Complaints Resolution Policy

Reviewed 07/03/2011

Rationale
The 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 school’s area of responsibility. All cases of serious misconduct – sexual offences, criminal charges, or other serious incidents – must instead be referred to the Diocese of Sale Catholic Education Office.
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 Teaching, Victorian Equal Opportunity Commission, the Human Rights and Equal Opportunity Commission or the Ombudsman, 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.

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 haven’t 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. (See Appendix)

2. Dismissing or accepting the complaint.
   If the complaint is proved, the following are possible outcomes:
   - a written apology;
   - an official warning;
   - counselling;
   - disciplinary action
   
   If the complaint is unproved (not enough evidence), possible outcomes are:
   - relevant training for all staff; and/or
   - monitoring of behaviour of employees.
   
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 the school’s five-year review cycle or as required.

**Ratification**
This policy was ratified by St Joseph’s Staff in November, 2009.
APPENDIX

What to do if you have a complaint

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. Telling the person may give them a chance to stop or change what they are doing.

Go to Principal or Wellbeing Coordinator who will act as Complaints Officer
If you don't feel as if you can approach the person directly, then go and explain the problem to your Complaints Officer. The Complaints Officer will advise you about what your options are and what will happen if you decide to make a formal complaint. Nothing will be done in relation to the complaint without your agreement.

What happens next?
Once you have made the complaint to the Complaints Officer, they will then consider whether there are any reasons why he/she should not 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 Complaints Officer to deal with your complaint, it will, with your consent, be referred to another appropriate person.

The Complaints Officer will then 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 St Joseph’s School is dealing with the complaint. The Complaints Officer will then take a written record of the complaint.

The Complaints Officer will then talk to the person about whom the complaint is made to hear that side of the story. Any witnesses will also be interviewed. These interviews will be conducted separately and impartially. The importance of confidentiality will be stressed to all parties.

The Complaints Officer will then tell you what the other people said and discuss what should be done to sort out the problem.

Possible outcomes
If the complaint is proved, the following are possible outcomes:
- a written apology;
- an official warning;
- counselling;
- disciplinary action; or
- suspension, expulsion or dismissal.

If the complaint is unproved (not enough evidence), possible outcomes are:
- relevant training
- monitoring of future behaviour

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; or
- suspension, expulsion or dismissal.

The Complaints Officer 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.