



COMPLAINTS HANDLING POLICY

The Academy of Mary Immaculate (the College) is a school which operates with the consent of the Catholic Archbishop of Melbourne and is owned, operated and governed by Mercy Education Limited.

Introduction

The College is committed to building a school community that features positive and respectful relationships. Within our school, relationships are founded in the gospel values of justice, compassion, reconciliation and kindness. Such relationships support the learning and development of students and value the innate dignity of each person. It is important that each member of the community, including staff, parents and students, are contributors to the building of the school community. A timely and professional response to complaints is an effective means of encouraging communication, building trust and resolving issues for the betterment of all concerned.

The College understands that from time to time complaints arise regarding aspects of our school's operation of programs and activities and that it is important that all members of the community have the opportunity to be heard. The College commits to ensuring procedural fairness is observed when dealing with complaints and grievances.

The Academy of Mary Immaculate Codes of Conduct for parents/guardians/carers staff and students outline the expectations of behaviour for members of our community.

Policy coverage

This policy applies to all member of the College community College including:

- Parents/carers and extended families
- Students
- Staff

Definitions

A **complaint** is an expression of dissatisfaction with an action taken, decision made, service provided or handling of an issue at the College.

Guiding Principles

In receiving and responding to complaints, the following guiding principles will inform and direct the College's actions:

- 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 Mercy Education Limited.
- Complainants can expect their concern or complaint to be responded to in a respectful and timely manner.
- Staff members 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.

- The complaints resolution process will seek to achieve the restoration of good and respectful relationships.
- The best interests of the school community together with the interests of the individual will be taken into account.

Providing Feedback to the College

The College has procedures and processes in place by which parents/guardians/carers and the broader school community can confidently raise concerns in the knowledge that they will be listened to and their concerns will be professionally managed in a timely, confidential and appropriate manner.

Relationships with the school community are important to us. We take complaints raised by parents/guardians/carers and the broader school community seriously. There are many avenues to provide feedback to school staff. These include:

- annual formal parent/guardian/carer survey
- formally scheduled parent/guardian/carer feedback forums
- meetings with the principal or other staff members to express concerns

Who to Contact to Make a Complaint

The nature of the complaint will determine who is the most appropriate person or body to manage the concerns raised. Complaints should be directed to the College Principal in the first instance.

For complaints of a serious nature involving school staff, the following additional information is provided.

Misconduct or serious misconduct

All complaints of alleged misconduct or serious misconduct by a teacher or staff member should be reported to the Principal.

Complaints about teachers can also be reported to the Victorian Institute of Teaching (VIT) – the regulator in relation to the registration and investigation of serious misconduct (including conduct which is of a physical or emotional nature) of all teachers in the state of Victoria. If unsure whether the complaint constitutes serious misconduct by a teacher, contact the VIT on 1300 888 067 or vit@vit.vic.edu.au.

In some cases, certain actions which involve physical or emotional misconduct, such as unlawful assault or threats to the person, may constitute a criminal offence. These types of offences should be reported to and investigated by the police. Initial consultation with the College Principal may help to determine the appropriate course of action in these circumstances.

Child abuse (including sexual offences)

Complaints of alleged child abuse (including sexual offences) of school students should be reported to the College Principal.

There are legal obligations on all adults to report child abuse to police once a reasonable belief is formed that a sexual offence has been committed against a child.

Failure to disclose a sexual offence against a child is a criminal offence under section 327 of the *Crimes Act 1958* (Vic.) (Crimes Act) and applies to all adults (18 years of age and over) in Victoria.

Communication with children under 16 years of age by teachers, staff or any other person to prepare or groom a child for future sexual activity is a criminal offence under section 49M(1) of the *Crimes Act* and must be reported to the police. The offence of grooming applies to any person aged 18 years or over and does not apply to communication between people who are both under 18 years of age.

Complaints against the College

In the case of a complaint involving the College Principal, Mercy Education Ltd should be informed immediately.

Complaints against the clergy or other persons involved in religious ministry

If the complaint relates to the clergy or other persons involved in religious ministry with the College, the complainant should contact and seek advice from the Professional Standards unit of the Vicar General's Office in the Archdiocese of Melbourne, 383 Albert Street, East Melbourne. Visit www.melbournecatholic.org or contact 03 9926 5677. If the person is a member of a religious order, the complainant should also contact the provincial head or professional standards office of that congregation or religious order.

Anonymous complaints

The College endeavours to address and respond to all complaints. In some situations, we may not be able to fully address complaints that are made anonymously or without sufficient detail being provided to enable an inquiry or resolution of the matter. To ensure procedural fairness, respondents have a right to know the particulars of the allegations being made against them and be given an opportunity to respond to them.

Where possible, complainants are encouraged to give their names and to be reassured that we will deal with complaints professionally and in accordance with procedural fairness and confidentiality. If the complainant wishes to remain anonymous, it is at the principal's discretion what, if any, action will be taken. Anonymous complaints will be recorded in the same manner that all other complaints are recorded.

Complaints in relation to Information Sharing Schemes

The College is a prescribed Information Sharing Entity (ISE) that may share information under the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS).

The school, as an ISE, may receive complaints from individuals in relation to its conduct as an ISE under the CISS or FVISS. It may also receive a complaint from another ISE.

The following information is recorded where a complaint is received under the CISS or FVISS:

- the date the complaint was made and received
- the nature of the complaint
- the action taken to resolve the complaint
- the action taken to lessen or prevent the issue from recurring
- the time taken to resolve the complaint
- further action taken if the complaint was not resolved.

Complaints relating to reportable conduct

Legal obligations are imposed on the College Principal to report to the Commission for Child and Young People (CCYP), and investigate allegations of reportable conduct, where those allegations are based on a person's reasonable belief that reportable conduct or misconduct involving reportable conduct has occurred. Reportable conduct includes the following:

- sexual offences against, with or in the presence of a child
- sexual misconduct against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- behaviour that causes significant psychological or emotional harm
- significant neglect.

Complaints relating to a reportable conduct allegation which meets the requisite threshold and which involves a college employee (which amongst others, can include a teacher, principal, volunteer or contractor) must be reported.

Complaints of reportable conduct in relation to an employee (other than a principal) at the College should be reported to the College Principal. Complaints of reportable conduct involving the College Principal should be reported to Mercy Education Limited.

Further information can be found in the School's Reportable Conduct Policy.

Procedures for Complaints about Issues at the College

The College has developed and maintains a fair, effective and efficient complaints-handling procedure so that complaints about events or decisions at the College can be addressed. The following steps can guide the procedure in making a complaint about issues arising at the College.

Clarify the issue

- Be clear about the topic or issue to be discussed.
- Be mindful of the need to ascertain all the facts relating to the circumstances of the topic or issue.
- Think about what would be an acceptable outcome.
- Check and observe the College's complaints handling policy.

Making the complaint

- Write an appropriate note or email to the relevant person (e.g. classroom teacher) outlining your concerns.
- Make an appointment to speak via phone or in person with the relevant person/s.
- Consider speaking with the student wellbeing leader, if appropriate.
- Arrange meeting times or phone calls through the college office.
- Ensure the relevant person/s is given a reasonable amount of time to take the steps required to resolve or address the concerns.

Contact the principal or deputy principal

If the issue remains unresolved after discussion with the relevant person/s at the school, request an appointment, through the college office, to discuss the concern with the principal or deputy principal.

The principal may be represented by another senior staff member. If the relevant staff member is going to be present at the meeting, the meeting time is more likely to occur outside classroom hours.

Expectations of and Information for Parents/Guardians/Carers

In making a complaint, the College requests and expects that the complainant will:

- raise the concern or complaint as soon as possible after the issue has arisen
- communicate and respond in ways that are constructive, fair and respectful
- provide complete and factual information about the concern or complaint
- observe confidentiality and a respect for sensitive issues
- act in good faith to achieve an outcome acceptable to all parties
- have realistic and reasonable expectations about possible outcomes/remedies.

If your concern/complaint relates to your child's treatment by another student or students while at the College, we expect that you will refer your complaint directly to the school, via your child's class teacher, deputy principal or principal. Under no circumstances should you approach another student in the care of the school to discuss the issue or chastise them. Direct contact with parents to resolve the matter is also discouraged if the complaint pertains to issues or incidents that have arisen at the school.

Parents/guardians/carers making complaints are to be respectful, confidential and courteous.

Parents/guardians/carers who are unreasonable, threatening or discourteous can expect their discussions with the College Principal to be terminated until such time as an alternative discussion time is arranged by the school.

Process for Dealing with Complaints

The College will record the details of all complaints including the name and contact details of the persons making the complaint. The College will then refer the complaint to the most appropriate person to undertake an inquiry. There will be many occasions that this will be someone other than the College Principal. The staff member conducting the inquiry may conduct a preliminary inquiry or communicate with the parent to discuss the matter further.

If the scope of the inquiry is beyond the capacity or jurisdiction of the College, the matter will be referred to Mercy Education Limited and the parent/guardian/carer will be informed of the referral.

Parents/guardians/carers discussing complaints with the College Principal may be accompanied by a support person. The support person can be a family member, a friend or a professional with knowledge of the student. Any person acting in a professional capacity on behalf of the parents/guardians/carers must provide their occupational details and full name prior to the meeting being held. It is at the principal's discretion if an external professional is a participating member of any school meeting. The support person may encourage and facilitate sharing of parent/guardian/carer knowledge, perception and issues. The support person should support a positive working relationship between all parties. The support person does not speak on behalf of parents/guardians/carers when discussing complaints with the principal.

Any inquiry conducted by the College will be done so in a timely, efficient and confidential manner, ensuring the fair principles on natural justice are applied for all. Parents/guardians/carers will be provided with an anticipated timeframe for a resolution. The staff member conducting the inquiry will record the details of the inquiry.

Privacy laws may prohibit information being provided to the complainant of any specific action that has been taken in relation to individuals about whom the complaint has been raised.

Outcomes of Complaints

Outcomes of complaints and grievances can include the following:

- an apology – either verbal or written
- mediation – with an internal or external mediator
- an official warning
- disciplinary action
- a behavioural contract (in the case of a student)
- pastoral or spiritual care
- an understanding that the behaviour will not be repeated
- a change in policy or procedure.

Complaint Escalation

If the matter cannot be resolved at the college level, or if the complaint is about the College Principal, complainants may contact Mercy Education Limited.

If the complaint is unable to be resolved to the satisfaction of the complainant, but the matter is however finalised, the complainant has the right to seek alternative independent or other advice, or contact other entities such as the Victorian Equal Opportunity and Human Rights Commission, or the Victorian Civil and Administrative Tribunal. Complaints related to the minimum standards for school registration can be referred to the Victorian Registration and Qualifications Authority (VRQA).

Withdrawal of a Complaint

A complaint can be withdrawn at any stage during the complaint management procedures. A complaint should be retracted in writing by the complainant and addressed to the College Principal.

Version	Author	Description of Changes	Release Date	Review Date
1.0	Andrew Baker	Complaints Handling Policy	December 2021	December 2023