



# Our Lady of Lourdes - Bayswater

## Complaints and Grievances Resolution Policy

### PREAMBLE

Catholic Education Melbourne (CEM) and the schools it serves strive to be communities of faith, hope and love where communication takes place in an environment of transparency, respect, compassion, tolerance and inclusion in the interests of all students.

Catholic teaching emphasises the primacy of parents as the first teachers of their children. Within the reality of the schooling experience, it is recognised that from time to time misunderstandings and differences of opinion will occur, and that these need to be resolved satisfactorily in partnership with the stakeholders involved. Addressing such matters within a framework of dignity, respect and truth can provide powerful opportunities to model the love of Christ in the reality of our contemporary world.

The role of CEM is to provide support, resources and advice to Catholic schools. CEM is not a regulatory body and all schools are empowered to manage grievances and complaints at the school level. CEM can provide a variety of support services to school principals in managing complaints or grievances.

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

### RATIONALE

At Our Lady of Lourdes we are committed to providing a safe, inclusive and supportive environment for all members of the school community. This policy exists to implement procedures to safeguard the rights and acknowledge the responsibilities of all parties, should an unresolved grievance arise. If a parent, staff member or student has a complaint or concern which they believe has not been satisfactorily resolved at the level at which it has arisen, a grievance may exist. A resolution may be sought through discussions with the Principal (or nominee) about the problem in order to come to a mutually acceptable and reasonable resolution, or through a formal grievance procedure.

Our Lady of Lourdes is committed to the provision of procedural fairness and the resolution of grievances in a fair, reasonable and equitable manner within an atmosphere of mutual respect, dignity and compassion. The spirit of this policy is one of equity and justice.

**Definition:** A complaint is an expression of dissatisfaction with an action taken, decision made, service provided or handling of an issue.

**Serve the Lord with joy.**

## **AIMS**

- To resolve complaints as quickly and as fairly as possible.
- To ensure that the parents, students and staff are not victimised.
- To ensure the rights of all concerned are not prejudiced.
- To gain a mutually acceptable resolution of grievances in a fair, reasonable and equitable manner within an atmosphere of mutual respect, dignity and compassion.

## **IMPLEMENTATION**

In managing and resolving complaints/grievances the following principles will be appropriately applied, taking into account the nature of the complaint/grievance:

- Where possible complaints/grievances should be resolved informally and locally.
- Negotiation and conciliation are the guiding principles to be applied by all parties when attempting to resolve complaints/grievances.
- This procedure emphasises a collegial approach to grievance and complaint resolution through informal procedures and mediation that are designed to lead to a prompt and fair resolution of difficult problems.
- At any stage during the workplace complaint/grievance, the complainant/s and/or the respondent/s may nominate a Representative to accompany and support them.
- Complaints/grievances will be treated seriously.
- Complaints/grievances should be dealt with within a reasonable timeframe.
- Neither party should be subject to victimisation.
- Support should be available to all parties to the complaint/grievance.
- Appropriate communication should occur throughout the process.
- Appropriate documentation will be maintained.
- Confidentiality must be maintained.
- Principles of natural justice will guide the application of this procedure.

## **Procedures for Contacting School Staff**

- If a parent wishes to contact a staff member to discuss any matters relating to their child's progress or situation at school, the best procedure is to contact the teacher involved, giving a brief outline of the purpose of the contact or meeting.
- Contact the teacher, either by phone or email to arrange a suitable meeting time. (Teachers are not normally available to come to the phone or office during teaching time).

**Serve the Lord with joy.**

- If a parent or a teacher has a concern or wish to discuss an issue about a student, situation or procedure within a particular class or level the best procedure is to contact the classroom teacher using the approaches outlined above.
- If parents have a concern or wish to discuss an issue about a situation that they consider affects the whole school or relates to a school policy or procedure they are to contact the Principal, or the Deputy Principal.
- If parents have a concern or wish to discuss an issue relating to a member of staff or wish to discuss a concern or issue is of a sensitive nature they should make direct contact with the Principal.
- In all cases, if the matter is urgent and/or relates to the possible risk of harm to a student, member of staff or member of the community, the Principal should be informed immediately and the urgency of the matter conveyed. The Principal will determine who is the most appropriate person to deal with the issue and will ensure that contact is made as soon as possible.

#### **Key Elements of the complaints handling procedure**

- Complaints about school matters should be directed to the Principal.
- Upon receipt of a written complaint or a transcribed oral one, the Principal or Principal's nominee will:
  - Discuss the issue with the person who is the subject of the complaint.
  - Provide a copy of the written complaint to the staff member who is the subject of complaint (if appropriate).
  - Clarify the issues of complaint.
  - Investigate and discuss options for a resolution with all parties.
- Decide on the option deemed to be most appropriate.
- Implement a decision and provide feedback to all concerned.

#### **Informal Resolution Process:**

In less serious matters where there is no risk of harm to any person, those involved will be encouraged to resolve 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.

**Serve the Lord with joy.**

## Parents

- Parents are not to approach the children of other families with a school-related complaint whilst on school premises.
- Parents are not to approach the children of other families with a non-school related complaint whilst on school grounds.

## Procedure To Be Implemented When Matters Are Not Satisfactorily Resolved At Local Level.

In the case of a formal complaint against the Principal, the complainant should contact the Director of Catholic Education Melbourne. Should this occur the Director or his delegate will implement the following steps.

- Notify the Parish Priest of the complaint.
- Clarify that the complainant has made contact with the school and that the matter has been aired and a reasonable hearing obtained.
- Review the current source of dissatisfaction.
- Request this be presented in writing.
- Consult with all parties in an endeavour to resolve the issues.
- Provide feedback to all parties regarding the resolution of the complaint.

### *Points to be Kept in Mind*

In order to gain a mutually acceptable resolution of grievances in a fair, reasonable and equitable manner within an atmosphere of mutual respect, dignity and compassion, the focus should be on conciliation. This may be achieved by facilitating a meeting or meetings between the relevant parties or by discussing the issue with the parties separately. Other individuals who may be able to assist should be consulted.

### **Resolution:**

- On rare occasions where resolution is unlikely, a decision will be made with the best learning outcome for all students considered paramount. This is ultimately a school-parish decision.
- If a complaint is not upheld or not substantiated (e.g. 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.
  - Counselling for the aggrieved person.
  - Mediation at the local level.

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 intent of causing distress to the others named as the source of the grievance, the following are possible outcomes:

**Serve the Lord with joy.**

- Counselling for the person who made the complaint.
- A written apology from the person who made the complaint.
- An official warning.
- Referral for disciplinary action for students and staff.
- The relevant designated person will ensure that whatever outcome is decided upon actually occurs.

## **Appeals**

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

### ***Appeals At School Level***

- Appeals at school level are to be referred to the Principal if he/she has not been involved in investigating or examining the complaints or is not the person named as the source of the grievance.
- If the Principal has been involved, the appeal should be referred to the Manager at Eastern Region Catholic Education Office.

### ***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 organise for the complaint to be looked at again.

### **Appeals at Catholic Schools Office level**

- To the Director of the Catholic Education Office

A person other than the person who first handled the complaint will always deal with an appeal.

### **To An External Agency**

- If you are not happy with the way your complaint has been dealt with by the school or the Catholic Education Melbourne, 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 of 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).
  - Victorian Anti Discrimination Board.

## **Record Keeping**

- Records of complaints, interviews and other documentation relating to a complaint are kept at the school (when dealt with at school level) in a separate secure complaints file.
- If the complaint is about a person, documents are placed in a restricted access file.
- If there are any serious ongoing management or care issues relating to a complaint, there will need to be a cross-reference to the restricted file on the staff member or student file.
- A register of complaints will be kept at each school and the Catholic Schools Office.

## **EVALUATION**

This policy will be reviewed as part of the school's cyclic review process or as required.

## **History of Updates to Policy**

<b>Date</b>	<b>Review: Major, Minor, etc</b>
<b>2015</b>	<b>Written and ratified</b>
<b>2019</b>	<b>Minor update - amendment</b>