the complaint is not resolved, the students can approach the DPHS, DPPS teachers, Primary School Coordinators, Faculty Coordinators, Pastoral Care Coordinators, the Welfare Coordinator, or the School Counsellor who are available to assist students to resolve their issues at this level. Further resolution can be sought using Appendix 2 in these Procedures.

Staff Complaints

In the first instance, complaints should be resolved informally if possible and without delay. If a problem or concern arises within the School, resolution should firstly be attempted by discussing the problem or concern directly with the person/s involved. In such cases, complainants are encouraged to initially raise a complaint with the relevant person at the time of the issue arising. Discussing the issue or concern immediately and face to face, may clarify the situation and resolve any misunderstandings

satisfactorily. The complainant should approach the respondent and explain his/her complaint in a non-threatening manner using effective communication.

Where the complainant feels as though they cannot approach the person directly or is not happy with their response or reaction, then the complainant can refer the complaint to the appropriate person at the School (Refer to Appendices 3, 4 and 5 in these Procedures). Any formal complaint by a staff member about another staff member should be made in writing.

All complaints that cannot be resolved initially will be recorded in the Complaints Register by the staff member handling the complaint as per Appendices 3, 4 and 5. This Register is kept in the Administration Office. Details should include the nature of the complaint, dates and names of parties concerned, staff members involved in handling the complaint, action taken and the outcome of the procedure.

Parents, Caregivers and Community Member Complaints

At times, an inquiry at the School Office may be the first point of contact for people with complaints. They will be advised as to the person designated to deal with the nature of their complaint. This person may be a class teacher, Pastoral Care Coordinator, Faculty Coordinator, Primary School Coordinator, Welfare Coordinator, School Counsellor, DPHS, DPPS, Business Manager or Principal. The designated person will advise what options are available and what will happen if a formal complaint is made. Further resolution can be sought using Appendices 6 and 7 in these procedures. All complaints regarding the High School should be put in writing and addressed to the Principal or the DPHS. If the matter involves the Primary School it should be directed to the DPPS.

Objectivity and Fairness

Each complaint is to be addressed with integrity and in an equitable, objective and unbiased manner.

The person handling a complaint will be different from any staff member whose conduct or service is being complained about.

Conflicts of interests whether or actual, perceived, or potential, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by the Senior Executive (Principal, DPHS, DPPS or Business Manager).

The person(s) investigating the complaint will:

- collect and analyse information relevant to the matter
- work collaboratively with all people involved
- find the facts relating to the matter
- identify any contributing factors to the matter
- consult the relevant policies and procedures on issues that relate to the complaint
- document the investigation report or outcome
- keep notes throughout the investigation

Positive resolution of a complaint should aim to:

- seek resolution at the level at which the complaint is made
- gain agreement of the parties
- consider all relevant information and views of all parties
- consider the School's policies and procedures
- reassure the complaint will not lead to discrimination.

Management of complaints resolution needs to reflect the following:

- all formal written complaints must be responded to within seven (7) days of receiving the complaint
- complainants will be informed that they will be called upon for an interview after the designated person reviews the written complaint within seven (7) days
- complainants should be told the process for complaint resolution
- complaints should be finalised within twenty one (21) working days and all parties will be kept informed of the progress of the complaint, the reasons for any decisions and the outcomes that will be implemented
- the process and the time needed to resolve an issue will vary depending on the nature and complexity of the issue
- complainants need to be made aware that they will not have immediate access to the person designated to handle the complaint.

Complaint Relating to Principal

If a written complaint is made against the Principal, the Principal should be given the opportunity to meet with the complainant to attempt to resolve the issue. If a satisfactory resolution is not reached, the complainant will be informed by the Principal of their right to appeal to the Board of Directors.

Possible Outcomes

If the complaint is upheld or sustained, the following are possible outcomes depending on the nature of the complaint:

- an agreement between the parties
- a verbal apology
- a written apology.

If a complaint is not upheld or not substantiated (eg. there is insufficient evidence) but some issues arise from the investigation that are required to be addressed, possible outcomes include:

- relevant training for employees and/or students
- monitoring of the behaviour of employees and/or students
- counselling for the aggrieved person(s)
- mediation at the appropriate level
- parents, caregivers and community members debriefing conference.

If the incident relating to 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:

- counselling for the person who made the complaint
- a written apology from the person who made the complaint
- an official warning to the person who made the complaint
- disciplinary action for students and staff.

Confidentiality and Privacy

To protect confidentiality and privacy, staff involved in handling complaints resolution must ensure that information is restricted only to those directly involved in handling the complaint. Some information about the specific complaint may need to be disclosed to others during its resolution. The complainant should be made aware that this might occur.

Providing Reasons for Decisions

Following consideration of the complaint and any investigation into the issues raised, the person making the complaint will be contacted and advised about:

- the outcome of the complaint and any action taken
- the reason/s for the decision
- the remedy or resolution/s proposed or put in place
- any options for review that may be available to the complainant, such as an internal review.

Appeals

If the complainant feels that the complaints procedure has not been followed properly, or that the outcome is unacceptable to them, they may lodge an appeal in writing to the Principal.

Internal Appeals

The Principal will evaluate the way the complaint was handled and examine the outcome. If the Principal believes it was handled properly and the outcome was appropriate, no further action will be taken. If the Principal believes that the complaint was not handled properly, or that the outcome was inappropriate, the complaint is to be re-examined by someone other than the person who first handled the complaint.

External Appeals

If the complainant is not happy with the way the complaint has been dealt with by the School, there is the option of going to an external agency for further advice and assistance such as the Independent Education Union (IEU) or Fair Work Commission. The complaint may be taken to an external agency at any stage in the procedure if the complainant is unhappy with the lack of progress in dealing with the complaint.

Records

Records will be kept in the Complaints Handling Register located in the Administration Office regarding:

- how the complaint was managed
- the outcome(s) of the complaint including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations
- any outstanding actions that need to be followed up.

It is necessary to ensure that outcomes are properly implemented, monitored and reported to the person designated to handle the complaint if a complaint is:

- against a student, the records will be in the Student's file
- made against a staff member, the records will be kept in the staff member's file located in the Administration Office.

All complaints will be logged into the Complaints Handling Register by an appropriate member of the Senior Executive Team i.e. Principal, DPHS, DPPS or Business Manager.

The Complaints Register will be reviewed and discussed at Senior Executive Meetings and this process will appear in the minutes of such meetings.

Policy Availability

The School's Complaints Handling Policy and Procedures is published on the School's Website and available at the Administration Office. The Policy and Procedures are updated as required.

Appendix 1 – Procedural Fairness

Procedural fairness is a basic right of all when dealing with authorities. Procedural fairness refers to what is sometimes described as the ‘hearing rule’ and the ‘right to an unbiased decision.

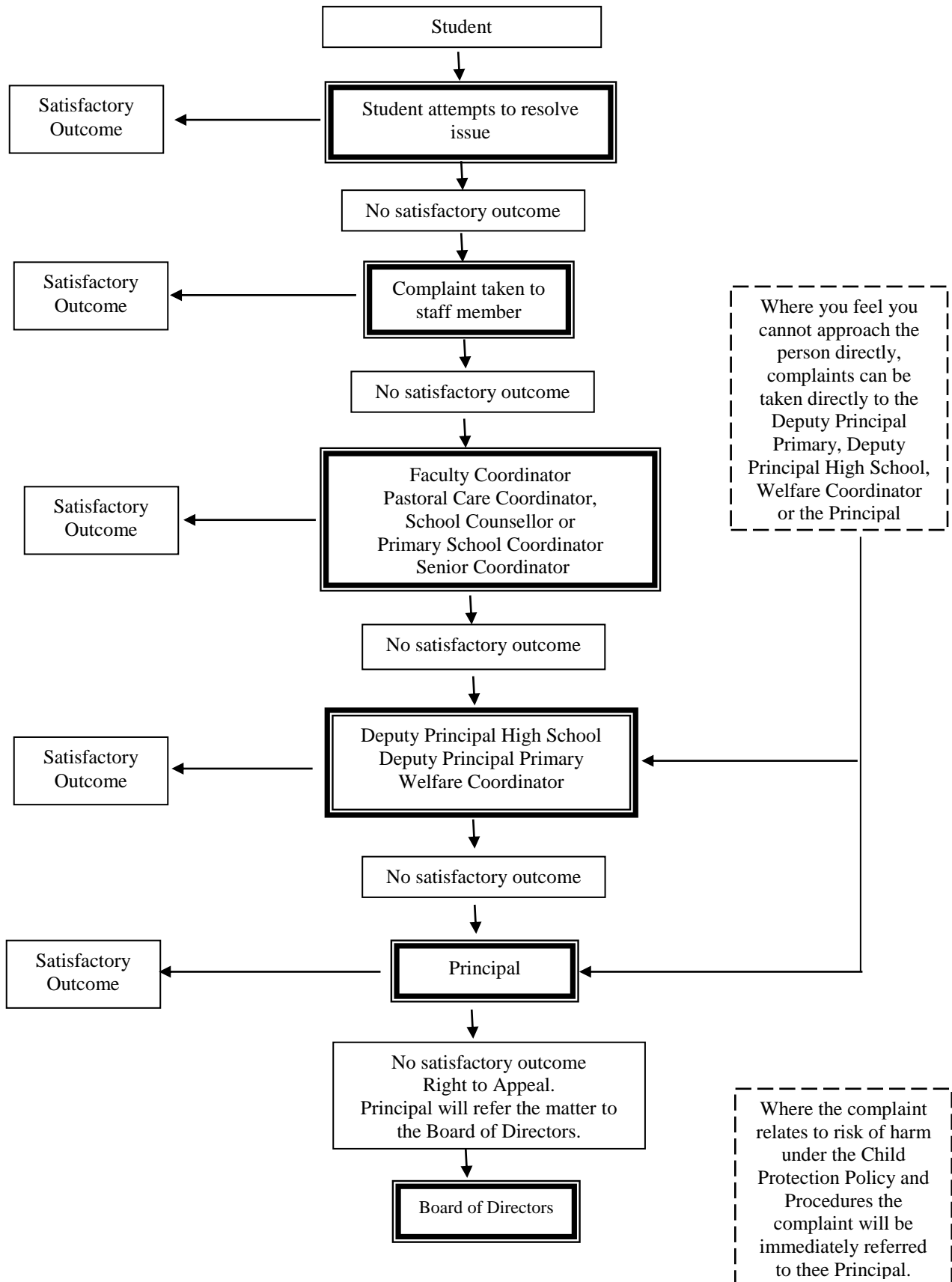
The ‘hearing rule’ includes the right of the person against whom an allegation has been made to:

- know the allegation related to a specific matter and any other information which will be taken into account in considering the matter
- know the process by which the matter will be considered
- respond to the allegation
- know how to seek a review of the decision made in response to the allegations

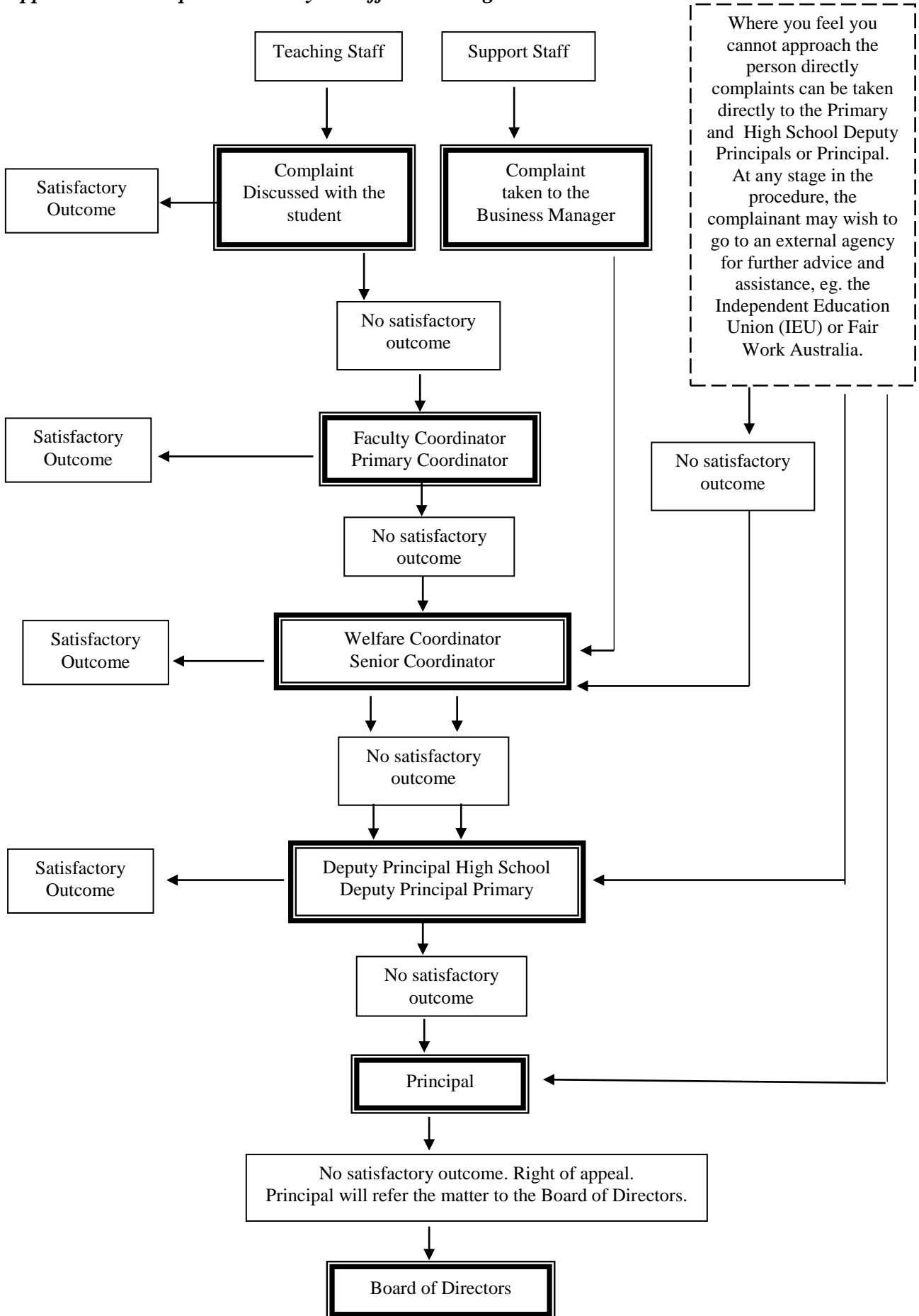
The ‘right to an unbiased decision’ includes the right to:

- impartiality investigation and decision making processes
- an absence of bias by a decision maker.

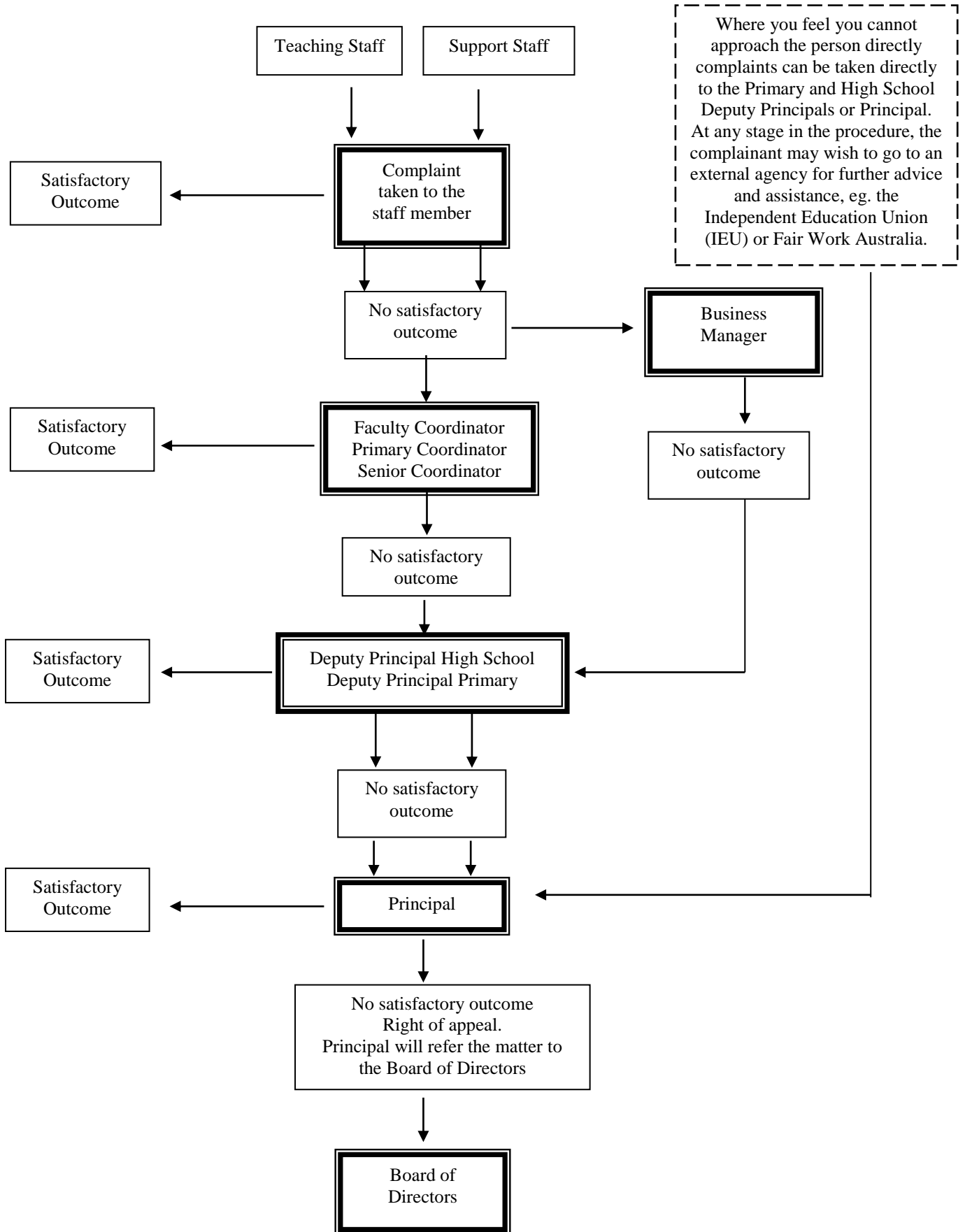
Appendix 2 – Complaint made by a Student against another Student, against a Teacher, against a Parent/Caregiver or member of the community



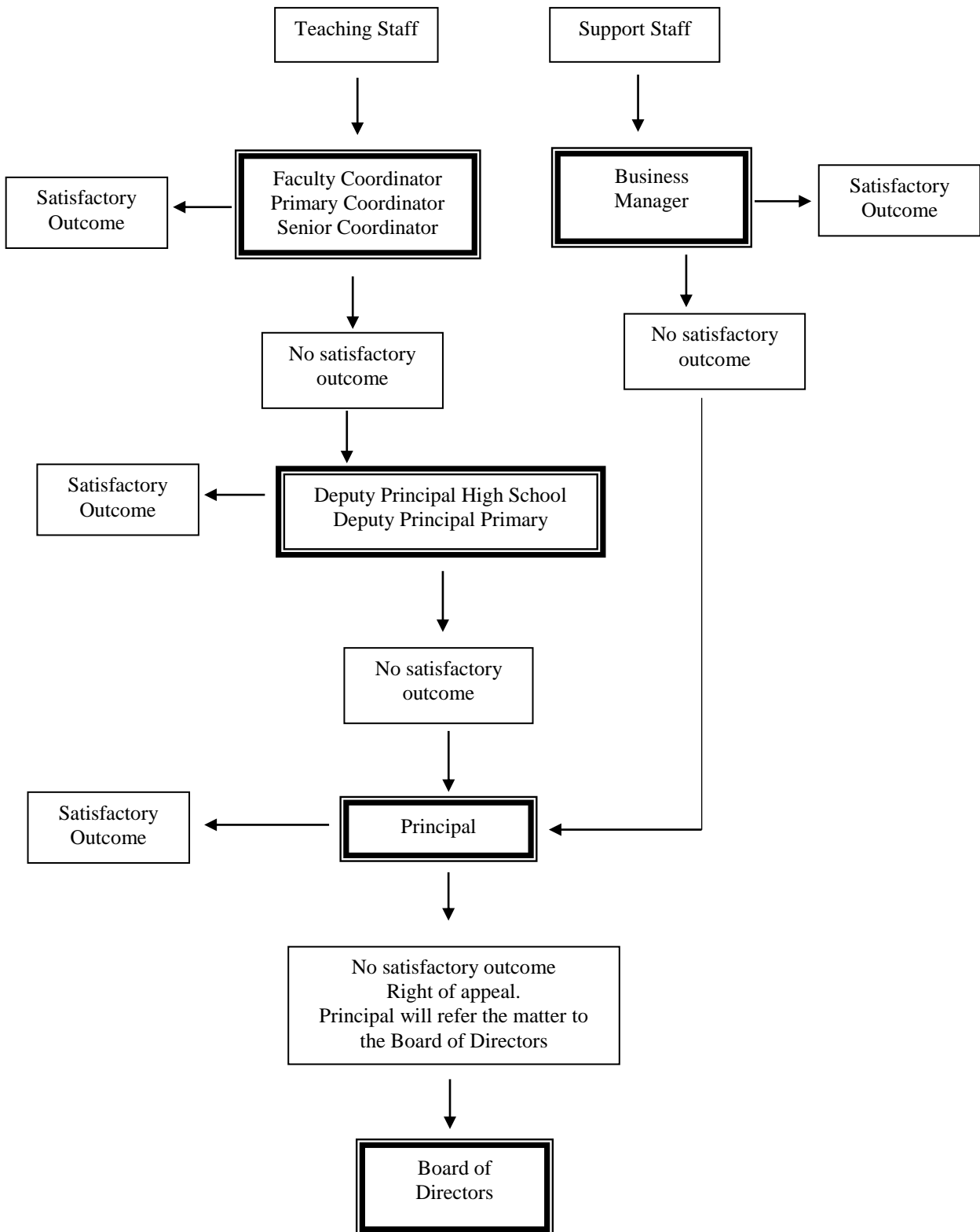
Appendix 3 – Complaint made by a Staff member against a Student



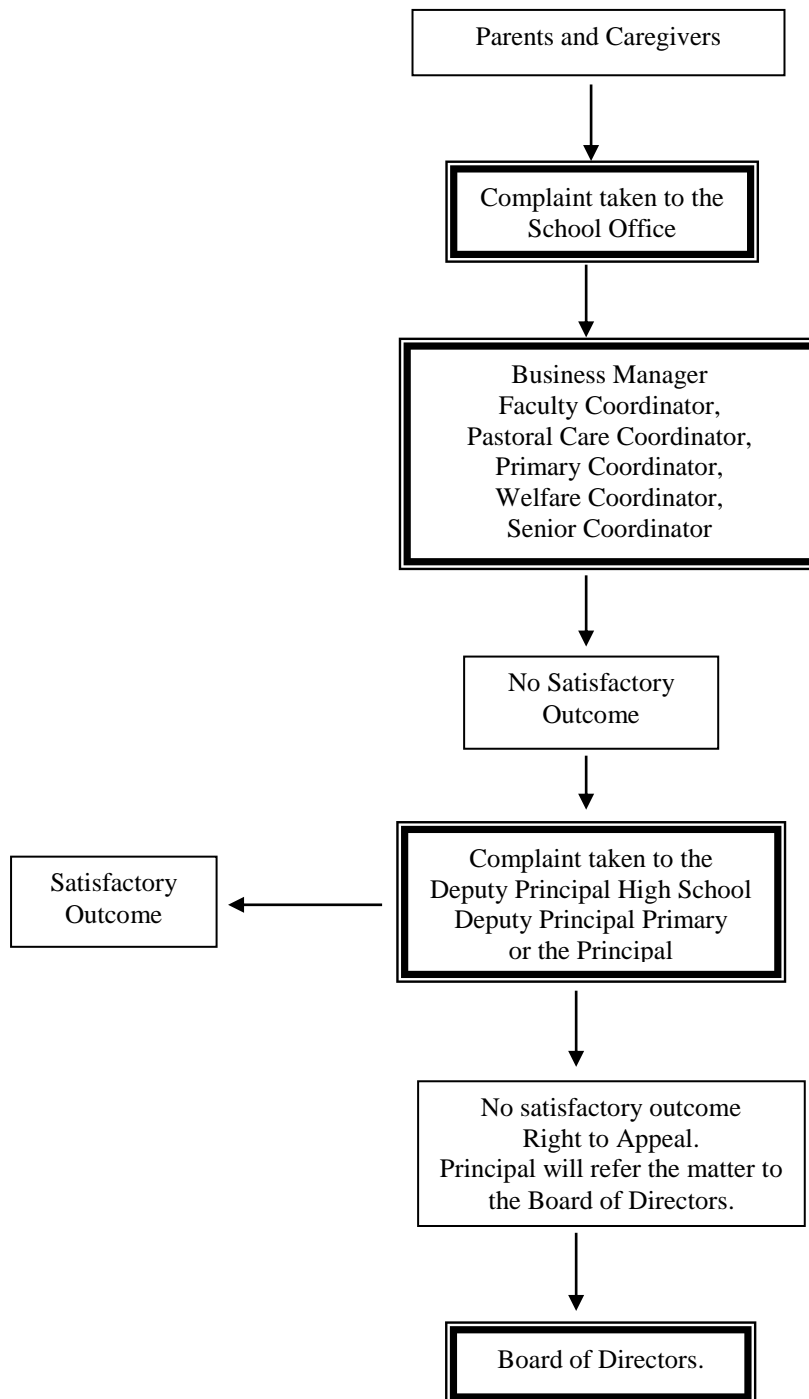
Appendix 4 – Complaint made by a Staff member against another Staff member



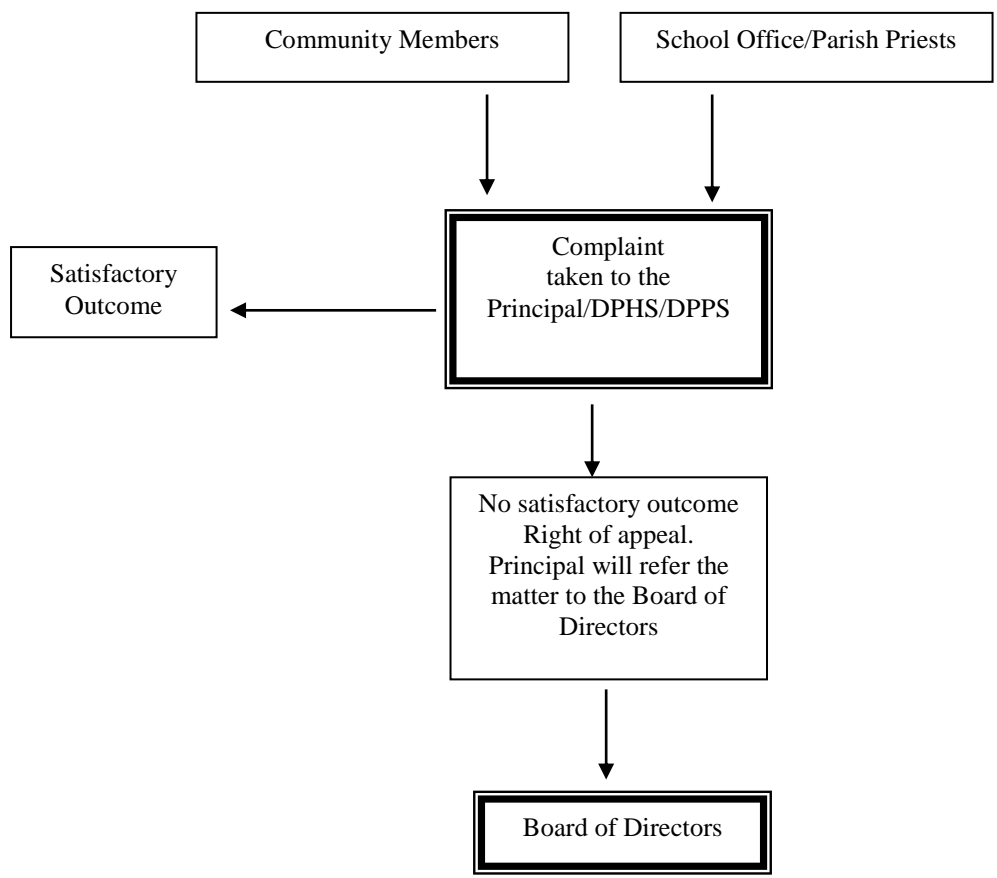
Appendix 5 – Complaint made by a Staff member against a Parent or Caregiver



Appendix 6 – Complaint made by a Parent or Caregiver against a Student or Staff member



Appendix 7 –Complaint by a Community Member against a Student or Staff



Appendix 8 – Child Protection Matter

