

# Maronite College of the Holy Family

## Complaints and Grievances Policy



Maronite College of the Holy Family policies have a commitment to Maronite Catholic ethos and values, and should be read in conjunction with other policies and procedures and with relevant legislation.

### **POLICY REVIEW**

The policy will be reviewed not less frequently than once every three years.

<b>POLICY DATES</b>			
<b><i>Implemented</i></b>	August 2013	<b><i>Reviewed</i></b>	8/4/2019
<b><i>Next Review Due</i></b>	NOVEMBER 2019		
<b>POLICY AUTHORISATION</b>			
Signed Original in Sr Irene's Office			
<b>SR IRENE BOUGHOSN: PRINCIPAL</b>			

## **INTRODUCTION**

Maronite College of the Holy Family is committed to developing an educational and organisational culture based on mutual trust and respect.

We acknowledge that, sometimes complaints about a decision, behaviour, communication, act or omission may arise. Whilst most issues can be resolved through direct discussion with the parties, there may be instances in which this is not possible.

Maronite College of the Holy Family policies have a commitment to Maronite Catholic ethos and values, and should be read in conjunction with other policies and procedures and with relevant legislation.

## **SCOPE OF THE POLICY**

This policy provides a process for those receiving services from Maronite College of the Holy Family to raise concerns or complaints. Employees should refer to the '*Code of Conduct: grievances procedure*'.

Complaints may relate to any area of College life. Maronite College of the Holy Family has a specific complaints process which addresses procedures for complaints of child abuse and reportable conduct. As such, nothing in this document replaces the processes outlined in the 'Child Protection Policy'.

## UNDERLYING PRINCIPLES

Maronite College of the Holy Family is committed to the following principles to ensure complaints are addressed appropriately.

The following principles inform the content of this policy:

**(a) Commitment**

This College will investigate all complaints in accordance with this policy. This will be reflected in the:

- adoption and distribution of the complaints handling policy and procedures
- appropriate training of workers in the implementation of this policy
- monitoring and evaluation of effectiveness of the Complaints Handling Policy and Procedures

**(b) Responsiveness**

Complaints will be dealt with promptly. The process and the time needed to resolve an issue will vary depending on the nature and complexity of the issue.

**(c) Visibility**

The existence of this complaint handling policy and procedures, its purpose and the method of accessing it will be promoted externally to the community via the College website.

**(d) Subsidiarity**

The process of responding to a formal complaint will reflect the principle of subsidiarity. This means that we expect that complaints may be resolved wherever possible at the lowest level of management necessary for their proper resolution.

**(e) Procedural fairness**

The principles of procedural fairness will be followed in all aspects of complaint handling. Procedural fairness includes:

- giving you the opportunity to put your case
- offering reasonable assistance to you to enable the complaint to be made and to know the complaint handling procedures
- informing the respondent of the substance of the complaint and providing an opportunity to respond
- providing the respondent with information about the complaint investigation process including outcomes
- handling the complaint process confidentially
- determining complaints as expeditiously as possible and advising you and the respondent of the outcome of the investigation;
- assessing the facts and circumstances of the situation objectively and determining the complaint fairly and equitably;
- providing you with details of the determination and reasons for the decision
- informing you and the respondent of any avenue for review

**(f) Confidentiality and Privacy**

Confidentiality is an obligation to the provider of information while privacy is an obligation to the subject of the information. Privacy will be in line with the principles outlined in the College Privacy policy. In making a complaint you can feel secure that your complaint will remain confidential. Confidentiality will be respected at all times within the constraints of the need to fully investigate the complaint. The obligation to maintain confidentiality extends also to you as the complainant and to the respondent.

**(g) Access and equity**

The complaints handling process needs to be accessible and additional assistance may be available to you if you are from a culturally and linguistically diverse background, have a disability or are a young person.

**(h) No victimisation**

If you make a complaint in good faith you will be protected from detrimental action including victimisation or unfair treatment.

**(i) Vexatious or malicious complaints**

There is an underlying assumption that complaints are made in good faith (and with good will) and with an intention for resolution as opposed to retribution.

**(j) Anonymous complaints**

Anonymous complaints do not reflect the principles outlined above. If you make an anonymous verbal complaint to the College you will be encouraged to identify yourself in order for the procedures outlined in this policy to be implemented fully.

## **OPTIONS AVAILABLE TO PERSONS WITH COMPLAINTS**

### **Deal with the situation personally**

In less serious matters in which there is no risk of harm to any person it may be preferable to discuss the issue of concern with the relevant person to endeavour to reach an amicable resolution.

### **Contact the College**

A person may feel unable to approach the relevant person directly or not be satisfied with their response. The matter may be more serious in that the complainant believes a person is at risk of harm. In such instances a person may wish to contact the College.

## **INTAKE PROCESS**

### **1. For serious concerns regarding College Staff or College Issues**

Contact the College administration located in D Block in person.

### **2. For Concerns Regarding Students Behaviour, Attendance or Curriculum matter**

Write a note directly to the teacher requesting an appointment time or ring the office and the secretaries will pass on the request to the teacher

## RESOLVING YOUR COMPLAINT

The first step with any complaint is to ensure, so far as is reasonably practicable, that the appropriate person is handling your complaint on the basis of subsidiarity.

### 1. For serious concerns regarding College Staff or College Issues

Contact the College administration located in D Block in person.

#### Administration Staff will:

- i) Take the contact details of the complainant and ask the complainant and record a brief description of the complaint.
- ii) Inform the Principal on the day the complaint is received.

#### The Principal will:

1. Within 7 days of receiving the complaint contact the complainant and arrange a meeting. During this meeting the Principal will ask the complainant to clarify the nature of the complaint including the context of the matter, who is involved, when it happened, where it happened, any other contextual information and the resolution that is sought.
2. Advise the person/s, against whom the complaint has been made of the concern and provide them with the opportunity to respond.
3. Notify all relevant parties.
4. Determine the process of the investigation and record.
5. Forward a copy of the information to the person she feels is most appropriate for following up the complaint.
6. When the enquiry is finalised the documentation is returned to the Principal for final closure. The Principal will ensure accurate and confidential records have been maintained
7. The Principal will meet with the complainant to finalise the matter. *No further action will be taken when the complainant is satisfied with the explanation given at the time of making the complaint except when the complaint refers to matters that must be investigated under Child Protection Legislation.*

#### Child Protection

The College must make a report immediately if there are current concerns about the safety, welfare and wellbeing of a child to the relevant authority, including the NSW Ombudsman's Office, Office of the Children's Guardian, Family and Community Services and/or the Police for any of the following reasons:

- the basic physical or psychological needs of the child or young person are not being met (neglect)
- the parents or caregivers have not arranged necessary medical care (unwilling or unable to do so)
- risk of physical or sexual abuse or ill-treatment (physical or sexual abuse)
- parent or caregiver's behavior towards the child causes or risks psychological harm (emotional abuse)
- incidents of domestic violence and as a consequence a child is at risk of serious physical or psychological harm (domestic or family violence).

Maronite College of the Holy Family has the following procedures in place to support staff who identify a child at significant risk of harm and parents who have a complaint or allegation against staff misconduct or reportable conduct.

- i) Organize a meeting with the Principal to discuss your concern
- ii) The Principal will make a written report and consult with the relevant department College Psychologist.
- iii) Notification will be made by the Principal to the relevant authority, including the NSW Ombudsman's Office, Office of the Children's Guardian, Family and Community Services and/or the Police.
- iv) The Principal will inform the College Board of any Child Protection allegations against staff.

8. The Principal will keep documentation confidential in a Complaints File.

## **2. For Concerns Regarding Students Behaviour, Attendance or Curriculum matter**

i) Write a note directly to the teacher requesting an appointment time or ring the office and the secretaries will pass on the request to the teacher, the teacher will contact you within 7 days and organise an appointment time convenient to both parties.

ii) The class teacher will record meeting details and the outcome. All documentation will be filed in the student file.

If parents are still concerned the teacher will inform the appropriate Primary or Secondary Leadership Team and hand over all documentation collected.

iii) The Leadership Team member will contact the parents within 7 days to organise a meeting and advise parents of all the alternatives which need to be considered and record the outcome. All documentation will be filed in the student file.

If an outcome cannot be achieved the Leadership Team member will consult with the Principal and hand over all documentation collected.

v) The Principal will meet with the complainant to finalise the matter. *No further action will be taken when the complainant is satisfied with the explanation given at the time of making the complaint except when the complaint refers to matters that must be investigated under Child Protection Legislation.*

The Principal will give the documentation to administration staff to be filed in the relevant student, staff file with all accompanying documentation.

### **What are the possible outcomes?**

A complaint may be resolved in a variety of ways. This will depend on whether or not the complaint is substantiated, the seriousness of the matter, the wishes of the complainant and the nature of the working relationship of the persons involved. A complaint is said to be substantiated if the person investigating it believes that on the balance of probabilities the allegation did occur.

If the complaint is upheld or sustained, the following are some possible outcomes depending on the nature of the complaint:

- an agreement between you and other parties
- a verbal or written apology
- the review of a policy or procedure
- mediation
- dissemination of information
- directions about further interaction between you and other parties to the complaint
- where a staff member is the subject of the complaint, targeted professional development or training may be provided, referral to counselling or disciplinary action may follow
- where a student is the subject of the complaint, referral to counselling or a range of sanctions as set out in the College discipline policy may be invoked

If a complaint is not upheld or not substantiated (e.g. the evidence is insufficient on the balance of probabilities) but some issue comes out of the investigation that is required to be addressed then, possible outcomes include:

- relevant training for staff or students
- monitoring of behaviour of staff, students or parents
- counselling for the parties involved
- mediation at local level
- review of policy or procedure

If the complaint is proved not to have happened at all, or if there is evidence that the complaint was made with the main purpose or intent of causing distress to the respondent the following are possible outcomes:

- counselling for one or more of the parties involved
- a verbal or written apology from you
- disciplinary action (where the person affected is a student)

### **Right of review**

If you have been involved with a complaint matter and you have concerns regarding the complaints process or believe the outcome to be unfair, you may refer the matter to the Principal where the investigation process will be reviewed and a decision made as to whether these procedures have been followed and reasonably determined. Depending on the outcome of this investigation, either no further action may follow or there may be further consideration of the matter.

This procedure does not limit your right to use other available agencies and processes, such as the Privacy Commissioner, the Ombudsman, the workplace regulator or legal processes.

### **Record Keeping**

Records of complaints, interviews and other documentation relating to a complaint investigated at the College will be kept at the College in related staff and student files for the life of that file.

### **Appeal**

A person who is not satisfied the matter has been resolved appropriately may choose to appeal to the College Principal.

In the final instance a parent may appeal to the NESAs.

## CONTACTING THE COLLEGE

If parents would like to discuss any issues relating to their children’s education at Maronite College of the Holy Family, the following procedures are in place.

### ISSUES

#### CONCERNS REGARDING COLLEGE STAFF OR COLLEGE ISSUES

Visit the College Administration office in D Block to lodge a Complaint.  
The information will be given to the Principal on the day it is received

#### STUDENT ISSUES (eg: Behaviour, Attendance and Curriculum)

Write a note directly to the teacher requesting an appointment time or ring the office and the secretaries will pass on the request to the teacher, the teacher will contact you within 7 days and organise an appointment time convenient to both parties.

**Class/Homeroom Teacher**  
The class teacher will record meeting details and the outcome. If parents are still concerned the teacher will inform the appropriate Head of Department.

**Leadership Team: primary/secondary**  
A member of the Leadership team will contact the parents within 7 days to organise a meeting and advise parents of all the alternatives which need to be considered.  
If an outcome cannot be achieved the Leadership Team will consult with the Principal

#### PARENT / COMMUNITY INVOLVEMENT Join the Parent Association or express Ideas.

Phone the Office: the secretaries will provide contact details for the Parent Association Secretary.

The Parent Association meets regularly. Notification is given to all members. The Parent Association is joined by the College Principal.

### PRINCIPAL

The principal will contact the complainant within 7 days of receiving a complaint and organise a meeting.

