COMPLAINTS POLICY

2010

Confirmed April 2011
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1. Rationale

1.1 The resolution of potential or actual conflict between schools and their communities is important to the wellbeing and success of all persons involved with schools.

1.2 A commitment to provide persons with an opportunity to provide positive, critical feedback on their experiences with St. Gregory’s College enables those persons to contribute to the continual review, and affirmation of, or improvement (where necessary) to the College’s programs and services.

2. Statement of purpose

2.1 The Policy establishes the framework and provides directions for the receipt, and handling/management of complaints received by the College.

3. Guidelines

3.1 The Policy provides the College’s compliance with Section 3.6.2, Safe and Supportive Environment, of the Board of Studies NSW Registered and Accredited Individual Non-Government Schools (NSW) Manual (2004).

4. Definition: What is a formal complaint?

4.1 A complaint is an expression of dissatisfaction with a real or perceived concern.

4.2 For the purposes of the Policy, a formal complaint must either be made in writing by an identified person(s) or raised at a meeting (convened for the purpose) between a College staff member and the person making the complaint (“the complainant”).

4.3 Such a complaint may be made if a complainant thinks that the College has, for example:

   • done something wrong; and/or
   • failed to do something it should have done; and/or
   • acted unfairly or impolitely.

4.4 A complaint may be made about the College as a whole, about a specific Department in the College or about an individual staff member.

4.5 Informal complaints, such as those made “in passing”, during a social gathering or school function, or mentioned “off the record”, may be investigated and acted upon by the College or one of its staff, but does not necessarily engage the whole process detailed in this Policy.

4.6 Anonymous complaints may or may not be acted upon by the College, depending on the nature of the complaint.

5. Procedures

5.1 Designated Officer for overseeing complaints handling/management

   5.1.1 The College has designated the Deputy Headmaster as the overseer of complaints handling/management within the College.
5.1.2 In this capacity, the Deputy Headmaster shall be available to provide clarification/assistance to any person on any matter with respect to complaints handling/management, including the lodging of a complaint.

5.2. Complaint sources and the Policy

5.2.1 There are essentially four key sources of complaints that may be received by the College: students, Parents/Guardians, College staff and the public.

The Policy covers formal complaints from these sources.

5.2.2 Complaints from members of the public will be treated in a similar way to complaints from Parents/Guardians, although complaints from the public should be referred directly to the Director of Students.

5.2.3 The Policy does not apply to matters which fall within the following areas:

- Child protection matters (and associated legislation) which will be addressed as the legislation and the College’s internal guidelines require;

- Student-related matters where internal College processes already exist, for example: bullying and harassment;

- Staff employment-related matters where external and internal processes exist, for example: conditions of employment, and issues of performance and conduct, discrimination and harassment.

5.3 Making a complaint

5.3.1 Note: Parents/Guardians are ill advised to approach the children of other families who have children attending the College with a school-related complaint. This is often a sensitive area, and in order to protect all the parties, the College requests that complaints are handled through a College staff member.

5.3.2 Annexure 2 is a flow chart of the College’s complaints handling procedure.

**Before making a formal complaint**

5.3.3 Sometimes a complainant can address their issue by raising it directly with the person involved with a view to discussing and resolving the matter.

**5.3.4 The College recommends/prefers that parties attempt to resolve issues directly with each other, before considering using the formal complaint process detailed in the Policy.**

**Making (and resolving) a formal complaint**

5.3.4 Where the complainant feels that he/she cannot approach the person involved directly, it is then that the process of making a formal complaint can be used.

5.3.5 According to the Church principle of subsidiarity, complaints should be raised with, and handled by a College staff member who is the proximate competent authority/person, that is: the most appropriate and competent staff member for the issue.
5.3.6 To make a complaint, the complainant is requested to complete the College’s standard Complaint Form provided at Annexure 3 of the Policy, and submit it to the College staff member.

Two exceptions to this requirement are as follows:

• Complaints from students: A student may initially raise a complaint with any College staff member with whom he feels comfortable. That staff member may then assist the student in referring the complaint to the appropriate person.

• Complaints from the public: These complaints should be directed to the Director of Students.

5.3.7 Upon receipt of the complaint, the College staff member shall advise the Director of Students and the Deputy Headmaster of the complaint via email/note.

5.3.8 If approached about a complaint that lies outside their level of authority/delegation, College staff shall refer it to the appropriate person.

Where a staff member for whatever reason receives a complaint about a colleague who would be the appropriate person for handling the issue, he/she as a matter of courtesy is to ask the complainant if he/she is prepared to have the complaint passed onto the individual so that the individual can respond to it.

5.3.10 Complaints unable to be resolved at a particular level shall be referred to the appropriate senior staff member. This covers, for example: a complaint made to a relatively junior staff member about a more senior colleague.

5.3.11 Senior staff will recognise when complaints should be addressed to the Headmaster, with whom the responsibility for most serious complaints lies.

5.3.12 A complainant may wish to raise his/her concerns directly with the Headmaster. This covers, for example: a complaint made about a member of the College Leadership Team.

Note: There may be instances where the Headmaster might not be able to respond to a complaint until he has consulted the College staff that can assist him.

5.3.13 There may be certain circumstances, such as complaints about the Headmaster, when the complainant should contact the Deputy Headmaster directly, whose contact details will be supplied on request, and are available from the College Reception.

5.3.14 The College staff member handling a complaint shall keep the complainant informed of the action being taken at all times.

5.3.15 The College staff member shall discuss and agree the proposed resolution of a complaint with the appropriate senior staff member prior to agreeing to the resolution with the complainant.

5.3.16 Where a complaint has been resolved, the College staff member involved in the resolution shall complete the relevant sections of the College’s standard Complaint Form.

5.3.17 Upon resolution of the complaint, the College staff member shall forward all documents relating to the complaint to the Deputy Headmaster for filing/records purposes (refer to Section 5.9, Recording formal complaints, below).
5.4 Complaint resolution

5.4.1 Any action taken about a complaint will depend on the nature of the complaint, and each will be dealt with on a case by case basis.

5.4.2 Complaints may be resolved in a way that may include one or more of the following:

• The College dismissing the complaint;

• The College implementing appropriate changes to systems, policies and procedures;

• Agreement between the parties;

• The College providing a written or verbal apology;

• The College upholding the complaint and implementing action to address the concerns;

• A determination that both parties are at fault and implement action to address their behaviour;

• A matter being referred for investigation/disciplinary action;

• Other response, as considered appropriate.

It is important to note, therefore, that not all complaints may be resolved to the mutual satisfaction of all parties, or to the satisfaction of one party or both.

5.5 Intractable complaints

5.5.1 A complaint may become intractable for various reasons, including: its nature, the way in which it has been handled, because the complainant perceives the College has “closed ranks” against him/her, or the nature of the complainant him/herself.

5.5.2 Where a complaint has been referred through to the Headmaster and the complainant remains unsatisfied, the complainant may forward the complaint to the Executive Director – Marist Ministries Office, for the Trustees of the Marist Brothers, Sydney Province.

For the purposes of the Policy, the Executive Director – Marist Ministries Office is the final avenue for consideration of a complaint.

Again, it is important to note that not all complaints may be resolved to the mutual satisfaction of all parties, or to the satisfaction of one party or both.

5.6 Confidentiality and privacy

5.6.1 Confidentiality and privacy require that parties should make all reasonable efforts to ensure that information is restricted to those persons who genuinely need to know.
5.6.2 The complainant might request that his/her identity be withheld. Whilst such a request will be respected, it may undermine the College’s ability to address the complaint, and accordingly, the College does not guarantee it.

5.6.3 Confidentiality of information is not guaranteed, as there are situations (example: disciplinary or court procedures) where the concept of procedural fairness requires that the person about whom the complaint is made should have the opportunity to hear the details of the complaint and be afforded the opportunity to reply to it.

5.6.4 Details of any action taken or proposed with respect to a person about whom the complaint is made may or may not be provided to the complainant, which the College shall decide on a case by case basis.

5.7 Protection from victimisation

The College will make all reasonable efforts to protect a complainant from being victimised in any way as a consequence of making a complaint.

5.8 Vexatious or malicious complaints

5.8.1 The College shall operate with an underlying assumption that complaints are being made in good faith (and with good will) and with an intention for resolution as opposed to retribution.

5.8.2 Where a complaint, however, is found to be false and there is evidence of malicious intent on the part of the complainant, the College shall give consideration to, and may take whatever action(s) is available to it and which it deems appropriate, against the complainant.

5.9 Response times

5.9.1 The College shall address complaints within as short a period of time as possible.

5.9.2 In most cases a reasonable time to resolve a complaint might be one month. In some cases, however, where external persons or factors are involved, it may take a little longer to resolve the complaint.

5.9.3 If the nature of a complaint is unclear, the College shall request the complainant to clarify the complaint, which may impact on the time taken to address the complaint.

5.10 Recording formal complaints

5.10.1 The College shall keep records of all formal complaints because a complaint may become the cause of further action in the future, or patterns in records may indicate a need for action.

5.10.2 For each complaint, a record of the complaint, any interviews, conversations (whether by phone or in person) and other documentation relating to the complaint shall be maintained in a separate restricted access file at the College by the Deputy Headmaster.

5.10.3 Where appropriate, matters contained therein shall also be filed as a hard copy in a student’s personal file. They may also be kept on the student’s electronic file.

5.10.4 Where appropriate, particularly in relation to ongoing management or care issues relating to a complaint, the College shall cross-reference the complaint file to a student’s personal file (and electronic file) or a College staff member’s personnel file, as the case may be.
5.11 Monitoring/review of complaints and their handling/management

The Deputy Headmaster shall report formal complaints lodged with the College to the Headmaster, providing details as appropriate, including information on their handling/management.

6. Responsibility

6.1 The College's Deputy Headmaster is responsible for overseeing the implementation of the Policy.

7. About the Policy/review

7.1 The Policy is not a term of any contract, including any contract of employment.

7.2 The Policy may be varied by the College from time to time in the event of any information that would demonstrate the need for a review, or resulting from any legislative or organizational change that would warrant a review.
Key principles

The key principles for the handling of complaints by the College are as follows:

• The College is open to issues raised by students, Parents/Guardians, College staff and the public;

• Complaints are received in a positive manner;

• Persons can expect to be taken seriously and can approach any College staff member about issues;

• Information about complaints is clear and readily available;

• Complaints are handled in accordance with the principles of procedural fairness, which includes:
  − people being informed about the complaint, and having an opportunity to respond to it; and
  − an impartial investigation into the complaint, and decision making process;

• Complaints are dealt with in a timely manner and those persons who have raised them are kept informed about progress;

• It is not acceptable for students enrolled at the College to receive adverse treatment because they or their Parents/Guardians have raised a complaint, or staff as well;

• Clear confidential files are kept;

• Confidentiality is respected and maintained so far as is possible;

• Issue resolution is sought.
Complaints handling procedure flowchart

Usual procedure:

- Complaint lodged
  - (College’s recommendation/preference)
    - To person involved
      - (1) College staff member; or
      - (2) Deputy Principal; or
      - (3) Principal
  - Complaint referred
    - Advises Deputy Principal of complaint
      - Oversight of complaint handling/management process

Exception to use of the usual procedure:

- A complaint may not be taken to the person involved where it may be considered too serious, if people feel too emotional, or if it is not appropriate for the person to take it up with a child;

- Any issue regarding the safety and well-being of children and young people. (This should be taken to the Headmaster directly);

- Any issue addressed by the College’s policies/guidelines/procedures outlined in Section 5.2, Complaint sources and the Policy, of the Policy;

- Other issues that may require special sensitivity, or as determined by the Deputy Headmaster (in consultation with the Headmaster).
St Gregory’s College
Complaint Form

(1) Your details
Surname ___________________________ Given name(s) __________________________
Address ___________________________________________________________________
Phone number (H) _______________ (W) _______________ (M) ______________

(2) Are you a student parent/guardian staff member other (please circle)
For Students, Parents/Guardians (name of student) ________________________________
For Staff or Other (please specify) ____________________________________________

(3) Provide details of your complaint and outcome you are seeking (attach another sheet/documents if appropriate/necessary)
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

(4) Have you previously discussed the complaint with a College staff member? (please circle)
Yes         No
If Yes Who? __________________________ When? __________________________
What was the result? (attach another sheet/documents if appropriate/necessary)
___________________________________________________________________________

Your signature __________________________ Date ________________

Name of College staff member receiving/recording complaint __________________ Signature __________________________ Date ________________

College staff member receiving the complaint must advise the Director of Students and the Deputy Headmaster of the complaint via email/note.

Mail, fax or deliver the completed form (both pages) to:
Confidential
Deputy Headmaster

St. Gregory’s College
100 Badgally Road, Campbelltown NSW 2560, Australia Ph: (+612) 4629 4222 Fax: (+612) 4629 4124
Note: Complaints from a member of the public should be directed to the Director of Students.
(This page is for internal College use only)

(5) Staff member handling/responding to the complaint

(6) What is your assessment of the complaint? (attach another sheet/documents if appropriate/necessary)

(7) How is the complaint to be resolved? (tick the appropriate outcome/s)
(May include one or more of the following)

- College to implement appropriate changes to systems, policies and procedures
- Agreement between the parties
- College to provide a verbal or written apology
- College to uphold the complaint and implement action to address the issue(s)
- Determination that both parties are at fault and action to be implemented to address their behaviour
- The matter be referred for investigation/disciplinary action
- College to dismiss the complaint
- Other

Provide details (attach another sheet/documents if appropriate/necessary)

Resolution agreed with the appropriate senior staff member

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<th>Name of staff member</th>
<th>Signature</th>
<th>Date</th>
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<table>
<thead>
<tr>
<th>Name of senior staff member</th>
<th>Signature</th>
<th>Date</th>
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(8) Tracking the complaint

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<tr>
<th>Task</th>
<th>Signature</th>
<th>Date</th>
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<tbody>
<tr>
<td>Complaint acknowledged to complainant</td>
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<td></td>
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<tr>
<td>Deputy Headmaster advised of complaint</td>
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<td>Complaint resolved</td>
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<td>Information sent to complainant</td>
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<tr>
<td>Complaint closed, and file sent to Deputy Headmaster</td>
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**Information for student diary**

Do you have any concerns, complaints, or suggestions about your experiences at school?

If so, we would like to hear them.

**How do I make a complaint?**
By talking about it, or by writing it down if you find that easier. You can do it by yourself, or as part of a group, or through your Parents/Guardians.

**Who can I complain to?**
Any College staff member. However, if you are unsure of how to proceed with a complaint, please feel free to speak with the Director of Students or the College Counsellor who can assist you with the best approach.

**Does it matter what the issue is?**
No, it can be a big issue or a small one. By discussing it, you may come up with some positive ideas.

**What will happen next?**
If possible, the staff member will deal with your complaint in person. If not, he/she will go on your behalf to someone who can help.

**Do others have to know?**
If you are worried about confidentiality, tell the staff member – he/she will understand. Even if you find the issue hurtful or embarrassing, don’t worry – it will only be discussed by College staff that can help you.
Information for Parents/Guardians and the Public

(For information sheet available on the College website or from the College Reception)

Do you have any concerns, complaints, or suggestions about your experiences with the College?

If so, we would like to hear them.

The College welcomes suggestions and comments from Parents/Guardians of boys enrolled at the College and the public, and takes seriously complaints that may be raised. This leaflet will show you how to use our complaints system.

A complaint will be treated as an expression of dissatisfaction with a real or perceived concern that needs a response.

We wish to ensure that:

• if you would like to make a complaint you know how to do so;

• we respond to complaints within a reasonable time and in a courteous and efficient way;

• persons realise that we listen and take complaints seriously; and

• we take action, where appropriate.

How should I complain?
When you contact the College, please ask to speak to the College staff member most closely connected with the issue, for example: Teacher or Year Coordinator. Be as clear as possible about what is concerning you.

The staff member may be able to resolve the issue relatively quickly.

However, you may prefer to take the issue to a more senior staff member, for example: KLA Coordinator or a Director on the College Leadership Team.

In certain circumstances, you may feel it appropriate to raise the issue directly with the Headmaster. Please note, though, that the Headmaster might not be able to respond until he has consulted with the staff member(s) who can help.

“I don’t want to complain as such, but there is something bothering me”
We are here for you and your son (if you are a Parent/Guardian of a student at the College), and we want to hear your views. Contact a staff member, as described above.

“I am not sure whether to complain or not”
If you have a concern, you are entitled to raise it. If in doubt, you should contact us, as we are here to help.
What will happen next?

If you raise an issue face-to-face or by telephone, it may be possible to resolve the matter immediately or shortly afterwards, and to your satisfaction.

Formal complaints must be lodged in writing, or at a meeting convened for that purpose.

If you have made a formal complaint, we will contact you to respond to your concern and explain how we propose to proceed.

In many circumstances, the person you contact might need to discuss the matter with a colleague and consider it further before responding.

We will attempt to deal with the complaint as quickly as possible.

Our response to a complaint will tell you of the outcome of your complaint. It will explain the conclusion, the reasons for it, and any action taken or proposed.

What happens about confidentiality?

Your complaint will be treated in a confidential manner and with respect.

It is the College’s policy that a complaint made by Parents/Guardians should not rebound adversely on their children, and similarly, that a complaint raised by a student will not rebound on him or on other students.

We cannot entirely rule out the need to make third parties outside the College aware of a complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a student’s safety was at risk or it became necessary to refer an issue to the Police. You would be fully informed in such instances.

While information relating to a specific complaint will be kept confidentially on file, we wish to point out that an anonymous complaint might not be pursued.

Action, which might need to be taken under the College’s staff disciplinary procedures as a result of a complaint, would be handled confidentially within the College.

What if I am not satisfied with the outcome?

We hope that you will feel satisfied with the outcome, or at least that your complaint has been fairly considered.

A copy of our policy is available on the College website or from the College Reception, upon request.

Contact details

Deputy Headmaster
St. Gregory’s College
100 Badgally Road
Campbelltown NSW 2560

Phone: (+612) 4629 4213
Fax: (+612) 4629 4124
Email: skennaugh@stgregs.nsw.edu.au

(For a segment in the College newsletter in Terms 1 and 3 each year)

Do you have any concerns, complaints, or suggestions about your experiences with the College? If so, we would like to hear them. Please see the information sheet on our website, or contact the College Reception on (+612) 4629 4222.