



## Complaints Handling Policy 2021

St Mary of the Cross Catholic Primary School is a School that operates with the consent of the Catholic Archbishop of Melbourne and is owned, operated and governed by Melbourne Archdiocese Catholic Schools Ltd (MACS), where formation and education are based on the principles of Catholic doctrine, and where the teachers are outstanding in true doctrine and uprightness of life.

### **RATIONALE**

St Mary of the Cross Catholic Primary School (the “School”) is committed to building a School community that features positive and respectful relationships. Within our School, relationships are founded in the Gospel values of justice, compassion, reconciliation and kindness. Such relationships support the learning and development of students and value the innate dignity of each person. It is important that each member of the community, including staff, parents and students, are contributors to the building of the School community. A timely and professional response to parent complaints is an effective means of encouraging communication, building trust and resolving issues for the betterment of all concerned.

The School understands that from time to time complaints arise regarding aspects of our school’s operation of programs and activities and that it is important that all members of the community have the opportunity to be heard. The School commits to ensuring procedural fairness is observed when dealing with complaints and grievances.

Positive, clear and effective procedures and processes for resolving grievances between the School and community members can assist in building strong relationships, dispelling anxiety and ultimately provide students with a settled and happy learning environment.

Codes of Conduct for parents/guardians/carers and students outline the expectations for behaviour for members of our community. The following procedures relate to any concerns that members of the community may have – whether these are serious grievance issues, or relatively minor concerns.

### **AIMS**

To develop and implement procedures and process by which parents can confidently raise concerns in the knowledge that they will be listened to and their concerns will be professionally managed in a timely, confidential and appropriate manner.

Relationships with parents are important to us. We take complaints raised by parents seriously. There are many avenues for parents to provide feedback to School staff. These include

- annual formal Parent survey
- formally scheduled Parent Feedback Forums
  - meetings with the Principal or other staff members to express concerns.



## **WHO TO CONTACT TO MAKE A COMPLAINT**

The nature of the complaint will determine who is the most appropriate person or body to manage a Complainant's concerns. In most instances, it is expected that the Complainant will have raised their complaint at the School before taking it further with MACS.

**Complaints should be directed to the School Principal in the first instance** For complaints of a serious nature involving School staff, the following additional information is provided.

### **Misconduct or serious 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), 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. If unsure whether the complaint constitutes serious misconduct by a teacher, contact the VIT on 1300 888 067 or [vit@vit.vic.edu.au](mailto:vit@vit.vic.edu.au).

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)**

All complaints of alleged child abuse (including sexual offences) of School student should be reported to the Principal of the School.

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 of age and over) in Victoria.

Communication with children under 16 years of age by teachers, staff or any other person to prepare or 'groom' a child for future sexual activity is a criminal offence under section 49M (1) of the Crimes Act 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. For further information, refer to MACS Policy 2.19 Child Protection – Reporting obligations.



## **Complaints against Principal of St Mary of the Cross Catholic Primary School**

In the case of a complaint involving the Principal of St Mary of the Cross Catholic Primary School, the MACS Regional General Manager which oversees the School should be informed immediately.

A MACS Regional Office is located in the West of metropolitan Melbourne. Contact details are listed at the end of this Policy.

### **Complaints against clergy or other religious persons**

If the complaint relates to the clergy or other religious persons involved with the School, the Complainant should contact and seek advice from the Professional Standards Unit of the Vicar General's Office in the Archdiocese of Melbourne, 228 Victoria Parade, East Melbourne. Contact [www.cam.org.au](http://www.cam.org.au) or telephone 03 9926 5680.

If the priest or religious person is a member of a religious order, the Complainant should also contact the Provincial Head or professional standards office of that congregation or religious order. If the complaint is about child abuse, see above.

### **Anonymous complaints**

The governing body of the School endeavours to address and respond to all complaints. In some situations, our governing body may not be able to fully address complaints that are made anonymously or without sufficient detail being provided to enable an inquiry or investigation or resolution of the matter. To ensure procedural fairness, respondents have a right to know the particulars of the allegations being made against them and be given an opportunity to respond to them. Where possible, Complainants are encouraged to give their names and to be reassured that we will deal with complaints professionally and in accordance with procedural fairness and confidentiality. If the Complainant wishes to remain anonymous, it is at the Principal's discretion what, if any, action will be taken. Anonymous complaints will be recorded in the same manner as all other complaints are recorded.



## **PROCEDURES FOR COMPLAINTS ABOUT ISSUES AT ST MARY OF THE CROSS CATHOLIC PRIMARY SCHOOL**

The School has developed and maintains a fair, effective and efficient complaint handling procedure so that complaints about events or decisions at the School can be addressed. The following steps can guide the procedure in making a complaint about issues arising at the School.

### **INFORMAL AND FORMAL RESOLUTION PROCEDURES**

#### **Informal Resolution Procedures**

Raise the matter directly with the relevant staff member first where appropriate.

If the matter involves your child or an issue of everyday class operation, contact the staff member concerned, preferably by email, explaining the nature of your concern and request for a telephone conversation or meeting. Complainants are strongly discouraged from sending or discussing confidential, contentious or emotional information by email. This is best done in a meeting or phone call.

The teacher will acknowledge the email within two working days. The staff member may be able to respond to your complaint by return email or telephone with a satisfactory outcome. At times, parties may be assisted to resolve a misunderstanding, miscommunication or lack of clarity through the support of another person, such as another member of staff or the principal.

If further inquiry of the complaint is required, the staff member will explain this to you and direct you to this Policy if you have not already viewed this. They will also establish a clear time frame for the inquiry and when you can expect further information from them.

If the matter cannot be resolved informally, or you wish to make a formal complaint, you can telephone to make an appointment to discuss the matter with the Principal or email your concern in writing.

#### **Formal Resolution Procedures**

**If the grievance or concern is about broader school issues, school staff or serious issues** that are difficult to discuss with classroom teachers or if the issue not been satisfactorily resolved, Complainants are invited to make an appointment to speak with the Principal.

- In all cases, confidentiality is respected. Only the people that need to know about the issue, will be involved. The people who need to be informed will be discussed at the meeting.
- Community members may be accompanied by a support person at appointments to resolve grievances.
- All formal discussions and procedures involving grievances will be documented. • Every attempt will be made to address an issue and where resolution is possible it will be reached in a timely manner.

When a formal complaint is received, it will be acknowledged and the Complainant will be provided with a copy of this policy so they can understand the procedures that will be followed in dealing with their complaint.



## **TIME FRAME FOR DEALING WITH FORMAL COMPLAINTS**

In moving to more formal procedures, the Principal or a senior member of staff will undertake the inquiry in the following manner, ensuring procedural fairness is observed:

- i. Organise a meeting/phone conference with you
- ii. Direct you to a copy of this Policy if you have not already viewed this document
- iii. At the outset, establish the time frame for the inquiry in the matter and when you can expect to hear further information or have a resolution. This would normally be within ten working days.
- iv. Fully document the complaint, any actions taken to resolve it and outcomes of those actions further and fully consider the matter.
- v. Ensure that no one is victimised as a result of a complaint being made.
- vi. If necessary, enable a Complainant to be accompanied at meetings by another person of his/her choice as a support person.
- vii. If appropriate, enable the person against whom the complaint has been made to respond, and to be accompanied to any meeting by another person of his/her choice as a support person.
- viii. Advise the Complainant of the outcome of the inquiry in writing.

## **RECORDING COMPLAINTS**

All complaints received at the School will be recorded, even those which are about issues perceived as trivial or minor. This helps us to identify key risk areas or any whole-school issues which, if left unresolved, could lead to harm or injury or more serious concerns.

The following information about complaints received will be recorded:

- i. Contact details of the Complainant
- ii. Date of complaint and method of communication
- iii. Nature of the complaint and the requested resolution
- iv. The name of the staff member handling the issue
- v. Any actions and the timeframe taken, minutes of meetings and communication
- vi. A statement of the outcome, including the closure date and date of advising the Complainant of the outcome.

## **EXPECTATIONS OF AND INFORMATION FOR PARENTS AND GUARDIANS**

- In making a complaint, the School requests and expects that the Complainant will:
- i. Raise the concern or complaint as soon as possible after the issue has arisen
  - ii. Communicate and respond in ways that are constructive, fair and respectful
  - iii. Provide complete and factual information about the concern or complaint
  - iv. Observe confidentiality and a respect for sensitive issues
  - v. Act in good faith to achieve an outcome acceptable to all parties
  - vi. Have realistic and reasonable expectations about possible outcomes/remedies.



If your concern/complaint relates to your child's treatment by another student or students while the School, we expect that you will refer your complaint directly to the School, via your child's class teacher, Deputy Principal or Principal. Under no circumstances should you 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 the School.

Parents and Guardians making complaints should ascertain the facts as best they can, and contact the Principal at their earliest convenience.

- Parents and Guardians with complaints may contact the School by telephone, in person or in writing.
- Parents and Guardians visiting the School to make a complaint are advised that the Principal may not be immediately available to discuss the complaint.

However, the office staff can take details regarding the complaint, and an appointment time can be made to meet with the Principal.

Parents and Guardians making complaints are to be respectful, confidential and courteous. Parents who are unreasonable, threatening or discourteous can expect their discussions with the Principal to be terminated until such time as the school arranges an alternative discussion time.

The School will record the details of all complaints including the name and contact details of the persons making the complaints. The School will then refer the complaint to the most appropriate person to undertake an inquiry. There will be many occasions that this will be someone other than the Principal. The staff member conducting the inquiry may conduct a preliminary inquiry or communicate with the parent to discuss the matter further.

If the scope of the inquiry is beyond the capacity or jurisdiction of the school, the matter will be referred to the MACS Regional General Manager and the parent will be informed of the referral.

A support person may accompany parents and Guardians discussing complaints with the Principal. The support person can be a family member, a friend or a professional with knowledge of the student. Any person acting in a professional capacity on behalf of the parents must provide their occupational details and full name prior to the meeting being held. It is at the Principal's discretion if an external professional is a participating member of any school meeting. The support person may encourage and facilitate sharing of parent knowledge, perception and issues. The support person should support a positive working relationship between all parties. The support person does not speak on behalf of parents or guardians/carers discussing complaints with the Principal.



Any inquiry conducted by the School will be done so in a timely, efficient and confidential manner, ensuring the fair principles on natural justice are applied for all. Parents will be provided with an anticipated time-frame for a resolution. The staff member conducting the inquiry will record the details of the inquiry.

Privacy laws may prohibit information being provided to the Complainant of any specific action that has been taken in relation to individuals about whom the complaint has been raised.

## **OUTCOMES OF COMPLAINTS**

Outcomes to complaints and grievances can include the following:

- i. Apology – either verbal or written
- ii. Mediation – with an internal or external mediator
- iii. Official warning
- iv. Disciplinary action
- v. Behavioural contract (in the case of a student)
- vi. Pastoral or spiritual care
- vii. An understanding that the behaviour will not be repeated
- viii. A change in policy or procedure

## **COMPLAINT ESCALATION**

If the matter cannot be resolved at the School level, or if the complaint is about the Principal of the School, complainants may contact the relevant MACS Regional Office (see details below).

When a complaint is serious or complaint is not resolved after the involvement of the MACS Regional General Manager, it may be referred to the MACS Executive Director for review.

If the complaint is unable to be resolved to the satisfaction of the Complainant, but the matter is however finalised, the Complainant has the right to seek alternative independent or other advice, or contact other entities such as the Victorian Equal Opportunity and Human Rights Commission, the Catholic Education Commission of Victoria or the Victorian Civil and Administrative Tribunal.

## **WITHDRAWAL OF A COMPLAINT**

A complaint can be withdrawn at any stage during the complaint management procedures. A complaint should be retracted in writing by the Complainant and addressed to the relevant MACS Regional Manager.



## **MACS REGIONAL OFFICE CONTACT DETAILS**

Complainants who wish to lodge a complaint will be referred to the MACS Regional Manager

MACS Western Regional Office  
47 Synnot Street  
WERRIBEE VIC 3030  
Ph: (03) 8412 2400  
Email: [wro@ceomelb.catholic.edu.au](mailto:wro@ceomelb.catholic.edu.au)

**Complaints can also be lodged online via [www.cem.edu.au](http://www.cem.edu.au) 'Contact us'.  
Refer to the feedback complaints form entitled RESOLVE.**