



COMPLAINTS POLICY (parent, guardian, student)

Rationale

Nazareth College strives to be a community of Faith, Wisdom and Knowledge 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 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.

Scope

This policy outlines Nazareth College's procedures for making a complaint and the complaints resolutions process for parent/guardian(s) or student complaints. This policy does not relate to critical incidents, emergency management, criminal offences, conduct of religious clergy or other religious persons.

Implementation of Policy

This policy will be implemented by the Principal through:

- Briefing of all Staff, volunteers and members of the Nazareth College Community;
- Included in the Staff Handbook and processes for inducting new staff;
- A reminder about the procedure in the newsletter every semester;
- Outlined in the enrolment documents to parents/carers/students on enrolment.

Definition of Terms

Complaint

The Australian Standard defines a 'complaint' as an – expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected.

Grievance

An actual or perceived wrong considered as grounds for a complaint.

In terms of this policy, a grievance or complaint may relate to a workplace issue between employees or issues of concern to staff, parents, caregivers, students and community members.

Serious Complaint

Where the offence is deemed criminal and may lead to criminal or disciplinary/remedial action.



Procedural Fairness

Fair and impartial manner of investigation of the complaint. This requires no judgments or assumptions made, nor action taken until the investigation is completed. If a complaint is made against a person, the rights of that person will be protected and that person will be given an opportunity to tell their side of the story.

Confidentiality

Any complaint made will remain confidential. The only people who will have access to information about the complaint will be the person making the complaint, any witnesses to the alleged inappropriate behaviour and the person investigating the complaint.

Victimisation

Act of punishing or harming someone unfairly. Under this policy Nazareth College will do all it can to ensure a person who makes a complaint is not victimised in any way.

Timeliness

Each complaint will be finalised as soon as possible.

Complainant

Any person can make a complaint, including a student, parent or caregiver, a Community member associated with Nazareth College, or any employee, staff member, contractor or volunteer at Nazareth College.

Guiding principles

In receiving and responding to complaints, procedural fairness will always occur and the following principles will guide and inform Nazareth College's actions:

- Complaints made to Nazareth College will be addressed with all parties involved expected to act in good faith and work together with respect and openness to achieve an outcome acceptable to all;
- Complainants can expect their concern or complaint to be responded to in a respectful and timely manner;
- Nazareth College staff members will be informed of formal complaints that are made about them;
- Complainants and the person(s) against whom the complaint is made have the right to be heard and to expect that procedural fairness will be observed;
- Confidentiality, protection of privacy, respect, access, dignity and impartiality will form the basis of the complaint's resolution process;
- The complaints resolution process will seek to achieve the restoration of good and respectful relationships;
- The best interests of the Nazareth College Community will generally exceed those of any individual.



Complaints against teachers and staff members

The nature of the complaint will determine who is the most appropriate person or body to manage a complainant's concerns.

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), which is 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 you are unsure if the complaint constitutes serious misconduct by a teacher, contact the VIT on telephone 1300 888 067 or email 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)

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 and over) in Victoria.

Complaints involving communication with children under 16 years by teachers, staff, or any other person to prepare or 'groom' a child for future sexual activity is a criminal offence under Section 49B (2) of the Crimes Act 1958 (Vic.) 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, please refer to Nazareth College's Child Safety Policy and Catholic Education Melbourne Policy 2.19 Child Protection – Reporting Obligations.

Complaints against the principal of Nazareth College

Complaints against the Principal of Nazareth College should be referred to:

Ms Debra Egan
Regional Manager - Southern Regional Office
Catholic Education Melbourne
602 South Road
Moorabbin East VIC 3189
Ph: (03) 8301 7400
Email: manager.sro@cem.edu.au



Complaints against clergy or other religious persons

If the complaint relates to the clergy or other religious persons associated with Nazareth College, the complainant should contact and seek advice from:

The Professional Standards Unit
The Vicar General's Office in the Archdiocese of Melbourne
228 Victoria Parade
East Melbourne VIC 3002
Ph: (03) 9926 5621
Email: professional.standards@cam.org.au

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.

Anonymous complaints/Confidentiality

Nazareth College endeavours to address and respond to all complaints and will treat complaints with respect and sensitivity. In some situations, Nazareth College may not be able to fully address complaints that are made anonymously or without sufficient detail being provided to enable an 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. Therefore, it may be necessary to disclose details of the matter to the individual or other persons who in our opinion need to know them, in order to investigate the complaint.

Procedures for complaints about issues arising at school

Nazareth College maintains a fair, effective and efficient complaint handling process so that complaints about events or decisions at the school can be addressed. The following steps can guide the process in making a complaint about issues arising at a school.

Clarify the issue:

- Be clear about the topic or issue to be discussed;
- Be mindful of the need to ascertain all the facts relating to the circumstances of the topic or issue;
- Think about what would be an acceptable outcome;

Follow the Nazareth College complaints policy or guidelines which may include:

- Write an appropriate note or email to the relevant person (eg subject teacher) outlining concerns;
- Make an appointment to speak on the phone or in person with the relevant person(s);
- Consider speaking with the appropriate Head of House;
- Arrange a meeting time or phone call through School Reception;
- Ensure the relevant person(s) is given a reasonable amount of time to take the steps required to resolve or address the concerns.



Lodging complaints at Nazareth College

Nazareth College will acknowledge receipt of the complaint within two business days. It may also contact the complainant for more information to help assess the issues or allegations.

- Complex and sensitive issues may involve some delay in order to follow up enquires with the relevant parties;
- Complainants will be notified if major delays are expected and will be advised on the outcomes of any investigation;

Actions to be taken following receipt of a formal complaint

Following receipt of a formal complaint, the relevant staff member will:

- Acknowledge receipt of a written complaint in writing as soon as possible, ensuring the complainant is aware of the Nazareth College complaints handling procedures;
- Record the complaint in the data management system (Synergetic) to ensure the complaint is recorded;
- Advise the complainant that a record of their complaint is being maintained and notify all relevant parties of the complaint;
- Contact the complainant for more information to help assess the issues or allegations;
- Assess the complaint;
- Record the outcome of the complaint in the Nazareth College database (Synergetic);
- Notify all parties of the outcome.

Contact the Principal or Deputy Principal

- If the issue remains unresolved after discussion with the relevant person(s), discuss the concern with the Principal or Deputy Principal;
- Request an appointment with the Principal or Deputy Principal through their relevant Administration offices;
- Note that the Principal may ask another senior staff member to represent her/him. Also, if the relevant staff member is going to be present at the meeting, the meeting time may occur outside class hours.

Complaint escalation

If the matter cannot be resolved at the school level, or if the complaint is about the Principal of Nazareth College, complainants should contact the Southern Regional Office, Catholic Education Melbourne.

Possible outcomes of a complaint to Nazareth College

The suggested actions following a complaint may result in:

- An apology or expression of regret;
- Formal communication of a change of decision, policy, procedure or practice;
- The provision of counselling or other support;
- an explanation of:
 - How the decision taken is consistent with school policy;



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- How the decision taken is supported by an external agency that specialises in the area under consideration;
- How CEM policies and guidelines are reflected in and supportive of the decision.

Note: Outcomes are not limited to those listed.

Nazareth College will not disclose details of disciplinary proceedings relating to its employees. 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.

Note

Under the Fair Work Act (2009), from January 1 2014 workers who believe they are the target of workplace bullying can bypass their employer and lodge a claim directly with the Fair Work Commission (FWC) to order employers to take action against the bullying. The law requires the FWC to deal with an employee's application within 14 days as a matter of priority. Employers will be required to investigate the complaint and appear before the FWC within 14 days.

Legislation

The relevant legislative and regulatory framework for this policy includes:

- Education and Training Reform Act 2006;
- Education and Training Reform Regulations 2007;
- Charter of Human Rights and Responsibilities Act 2006;
- Protected Disclosure Act 2012;
- Privacy Act 1988;
- Crimes Act 1958;
- Equal Opportunity Act 2010;
- Wrongs Act 1958;
- Disability Discrimination Act (DDA) 1992;
- Disability Standards for Education (DSE) 2005;
- Racial Discrimination Act 1975;
- Migration Act 1958;
- Occupational Health and Safety Act 2004;
- Fair Work Act (Commonwealth) 2009.

**Developed
Responsible Officer**

June 2020
Business Manager
Compliance Officer

**Last reviewed
Revised by Leadership
Ratified by Nazareth Advisory Committee
Due for review**

N/A



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Appendix One: Nazareth College Formal Complaint Record

1. YOUR DETAILS			
Family Name:	Given name(s):		
Address:			
Contact number:	Email:		
2. YOU ARE (PLEASE TICK ONE)			
<input type="checkbox"/> Student	<input type="checkbox"/> Parent/guardian	<input type="checkbox"/> Other (please specify)	
3. SUBJECT OF THE COMPLAINT (PLEASE TICK ALL RELEVANT BOXES)			
<input type="checkbox"/> School	<input type="checkbox"/> Staff Member	<input type="checkbox"/> Student	<input type="checkbox"/> Policy/Procedure
<input type="checkbox"/> Other (please specify)			
4. DETAILS OF THE COMPLAINT			
(Please attach additional page/s if space is insufficient. You may also attach further documentation if you wish)			
5. DETAILS OF THE OUTCOME YOU ARE SEEKING			
(Please attach additional page/s if space is insufficient)			
6.HAVE YOU PREVIOUSLY RAISED THIS CONCERN WITH A STAFF MEMBER? (PLEASE TICK)			
<input type="checkbox"/> No <input type="checkbox"/> Yes	If yes, when?		
Who dealt with the matter?			
What was the result?			
Signature of Complainant:	Date:		
School Office use: RECORDING OF OUTCOMES			



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For matters that have been resolved: Resolution options <input type="checkbox"/> Self-resolution <input type="checkbox"/> Supported self-resolution <input type="checkbox"/> Facilitated mediation <input type="checkbox"/> Intervention <input type="checkbox"/> Investigation	
Actions undertaken:	
Outcome:	
Date matter finalized:	
Name of staff member: Signature:	
For matters that need further action:	
Referred to: Name Date:	
Referred by: Name Signature:	
Outcome:	
Name of staff member: Signature:	



Appendix Two: Flow Chart for Handling Complaints at Nazareth College

