



COMPLAINTS AND GRIEVANCES POLICY

1. Purpose

St Catherine's School is a community where the individual is respected. Members of the School Community are required to behave in a manner that is consistent with the Community Code of Conduct and School Values.

A member of the St Catherine's Community is entitled to make a complaint or raise a concern, among other things, about the School or School boarding premises or the behaviour of any person within the School or the boarding premises.

The School also has an obligation to provide a child safe environment to students and a safe workplace for staff. This includes the provision of procedural fairness if staff are subject to complaints.

The purpose of this policy is to outline the framework and process for:

- receiving and dealing with complaints and grievances or concerns at St Catherine's School; and
- procedures to be followed in responding to complaints and grievances or concerns.

2. Scope

This policy applies to all members of the St Catherine's School Community – staff, parents, students, volunteers, contractors, trainees, secondees, suppliers, visitors, and employees and volunteers engaged indirectly through a third-party provider. It outlines the process for dealing with a grievance relating to:

- the School or the School boarding premises; or
- the behaviour of any person within the School or School boarding premises, including staff, volunteers, contractors, families, children or students.

This policy will apply to a grievance if the person making the complaint or raising the concern requests that it proceed in accordance with this policy, or the School considers that the processes under this policy should apply to the grievance.

This policy does not apply to:

- grievances between staff, which should be raised in accordance with the *Staff Grievances Policy*;
- concerns about child abuse, reportable conduct, and/or child safety matter, which will be managed by the Principal in accordance with the School's *Child Safety and Wellbeing Policy*, *Child Safety Code of Conduct*, *Child Safety*



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Responding and Reporting Obligations Policy and/or the Reportable Conduct Scheme Policy;

- legal matters, including requests for compensation, payment and redress.

3. Definitions

Victimisation: Victimisation is treating someone unfairly because that person, or someone with whom they associate, has made, or intends to make, a complaint under this Policy. It is unlawful to victimise or penalise a person for making a complaint in good faith.

Vexatious Complaints: Inaccurate, misleading, malicious or false accusations that are not substantiated or do not constitute reasonable grounds for complaint.

Grievance: A formal complaint or concern where the individual wishes to obtain a formal action or response from the School.

Conciliation and Mediation: A process which assists the complainant(s) and the respondent(s) to reach a solution that is satisfactory to all parties.

4. Policy Statement

St Catherine's School is committed to providing a safe and harmonious working environment for its staff, parents, students, visitors, volunteers and contractors. The School welcomes feedback it receives from the members of the School community. Responding to both positive and constructive negative feedback promotes open communication. Grievances will be handled in an appropriate and timely manner. To the fullest extent possible, the confidential nature of a grievance will be respected.

St Catherine's School will:

- manage grievances made under this policy fairly, efficiently and promptly;
- handle grievances confidentially, respectfully; and in accordance with the principles of procedural fairness; and
- where appropriate encourage individuals to take ownership of their actions and reflect on the impact of their behaviour.

The following principles underpin this policy:

- in the event of a request that a grievance be dealt with under this policy, every attempt will be made to seek a resolution to the matter through informal discussions (where appropriate);
- all staff, parents/carers, students, and other community members have the right where they believe that the matter is serious enough, to report a grievance,



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however all parties are expected to cooperate in any process and act in good faith;

- it will be the objective of all concerned, to resolve all grievances in a timely, consistent and fair manner;
- all parties should be considerate of each other's views, roles, and requirements to follow the grievance management process set out in this policy;
- all parties should respect the privacy and confidentiality of those involved, as appropriate; and
- any complaints or concerns relating to child abuse will be managed as per the School's Child Safety and Wellbeing Policy, Child Safety Code of Conduct, Child Safety Responding and Reporting Obligations Policy and/or Reportable Conduct Scheme Policy.

4.1 Informal Resolution

- 4.1.1 In the first instance, St Catherine's School will use informal processes to resolve a grievance when possible or appropriate.

On initial receipt of a grievance, the staff member receiving the grievance will:

- Assess if the grievance involves a child safety or child abuse related matter, misconduct or other serious matter which will then be forwarded to the Principal, or one of the Child Safety Champions to be managed in accordance with the School's *Child Safety and Wellbeing Policy, Child Safety Code of Conduct, Child Safety Responding and Reporting Obligations Policy* and/or *Reportable Conduct Scheme Policy*.
- If the matter is not a child safety matter, encourage the complainant to resolve the grievance with the person/s involved directly.
- Offer to resolve the grievance, through informal discussion. Every grievance should, in general, be first addressed via informal discussion with the person most closely associated with the issue. Grievances should not, in general, progress to a more formal process before all parties have first attempted to resolve the issue through informal discussion.
- Gather information and further details about the grievance from the complainant, staff, or others as necessary.
- Document any resolution in writing and inform the complainant and the respondent/s of the outcome and ensure the record keeping requirements of this policy are met.



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Volunteers who receive an initial complaint must forward the complaint information on to the St Catherine's supervising staff member who will follow the informal resolution process outlined above. If the complaint relates to a child safety matter, then the volunteer can alternatively forward the information to the Principal or one of the School's Child Safety Champions.

Where the informal process is not appropriate or does not lead to a resolution that the complainant deems satisfactory, then the complainant may pursue a more formal resolution procedure as outlined below.

4.2 Formal Resolution

4.2.1 A formal complaint is regarded as a serious matter by the School and the person making a complaint must also accept that this is a serious matter.

4.2.2 Formal complaints can be made in writing, addressed to the Principal or other member of the School Executive, member of School Council, and should include the following information in the written complaint:

- the complainant's name, signature and contact details;
- details of the grievance, including dates and times of any specific incidents relevant to the grievance;
- names of any students, staff, or other members of the community relevant to the complaint (including witnesses);
- the nature of the resolution that they are seeking; and
- a request that the grievance be dealt with as a formal complaint under this policy.

If the grievance concerns the Principal, it must be addressed and sent to the Chair of Council. In the case of a grievance against the Principal, the Chair of Council and one other Council member will act in the Principal's place in accordance with this Policy.

4.2.3 It is not always possible to respond to grievances received from an anonymous source and, by definition, it may not be possible for the School to communicate any resolution or response to the person making the complaint. The School will always act when anonymous concerns about child safety are raised as per the School's *Child Safety and Wellbeing Policy*, *Child Safety Code of Conduct*, *Child Safety Responding and Reporting Obligations Policy* and/or *Reportable Conduct Scheme Policy*.

4.2.4 The Principal or their delegate (under the Principal's direction) will commence enquiries into the formal complaint within 10 working days of the formal complaint being lodged. It is the responsibility of the Principal to ensure that the School conducts a fair and transparent response and resolution process.



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4.2.5 The formal complaint process will be conducted in accordance with the principles set out in this policy including, but not limited to the principles of procedural fairness, being student-focused and culturally safe.

- If considered necessary by the Principal (or the Chair, if the complaint is about the Principal) a Staff Investigating Team may be convened on the basis of impartiality and the relevance of the staff members' roles and responsibilities at the School. A staff member who is perceived to have or believes themselves to be in a position of a conflict of interest cannot be a member of the Staff Investigating Team.
- The process of investigation will remain confidential and only involve person/s directly involved or witnesses of the incident/s in question. Each investigation will be carried out in a fair manner to all parties involved, with those parties having the opportunity to represent themselves or be represented by a person of their choice. The School will endeavour to support all parties involved in the process of a formal investigation.
- Records of the grievance process will be kept and stored in an appropriate and secure manner.
- During the course of any grievance review, a student or staff member will not be subject to sanctions until the matter has been reviewed in accordance with the grievance process.
- Grievances that are assessed by the Principal to be a Vexatious Complaint will be dismissed and the person making the complaint will be informed in writing of the decision. The complainant may also be counselled about his or her action in lodging a Vexatious Complaint. Making a Vexatious Complaint may be an act of misconduct in itself and a breach of this policy.
- Investigations will be made on the basis of presumed innocence and will require defined evidence to substantiate any complaints.
- The outcomes of the grievance process will be provided as a written statement to all parties involved.
- Appropriate action will be taken by the School on the basis of any proven grievance or indiscretion and can lead to a variety of sanctions that can include, but is not limited to (where relevant):
 - expulsion or suspension for students
 - disciplinary action against a staff member
 - warning a parent in respect of their conduct, excluding a parent from the School premises or from attending School activities for a period of time



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- excluding a volunteer or contractor from working at the School.
- Throughout the process, School community members are expected to follow the School *Community Code of Conduct*.

4.3 Specific considerations for managing complaints from students

- 4.3.1 The School is committed to providing a safe and supportive learning environment for all students. Any child safety related matters reported by students will be managed in accordance with the School's *Child Safety and Wellbeing Policy*, *Child Safety Code of Conduct*, *Child Safety Responding and Reporting Obligations Policy* and/or *Reportable Conduct Scheme Policy*.
- 4.3.2 For other matters, where possible and appropriate, students will be encouraged to address any concerns directly with the person involved.
- 4.3.3 In the case where it is not possible or appropriate for a student to take up the issue with the other person on a face to face basis or when no satisfactory outcome is achieved by taking up the issue with the other person, the student should, in the first instance, contact either her classroom teacher, House Tutor, Head of House, Head of Junior School, Head of Year, Head of Boarding, a School Counsellor or the Deputy Principal – Student Wellbeing.
- 4.3.4 The staff member will attempt to resolve the complaint with the student using processes outlined in relevant student policies including student wellbeing, international student policies, curriculum and boarding policies, depending on the nature of the complaint.

4.4 Record keeping

- 4.4.1 All documentation and evidence collated supporting grievances for both informal and formal actions are to be securely stored in personnel files and may be used to demonstrate what steps were taken to settle the grievance.
- 4.4.2 The person dealing with a grievance will ensure that the record of the grievance process includes the following detail:
- date when the grievance was first raised;
 - name/s of the complainant;
 - detailed statement of the grievance including the nature of the grievance or complaint, the identity of the respondent/s and other persons involved;
 - a description of the procedures followed and the time frame for undertaking an investigation, if required, and for reporting the outcome;
 - a statement of the outcome/s.



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4.4.3 The record of the grievance should also contain clear and accurate notes of conversations as they may be required if further disputes occur or in the case of future legal action.

4.4.4 At the time of resolving or closing the grievance, the record is to include:

- the outcome of the grievance, including a record of any agreed resolution;
- any undertakings or follow up action required.

4.5 Communication of Policy

4.5.1 This policy is accessible to all staff, students, contractors, volunteers, parents/guardians, visitors, external stakeholders and other members of the School community via the Portal Policies page and the website. The School also communicates this policy through newsletters and inductions.

4.6 Policy Review

4.6.1 This Policy has been endorsed by the School Council.

4.6.2 This policy will be reviewed for effectiveness:

- as part of St Catherine's School policy review schedule (every 2 years);
- as required, with changes to current legislation, research, policy and best practice;
- following issues raised through the Complaints and Grievances Policy;
- after any significant child safety incident; and
- upon receipt of staff and parent/guardian feedback.

5. Legislation

- ESOS Framework
- Child Safe Standards
- Ministerial Order 1359
- *Education and Care Services National Law Act 2010*
- *Education and Care Services National Regulations 2011*
- *Equal Opportunity Act 2010 (Vic)*
- *Education and Training Reform Act 2006*
- *Education and Training Reform Regulations 2017*
- *Fair Work Act 2009 (Cth)*
- *Occupational Health and Safety Act 2004 (Vic)*

6. Related Policies



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- Child Safety and Wellbeing Policy
- Child Safety Code of Conduct Policy
- Child Safety Responding and Reporting Obligations Policy
- Reportable Conduct Scheme Policy
- Complaints and Grievance Policy
- Diversity, Inclusion and Equity Policy
- Occupational Health and Safety Policy
- Privacy Policy