



# MAGDALENE CATHOLIC HIGH SCHOOL

*"Because I have seen the Lord"*

## Process for Resolution of a Complaint

### Rationale

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At Magdalene Catholic High School we are committed to providing a safe and supportive work and learning environment for all staff and students. As a school, which **bears witness to the teachings of Christ**, the development of quality relationships is at the heart of our community. We acknowledge that staff, students and parents can sometimes feel aggrieved about something that is occurring at the school which causes concern or which appears to be unjust or to constitute harassment.

A member of staff, student, parent or community member may have a complaint about a decision, behaviour, act or omission that they feel is unreasonable or discriminatory. In such instances, procedures and processes are necessary to address the concern or grievance.

### Examples of complaints/grievances covered by this policy:

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- Issues related to student discipline procedures
- Issues related to learning and teaching
- Damage/loss of personal property
- Bullying and harassment

### Relevant Legislation

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In conjunction with this policy, note should be taken of relevant legislation, guidelines, policies and procedures pertinent to the issue, including for instance:

- Occupational Health and Safety Issues
- Child Protection
- Enrolment Policy and Procedures
- Catholic Education Office Staff Relations Policy

### Key principles underpinning this policy and procedures:

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#### Impartiality

The complaint will be investigated in a fair and impartial manner. No judgements or assumptions will be made, and no action will be taken until the investigation is complete. If a complaint is made against a person, their rights will be protected and they will be given an opportunity to respond.

#### Confidentiality

A complaint made under this policy/procedure will remain confidential. The only person 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 investigating and Catholic Education Office staff who may be involved. The person about whom the complaint is made also has a right to be informed.

#### No victimisation

The person making the complaint will not suffer in any way as a consequence of doing so. Victimisation in any form is unacceptable and will not be tolerated.

### **Vexatious or malicious complaints**

There is an underlying assumption that complaints are made in good faith and with an intention for resolution as opposed to retribution.

### **Timeliness**

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

The associated Complaints Handling Procedure outlines the process to be followed when making or responding to a complaint. A copy of the procedure is located on the school website.

This policy should be read in conjunction with the Diocesan Complaints Handling Policy available on the Catholic Education Office, Wollongong website.

## **Complaints Handling Procedure**

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The following procedures may be used by staff members, students within the school, parents/carers of students at the school and members of the wider community.

### **1. What to do if you have a complaint**

#### **1.1 Approach the person involved**

In many situations, the most appropriate action 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. Telling the person will give them a chance to stop or change what they are doing or to explain what they had decided and why.

#### **1.2 Contact the school**

Where you feel that 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. An inquiry to the school office in person or by phone (4647 7055) may be the first point of contact for people with complaints. The office staff will then advise the most appropriate person to deal with the complaint. The person may be a middle leader, Leader or Principal. The office staff will also advise about the use of the Magdalene Catholic High School Complaint Form.

#### **1.3 Contact the Catholic Education Office – Head of Secondary School Services**

Where you feel you cannot approach the person directly or you are not happy with their response or reaction, and you have good reason not to raise the issue either with the school designated person or the Principal, then you can contact the Catholic education Office Wollongong and explain the problem and issues. The CEO officer will usually discuss with you raising the concerns at the school level. The CEO Officer can also advise about your options.

Please note that if the CEO officer forms the view that your complaint is more appropriately dealt with at the 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 the school unless the complaint is against a decision of or about the Principal and has previously been raised with the Principal without resolution.

### **2. What happens next?**

- 2.1** The designated person will then interview you/discuss the matter with you or organise for another appropriate person to do so. During this discussion, a number of things will be explained such as what will happen if the complaint is found to be supported by 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 satisfied with the way the school is dealing with the complaint.
- 2.2** The designated person will then speak to the person about whom the complaint is made to hear their account. 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.
- 2.3** The designated person will then report back to the complainant (either by phone, interview or letter) and discuss what should be done to sort out the problem. Whilst the complainant may suggest what action they would like to be taken, it will not necessarily be the action adopted.

### **3. Review**

If the complaint remains unresolved, it will be reviewed either by the Principal or Head of Secondary School Services. They will make a final decision as to the outcome of the complaint.

### **4. Possible outcomes**

- 4.1** If the complaint is upheld or sustained, the following are possible outcomes depending on the nature of the complaint:
- An agreement between the parties
  - A verbal apology
  - A written apology

Where staff members are the subject of a complaint, action may be taken as stated in the Diocesan Staff Relations Policy. Where students are the subject of a complaint, action may be taken as stated in the relevant student behaviour management policy.

- 4.2** If a complaint is not upheld but some issues come out of the investigation that are required to be addressed, then possible outcomes include:
- Relevant training for employees and or students and/or
  - Monitoring of the behaviour of employees and or students
  - Counselling for the aggrieved person
  - Mediation at the local level
- 4.3** If the complaint is proved not to have occurred at all, or if the complaint was made with the intent of causing distress, the following are possible outcomes:
- Counselling for the person who made the complaint
  - A written apology from the person who made the complaint
  - An official warning
  - Referral for disciplinary action for students and staff

The relevant designated person will make sure that whatever outcome is decided upon actually happens. The designated person or the school Principal will also assess the effectiveness of the outcome from time to time.

## **5. Appeals**

There are three avenues of appeal if it is felt that the procedure has not been followed properly, or that the outcome is not acceptable.

### **5.1 Appeals at school level**

May be made to the Principal or to the Head of Secondary Services if the Principal has been involved. The appeal will consider the way the complaint has been handled and whether the outcome was appropriate. The complaint will be considered again if either of the above are in question.

### **5.2 Appeals at CEO level**

If the complaint has been received and managed by the CEO, then the appeal is to another Head of Service or to the Director, as appropriate. Someone other than the person who first handled the complaint will always deal with the appeal.

### **5.3 To an external agency**

An appeal to an external agency may be made at any stage in the procedure if there is any area of dissatisfaction.

## **6. Record Keeping**

Records of complaints, interview and other documentation relating to complaints are kept at the school in a separate complaints file in a restricted access mode. If there are considered to be serious ongoing management or care issues relating to a complaint, there will be a cross-reference system to the restricted file on the staff member or student file.