



# ST MARY'S COLLEGE

## COMPLAINTS AND GRIEVANCES POLICY

### Context

St Mary's College Melbourne is a Catholic school for girls and boys in the Edmund Rice tradition, established as Christian Brothers' College St Kilda in 1878. St Mary's College is committed to providing a caring, supportive and safe environment where every student has a place, a voice and their story is known. As a Catholic school in the Edmund Rice tradition, our Christian values are those expressed in the Touchstones of our governing body, Edmund Rice Education Australia (EREA): Liberating Education, Gospel Spirituality, Inclusive Community, Justice and Solidarity. The charism of Blessed Edmund Rice expressed through these touchstones, underpins our continued commitment to a safe and inclusive environment for all, providing a preferential option to those at the margins, to grow in empathy and to respond in faith and action.

### Background

EREA, as St Mary's College's governing authority, sets the policy framework for all EREA schools. These policies have been contextualised for St Mary's College's particular school environment so that our policies reflect the needs of our students.

### Scope

This policy supports the resolution of complaints made by members of the public, St Mary's College parents/guardians and students. Employee complaints and grievances are addressed through the St Mary's College Internal Grievance Policy and Guidelines.

### Rationale

St Mary's College is committed to providing a safe and supportive College environment. From time to time, students, parents and members of the public can sometimes feel aggrieved about something that is happening at the College that they believe requires attention, further investigation or change in procedures or a resolution.

### Principles

The following principles underpin the College's response to complaints and grievances:

- the complaints resolution procedure is implemented for resolving complaints in relation to issues that fall within the College's area of responsibility
- all cases of serious misconduct: sexual offences, criminal charges, or other serious incidents must be referred to the relevant regulator or authority
- the Principal has a responsibility to address unacceptable conduct or concerns that are observed or brought to the College's attention
- it is important that all complaints, ensuing procedures and outcomes, are fully documented
- the Principal may choose to respond to a complaint through an informal process in cases where the complaint is minor, the complainant wishes the matter to be dealt with informally or the complaint has arisen from lack of or unclear communication

- formal processes will be used when informal processes have not been successful, a complainant seeks a formal process, or the Principal believes the complaint warrants formal investigation
- this policy will be made available on the College's website.

### **Policy Statement**

St Mary's College is committed to handling complaints in a manner consistent with our mission and values, modelling the Gospel practices of forgiveness and reconciliation by the manner in which conflict is resolved. In responding to complaints, St Mary's College will adopt processes that are timely, fair, restorative and respectful. Complaints will be managed following principles of natural justice, procedural fairness and respect for the rights of the parties involved.

### **Procedures – Informal Complaints Resolution**

In the first instance, complainants should contact the person/s involved in the issue when it first arises so that it can be resolved quickly. In many cases this would involve the classroom teacher in the resolution of the complaint even if the complaint is not directly about them. The types of complaints could include:

- issues related to student discipline procedures
- issues related to learning and teaching
- damage/loss of personal property
- bullying and harassment

Parent concerns about their child could be addressed by:

1. Writing a note to the relevant teacher outlining the concerns and provide a contact number if the teacher needs to contact the parent for further information or follow up. This will usually be outside of classroom times.
2. Making an appointment to speak on the phone or in person with the teacher, ensuring that the parent inform the College about the issue they wish to discuss. Parent should be mindful that teachers cannot always be available to meet just before and after class times due to other responsibilities and meetings.
3. Arranging a meeting time or phone call through the College office (this is more convenient for both the parent and the student's teacher and does not interrupt teachers during the time they need to be with their students).

The teacher, together with any others who may be involved such as another classroom teacher, should be given a reasonable amount of time to take the steps required to resolve or address concerns. It may not always be possible to resolve an issue to the complete satisfaction of all involved.

If the matter is urgent and the teacher is not available parents should contact the College office to arrange for a member of the Leadership Team or other suitable staff member to either meet or contact the parent.

If the issue remains unresolved, the complainant may wish to lodge a formal complaint (see Formal Complaints Resolution Procedures below).

### Concerns Raised with the Principal

Most concerns are resolved by discussing the issue with the relevant person. However, if the issue remains unresolved after the abovementioned procedure has been followed, and the complainant does not wish to lodge a formal complaint, the complainant can ask to see the Principal.

To do this, the complainant needs to request an appointment through the College office. Please note that:

- the Principal may ask another senior staff member to speak with the parent/student on their behalf
- if a teacher is going to be present at the meeting it is more likely to occur outside of classroom hours.

If the complainant believes that the College has not listened to their concerns or followed College processes then the complainant can make a formal complaint by following the Formal Complaints Resolution process (see below) or can take the issue directly to Edmund Rice Education Australia or Catholic Education Melbourne. It is important to note that the College will make decisions that are not always accepted by all members of the College community.

If the concern is related to issues of College policy, these should be raised through the Formal Complaints Resolution process.

### **Procedures – Formal Complaints Resolution**

St Mary's College has appointed a Complaints Manager and Complaints Officer/s to manage the College Formal Complaints process.

If matters raised by members of the public, or if matters are unable to be resolved informally, or the complainant simply wishes to make a formal complaint they can do so by any of the following means:

1. sending an email to [complaints@stmaryscollege.vic.edu.au](mailto:complaints@stmaryscollege.vic.edu.au)
2. writing a letter to the College addressed to the Complaints Manager
3. telephoning the College and asking for your details to be sent to the Complaints Manager

All formal complaints are logged through our online complaints management system where they are screened by one of our Complaints Officers, the Complaints Manager, or, in the case of a complaint directly related to conduct by the Principal, Deputy Principal or Member of the College Advisory Board, the EREA Regional Director.

All formal complaints will be logged into our complaints management register and managed in accordance with the College Complaints Handling Guide (Appendix 1).

All valid formal complaints will be acknowledged in writing and a target timeline for resolution established within 3 business days. Complaints will then be allocated a status, priority and target resolution date. It is our policy, where possible, to commence an initial investigation and make a preliminary determination within 10 business days of acknowledging the complaint.

### **Complaints related to conduct by the Principal, Deputy Principal or Member of the College Advisory Board**

In the case a complaint is directly related to conduct by the Principal, Deputy Principal or a Member of the College Advisory Board, complainants should lodge a formal complaint with St Mary's College's governing authority, EREA by contacting the EREA Regional Director Southern Region. The [EREA Complaints Handling Policy and Guidelines](#) can be found on the [EREA public website](#).

### **Unresolved Formal Complaints**

If complainants believe their complaint has not been dealt with effectively, the complainant may pursue resolution of the matter by escalating the complaint to St Mary's College's governing authority, EREA by contacting the EREA Regional Director Southern Region. The [EREA Complaints Handling Policy and Guidelines](#) can be found on the [EREA public website](#).

Or pursue external resolution by contacting:

- Catholic Education Melbourne Southern Regional Office  
602 South Road  
(PO Box 3104)  
MOORABBIN EAST VIC 3189  
Ph: (03) 8301 7400
- Victorian Registration and Qualifications Authority (VRQA)  
<https://vrqa.vic.gov.au/Pages/default.aspx>  
Phone: +61 3 9637 2806 (from 9:00 am—5:00 pm, Monday—Friday)  
Email: [vrqa@education.vic.gov.au](mailto:vrqa@education.vic.gov.au)
- Victorian Equal Opportunity and Human Rights Commission  
<https://www.humanrights.vic.gov.au/>  
Level 3, 204 Lygon Street  
CARLTON VIC 3053  
Ph. 1300 292 153  
Email: [enquiries@veohrc.vic.gov.au](mailto:enquiries@veohrc.vic.gov.au)
- Overseas Students Ombudsman (OSO) (international students only)  
Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)  
Call: 1300 362 072 within Australia. Outside Australia call +61 2 6276 0111  
Enquiries: 9:00am to 5:00pm Monday to Friday, Australian Eastern Standard Time (Australian Eastern Daylight Time when daylight savings is in effect)  
Postal: Commonwealth Ombudsman, GPO Box 442 Canberra ACT 2601  
Website: <http://www.oso.gov.au/>

### **Maintaining a Safe Environment**

At any stage in the complaint process, staff have the right to feel safe. Aggressive or abusive behaviour will not be tolerated. In such instances, the staff member will end the meeting and refer the matter to the Principal.

If the complainant feels unsafe, they should end the meeting and refer the matter to a higher authority as detailed above.

### **Making, Receiving and Investigating Complaints**

At the College, all staff are expected to:

- listen carefully and deal calmly and respectfully with complaints
- document the complaint, actions taken and outcomes
- look at all sides of an issue
- focus particularly on issues that may be affecting the learning and/or safety of students
- resolve complaints in a timely manner
- provide feedback to the complainant on any actions/outcomes/decisions taken
- accept that it is not possible to resolve all complaints

- identify when a complaint cannot be resolved
- ensure privacy and confidentiality of information is maintained in accordance with relevant legislation
- refer more complex or unresolved complaints to the Principal, Edmund Rice Education Australia or Catholic Education Melbourne.

Those making complaints are expected to:

- be clear about the topic or issue they want to discuss
- focus on the things that are genuinely affecting them or their child
- always remain calm and respectful, particularly when discussing the complaint in the presence of children
- remember they may not have all the facts relating to the circumstances of the topic or issue they wish to discuss
- think about what would be an acceptable outcome that is consistent with College policy and procedures
- listen carefully to other sides of the issue
- be informed by checking the College's policies or guidelines, where relevant
- accept that it is not possible to resolve all complaints
- be aware that they have the right to seek advocacy, mediation, counselling or support.

### **Record Keeping**

A record of a complaint should include the following detail:

- date when issue was first raised
- name of parent(s)
- name of student(s)
- detailed statement of concern/complaint including:
  - nature of complaint
  - identity of person(s) involved
  - time of allegation
- description of the procedures applied and the time frame for reporting on the outcomes of any investigation
- statement of outcomes
- staff member(s) handing complaint

The record of complaint will be filed in College's records management system.

### **References**

- [EREA Complaints Handling Policy and Guidelines](#)
- Privacy Policy
- Complaints Handling Guide (Appendix 1)

### **Review**

Reviewed and approved by EREA Board: 7 August 2020

Date of next policy review by the College: December 2022



## Complaints Handling Guide

St Mary's College welcomes feedback from all members of the College community and takes all complaints or concerns that may be raised seriously. This Complaints Handling Guide is designed to assist you to understand our complaints handling process.

### What is a Complaint?

A complaint is an expression of dissatisfaction made to St Mary's College, related to our services or operations, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.

### St Mary's College's Commitment

St Mary's College is committed to handling complaints effectively and efficiently. To manage complaints effectively, we have established a Complaints Handling Program in line with both the international complaints handling standard (ISO 10002:2014 Quality management – Customer satisfaction – Guidelines for complaints handling in organizations), and the Australian/New Zealand complaints handling standard (AS/NZS 10002:2014 Guidelines for complaint management in organisations).

Our program includes the establishment of online complaints management which allows us to effectively capture, manage and report on complaints. Regular analysis of complaints received and the implementation of rectification action, where deficiencies are identified, are key to the College's commitment. Our internal complaints handling process are available at no cost.

### Informal Complaints Resolution

The vast majority of issues causing concern in schools can be handled quickly and in an informal manner. In most cases these issues can be resolved through informal discussions with appropriate staff members. Even if an issue is able to be resolved informally, all staff are required to log issues through our complaints management system so we are able to identify any systemic issues arising, and take appropriate rectification action.

### How Do I Make a Formal Complaint?

If you have been unable to resolve a matter informally, or simply wish to make a formal complaint you can do so by any of the following means:

1. sending an email to [complaints@stmaryscollege.vic.edu.au](mailto:complaints@stmaryscollege.vic.edu.au)
2. writing a letter to the College addressed to the Complaints Manager
3. telephoning the College and asking for your details to be sent to the Complaints Manager

All formal complaints will be logged into our complaints management register and managed in accordance with the following procedure.

### Our Internal Complaints Handling Process

**Step 1** – All formal complaints are logged through our online complaints management system where they are screened by one of our Complaints Officers, the Complaints

Manager, or, in the case of a complaint directly related to conduct by the Principal, Deputy Principal or Member of the College Advisory Board, the EREA Regional Director.

**Step 2** – All valid complaints will be acknowledged in writing and a target timeline for resolution established within 3 business days. Complaints will then be allocated a status, priority and target resolution date. It is our policy, where possible, to commence an initial investigation and make a preliminary determination within 10 business days of acknowledging the complaint.

**Step 3** – The Complaints Officer shall conduct an investigation into the issues raised, following principles of procedural fairness, and make a determination.

**Step 4** – Following the determination, if appropriate, the Complaints Officer shall formulate a resolution and provide a written response to the complainant. The matter will be closed if this response is accepted.

**Step 5** – If the initial response is not acceptable the matter will be reviewed internally by the Principal or the Principal's delegate, who may seek additional information or submissions from the relevant parties. The Principal or their delegate seek to resolve all disputes within 20 business days of the acknowledgement of the complaint. The matter will be closed if the response of the Principal, or their delegate, is accepted. Where appropriate, the matter may be escalated to the EREA Regional Director.

**Step 6** – All complaints received will be entered into our Complaints Register and, where appropriate, a corrective action request will be made to address any underlying processes which the complaints investigation revealed may require improvement.

**Step 7** – If the matter remains unresolved, the complainant may pursue external resolution alternatives.

### **Overseas Students**

If an overseas student isn't satisfied with the outcome of College's internal complaints handling process, they may lodge an external appeal through the Overseas Students Ombudsman (OSO) which investigates complaints about problems that overseas students or intending overseas students may have with private education and training in Australia. The services of the OSO are free. The contact details for OSO are as follows:

- Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)
- Call: 1300 362 072 within Australia. Outside Australia call +61 2 6276 0111
- Enquiries: 9:00am to 5:00pm Monday to Friday, Australian Eastern Standard Time (Australian Eastern Daylight Time when daylight savings is in effect)
- Postal: Commonwealth Ombudsman, GPO Box 442 Canberra ACT 2601
- Website: <http://www.oso.gov.au/>

St Mary's College agrees to be bound to the OSO's recommendations, and will ensure that any recommendations made are implemented within 30 days of receipts of the report.

### **Confidentiality**

Confidentiality applies with respect to both information relating to the person making the complaint, and, if relevant to a person against whom a complaint is made. The College is committed to maintaining the confidentiality of information throughout the complaints process.

Personally identifiable information about a complainant will only be made available for the purpose of addressing the complaint and (unless the complainant consents) will be actively protected from disclosure.