



ST. PATRICK'S PRIMARY SCHOOL

COMPLAINTS POLICY

Rationale:

St Patrick's Primary School strives to be a community 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.

Teaching and learning works best when parents / carers and staff talk to each other and work together to solve problems. At St Patrick's we recognise that from time to time misunderstandings and differences of opinion will occur and that these differences need to be resolved in partnership with stakeholders, in a timely and satisfactory manner.

DEFINITIONS:

Complaint: the expression of dissatisfaction with any aspect of the school's operation. It may be general in nature or related to particular staff, a part of the school, a policy or a decision.

Concern: a request for service that can generally be addressed at the time of being raised without the need for more involved consideration.

Aims:

To

- Ensure parents / carers wishing to make a complaint know how to do so
- Address complaints promptly, consistently and fairly
- Ensure appropriate action is taken if required
- Contribute to providing a safe and supportive learning environment for all
- Provide a safe working environment for staff

Implementation:

The implementation of the policy is the responsibility of the Principal and confidentiality of all parties will be maintained and the principles of natural justice observed. All parties are to behave respectfully and with understanding of each other's point of view and value difference, rather than judge and blame.

Complaints against teachers and staff

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 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. – This works in conjunction with St Patrick's Child Protection – Reporting Obligations Policy.

Complaints against principal of a school

In the case of complaints involving the principal of a Catholic primary school which forms part of a parish, the Parish Priest ('the employer') and the manager of the relevant CEM Office – in this case the Northern Region Office, should be informed immediately.

Complaints against clergy or other religious persons

If the complaint relates to the clergy or other religious persons of a Catholic primary or secondary school, the complainant should contact and seek advice from the Professional Standards Unit of the Vicar General's Office in the Archdiocese of Melbourne, 228 Victoria Parade, East Melbourne. Contact www.cam.org.au or telephone 03 9926 5680.

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.

Procedures for complaints about issues arising at a school

St Patrick's Primary School has in place a fair and effective complaint-handling process so that complaints about events or decisions at the school can be addressed. The following steps guide the process in making a complaint about issues arising at a school.

1. 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.
- Check and observe the school's complaints policy or guidelines.

2. Follow the school complaints policy or guidelines which may include:

- Write an appropriate note or email to the relevant person (e.g classroom teacher) outlining concerns.
- Make an appointment to speak on the phone or in person with the relevant person(s).
- Consider speaking with the school's student wellbeing leader if appropriate.
- Arrange meeting times or phone calls through the school office.
- Ensure the relevant person(s) is given a reasonable amount of time to take the steps required to resolve or address the concerns.

3. Contact the principal or assistant principal

- If the issue remains unresolved after discussion with the relevant person(s) at the school, discuss the concern with the principal or assistant principal.
- Request an appointment with the principal or assistant principal through the school office.

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 is more likely to occur outside classroom hours.

4. Complaint escalation

- If the matter cannot be resolved at the school level, or if the complaint is about the principal of the school, complainants may contact the relevant CEM regional office.

Actions to be taken following receipt of a complaint

Following receipt of a complaint, the principal will:

- acknowledge receipt of a written complaint as soon as possible, ensuring the complainant is aware of St Patrick's complaints handling procedures.
- record the complaint in the agreed data management system to ensure the complaint can be tracked
- advise the complainant that a record of their complaint is being maintained
- provide the complainant with a case number that should be used for all further communication
- contact the complainant for more information to help assess the issues or allegations
- assess the complaint, which may result in undertaking one or more of the following processes to help resolve it:
 - allow more time for resolution at the school
 - provide assistance to reach a resolution through regional support

- arrange for an independent investigation.
- where necessary, seek advice from the CEM and/or external agencies to determine how a complaint may be reviewed and whether other avenues of appeal/redress already exist
- advise the complainant of any delays that may occur in the school's ability to respond within a set time frame
- where it is considered appropriate, provide the complainant with an opportunity to respond to the matters raised prior to making a decision about the complaint
- where necessary, actively support the complainant with special needs through the complaint process
- provide the complainant with the results of the assessment of the complaint
- record the outcome of the complaint in the agreed system database.

Lodging complaints at the CEM regional office

A complaint can be referred to the Northern Regional Manager via email or telephone:

Northern Regional Office -
Cnr Howard & Rosslyn Streets
West Melbourne, Vic, 3003
Ph: (03) 8387 3200
Email: manager.nro@cem.edu.au

Lodging complaints at CEM

A complaint to CEM can be lodged by email via www.cem.edu.au 'Contact us'. Refer the feedback complaints form entitled **RESOLVE**.

The postal address for lodging complaints is:

Executive Director
Catholic Education Melbourne
James Goold House, 228 Victoria Pde, East Melbourne
(PO Box 3 Melbourne, Vic 3002)

- CEM will acknowledge receipt of the complaint and issue a case number. 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 its investigation.

Related 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

Evaluation:

This policy will be reviewed as part of the school strategic plan review.

