



'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

GUIDELINES FOR THE MANAGEMENT OF COMPLAINTS

1. Introduction

At Holy Saviour School we are committed to providing a safe and supportive work and learning environment for students. We acknowledge that students and parents can sometimes feel distressed about something that is happening at the school which appears to be discriminatory, constitute harassment or cause concern.

2. Purposes

- to ensure complaints are dealt with speedily and effectively
- to allay concerns or fears and help prevent issues developing into major problems
- to provide guidance in dealing with complaints to ensure to ensure a successful outcome for all parties

These guidelines apply to complaints received about personnel employed by Holy Saviour School as well as volunteers, religious and contractors.

3. Key Elements

- **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.

- **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.

- **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 victimised in any way.

- **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.

- **Timelines**

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

4. Definitions

A complaint is any concern about personnel employed by Holy Saviour School, volunteers, religious and contractors. It also includes concerns about organisational, curriculum or cultural matters that are expressed to the school. A complaint may be received from a parent, student, staff member, a priest or a member of the public. It may be delivered in person, by letter, email or phone call.

5. Guidelines

The following inform these guidelines:

- Anyone raising a complaint is responsible for participating in the process in good faith. Malicious or vexatious complaints do not meet the good faith criterion.
- A formal complaint should normally be lodged as soon as possible after the incident occurring.
- Anyone who raises a complaint in good faith will be protected from detrimental action, including victimisation or unfair treatment.
- All parties are encouraged to resolve complaints at their source or at the lowest level of management necessary for their proper resolution. All parties are welcome to take a support person to any meeting about a complaint.
- Complaints should be investigated in an open and unbiased manner with all parties seeking a fair hearing and clarification of the issue.
- No decision or resolution should be made until the facts are clear.
- Wherever possible, the wishes of the person making the complaint, in relation to the resolution process, will be taken into account and confidentiality will be respected at all times within the constraints of the need to fully investigate the complaint. However, this may not be possible in some circumstances. Where the complaint is of a very serious nature, formal action may be required beyond the wishes of the staff member, for example when a staff member raising a grievance alleges behaviour that is potentially unlawful.
- These guidelines do not limit the right of any person to use other available agencies and processes, such as the Anti- Discrimination Board, the Ombudsman, or legal process. Anyone raising a complaint should advise the Principal if the matter is being pursued through alternative or external avenues.
- At all times the principles of procedural fairness will be applied.
- Any complaint that constitutes a child protection issue is managed in accordance with the school Child Protection Policy.
- Generally, a complaint about a student should be raised first with the classroom teacher and/or the principal of the school.
- All stages of the complaints handling process are to be documented and a copy kept on file.

6. Procedures

- **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.

- **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.

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.

- **What happens next?**

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.

The designated person will then interview you or organise 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.

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).

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.

7. 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.

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.

8. 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

- 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.

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.

9. Child Protection Procedures

Nothing in this document replaces procedures for investigating matters arising under Part 3A Ombudsman Act 1974.

10. 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.

In conjunction with this complaints handling procedure, the following policies are applicable:

- Work Health and Safety
- Child Protection
- Enrolment Policy and Procedures
- Suspension, Exclusion and Expulsion Policy
- Staff Code of Conduct
- Student Management Policy
- Confidentiality / Privacy policy

