

Complaints & Grievance Policy

INTRODUCTION

Marist College North Shore is committed to living the gospel values of justice and reconciliation. We aim to:

- Develop a positive and collaborative relationship between home and school.
- Welcome and value diversity of opinion.
- Inform the staff of the changing needs of students and families.
- Have clear and open communication within the community.

The school acknowledges that Parents/Guardians can sometimes have concerns about school related issues. The resolution of these concerns is vital to the well being and success of our community.

It is recognized that parents and guardians must have access to processes that allow them to resolve concerns in a supportive, conciliatory environment. For this reason the following model has been developed.

THE SCOPE OF THE POLICY

This Policy applies to the concerns of parents and guardians regarding:

- Their sons' learning, behaviour and welfare
- School organisation and management
- Student health and safety issues

THE RIGHTS AND RESPONSIBILITIES OF PARENTS/GUARDIANS

Any parent or guardian has the right to raise a concern and have it responded to promptly, fairly, without fear of repercussions and according to principles of procedural fairness. **Most concerns will be able to be resolved informally.**

Any parent/ guardian has the right to **confidentiality** in regard to a serious concern that is raised at the school. However, if others need to be informed, this will be explained to the parent /guardian raising the concern.

Parents/guardians have a responsibility to raise their concerns at the **earliest possible time** so that they do not become overwhelming for boy, family and school. The greatest success in resolving concerns is when they are addressed as soon as they arise.

Parents/guardians have a responsibility to **maintain confidentiality** in the best interests of their son and to ensure a just outcome for any other person who may be involved.

GENERAL PRINCIPLES

- Confidentiality will be respected and maintained by all parties.
- Most complaints are best handled in an **informal manner** – with direct phone or written contact being made to the staff member at whom the complaint is directed. In most cases such contact will lead to a resolution of the issue.
- If a complaint cannot be effectively resolved **informally** and the complainant wants to proceed formally then the complaint should be submitted in writing to the appropriate Staff Member.
- Concerns will be resolved according to the principles of procedural fairness as follows.
 - The person considering the concern will act impartially
 - Anyone involved in the matter has the right to be heard fully
 - All **relevant** information will be taken into account
 - Where a conflict of interest arises or is perceived to arise, an independent person may be involved with the consent of all parties.
- Every endeavour will be made to address all concerns within reasonable timeframes and under mutual agreement. The resolution of concerns is most successful when prompt responses are obtained. However, the Headmaster and staff member may not always be available to address concerns at the exact time they are raised, but will make an appointment to do so at the earliest mutually available time.
- Any person raising or responding to a concern may have a support person present during meetings or interviews. The support person would act as an observer but may take a more active role with the mutual agreement of all parties. Support persons must maintain confidentiality and other principles set out in these Guidelines. The Headmaster is to be advised of the attendance of a support person before any meeting or interview. Similarly the Headmaster will advise of any other person he may invite to attend.
- Accurate and appropriate notes will be kept with due regard to the confidentiality of the concerned parties. Access to relevant records may be given to parties directly involved in the process or to others by mutual consent whilst adhering to the conditions of the Commonwealth Privacy Act.
- The outcome of a complaint resolution process will be communicated to the Parent/Guardian in writing and there may be an agreement to review its effectiveness within an agreed timeframe.
- Anonymous complaints or allegations will **only** be accepted and forwarded for investigation in the case of:
 - Allegations of child abuse
 - Allegations of misconduct of a sexual nature by a staff member against a student
 - Alleged breaches of legislation, including the Crimes Act,
 - Other alleged behaviour which could lead to disciplinary action if

substantiated.

- Where the matter involves Child Protection or other areas covered by specific legislation (such as matters being handled by Police or courts), the Headmaster needs to refer it to the Regional or Head Office. In all other matters, every attempt will be made to resolve the matter at the local level.
- While it is understood that all concerns about a boy's education and well-being naturally cause anxiety for parents/guardians, it is expected that complaints will be lodged in a manner that respects the dignity of the person receiving them. Similarly staff are expected to receive the complaint with the same level of respect.
- The Headmaster and staff members will discontinue any meeting or discussion if a complainant becomes abusive, uses profane or threatening language or attempts to physically intimidate a staff member. Should this occur the complainant will be required to leave the school.

THE PROCESS

Some key elements of the Model include:

STEP 1 - Generally, issues involving an individual child **should be raised first with the person subject of the concern, usually the class teacher**. (This may not always be possible and the parents/guardians may not feel able to talk to the person about whom they have a concern. In this instance the parent/guardian should approach a member of the College's Middle or Senior Management: Subject Coordinator, House Coordinator, Director of Teaching and Learning, Director of Faith Formation, Deputy Headmaster or Headmaster.)

STEP 2 & 3 - Where the concern is not resolved, the matter will be taken up with the Subject or House Co-ordinator.

STEP 4 – Where the concern is not resolved by the Co-ordinator or the Deputy Headmaster, the matter should be taken to the Headmaster.

STEP 5 – Where the concern is not resolved by the Headmaster after all efforts have been made to do so, or the concern is about the Headmaster, the Parent/Guardian should refer the concern to the Regional Catholic Education Office via the Professional Officer.

STEP 6 – Where the concern remains, unresolved the Parent/Guardian or the Regional Consultant may refer it to the Regional Director for review. A formal avenue of appeal is available at this stage.

STEP 7 – Where the Parent/Guardian considers that correct procedures have not been followed, or that an unreasonable outcome has eventuated, a written appeal outlining the relevant details can be lodged with the Chair of the Sydney Archdiocesan Catholic Schools Board (SACS) addressed to the Head Office at Leichhardt. The Chair will

appoint an independent person to undertake a review.

A copy of the brochure “*Resolving Grievances and Complaints*” summarizing the Policy can be obtained from the College.

TIME FRAMES

Unless another timeframe is mutually agreed upon, or where outside authorities are involved, a Parent/Guardian can expect –

- An acknowledgement of his/her concern within two (2) working days of lodgement.
- An attempt to address and resolve the matter within seven (7) working days of lodgement.

NOTE:

CONCERNS AND COMPLAINTS OF A CHILD PROTECTION OR LEGAL NATURE

Legally required processes for the management of complaints that fall within the definitions of Child Protection legislation is administered by the Head Office and is accountable to the NSW Ombudsman’s Office and/or the Department of Community Services.

Where a teacher or the Headmaster receives a complaint of this nature, he/she must inform the Regional Consultant and the Child Protection Officer at the Head Office. An investigation process will be undertaken that adheres to all of the general principles contained in this Policy.

If a complaint involving potential criminal activities is received by a Headmaster, he/she will be obliged to report it to the Local Area Command of the NSW Police.

The processes of any of the aforementioned outside authorities will take precedence over the processes contained in these Guidelines.

All Schools are also compelled to comply with the relevant instructions contained in any court orders (e.g. Apprehended Violence Orders and Parenting Orders) that pertain to a student and/or a family within the school community.