

# **SAINT MAROUN'S COLLEGE**



## **COMPLAINTS OR GRIEVANCES POLICY**

(NESA MANUAL 3.6.2)

## **INTRODUCTION**

Saint Maroun's (the College), is committed to ensuring complaints can be raised and are addressed appropriately. A complaint may be a grievance, expression of dissatisfaction or a formal allegation raised by students or parents/carers. The College will respond to all complaints in accordance with this policy which is based on the complaints handling principles described in Appendix 1.

The College will:

- adopt and distribute the Saint Maroun's College *Complaints or Grievances Policy*
- train staff in the implementation of this policy
- monitor and evaluate the effectiveness of the Saint Maroun's College *Complaints or Grievances Policy*.

This policy should be read in conjunction with the Saint Maroun's College:

- *Child Protection Policy and Child Protection Procedures*
- *Anti-Bullying Policy*
- *Student Behaviour Management Policy*
- *Technology code of use Policy*
- *Whistleblowing Policy*

## **POLICY**

Saint Maroun's College (the College) has in place and implements procedures whereby students and parents/carers can raise complaints or grievances and have these responded to in a safe and supportive environment where risk of harm is minimised, and students feel secure. All complaints will be addressed with confidentiality and procedural fairness.

All parties involved in a complaint will be expected to maintain confidentiality, to be sensitive and show respect for all individuals who may be involved in the process in anyway. Every effort will be made to reach a conciliatory and satisfactory agreement for all parties concerned. If the complainant is a parent/carer, their child's enrolment will be maintained throughout the grievance process.

## **PROCEDURES**

Any allegation of reportable conduct against a school employee or volunteer will be dealt with in accordance with the Saint Maroun's College *Child Protection Policy*. The procedures for raising an allegation of staff misconduct or reportable conduct are described in section 2 of this document. These procedures do not extend to complaints which are whistleblowing disclosures. The procedure for processing whistleblowing complaints are dealt with in the Saint Maroun's *Whistleblowing Policy*

### **1. Procedures for Raising General Complaints**

It is acknowledged that, sometimes complaints about a decision, behaviour, communication, act or omission may arise. While most matters can be resolved through direct discussion with the parties, there may be instances in which this is not possible.

A person may feel unable to approach the relevant person directly or not be satisfied with their response. In such instances a person may wish to contact the College. The procedures for raising complaints are described below and provided in a summary diagram in Appendix 2.

Where a person wishes to make a formal complaint concerning the Principal the complaint should be made in writing to the *Chair of the School Governing Board*, via email address [chairperson@stmarouns.nsw.edu.au](mailto:chairperson@stmarouns.nsw.edu.au)

Anonymous complaints cannot be responded to and the College encourages students and parents/carers with concerns to identify themselves and use the processes described so the matters they raise can be dealt with in appropriately and with confidentiality.

#### 1.1. Raising Academic Concerns

- For complaints or grievances relating to results, assessment tasks, teaching practices or learning outcomes the first point of contact is the classroom teacher. If the teacher is unable to find an acceptable solution to the matters raised the complainant must put the matter in writing to the Assistant Principal and left at the College Administration Office
- The Administration Staff will:
  - take the contact details of the complainant and record when the document was received
  - inform the Assistant Principal in writing the day the complaint is received.
- The Assistant Principal will:
  - within 3 days acknowledge to the complainant in writing and/or verbally receipt of the complaint
  - determine the person most appropriate person to handle the complaint and provide them with the information.
- The staff member handling the complaint will;
  - contact the complainant and arrange a meeting if required to obtain all details of the complaint, who is involved, how it happened, where it happened, other contextual information and the resolution that is sought
  - inform the complainant and the relevant parties directly involved of their right be accompanied and assisted by a nominated support person at any relevant meetings with representatives of the College. The support person's role is to be a nonverbal one except if speaking to their party. Support people should be informed of their responsibilities at the beginning of any meeting.  
The College maintains the right to determine whether the person's preferred support person is appropriate and may not approve the attendance of a support person where they are determined by the College to be inappropriate.
  - advise the person/s, against whom the complaint has been made including the nature of the concern and provide them with the opportunity to respond
  - conduct and document all aspects of the investigation on Engage
  - advise the Assistant Principal of their recommendations based on the investigation findings
- The Assistant Principal will contact the complainant verbally and/or in writing to advise them of the proposed actions to be taken and the procedure for seeking a review of the decision.
- If, after investigation, it is concluded that the grievance is substantiated, both parties will be informed of the decision in writing by the Assistant Principal and immediate, appropriate steps will be taken to prevent the matter from recurring.

- If, after investigation, it is considered the complaint is not substantiated, both parties will be informed of the decision in writing by the Assistant Principal.
- No further action will be taken when the complainant is satisfied with the actions to be taken.
- The Assistant Principal will give all documentation relating to the complaint to the Business Manager to be filed in the secure Complaints or Grievances folder in the Business Manager's Office.
- If the complainant is not satisfied with the proposed actions they must put their concerns and any additional information in writing to the Principal.
- The Principal will review all the information relating to the complaint and will contact the complainant to arrange a meeting and/or to discuss the matter by phone in seeking to achieve a satisfactory/acceptable resolution to the complaint.
- Following the resolution of a complaint:
  - the College will not engage in further discussion or negotiation with the complainant except if additional concerns are expressed
  - the Principal will seek assurances that the complainant is comfortable accessing the school and are not intimidated or victimised in any way within the school. Any intimidation or victimisation will be dealt with immediately in accordance with the Saint Maroun's College *Student Behaviour Management* and *Anti-bullying* policies.
- The outcome of the investigation will be recorded on Engage by the Principal. All documentation related to the complaint will be kept in the secure Complaints or Grievances folder in the Business Manager's Office.
- Every attempt will be made by all staff involved to seek a resolution to the complaint within the framework of these procedures. However, if the complainant is still unsatisfied they may seek advice from external organisations at their own expense.

#### 1.1.2 Raising Pastoral Care Concerns

- For concerns relating to student welfare, family matters, health issues, uniform, lockers and the first point of communicating the concern is the Year Advisor for secondary students and the Student Welfare Stage Co-ordinators for primary students.
- To contact the Year Advisor/Student Welfare Stage Co-ordinator, contact the College Administration Office. The Administration Staff will:
  - take the contact details of the complainant and record a brief description of the complaint
  - inform the Year Advisor for secondary students and the Student Welfare Stage Co-ordinators for primary students in writing on the day the complaint is received.

The Year Advisor/Student Welfare Stage Co-ordinator will follow the process used for responding to academic concerns.

#### **What are the possible outcomes?**

A complaint may be resolved in a variety of ways. This will depend on whether or not the complaint is substantiated, the seriousness of the matter, the wishes of the complainant and the nature of the relationship of the persons involved.

A complaint is said to be substantiated if the person investigating it believes that on the balance of probabilities the allegation did occur. If the complaint is upheld or sustained, depending on the nature of the complaint, possible outcomes may include but are not limited to:

- an agreement between parties involved
- a verbal or written apology

- the review of a policy or procedure
- mediation
- dissemination of information
- a meeting with parties involved
- where a student is the subject of the complaint, referral to counselling or a range of sanctions as set out in the Saint Maroun's College *Behaviour Management Policy* may be imposed
- where a staff member is the subject of the complaint, targeted professional development or training may be provided, referral to counselling or disciplinary action may follow.

If a complaint is not upheld or not substantiated (e.g. the evidence is insufficient on the balance of probabilities) but issues surface from the investigation that require action, possible outcomes may include but are not limited to:

- relevant training for staff or students
- monitoring of behaviour of staff, students or parents
- counselling for the parties involved
- mediation at local level
- review of policy or procedure

If the complaint is proved not to have happened at all, or if there is evidence that the complaint was made with the main purpose or intent of causing distress to the respondent the following possible outcomes may include:

- counselling for one or more of the parties involved
- a verbal or written apology
- disciplinary action (where the person involved is a student)

## **2. COMPLAINTS RELATING TO STAFF MISCONDUCT OR REPORTABLE CONDUCT**

These procedures are for stakeholders including parents/carers to raise a complaint about staff misconduct or reportable conduct. For all other complaints the *Procedures for General Complaints or Grievances* in this document should be followed

Misconduct and/or reportable conduct are clearly defined in Saint Maroun's College *Child Protection Policy* and stakeholders are encouraged to refer to clarify these terms. This policy is available on request from the Principal.

### **Notification of a Staff Misconduct or Reportable Conduct Complaint**

- Parent/carers and students concerns relating to staff misconduct or reportable conduct must be to be reported directly to the principal in writing either by letter or email ([margaret.ghosn@stmarouns.nsw.edu.au](mailto:margaret.ghosn@stmarouns.nsw.edu.au)).
- If the complaint is about the Principal or there is an obvious conflict of interest the complaint must to be put in writing to the Chairperson of the School Governing Board, [chairperson@stmarouns.nsw.edu.au](mailto:chairperson@stmarouns.nsw.edu.au)
- The Principal or Chairperson of the School Governing Board will consider the complaint to determine how the complaint will be responded to and will seek advice from appropriate authorised organisations (eg. AIS).

- The Principal or Chairperson of the School Governing Board will provide the complainant with an acknowledgment in writing (email) of receipt of the staff misconduct or reportable conduct complaint.
- The Saint Maroun’s College *Child Protection Policy and Procedures* will be followed in relation to the matter. All staff misconduct and reportable conduct complaints will be handled with confidentiality by the College and the same will be requested of all parties involved. No details will be given to the complainant or anyone other than legal authorities.
- Complaints of serious sexual or physical assault will immediately be referred to the Police and Community Services. Further investigations by the school will not occur until the Police and Community Services advise the school it is safe to continue investigations. No time frame can be given as all cases are treated individually.
- If the complaint is investigated, the school will periodically update the complainant of the College’s progress only if the Principal or Chairperson of the School Governing Board deem it as appropriate to do so.

**Resolution of a Staff Misconduct or Reportable Conduct Complaint**

The Principal or Chairperson of the School Governing Board will inform the complainant in writing that a complaint has been finalised, as long as it is in line with the Ombudsman’s Act and privacy legislation regarding disclosure of information about an investigation and the outcome of an investigation.

<b>Policy</b>	Complaints and Grievances Policy
<b>Last reviewed</b>	13 January 2021
<b>Next review</b>	Term 1, 2022

## **Appendices**

### **Appendix 1: Complaints Handling Principles**

#### **(a) Responsiveness**

Complaints will be dealt with promptly. The process and the time needed to resolve an issue will vary depending on the nature and complexity of the issue.

#### **(b) Visibility**

The existence of this complaint handling policy and procedures, its purpose and the method of accessing it will be promoted externally to the community via the College website.

#### **(c) Subsidiarity**

The process of responding to a formal complaint will reflect the principle of subsidiarity. This means that we expect that complaints may be resolved wherever possible at the lowest level of management necessary for their proper resolution.

#### **(d) Procedural fairness**

The principles of procedural fairness will be followed in all aspects of complaint handling. Procedural fairness includes:

- giving you the opportunity to put your case
- offering reasonable assistance to you to enable the complaint to be made and to know the complaint handling procedures
- informing the respondent of the substance of the complaint and providing an opportunity to respond
- providing the respondent with information about the complaint investigation process including outcomes
- handling the complaint process confidentially
- determining complaints as expeditiously as possible and advising you and the respondent of the outcome of the investigation;
- assessing the facts and circumstances of the situation objectively and determining the complaint fairly and equitably;
- providing you with details of the determination and reasons for the decision
- informing you and the respondent of any avenue for review

#### **(e) Confidentiality and Privacy**

Confidentiality is an obligation to the provider of information while privacy is an obligation to the subject of the information. Privacy will be in line with the principles outlined in the College Privacy policy. In making a complaint you can feel secure that your complaint will remain confidential. Confidentiality will be respected at all times within the constraints of the need to fully investigate the complaint. The obligation to maintain confidentiality extends also to you as the complainant and to the respondent.

#### **(f) Access and equity**

The complaints handling process needs to be accessible and additional assistance may be available to you if you are from a culturally and linguistically diverse background, have a disability or are a young person.

**(g) No victimisation**

If you make a complaint in good faith you will be protected from detrimental action including victimisation or unfair treatment.

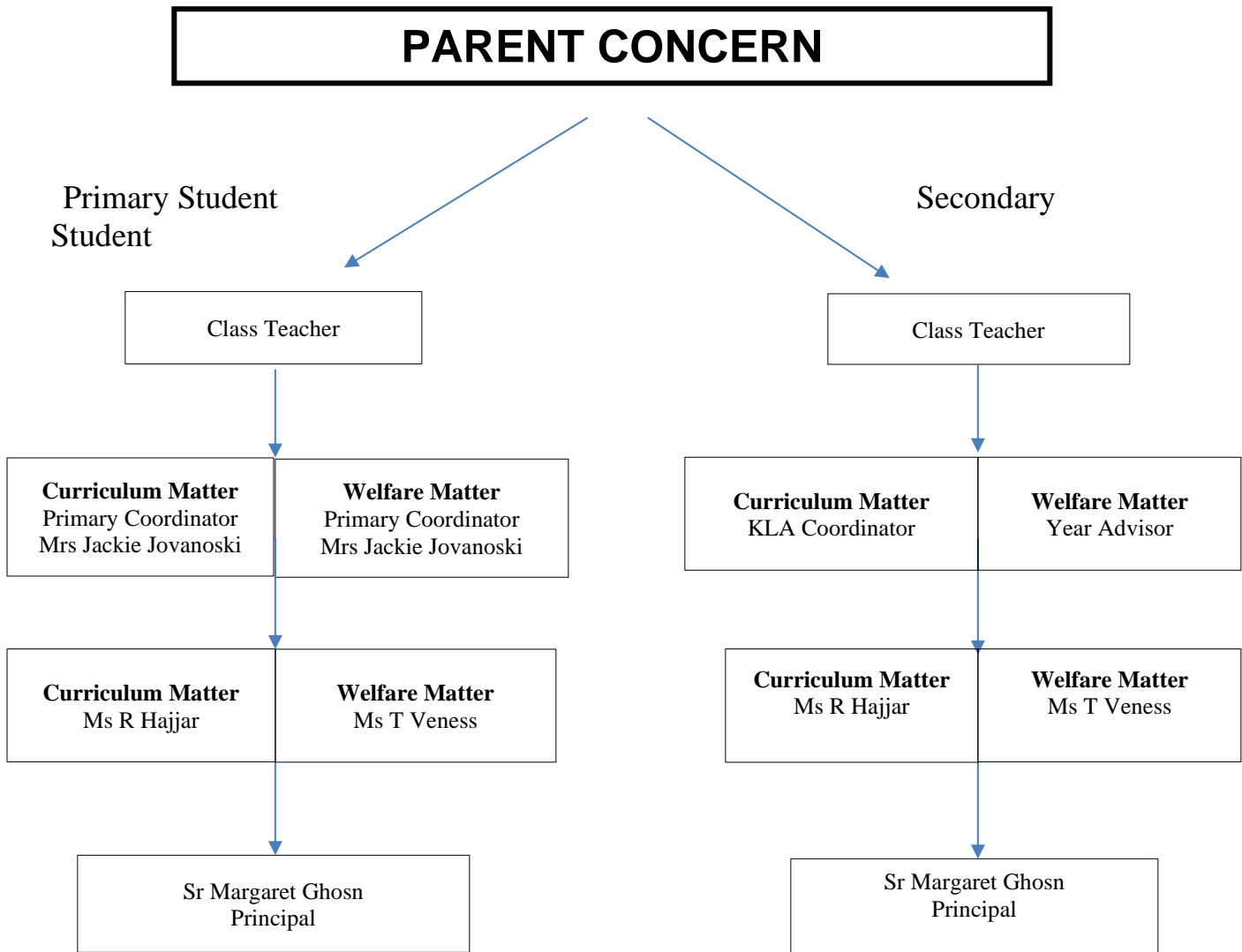
**(h) Vexatious or malicious complaints**

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.



## Appendix 2: Contacting the College to Raise Complaints

The diagram below shows the pathways for to raise complaints or concerns at Saint Maroun's College.



# PARENT CONCERN

STAFF MISCONDUCT OR  
REPORTABLE CONDUCT



Sr Margaret Ghosn  
Principal