



St Malachy's Complaints Handling Policy

St Malachy's operates with the consent of the Bishop of the Catholic Diocese of Ballarat and is owned, operated and governed by Diocese of Ballarat Catholic Education Limited (DOBCEL).

Rationale

St Malachy's is committed to ensuring that the school is a community of faith, hope and love where communication takes place in an environment of transparency, respect, compassion and inclusion in the interests of all.

Catholic teaching emphasises the primacy of families, caregivers and guardians as the first teachers of their children. Within all schools, there are times when misunderstandings and concerns arise. In addressing these matters, St Malachy's seeks to model the love of Christ and the teachings of the Catholic Church. The dignity of each person, belief in the common good and the Catholic Social Teaching principle of subsidiarity will inform the manner in which St Malachy's deals with stakeholders and school communities including the way complaints are managed.

This policy provides a framework for reporting, recording, investigating, finalising, reviewing and monitoring complaints and their outcomes. It provides surety and support for all stakeholders through what can be a difficult process.

Positive, clear and effective procedures and processes for resolving grievances between the school and community members can assist in the building of strong relationships, dispelling anxiety and ultimately providing children and young people with settled and happy learning environments.

The collection and analysis of data regarding complaints can be used to inform policy, practice and strategy for all DOBCEL schools.

The Complaints Handling Policy supports compliance with the *Ministerial Order MO 1359 Implementing the Child Safe Standards- Managing the Risk of Child Abuse in Schools and School Boarding Premises* by:

- outlining the process and procedures for managing complaints at the school
- ensuring that the school meets its obligations to respond to complaints in a fair, effective and efficient manner
- informing children and young people, families, caregivers and guardians how to make a complaint about the school in ways that are easy to read and child- focussed
- outlining the school's procedures and escalation points in complaints handling
- outlining the procedures to be followed by Catholic Education Ballarat when a matter has been referred from a DOBCEL school for investigation

The Policy does not relate to critical incidents, emergency management, criminal offences or the conduct of those in religious ministry.

Policy Statement

St Malachy's strives to provide positive, clear and effective processes for resolving grievances between the school and parents, caregivers and guardians or children and young people. This can assist in building strong relationships, dispelling anxiety and ultimately provide a settled and harmonious learning environment. The *Complaints Handling Policy* seeks to restore fair and respectful relationships.

St Malachy's endeavours to ensure that complaints are managed and resolved fairly and in a timely manner. This policy and procedures have been developed in accordance with the Diocese of Ballarat Catholic Education Limited (DOBCEL) Complaints Management Policy.

Complaints of a school-based nature are best received and managed at the local school level, with the parties involved are expected to act in good faith and work together with respect and openness to achieve an outcome acceptable to all parties.

Unresolved complaints about DOBCEL schools can be referred to DOBCEL's Catholic Education Ballarat office.

Any concerns regarding a perceived breach of the Minimum Standards for Victorian Registrations and Qualifications Authority (VRQA) school registration can be referred to DOBCEL's Catholic Education Ballarat office. If these concerns are unable to be resolved, the Catholic Education Commission of Victoria (CECV) acts in accordance with the Memorandum of Understanding with the Victorian VRQA to investigate alleged breaches of the Minimum Standards in accordance with Sections 4.2.2 and 4.2.3 of the Act.

Anonymous complaints will be reviewed, as appropriate. In some situations, complaints may not be able to be fully addressed if they are made anonymously or without sufficient detail provided to enable a fair review or resolution of the matter.

A record will be kept of all formal complaints. A written record of complaints which relate to the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS) will also be kept.

Standards

In receiving and responding to complaints, the following standards will inform and direct DOBCEL's actions:

- Complainants can expect their concern or complaint to be taken seriously, to be dealt with in a way that is culturally safe, and to be responded to in a respectful, thorough and timely manner
- The best interests of the school community together with the interests of the individual will be considered
- Complaints of a school-based nature are best received and managed at the school level, with the parties involved expected to act in good faith and work together with respect and openness to achieve an outcome acceptable to all parties. Complaints that are unable to be resolved at the local level will be escalated to DOBCEL's Catholic Education Ballarat office
- Complaints are received and managed in a way that is culturally safe and sensitive to the diverse circumstances of children and young people, their families, caregivers and guardians, as well as providing support to vulnerable children and young people and their families, caregivers or guardians
- Schools, staff members and volunteers will be informed of formal complaints that are made about them

- Complainants and the person(s) against whom the complaint is made have the right to be heard and to expect that procedural fairness will be observed
- Confidentiality, protection of privacy, respect, access, dignity and impartiality will form the basis of the complaints resolution process which includes an opportunity for a person to be able to respond to a complaint about them
- The complaints resolution process will seek to achieve the restoration of good and respectful relationships
- Recordkeeping, reporting, privacy and employment obligations will be complied with when receiving and handling complaints.

This policy should be read in conjunction with the *St Malachy's Complaints Handling Procedure*.

Definitions

Complainant: the person(s) lodging the complaint. A complainant can be a parent, caregiver or guardian; a child or young person or a member of the school community.

Complaint: An expression of dissatisfaction related to our programs or activities, the actions of staff, or the complaint handling process.

Minimum Standards for School Registration: are the requirements/standards specified for all schools in the *Education and Training Reform Act 2006 (the Act)* and the Education and Training Reform Regulations 2017.

Parent/Caregiver/Guardian: the parent, care giver or legal guardian of a student enrolled in a DOBCEL School.

Procedural Fairness: procedural fairness or the rules of natural justice are observed as follows:

1. A complainant is given a genuine opportunity to make a complaint, and the complaint will be taken seriously and acted upon in accordance with the terms of the *DOBCEL Complaint Procedure*
2. A respondent is given sufficient information about the complaint to allow them to respond to the complaint before a decision affecting their interests is made
3. The decision-maker must be impartial and not pre-judge an outcome. The Decision-Maker will decide on the balance of probabilities considering the available evidence to determine what is most likely to have occurred.

Respondent: the person against whom the complaint has been raised.

School: means a Catholic primary or secondary school operating under the governance of DOBCEL.

Serious complaint a serious complaint is one requiring urgent action or which could have profound consequences for the parties concerned or others, resulting from a serious breach of legislation, school policy or procedure. The complaint may be in relation to issues about child safety, student behaviour management, bullying or harassment, drug or alcohol use, damage or loss of personal or school property, student wellbeing or the requirement for adjustment to learning for children and young people. Serious complaints may be complex or of a whole school nature.

Student: a child or young person enrolled in a DOBCEL school.

Support Person may accompany the complainant to meetings. The support person's role is to listen. They may make notes and may occasionally speak to the complainant to clarify what they are saying. The support person does not speak on behalf of the complainant.

Related Policies

- DOBCEL Enrolment Policy
- DOBCEL Behaviour Management Policy
- DOBCEL Bullying Prevention (including Cyberbullying) Policy
- DOBCEL PROTECT: Reporting and Responding Obligations Policy
- *St Malachy's PROTECT: Reporting and Responding Obligations Procedures for Schools*

Policy Review and Approval

This policy will be reviewed as part of the school's two-year review cycle of its child safety practices.