

STU005 Complaints policy

Rationale

St Catherine's School Sydney (the school) is committed to managing complaints respectfully, fairly, confidentially, sensitively and in a responsive and timely manner whilst ensuring the school complies with its policies and relevant legislation.

This policy provides guidance to students and/or parents/guardians of the school who wish to make a complaint and is a guide to staff about how to handle these complaints. Its intention is also to outline the procedure for how the school deals with serious complaints.

Scope

This policy applies to all staff receiving or managing complaints from students and/or parents/guardians regarding (but is not limited to):

- curriculum – homework, assessments, reports
- inappropriate staff or parent/guardian behaviour
- student issues – inappropriate student behaviour, bullying, theft, uniform
- child protection – health, safety, wellbeing, support, duty of care
- discrimination, bullying, harassment, victimisation
- boarding – boarders, overseas students, boarding facilities
- school facilities
- management and operations – financial and administrative
- breach of mandatory policies and legislation
- privacy breaches.

Definitions

Complainant is any individual who has a concern or grievance.

Complaint or grievance is a serious concern or expression of dissatisfaction about any act, behaviour, omission, situation or decision that someone thinks as unfair or unjustified. A complaint may be brought against the school as a whole, a specific department or an individual member of staff or another student and/or parent/guardian.

Council refers to The Council of St Catherine's School, Waverley (the council).

Procedural fairness also known as natural justice is concerned with the procedures used by a decision-maker rather than the actual outcome reached. The principles of procedural fairness ensure that the decision-making is carried out in a fair and reasonable manner. It involves the decision-maker informing an individual of the complaint against them or their interests, giving the individual the opportunity to prepare, reply and be heard and for their reply to be received before a decision is made with genuine consideration being given by the decision-maker.

Respondent is the school or any person against whom a complaint or grievance is brought. Staff includes casual, temporary and permanent staff of the school.

Policy

The school's complaint procedure is guided by the principles of procedural fairness also known as natural justice.

The school recognises that many concerns or issues arise from simple misunderstandings or unclear communication and may be resolved in an informal manner without the need to follow the formal complaints procedure.

Students and/or parents/guardians are encouraged to interact with staff through the exchange of information and problem solving in an effort to reach a mutually satisfactory resolution.

The formal complaint procedure is in place for use by students and/or parents/guardians for serious complaints or grievances where there is dissatisfaction with the outcome of an informal interaction with staff, in an attempt to resolve a complaint or concern informally.

Principles for handling complaints

- Lodging a complaint – individuals are entitled to raise concerns and make complaints against the school or its staff. The complaint may be put forward verbally or in writing.
- Response – a phone call or written acknowledgement will be initiated by a staff member of the school. The type of complaint or concern raised by the complainant will determine which staff member initiates the response. An appointment for a meeting with the complainant may be requested.
- Identification – each complaint will be assessed before beginning the process and its seriousness identified. This will assist in ensuring the complaint is managed at the appropriate school level.
- Investigation – each complainant will have the opportunity to present a case. The school will investigate the issues raised with a view to resolving the complaint.
- Records – a written record of the complaint will be prepared. Notes will be prepared based on facts provided at interviews, meetings or disciplinary proceedings.
- Determination – the complainant will be advised of the outcome of the complaint including reasons for the decision.
- Support – each party to the complaint may be accompanied by a support person at the meetings. The school will endeavour to deal with complaints in a non-threatening, respectful and courteous manner.
- Staff – complaints about staff will be dealt with respectfully and fairly with consideration being given to the professional status of staff throughout the investigation process.
- Students and/or parents/guardians – complaints about students and/or parents or guardians will be dealt with respectfully and fairly with consideration being given to their peers throughout the investigation process.
- Overseas students – will be given an opportunity to present their case in any complaint process at minimal or no cost. The student's enrolment is maintained during the appeal process. The school will provide the opportunity for overseas students to access and receive the outcome of one only, appeal process.
- Mediator – should the situation not be resolved at the school level an external mediator or agent may be appointed who will be expected to act impartially in their review.
- Timeliness – the school will endeavour to resolve all complaints in a timely manner. The timeframe for resolution is dependent on the complexity, nature and scope of the complaint.

- Corrective action – the school will implement any decision and/or corrective or preventative action as a result of a complaints handling or appeals process in support of a student.
- Privacy and confidentiality – each party to the complaint is to respect the privacy of all individuals involved at all times and keep confidential and not disclose the content of meetings, interviews, disciplinary proceedings, disciplinary actions, personal information and any related records, documents and correspondence. All parties to the complaint are expected to maintain the security of private and confidential records related to the complaint and not release information externally. The information may only be released if legally obligated to by either party to the complaint.

Procedures

Raising a complaint or grievance informally

Students and parents/guardians are encouraged to raise the complaint informally with the relevant staff member. The initial contact may be in person, by phone, via email or in writing. The staff member will arrange with the complainant a suitable time to discuss the issue or concern. This approach may clarify the situation and/or clear up any misunderstandings satisfactorily without the need to progress to the formal complaint procedure. A student may choose to speak directly to the teacher concerned, if appropriate.

Raising a complaint or grievance formally

A complaint or grievance can be made in person, by phone, via email or in writing.

Students and/or parents/guardians can raise a complaint with any staff member with whom they feel comfortable. It is then the responsibility of that staff member to pass the formal complaint or grievance on to the staff member allocated to respond to a particular type of complaint.

Where a complaint relates to a staff member the complainant should contact the headmistress or her delegate.

Where a complaint relates to the headmistress; the complaint should be put in writing and forwarded to the chair of the council.

Refer to appendix a – students and/or parents/guardians – junior school and appendix b – students and/or parents/guardians – senior school to seek guidance on who is accountable for addressing a particular complaint, grievance or concern within the school.

Raising a serious complaint or grievance formally

A serious complaint or grievance can be made in person, by phone, via email or in writing.

All serious complaints or grievances should immediately be referred to the headmistress or delegate.

Serious complaints include but are not limited to:

- breach of mandatory policies and legislation
- bullying, harassment and victimisation
- child protection
- discrimination
- duty of care
- privacy breaches.

Complaints about privacy breaches are serious concerns and must be reported to the director of administrative services who is the school's designated privacy officer (privacyofficer@stcaths.nsw.edu.au).

Responding to a complaint

The staff member will initiate a phone call or written acknowledgement with the complainant. An appointment for a meeting with the complainant may be requested.

The complaint will be assessed by the staff member, investigated and notes prepared based on the facts presented to determine an appropriate outcome.

The outcome and the reasons for the decision will be communicated to the student and/or parent or guardian by the relevant staff member.

These may include but are not limited to:

- apologies
- reprimands or a disciplinary action
- counselling and support
- changes to school policy and/or procedures.

Determining the outcome of a complaint

The headmistress and the council have the authority to determine whether a complaint is frivolous or vexatious.

Delegating to an external mediator or agency

The headmistress and the council may delegate to an external mediator or agency the authority to consider and review a serious complaint or grievance.

The external mediator or agency investigating the complaint may make any recommendations they consider appropriate under the circumstances after consideration of the information, the outcome of which will be reported to the headmistress or the council.

Raising an appeal

Students and parents/guardians are given one opportunity to appeal the determined outcome by putting forward for consideration mitigating reasons, in writing, to the headmistress or the council, requesting a change to the decision.

Related documents

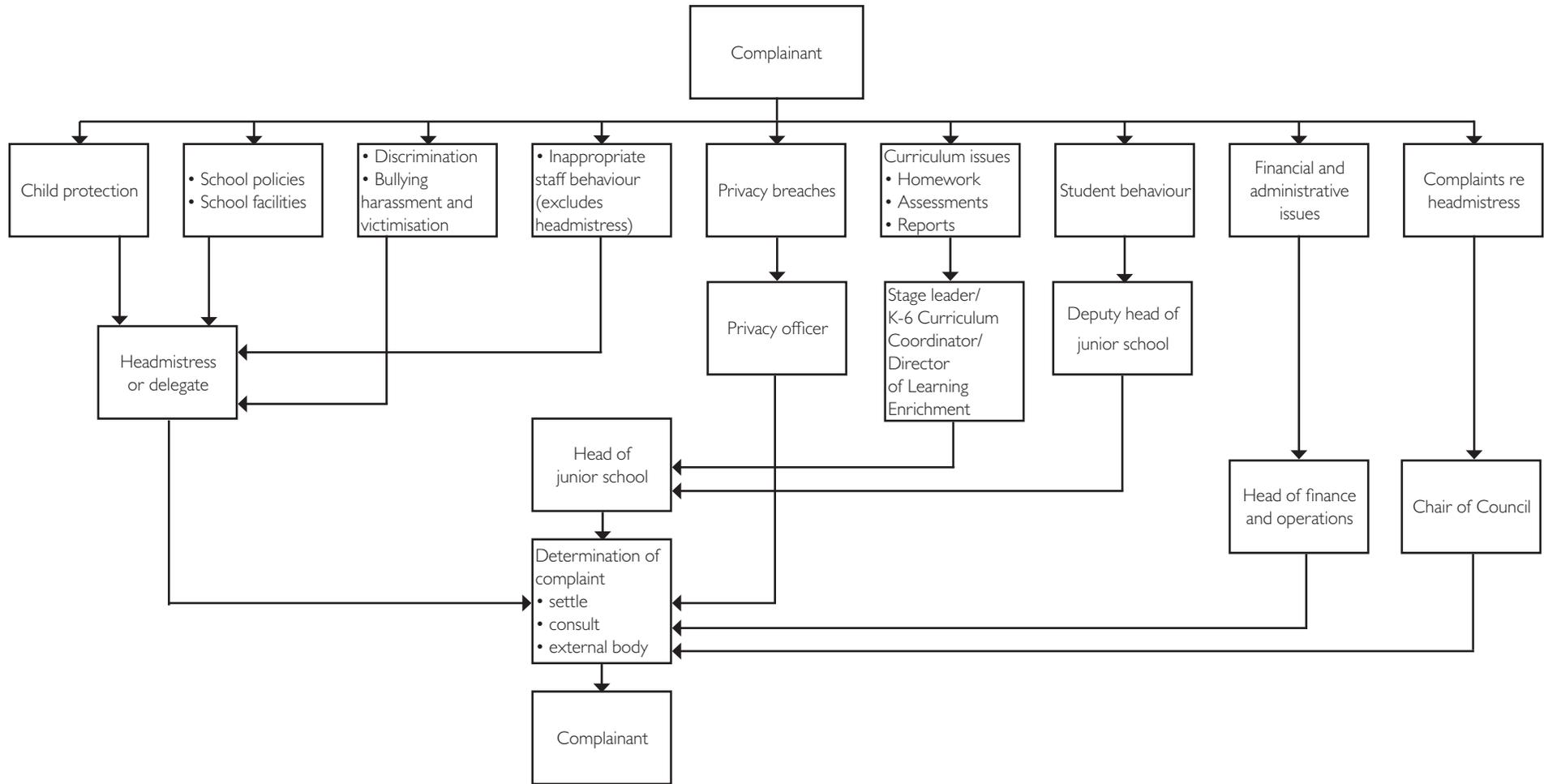
Appendix a – Complaints procedure – students and parents – junior school

Appendix b – Complaints procedure – students and parents – senior school

www.alrc.gov.au – principles of procedural fairness (natural justice)



Complaints procedure – students and parents – junior school
Appendix a



Complaints procedure – students and parents – senior school
Appendix b

