

# **HOLY SAVIOUR SCHOOL**

## **COMPLAINTS POLICY**

'Be compassionate as your Father is compassionate. Do not judge and you will not be judged yourselves; do not condemn and you will not be condemned yourselves; grant pardon, and you will be pardoned. Give and there will be gifts for you.' Luke 6:36-38

# COMPLAINTS HANDLING PROCEDURE

## 1. Introduction

### 1.1 Purpose of complaints Procedure

At Holy Saviour School 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 which appears to be discriminatory, constitute harassment or cause concern.

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 or other staff/students) that they feel is discriminatory or unreasonable.

Staffs at the school are responsible for managing the resolution of complaints lodged with us. Ideally, complaints can be resolved directly between the parties involved.

### 1.2 Examples of complaints covered by this procedure include:

- Issues related to student discipline procedures
- Issues related to learning and teaching
- Damage/loss of personal property
- Bullying and harassment

### 1.3 In conjunction with this complaints procedure, the following policies are pertinent :

- Occupational Health and Safety
- Child Protection
- Enrolment Policy and Procedures
- Suspension Exclusion Policy
- Staff Code of Conduct
- Student Management and discipline Policy
- Staff Grievance Policy
- Confidentiality / Privacy policy

### 1.4 Making a complaint

Some complaints, because of the seriousness of their nature, should be referred immediately to the Principal – e.g. complaints about behaviour which places others at risk of serious harm.

Parents are advised not to approach the children of other families with a school related complaint. The School Principal or Assistant Principal should be approached first.

### **1.4.1 Before making a formal complaint**

If a problem or concern that arises within the School cannot be resolved with the person involved with the issue, then it would normally be raised with an appropriate staff member with a view to discussing the issue and seeking resolution of such problems or concerns.

### **1.4.2 Making a formal complaint**

If the above process or raising the concern, obtaining the facts, and obtaining resolution are not producing a satisfactory outcome, the following procedure can be used.

The purpose of this procedure is to offer a process by which employees /students /parents / community members can have complaints addressed. For example, if you feel that you being harassed or discriminated against, this complaints handling procedure is available to you so your concerns can be dealt with in an appropriate manner.

Who may use this procedure?

- All employees
- Students within the school
- Parents of students at the school
- Members of the wider community

The procedure is outlined in section 3.

## **2. Key elements of our complaints handling procedure**

### **2.1 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.

### **2.2 Confidentiality**

You can feel secure that if you do make a complaint under this procedure it 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 about whom the complaint is made also has a right to be informed.

### **2.3 No Victimisation**

You can also rest assured that if you make a complaint you will not suffer in any way as a consequence. The principal of the school will ensure that a person who makes a complaint is not victimized in any way.

### **2.4 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.

## **2.5 Timelines**

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

## **3. What to do if you have a complaint**

### **3.1 Approach the person involved**

In many situations, the most appropriate thing to do first is to tell the person who is the cause of the complaint how you feel. If the complaint is about their behaviour, tell them that it is offensive/hurtful/not acceptable. If it is about a work decision, tell them why you think it is discriminatory or harassment or unreasonable. Telling the person will give them a chance to stop or change what they are doing or explain what they had decided and why.

### **3.2 Contact the school**

Where you feel you cannot approach the person directly or you are not happy with their response or reaction, then you can explain the problem to the appropriate person at the school. You are advised to contact the school Secretary and make an appointment to see the Principal or Director or Chaplain.

### **3.3 Contact the Chairman of the School Board or the Bishop of the Melkite Catholic Eparchy.**

Where you feel you cannot approach the person directly or you are not happy with their response or reaction, and you have a good reason not to raise the issue with the School Principal, then you can contact the Chairman of the Board or the Bishop and explain the problem and issues.

Please note that if the Chairman of the Board or the Bishop form the views that your complaint is more appropriately dealt with at school level, then you will be advised of that and the school will be advised as well. Where students and parents make complaints these will automatically be referred back to school unless the complaint is against a decision of or about the Principal and has previously been raised with the Principal without resolution.

## **4. What happens next?**

**4.1** Once you have made the complaint to the school, that person will then consider whether there are any reasons why he/she should proceed to deal with the complaint. For example, the person you complained about may be a personal friend. If there is such a reason which indicates it is inappropriate for the designated person to deal with your complaint, it will, with your consent, be referred to another appropriate person.

**4.2** The designated person will then interview you or organize another appropriate person to interview you. During this interview a number of things will be explained to you, 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. You will also be told where you can go for assistance if you 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.

- 4.3** 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 (e.g. possible defamation action, initiation of a complaint for harassment).
- 4.4** The designated person will then tell you what the other people said and discuss what should be done to sort out the problem. You should tell the person what action you would like taken, e.g. a written apology from the person, a written warning, etc. This allows the designated person to understand, from your perspective, what you believe you need from the process. It will not dictate the remedy that might ultimately apply.

## **5. Review**

If the complaint remains unresolved, it will be reviewed by either the Principal or the Chairman of the Board. They will make a final decision as to the outcome of the complaint.

## **6. Possible outcomes**

- 6.1** 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

Where staff members are the subject of a complaint, action taken may be stated in the Grievance Procedures as in the Child Protection Policy. Where students are the subject of a complaint, action taken may be as stated in the relevant student management policy.

- 6.2** 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
  - Counseling for the aggrieving person
  - Mediation at the local level
- 6.3** 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 the intent of causing distress to the other named as the source of the grievance, the following are possible outcomes:
- Counseling for the person who made the complaint
  - A written apology from the person
  - An official warning
  - Referral for disciplinary action for the students and staff

The relevant designated person will make sure that whatever outcome is decided upon actually happens. The designated person or the school Principal (unless they are the object of the complaint or grievance) will also assess the effectiveness of the outcome from time to time.

## **7. Appeals**

There are three avenues of appeal if you feel that the complaints procedure e has not been followed properly, or that the outcome is unacceptable to you.

### **7.1 Appeals at school level**

- To the Principal if the Principal has not been involved in investigating or examining the complaints, or is not the person named as the source of the grievance.
- To the Chairman of the Board if the Principal has been involved

#### **The appeal will consider:**

- The way the complaint was handled and examine the outcome
- If he/she believes it was handled properly and that the outcome was appropriate he/she will take no further action.
- If he/she thinks that the complaint was not handled properly, or that the outcome was inappropriate, he/she will organize for the complaint to be looked at again.

### **7.2 To an external Agency**

If you are not happy with the way your complaint has been dealt with by the School, you may wish to go to an external agency for further advice and assistance. You may take your complaint to the external agency at any stage in the procedure if you are unhappy with progress in dealing with your complaint. The agencies that would most likely have jurisdiction are:

- Human Rights and Equal Opportunity Commission(Federal)
- NSW Anti Discrimination Board.

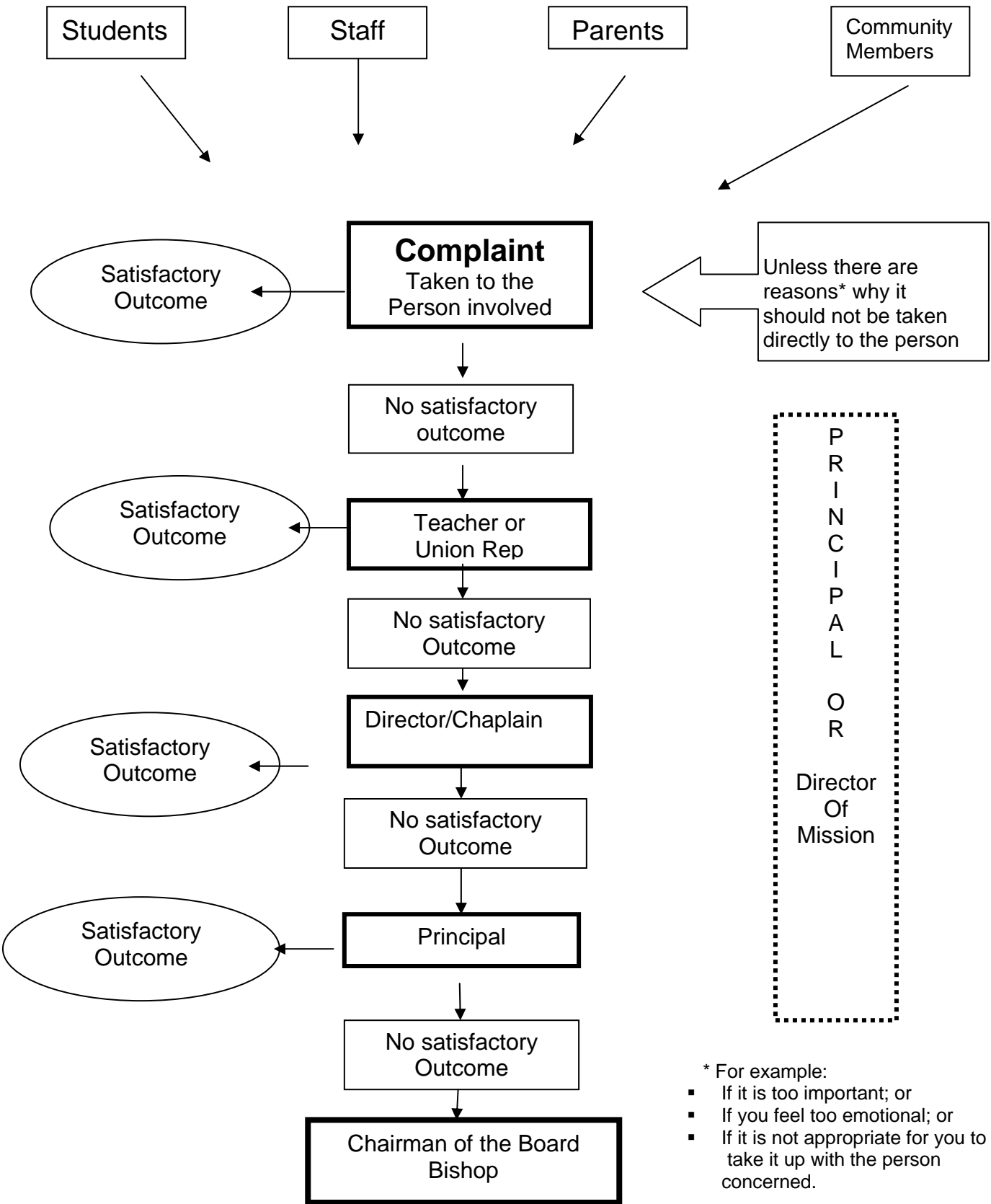
## **8. Child Protection Procedures**

Nothing in this document replaces procedures developed by the Catholic Commission for Employment Relations, in respect of the investigation of matters arising under Part 3A Ombudsman Act 1974.

## **9. Record Keeping**

Records of complaints, interviews and other documentation relating to a complaint are kept at the school (where dealt with at school level) in a separate complaints file. If the complaint is about a person, documents are placed in a restricted access file. If there are considered to be serious ongoing management or case issues relating to a complaint, there will need to be a cross-reference to the restricted file on the staff member or student file.

# School-Based Process for Resolution of Complaint



\* For example:

- If it is too important; or
- If you feel too emotional; or
- If it is not appropriate for you to take it up with the person concerned.

# COMPLAINT FORM

1. Your Details

Family Name: \_\_\_\_\_ Given Name(s) \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number/s

(Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Mobile) \_\_\_\_\_

2. Are you a ...(please tick box)

- Student
- Parent or Caregiver (Name of Student) \_\_\_\_\_
- Staff
- Other (Please specify) \_\_\_\_\_

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3. Have you discussed your matter with a designated staff member?

- Yes                       No

If Yes when and who with? \_\_\_\_\_

What was the result? \_\_\_\_\_

4. Please give details of complaint and outcome you are seeking.

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Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Please mail this form or hand it in at the school office**

**Privacy Notice:** The information provided on this form will be used by the school to follow up your complaint. The provision of this information is voluntary. It will be stored securely. You may correct any personal information provided at any time by contacting the school office.