Complaints Management Policy
2011
COMPLAINTS MANAGEMENT POLICY 2011

1. Rationale

St Dominic’s is valued as a special place where staff, students and parents have a right to a safe and supportive environment. From time to time, disagreements and conflict may arise which may result in complaints and grievances being expressed. These may occur between teacher and teacher, principal and teacher, teacher and student, student and student, teacher and parent and so on. The community of St Dominic’s endeavours to create a safe and supportive environment by developing practices characterised by procedural fairness, mutual trust, and respect.

2. Aims

This policy aims to:

2.1 Clarify procedures for complaints management to ensure that all parties are assured of a fair process and a just outcome.

2.2 Provide direction for the handling of complaints and grievances with specific reference to processes for raising and responding to suggestions and matters of concern identified by students, staff and/or parents.

3. Implementation

3.1 This policy operates in the context of the community of St Dominic’s Centre for Hearing Impaired Children.

3.2 The following are excluded from having regard to this policy: staff appraisal; school evaluation and development; child protection allegations and queries; critical incidents; employment contracts; salaries and awards; worker’s compensation/return to work programs and criminal matters.

3.3 The management of complaints is embedded in the fundamental value of ‘justice for all’ and built upon a fully acknowledged and accepted understanding of the foundational principles of inclusivity, procedural fairness, due diligence and restorative action (see Diagram 1, following page).

3.4 For the general management of complaints, the following continuum is practised:

- Handling at the point of initial receipt
- Referral of the complaint for handling by a more appropriate person within the school
- Referral of the matter to an officer of the Catholic Schools Office
- Referral of the matter to an agency external to the Catholic Schools Office

3.5 Diagram 2 (see page 4) describes a basic process that emphasises three components of management - receipt, handling and referral. This process provides a basis for the continuum of complaint management. It should be recognised that complaints and matters causing concern may enter the continuum of management at any stage.

3.6 Whilst some issues may be simply and immediately dealt with without the need for a record to be made, a written record of complaints of a significant nature should be kept by the person responsible for its management (see appendix 1). This record should be regarded as private and confidential, be stored in a secure place, and be of a factual nature only. It should include specific details of the receipt and handling/referral of the complaint and a brief summary of the outcomes achieved. When making decisions concerning the bringing to a person’s attention the existence and storage of a written record, the person handling the complaint should consider the principles of procedural fairness. With full regard to, and dependent upon privacy requirements, copies of the written record may be determined as being appropriately available to (only) those persons directly involved in the matter upon their request.

3.7 Appeal of the complaints management process and achieved outcome(s) should be made available to all involved persons where requested. An appeal is established through referral to a senior authority and should be conducted by a person not previously involved in the matter. The appeals process will consider and make a finding on how the complaint process has been conducted and its outcome(s).
COMPLAINTS MANAGEMENT FOUNDATIONAL PRINCIPLES DIAGRAM I

Justice for all

inclusive
- respectful
- supportive
- equitable

procedural fairness
- impartial
- consideration of all relevant information
- careful judgment

due diligence
- duty of care
- prudent action
- confidentiality (where required)

restorative
- relational
- accountable
- repairing of harm
3.9 Any person making a complaint or suggestion should not be subjected to any form of reprisal, harassment or victimisation. The foundational principles upon which the Complaints Management Policy is based requires that all complaints are openly received and responded to without the complainant experiencing disadvantage. Where harassment and victimisation is claimed, it is necessary for the complaints handler to facilitate an inquiry into the claim. Where a claim is substantiated, the matter should be redressed as far as is possible to the complainant’s satisfaction within the context of procedural fairness for all parties and the limits imposed by legal and regulatory expectations.

3.10 Staff and members of the school community need to be familiar with this policy and established procedures for managing complaints and responding to suggestions and matters of concern. This should include clear information as to which person(s) manage particular complaints. Information about these procedures are included in the school’s information handbook and in at least one school newsletter each year.

3.11 In support of the effective management of complaints and conflict the Catholic Schools Office makes available to school communities a Dispute Resolution Service. This service provides school communities, upon request, with a qualified arbitrator and mediator who is able to provide assistance through the provision of advice, training and the conduct of mediations, conciliations and restorative justice conferences.

4. **Budget**

An appropriate amount from within the school budget may be allocated to ensure the effectiveness of this Policy and the delivery of professional development opportunities for teachers, or the purchase of resources.

5. **Evaluation**

Evaluation of this policy will be undertaken every three years or as Board of Studies or system requirements change.
COMPLAINTS MANAGEMENT PROCESS
DIAGRAM II

RECEIPT
CAN I deal with this complaint?

Yes

HANDLING
HOW should it be handled?

REFERRAL
WHO can best deal with complaint?

No

Yes

RECEIPT
CAN I deal with this complaint?

HANDLING
HOW should it be handled?

REFERRAL
WHO can best deal with complaint?

REFERRAL OPTIONS - (SCHOOL)
- Executive Teacher
- Principal
- School Counsellor
- Teaching & Learning Facilitator
- Pastoral Worker
- CaHO (Harassment)
- OH&S Officer/Committee
- IEU Representative
- Parish Priest

REFERRAL OPTIONS - (CATHOLIC SCHOOLS OFFICE)
- Heads of CSO Units (Religious Education & Spirituality Services; Teaching & Learning Services; Financial Services; Employee Services; Information Communication & Learning Technology Services)
- Dispute Resolution Service
- Diocesan Child Protection & Professional Conduct Unit
- Parent Liaison & Resources Officer
- OH&S Return to Work Coordinator
- Assistant Directors

REFERRAL OPTIONS - EXTERNAL AUTHORITIES
including but not limited to:
- Police
- Solicitor
- Human Rights & Equal Opportunity Commission
- Federal Privacy Commission

Handling
Establish factual basis.
Use reflective listening, positive communication.
Consider needs, interests and rights of all involved.
Demonstrate procedural fairness and transparency.
Maintain privacy and confidentiality.
Employ joint problem-solving approach to resolution.
Provide appropriate feedback to all involved.
Written record kept.

Written record kept.
# Glossary

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Appeal</td>
<td>An impartial, determinative process available to all parties to a complaint wherein an independent person reviews both the way in which the complaint management process has been conducted and the integrity of its outcome(s).</td>
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<tr>
<td>Complaint</td>
<td>An expression of dissatisfaction or concern with a school or the Catholic Schools Office regarding policy, procedures and/or actions and decisions made.</td>
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<tr>
<td>Complaints management</td>
<td>An established system of responding to and handling complaints and suggestions regarding matters causing dissatisfaction or concern.</td>
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<tr>
<td>Conflict</td>
<td>The context of disagreement within which persons involved perceive a threat to their needs, interests or concerns.</td>
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<tr>
<td>Confidentiality</td>
<td>Protection given to the non-disclosure of things said and one; an ethical duty held by persons to ensure that matters are held to be private and in confidence between themselves and others.</td>
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<tr>
<td>Dispute</td>
<td>A point of disagreement involving one or a number of issues; a dispute may be limited to a particular setting or matter but is more likely to arise within a broader context of conflict.</td>
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<tr>
<td>Dispute resolution</td>
<td>Formal and informal processes that are designed to provide mutually beneficial outcomes to disagreement and conflict between persons. Dispute resolution processes are typically consensual, involve negotiation and include the third-party assisted processes of restorative justice conferencing, mediation and conciliation.</td>
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<tr>
<td>Due diligence</td>
<td>The care taken by a reasonable person to ensure that others do not suffer unnecessary harm or disadvantage; the obligation bestowed upon a person to act responsibly, efficiently and prudently in the carrying out of his or her duties.</td>
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<tr>
<td>Duty of care</td>
<td>A legal requirement that a person exercise a reasonable standard of care toward others in order to protect them from unnecessary risk of harm; professional duty of care exists at a level higher than that placed upon a member of the general public.</td>
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<tr>
<td>Equitable</td>
<td>Justice dictated by even-handedness, reason, conscience and a natural sense of what is fair to all; ‘fairness is not everyone getting the same but everyone getting what he or she needs’.</td>
</tr>
<tr>
<td>Impartial</td>
<td>Responding to all persons equally, free of bias and with no preconceived opinion; taking no personal advantage from espousing either side of a disagreement or conflict.</td>
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Privacy
The extent to which a person can determine which personal information is to be shared with whom and for what purpose; a legally bestowed principle that ensures that certain information remains protected from disclosure.

Problem-solving approach
A way of negotiating through disagreement and conflict that emphasises persons' jointly held responsibilities to achieve resolution through collaborative thought and action.

Procedural fairness
An obligation placed upon organisations and persons making decisions affecting the rights and welfare of others to engage in decision-making with due diligence, transparency and without bias. Procedural fairness affords certain rights to persons including the right to know of matters alleged, the right to respond and the right to appeal decisions made.

Restorative
A way of approaching matters that have caused concern or harm that places primacy upon accountability for actions, reparation of harm or wrongs and community acceptance and reintegration.
Record of Conversation

Student: ___________________________ Grade: ___________________________

When completed, please forward to the School Office for distribution to the respective staff.

Topic: ___________________________

Date: ___________________________

Conversation with: _________________________________

Personal / group / telephone

Those present: ___________________________

_____________________________________

_____________________________________

_____________________________________

_____________________________________

Is follow up action required? Yes / No

Details: ___________________________

Actions: ___________________________

_____________________________________

_____________________________________

_____________________________________

_____________________________________

_____________________________________

_____________________________________

_____________________________________

Signed: ___________________________

Date: ___________________________

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