

APPLICABLE TO	CSO, school-based and Diocese staff
DOCUMENT OWNER	Director of Schools
SCHOOL ACTIONS	System procedure: Schools are to ensure their practices are consistent with this procedure. A local procedure is not required.
APPROVAL DATE	10 May 2019
APPROVED BY	CSO Leadership Team
LAST REVIEW DATE/S	2013, 9 November 2018
NEXT REVIEW DATE	2021
RELATED DOCUMENTS	Complaints Resolution Policy (2019) CSO Code of Conduct (2017) Conflict of Interest Policy (2017) Child Protection: Reporting Concerns for Children (2015) Gifts and Benefits Policy Privacy Policy (2018) Sponsorship Policy Workplace Email and Network Usage Policy (2016) Whistleblower Policy (2017)

## Purpose

These procedures outline a consistent approach to deal with and manage complaints made to or about us.

Our complaint resolution procedures are intended to:

- enable us to meet our obligations to respond to complaints in a fair, effective and efficient manner.
- provide guidance to parents/carers on how to make a complaint at their child's school.

The procedures are to be read in conjunction with the Complaint Resolution Policy.

## Scope

These procedures apply to all CSO, school-based and Diocese staff receiving and managing complaints about an aspect of the CSO or school operations, services, staff, students, or people associated with the CSO or using CSO or school facilities.

## Step by Step

There is a 5-step process to help you and the school reach an outcome that is in the best interests of your child. You must go through each step before progressing to the next. The five steps are:

1. Discuss your complaint with the class teacher\*
2. Discuss your complaint with the Principal or their delegate
3. Contact the CSO Family Liaison Team
4. Contact the Director of Schools
5. Request an independent review

\*You should speak directly to the Principal if your complaint relates to general school matters or school policy. You should speak to the Family Liaison Team if your complaint is about a school Principal.

### **1. Discuss your complaint with the class teacher**

Most complaints should be resolved at the local level. The teacher will make a record of your complaint and report your meeting and any outcomes to the school Principal.

Contact the school to make an appointment with your child's teacher.

### **2. Discuss your complaint with the Principal or their delegate**

If you can't resolve your concerns after speaking to your child's teacher, you can raise your complaint with the school Principal. The Principal, or their delegate, may also be able to help you and the teacher resolve the problem if you were not able to after your initial discussion.

Complaints to the Principal can be submitted in person, by telephone, in writing or via email.

### **3. Contact the CSO Family Liaison Team**

If you have not reached a resolution through steps 1 and 2, you should contact the CSO Family Liaison Team. You can lodge your complaint in person, by telephone, in writing, or online.

Your complaint should outline the steps you have taken to resolve the issue and include your full name and address. You should also sign and date it, and it's a good idea to keep a copy of any correspondence for your own records.

Your name and the nature of your complaint will be sent to the Principal of your school. A representative from the Family Liaison Team will then work with you and your school to seek a resolution.

Anonymous complaints will only be acted on if enough information has been provided to allow for follow-up with the relevant school Principal.

### **4. Contact the Director of Schools**

If your issue has not been resolved through the above process, or if you would like a review of the complaint outcome because you have information that the complaint outcome was incorrect and/or the complaint handling process was unfair, you can lodge your request with the Director of Schools.

Your request must be in writing addressed to the Director of Schools and must be made within 10 working days from the initial complaint decision. Your request should outline the steps you have taken to resolve the issue, the reasons for the request for review, and include your full name and address. You should also sign and date it, and it's a good idea keep a copy of any correspondence for your own records.

If your complaint relates to the Director of Schools, you may submit a request for review of the complaint outcome to the Bishop.

### **5. Independent review**

You may seek advice from an external agency where relevant. The Office of the Advocate for Children and Young People provides a useful guide: <https://www.acyp.nsw.gov.au/info/making-a-complaint>.

The CSO may cease dealing with the complaint while an external process is under way.

## **Roles and Responsibilities**

### **ROLE OF THE COMPLAINANT**

- Provide a clear and honest account of concerns and expectations, including relevant information to assist in the investigation and/or resolution of the matter.
- Engage openly and in good faith, including participation in discussion with other parties to resolve concerns.

- Respond to requests for information within 10 working days.
- Respect the rights of those individuals involved in the complaint handling process.

## ROLE OF THE RESPONDENT

- Provide all relevant information/documents to assist in the investigation and/or resolution of the matter.
- Engage openly and in good faith in the complaint handling process, including participating in discussion with other parties to resolve the concerns.
- Respond to requests for information within 10 working days.
- Respect the rights of those individuals involved in the complaint handling process.

## ROLE OF THE SCHOOL

- Foster a workplace that is respectful and productive and promotes a culture that values complaint feedback and demonstrates commitment to the effective resolution of complaints.
- It is the responsibility of the school to respond to and address complaints raised by parents/carers from their school community.
- Schools are required to maintain procedures for parent/carer complaint handling that set out who to contact, actions the school could take, a timeframe for acknowledging a complaint and timeframe for resolution, types of outcomes a parent/carer could expect and the options to take the complaint further. Schools are able to adopt these procedures.
- Complaint-handling procedures must be published and readily available to the school community. They should be routinely reviewed to maintain currency and effectiveness.
- Schools should ensure all school staff are aware of the school's complaint-handling procedures and provide opportunities for staff to attend training/professional development activities with a focus on complaint management, where relevant.

### Managing a complaint

When a school receives a complaint from a parent/carer, schools must follow the below process:

- A staff member receiving a complaint should assess the complaint to identify any immediate health, safety or security risks and action/escalate to the Principal or workplace manager if there are risks.
- Actively assist parents/carers with the complaint process, informing them that at any point of the complaint process they are able to be supported by an advocate/support person.
- Consider the complaint by raising the issues in the complaint with relevant staff and/or members of the school community
- Consult, where appropriate, relevant sections of the CSO for advice. The CSO Family Liaison Team can provide advice about the management of complaints, including complex or challenging complaints or complainants where required.
- Keep confidentiality about complaints at all time, including after a satisfactory resolution. This requires everyone, including the complainant, to ensure that information is restricted to those who genuinely need to know.
- Discuss the school's findings with the parent/carer in an attempt to reach an agreed resolution.
- Ensure that complaints received are recorded and actions taken to resolve the complaint are well documented.
- Ensure a school record of all complaints is maintained at the school.

### Resolving a complaint

Best endeavors should be made to resolve a complaint promptly at the local level.

A Principal may contact the Family Liaison Team to request help to resolve a complaint.

Where a complaint is found to be justified, schools are able to resolve complaints by:

- an apology or expression of regret.
- a change of decision.
- a change of policy, procedure or practice.
- offering the opportunity for student counselling or other support.

## ROLE OF THE CSO FAMILY LIAISON TEAM

Following receipt of a written parent/carer complaint, the Family Liaison Team will:

### Managing a complaint

- acknowledge receipt of the written complaint as soon as possible, if possible, within 3 working days, ensuring the parent/carer is aware of the complaint-handling procedures.
- outline the complaints handling process and let the complainant know they will be kept up to date with progress.
- inform the Principal of the receipt of the complaint and provide an opportunity for the Principal to respond to the issues raised.
- take steps, if possible, within *10 working days*, to begin resolution of the complaint, and inform the parent/carer and other relevant parties about the timetable for resolution.
- where necessary, seek advice to determine how a complaint should be reviewed and whether other avenues of appeal/redress already exist.
- assess the complaint, which can result in the CSO undertaking one or more of the following processes to help resolve it:
  - allow more time for resolution at the school
  - provide assistance to the school to reach a resolution
  - undertake a review
  - arrange for an independent investigation
- advise the parent/carer, as soon as possible after receiving the complaint, how the complaint will be addressed.
- keep people updated on the progress of their complaint. If a delay is anticipated, inform the relevant parties and provide reasons for the delay.
- where it is considered to be appropriate provide the parent/carer with an opportunity to respond to the Principal's response to the matters raised prior to making a decision about the complaint.
- where necessary, actively support parents/carers with special needs in the complaint process.
- Keep the matter as confidential as possible, consult with other parties where necessary, only sharing information with those that need to know. Where there is more than one issue raised, determine whether each issue needs to be separately addressed.
- provide the parent/carer and the Principal of the school with the outcome of the complaint and any proposed action, the reason/s for the decision and the options for review.
- keep a record of each complaint and its outcome, including:
  - any contacts with the complainant
  - actions taken to manage the complaint
  - the outcome of the complaint, including how and whether any concerns were substantiated and the actions taken in response
  - the steps taken to follow up any outcome actions.

**Resolving a complaint**

Complaints should be finalised as soon as possible with each complaints issue assessed on its merits.

After taking into account the circumstances of the complaint and any statutory requirements, the Family Liaison Team will make a recommendation to the relevant Assistant Director that the complaint has:

- been substantiated, and the action that is required; or
- not been substantiated, and that no further action should be taken.

The relevant Assistant Director will determine the complaint and oversee the implementation of required actions.

The complaint will be determined taking into account the circumstances of each complaint and any statutory requirements.

**ROLE OF THE ASSISTANT DIRECTORS**

- Support a culture that values complaint feedback and their effective resolution in accordance with policy and procedures.
- Determine escalated complaints, as appropriate.
- Support staff to handle complaints promptly and effectively.

**Managing a complaint**

When determining how to address a complaint the Assistant Director will acknowledge receipt of written complaints and assess them, resulting in one of the following decisions:

- Allow more time for resolution by the CSO or school.
- Refer the complaint for a process review.
- Determine the complaint

The Assistant Director may not respond when there is an opportunity for the complaint to be resolved with the school or CSO because the issues:

- have not been raised with the school.
- are still being addressed by the school/CSO.
- are the responsibility of the school (e.g. school uniform).
- should be able to be resolved at school level.

**ROLE OF THE DIRECTOR OF SCHOOLS**

The Director of Schools is responsible for responding to parent/carer complaints when the parent/carer believes that the:

- school and CSO have not responded to their complaint in a fair, effective and timely manner.
- response by the school or CSO to their complaint is unsatisfactory.

When determining how to address a complaint the Director of Schools will acknowledge receipt of written complaints and assess them, resulting in one of the following decisions:

- Allow more time for resolution by the CSO or school.
- Refer the complaint for a process review.

**Managing a complaint**

The Director of Schools may not respond when there is an opportunity for the complaint to be resolved with the school or CSO because:

- the issues have not been raised with the school.
- the school/CSO are continuing to address the issues in the complaint.
- the issues raised are the responsibility of the school (e.g. school uniform).

- the issues raised should be able to be resolved at school level.

## PROCESS REVIEW

A process review will be conducted by an appeal committee comprising an independent person of equivalent or more senior level within the CSO who has not previously managed the complaint and an individual deemed appropriate considering the nature of the original complaint. The individual may be an employee of the diocese.

The appeal committee will:

- review the steps taken by the school and CSO to resolve the complaint, in particular, that the process has been fair, timely and extols the principles of natural justice.
- refer the complaint to the Family Liaison Team for further consideration and action if the processes used to resolve the complaint are deemed to be inappropriate given the complexity of issues raised.
- provide a response to all parties (school, Family Liaison Team, Director of Schools, and Bishop as appropriate) explaining the findings of the review.
- advise the parent/carer, where the processes used are deemed to be appropriate, that the CSO believes the matter has been given fair consideration and that the matter is finalised from the perspective of the Diocese. The parent/carer may seek advice from an external agency where relevant. The Office of the Advocate for Children and Young People provides a useful guide: <https://www.acyp.nsw.gov.au/info/making-a-complaint>

### Possible outcomes of a parent/carer contacting the Director of Schools

- The complaint has been investigated fully by the school and CSO and the proposed resolution is endorsed.
- The complaint has not been investigated fully by the CSO and will be referred back to the Family Liaison Team and/or the school for further consideration.

## General Information About Complaints Handling

### RISK ASSESSMENT AND REFERRAL

Some complaints are not dealt with by the CSO. Where there are allegations of criminal conduct, there must be a report to Police (if in doubt, contact the Family Liaison Team). Where there is a risk of significant harm to a student contact the Office of Safeguarding.

Other complaints may be referred to a specialist area for handling and may be subject to other policy requirements, if the complaint is about:

Complaint issue	Specialist area responsible for handling complaint
Admissions to schools/school attendance	School Principal, Assistant Director
Allegations of a child protection nature against an employee	Head of Service or Principal or a member of the Office of Safeguarding, Assistant Director
Allegations of corrupt conduct or misconduct <sup>1</sup>	Office of Safeguarding, Catholic Diocese Whistleblower Policy

<sup>1</sup> Reporting fraudulent or corrupt practice is also known as 'whistleblowing' or making a public interest disclosure (PID). CSO does not tolerate corrupt conduct and takes any reports of such behaviour very seriously. In accordance with the Public Interest Disclosures Act 1994, the Diocese has a policy and structures in place to protect and support whistle blowers to ensure you are not disadvantaged for raising your concern. To be afforded this protection, it is important you report your concerns correctly.

Complaint issue	Specialist area responsible for handling complaint
Breach of code of conduct complaints, e.g. allegations of bullying, physical assault	Head of Service, Principal, Assistant Director
Legal Proceedings	Diocese General Counsel
Privacy or requests for information	CSO Privacy Officer
Statutory assessment of special educational needs	School Principal, Head of Teaching & Learning
Service providers who use school premises or facilities	Complaints process of relevant provider

### Protected interest disclosures

Where a parent/carer has real and substantial concerns that as a result of raising a complaint, they may suffer a detriment and the allegations relate to corrupt conduct, they may have access to procedures under the provisions of the *Public Interest Disclosures Act 1994*. The PID Act defines the types of complaints that may be accepted as complaints under the Act. For further information, see the Diocese's Whistleblower Policy.

### Implementing actions

Staff will take all reasonable steps to implement and monitor the outcomes of the complaint. Where the outcomes relate to the whole of school, the Principal should oversee progress and/or delegate responsibility to a specific member of staff with relevant responsibilities.

### Unreasonable complainant conduct

The CSO is committed to being accessible and responsive to people who make complaints. At the same time, resolution of complaints depends on:

- staff members' ability to do the work in the most effective and efficient way possible.
- the health, safety and security of CSO staff.
- the ability to allocate resources fairly across all the complaints received.

When people behave unreasonably in their dealings with the CSO, their conduct can significantly affect the process and efficiency. As a result, the CSO will take proactive and decisive action to manage any unreasonable conduct connected with complaints and will support staff to do the same in accordance with this policy.

The CSO and its schools consider behaviour to be unreasonable when:

- it is clearly and significantly outside the expectations of cooperation, courtesy and respect.
- it calls for resources and time unjustified by the nature of significant of the complaint.
- an action of complaint is brought without merit, often to cause annoyance to another person.
- it is oriented towards conflict.

### Review and reporting

Complaints data will be recorded in a systematic way to enable reporting and analysis to the Director of Schools.

APPENDIX 1: PARENT/CARER COMPLAINT FLOW CHART

